



DÍOSPÓIREACHTAÍ PARLAIMINTE
PARLIAMENTARY DEBATES

DÁIL ÉIREANN

TUAIRISC OIFIGIÚIL—*Neamhcheartaithe*

(OFFICIAL REPORT—*Unrevised*)

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DÁIL ÉIREANN

Déardaoín, 24 Samhain 2022

Thursday, 24 November 2022

Chuaigh an Ceann Comhairle i gceannas ar 9 a.m.

Paidir.

Prayer.

Ceisteanna ar Sonraíodh Uain Dóibh - Priority Questions

Defence Forces

1. **Deputy John Brady** asked the Minister for Defence the interaction between the Naval Service and the Air Corps in relation to the new CASA aeroplanes due to be delivered to the Irish Defence Forces; and if he will make a statement on the matter. [58338/22]

Deputy Sorca Clarke: Will the Minister outline to the House the interaction between the Naval Service and the Air Corps on the new CASA aeroplanes due to be delivered to the Irish Defence Forces next year?

Minister for Defence (Deputy Simon Coveney): My priority as Minister for Defence is to ensure that the operational capability of the Defence Forces is maintained to the greatest extent possible so as to enable the Defence Forces to carry out their roles as assigned by the Government. Capability equipment requirements are kept under ongoing review in light of present and expected operational needs.

The White Paper on Defence 2015 provides for the replacement of the two CASA C-235 maritime patrol aircraft with larger more capable aircraft that would enhance maritime surveillance and provide a greater degree of utility for transport and cargo-carrying tasks. The Department of Defence follows a rigorous systematic process to ensure that military equipment that is procured meets the capability requirements as identified by the Defence Forces. As part of the acquisitions process, a number of working groups were set up to consider, assess and make recommendations on the specific capabilities of the replacement aircraft. A maritime working group was established, made up of members of the Air Corps, the Naval Service and the Sea-Fisheries Protection Agency, SFPA, who were involved in identifying and confirming the high-level requirements that the replacement aircraft should deliver. The maritime group made numerous recommendations, including the required range for various activities, surveillance, communication and navigation equipment and ground support facilities. The recommendations of the maritime working group and other stakeholders were taken into consideration in estab-

lishing the final high-level requirements for the aircraft.

Following a competitive tender competition, a contract was awarded to Airbus Defence and Space in December 2019 for delivery of two CASA C-295 maritime patrol aircraft in 2023 at a cost of some €228 million, inclusive of VAT. Both aircraft are now at an advanced stage of production with the first aircraft making its first flight in September 2022.

With regard to the operational requirements for maritime patrol aircraft and the requirements of the Naval Service, it is the case that the Naval Service, as the State's principal sea-going agency, is tasked with a variety of defence and other roles. The main day-to-day tasking of the Naval Service is to provide a fishery protection service in accordance with the State's obligations as a member of the European Union. It also carries out a number of other non-fishery related tasks in tandem with maritime surveillance and, as such, any Naval Service patrol should be viewed as a multifaceted activity. In terms of fishery protection, the Naval Service is tasked with patrolling all Irish waters from the shoreline to the outer limits of the exclusive economic zone, EEZ.

An Leas-Cheann Comhairle: We are over time. The Minister will contribute again.

Deputy Simon Coveney: These aeroplanes are due next year. We have been through a long and torturous process to make sure they are right.

Deputy Sorca Clarke: The Minister might be aware that the Joint Committee on Foreign Affairs and Defence recently visited the Air Corps in Baldonnel. I extend my sincere thanks to Brigadier General Rory O'Connor, his staff and Air Corps members for hosting the committee, for the briefings and engagement and for taking the time to speak with us and share their views and ambitions for the future of the Air Corps. It was outlined to us that the new aeroplanes due to be delivered next year will have the capability to see sub-surface to a depth of approximately 20 m, giving the Air Corps the ability to see items and activities of various descriptions in movement or stationary below sea level. As I am sure the Minister will agree, this presents us with significant opportunities. I understand also that there are additional add-ons available to allow for further depth capability to be incorporated later. There is a duality of benefit to these craft from both the perspective of the Air Corps and the Naval Service. However, I am concerned that the current vacancy rates in the Naval Service and the Air Corps may inhibit our ability to maximise the potential use of these craft.

Deputy Simon Coveney: These is a lot more than the aircraft, if Deputy Clarke knows what I mean. Much of the expense is in kitting out the aircraft with the kind of equipment to which the Deputy referred, for example, a very advanced camera system that has the capacity not only to search the sea surface but also under the surface of the sea to a considerable depth. I have been asked repeatedly if it really costs nearly €230 million to provide two new CASAs, but it is not just the hull of the aeroplanes but the equipment, in particular, the camera equipment and other search and rescue equipment on them, that is so expensive. They will considerably improve our capacity from an Air Corps and a maritime surveillance perspective, as well as giving us medium-range capacity to carry cargo. The hull of these aeroplanes is significantly longer and bigger than the current CASAs.

Deputy Sorca Clarke: Given the change in technology outlined by the Minister in the capability of these aeroplanes, is he open to or has he had any discussions on the potential for a co-location site for the Naval Service and Air Corps? The changing capabilities in both areas

could provide potential benefits to the State in terms of policing, maritime security, the security of cables, as we have discussed repeatedly in the Chamber, and the importation of contraband, which we all want to see brought to an end. Has the Minister had those conversations with either the Department of Defence or management within the Defence Forces? Is it something he would consider in more detail in the future?

Deputy Simon Coveney: There is, and there needs to be, a lot of interaction between the Air Corps and the Naval Service because they work together daily on maritime surveillance. When a CASA aircraft is in the air, those on board speak to the Naval Service and there is co-ordination in Haulbowline on fisheries protection observation. I do not know if Deputy Clarke has had a chance to visit the fisheries surveillance centre in the naval base in Haulbowline, but it is pretty impressive. The Air Corps and the Naval Service work in tandem on a daily basis in the context of the work they are doing.

We also have a plan to ensure the Army Ranger Wing is expanded in the context of the commission report. In the future, it will have training facilities in both the naval base and in Baldonnel. If I get recommendations from the Defence Forces that we should do more in the area of training interoperability or combined sites for training and so on, of course we will look at those. At the moment, the partnership and co-operation between those two arms of the Defence Forces - the Naval Service and the Air Corps - is working well.

Departmental Investigations

2. **Deputy Gino Kenny** asked the Minister for Defence if he will provide an update on the progress of the interim report by the independent review group into sexual abuse in the Defence Forces; and if he will make a statement on the matter. [57624/22]

Deputy Gino Kenny: My question is on the interim report by the independent review group on sexual abuse in the Defence Forces. This is the most serious of matters. The Women of Honour group has brought this to the attention not only of the Army but also the State. It wants an update on the interim report, which the Minister has probably seen.

Deputy Simon Coveney: I thank Deputy Gino Kenny for raising this question as it gives me an opportunity to put on the record of the House where we are in this regard. This is a very serious issue from my perspective that we are trying to deal with comprehensively.

As the Deputy will be aware, I am committed to ensuring every member of the Defence Forces is able to carry out his or her duties in a workplace underpinned by dignity and equality. The judge-led independent review group, which I established last January following Government approval, is examining the systems, policies and procedures for dealing with issues relating to bullying, discrimination, harassment, sexual harassment and sexual misconduct in the Defence Forces as well as the prevailing workplace culture. I am sure the Deputy will appreciate that this review is a necessary and critical first step to address the need for a safe work environment for serving members, with zero tolerance for such unacceptable behaviour. The serving members of the Defence Forces expect nothing less.

I have received nine updates from the independent review group, including when it asked for a fourth member to assist it in completing its work. This request was approved. In line with the terms of the review, I have also been briefed via an interim report and at the request

of the group, although this report will not be published given the group's work is not complete. It would be inappropriate, therefore, for me to discuss this interim report. The work of the independent review group is entirely independent, in keeping with the terms of reference. The group has full independence and autonomy to undertake its body of work under its chair, Ms Justice Bronagh O'Hanlon.

I assure the Deputy that the work of the group is ongoing and the final report is expected to be submitted to me before the end of the year, in line with the terms of reference. The terms of reference for the review are wide-ranging and provide that the Government may consider further work on receipt of the independent review findings. As I said, I am eager for this work to conclude and I reiterate that the final report will be brought to the Government before being published. I look forward to the report forming the basis of the next stage of actions to deal with this issue.

Deputy Gino Kenny: As the Minister noted, these allegations are of the utmost seriousness in regard to our Defence Forces. There is a frustration in respect of the interim report. The Women of Honour, who have made these allegations, would like to see that interim report and I think they have every justification in that regard. My understanding is that a number of other victims have come forward in the meantime to make allegations of the most serious nature against individuals in the Defence Forces. It is imperative for the process to proceed with confidence that the women see this interim report, where it is going and whether it is going in the direction they would like. We want accountability and justice for the women who have been subjected to this awful conduct in the Defence Forces.

Deputy Simon Coveney: I understand that sentiment and I understand people wanting to know the status of the report and the direction of travel in terms of thought and recommendations. The independent review group itself asked that the interim report would not be published, because its work is not complete. Publishing, therefore, or making publicly available work that has not concluded or been finalised is something it was concerned about. We do not have much longer to wait, and in a few weeks we will have the full report. I hope to be able to act on that quickly. I expect the report will respond with the seriousness we would expect to the stories the group has been hearing and the evidence it has collected. I encourage all interested parties to interact with the independent review group to ensure it will get as complete a picture as possible in order that it can make recommendations that can allow the Defence Forces to move forward and the Government to make the appropriate decisions. I said at the start of this process that the independent review group was not going to be the start and the end of the process. The group is going to map out the course of actions we should take on foot of the evidence it has looked at, and I hope to be able to move to that phase as soon as we get the report and I bring it to the Government.

Deputy Gino Kenny: From the outset, there have been issues with the terms of reference of the review. I understand that witnesses cannot be compelled, so there is something of a failure in that regard. If the Women of Honour, at this juncture, do not have full confidence in the review group and its interim report, that sets alarm bells ringing. The people who have made these allegations will not be included in the interim report, and that could lead to a failure.

I acknowledge that the Minister said this is neither the beginning nor the end of the process but rather that it is a process that seeks accountability for the grave actions these women were subjected to. It is important, therefore, for the Women of Honour to be given confidence and transparency in respect of a report that is ultimately about them. It is about what happened to

them and their peer group, so it is important they have confidence in the process.

Deputy Simon Coveney: That is true. This group is, of course, looking at historical cases and at how we should deal with them in a comprehensive manner to establish the truth and so on. It is also looking at current practices within the Defence Forces, as well as the culture and procedures within the body. As an employer, I have an obligation towards people who are currently serving in the Defence Forces to ensure I act on recommendations to modernise the organisation, to change a culture that has been there and that needs to change and to ensure that everything from complaints procedures to dealing with historical investigations and so on will be dealt with in a comprehensive way.

That is what the review group is doing and it has spoken to many serving and former Defence Forces personnel. I certainly hope the Women of Honour group will interact fully with this independent review group in order that its recommendations can be trusted by all interested parties. That is what we are trying to do here. Nothing is hidden about this. There are no agendas, apart from seeking to establish the truth and make appropriate changes for the future.

Defence Forces

3. **Deputy John Brady** asked the Minister for Defence the measures he and his Department are implementing or intending to implement to stem the exodus of doctors from the Defence Forces; and if he will make a statement on the matter. [58339/22]

4. **Deputy Cathal Berry** asked the Minister for Defence the current number of medical officer vacancies; the extent to which this is impacting on Defence Force operations; and if he will make a statement on the matter. [58477/22]

Deputy Sorca Clarke: Will the Minister outline the measures he and his Department are implementing, or intend to implement, to stem the exodus of doctors from the Defence Forces, the current vacancy rate in that section and the extent of the impact on Defence Forces operations?

Deputy Simon Coveney: I propose to take Questions Nos. 3 and 4 together.

I am informed that, contrary to what has been suggested, there is no exodus of doctors from the Defence Forces. Medical officers are recruited into the Defence Forces via two streams, direct entry and the military medicine training scheme, which is a five-year training programme leading to dual specialisation in both military medicine and general practice. The establishment figure for medical officers is 28, which includes the position of psychiatrist and for which a civilian consultant psychiatrist is employed. I am informed the current strength of Defence Forces medical officers is 22, of whom three are undertaking the military medicine training scheme. Medical officers participating in this scheme rotate every six months between Defence Forces and civilian general practice placement and, as such, they are considered as 0.5 whole-time equivalents, giving an effective Defence Forces medical officer strength of 20.5, plus one civilian psychiatrist. There are currently 6.5 vacancies.

I am informed, however, that recruitment for medical officers remains ongoing and that four applicants have been successful via a recent direct-entry competition. One of these was recently commissioned and a further three are in the process of being security-cleared. In addi-

tion, the first two doctors are due to graduate from the military medicine training scheme during 2023 and will become full-time medical officers in the Defence Forces.

The Defence Forces acknowledge the key enabling role medical officers play in respect of operations to ensure a layered level of medical cover for all operations undertaken. Specifically with regard to overseas, medical services provided to Defence Forces personnel are dependent upon the size of the troop deployment and the overall medical services provided as part of the mission. On larger missions, for example, the Defence Forces Medical Corps provides routine primary healthcare, specialised first aid, interim emergency surgery treatment, resuscitation, stabilisation of casualties and short-term holding of casualties until they can be returned to duty or evacuated. On smaller missions, these services may be provided by medical corps personnel from other forces participating in the mission. The recruitment and retention of trained medical personnel, as with other specialist areas within the Defence Forces, continues to be a major priority.

Deputy Sorca Clarke: Listening to what the Minister said and reading what has been reported, I have the impression that there are two very different experiences of this issue. What has been reported is deeply concerning and would reflect the wider retention of experienced personnel in the Defence Forces.

To follow up on what the Minister said, the established number of medical officers is 28. He said 22 officers are currently in place. How many of those 22 officers are available in the here and now? This includes those on any form of absence, in service in any other jurisdiction, on illness or maternity leave or anything else along those lines. It has been reported that just nine medical officers are available. This is vastly different from what the Minister said. If one version is correct and the other incorrect, that needs to be reflected. It was reported in the media that nine were available.

Deputy Simon Coveney: All I can do is-----

An Leas-Cheann Comhairle: I am sorry; I will take Deputy Berry first and come back to the Minister.

Deputy Cathal Berry: I hope I can shed some light on the issue Deputy Clarke raised with the Minister. I completely accept that the Minister can only use the information he is given. Having been a medical officer, I probably have slightly more accurate information that may be able to shed some light on proceedings. First, there should be approximately 32 medical officers in the Defence Forces. I am not sure where the figure of 28 came from. Without splitting hairs, however, approximately one third or 30% of medical officer posts are vacant at the moment. In the HSE, approximately 20% of consultant posts are vacant and that is causing mayhem. The Minister can imagine, therefore, the carnage in the Medical Corps as a result of its even higher proportion of vacancies.

I am particularly concerned about news from Syria over the past few weeks where, during a window of five or six weeks, there was no Medical Corps officer available. This is unprecedented in Irish peacekeeping history. The question is how we solve the retention problem because there is an exodus. Retention is primarily about pay from a medical officer point of view. I will give the Minister a quick example. The Irish Prison Service advertised for doctors earlier in the summer. It was offering €147,000 per year, plus a plethora of allowances, for doctors whereas Medical Corps doctors are paid half that amount. Will the Minister intervene with

his Cabinet colleagues to ensure medical officers are paid at least on a par with other uniformed services in the public service?

Deputy Simon Coveney: I got the statistics I cited directly from the Defence Forces. Let us be clear on that. As it happens, I have my monthly recruitment and retention meeting with the general staff today. Every month now, I have a scheduled meeting on recruitment and retention with key leaders in the Defence Forces. We will keep having those meetings until we turn the tide on recruitment and retention challenges. There is pressure with regard to medical staff, just as there is with many other specialties in the Defence Forces and across the rest of the public sector. I listened earlier to a discussion on “Morning Ireland” about psychiatric nurses and so on. We have many pressures across the public sector. The Deputy might look at the recruitment campaign for An Garda Síochána this year. When a country is at full employment, skill sets are in demand across the private sector and people are being headhunted out of the Defence Forces and offered alternative careers, we face a challenge. The numbers I outlined are from the Defence Forces.

The United Nations Disengagement Observer Force, UNDOF, is an issue I have asked about. I am informed that a medical officer was deployed to UNDOF on 12 November. The UNDOF medical section now comprises one medical officer, one paramedic and two combat medical technicians, which is full strength. It is important to put that on the record. I have heard all sorts of social media commentary and so on with regard to a lack of medical support on the UNDOF mission. That is the factual position. If there was delay in getting medical staff on to that mission, I will certainly look at why that happened. There have been challenges with the pace of recruitment and getting medicals done, particularly with the Reserve Defence Force recruitment campaign over the summer. That is a source of some frustration. We need to look at outsourcing some medicals as part of recruitment and induction campaigns. I thank the Deputies for their insight.

Deputy Sorca Clarke: I genuinely believe the Minister read out the figures as they have been presented to him. There is no question about that. At the monthly meeting this afternoon, to which he referred at a meeting of the joint committee, I respectfully suggest that he clarify whether four doctors left in the six weeks in the run-up to the beginning of November. What is the current financial outlay on the use of locums? This information will enable us to get to the bottom of this because the figures in the public domain are vastly different and there is a real need at this point to establish the facts in this case. I am in no way insinuating that the Minister has not given us the facts as presented to him. Questions need to be answered here, however. If there is an issue with doctors leaving the Defence Forces to go to the Prison Service or any other issues, a specific plan of action needs to be put in place. It is unfair to new recruits to the Defence Forces and those who currently serve in terms of the continuity of care.

Deputy Cathal Berry: I want to double up on Deputy Clarke’s comments by fully accepting the Minister’s bona fides with regard to the figures. He mentioned that there are two pathways into the Medical Corps, direct entry and the military medicine training scheme. There is a third lesser known pathway. It is the one through which I joined the Medical Corps and one of the current medical officers is in a similar situation. He is a GP who came back from Syria where he had been for the past six months. He joined the Artillery Corps 20 years ago and took a career break. He funded himself through medical school, did his internship and GP training and then rejoined the Defence Forces. Perhaps at the meeting this evening, the Minister could discuss whether we could further explore and expand this third pathway. We know the Defence Forces send officers to college to study engineering, electronics, languages and commerce.

Medicine is not included in the list of eligible courses, however. Will the Minister consider including medicine on the list of university courses in order that we can make maximum use of the homegrown talent that already resides in the Defence Forces?

Deputy Simon Coveney: I expect the figures I outlined to be true, regardless of what is being said on social media platforms or in other media outlets. If they are not correct, there is obviously an issue. I expect the numbers I outlined are factually correct, however.

We need to get an awful lot better at recruitment and retention in the Defence Forces in terms of how we manage people. That is why we have approval now to move ahead with the recruitment of a head of transformation and head of HR in the Defence Forces. Both of those positions are likely to be civilians who will bring outside expertise to work with the Chief of Staff, general staff and others within the Defence Forces to look at improving our recruitment and retention rates. We are planning for that.

To be fair, the Defence Forces have done a huge amount of work in planning for a dramatic increase in numbers for the years ahead as regards inductions, training programmes and so on. Let us not forget, we are seeking to add an extra 3,000 people to the Permanent Defence Force over the next six years, which means a net gain each year of 500 people. This year, we will probably have a net loss of a couple of hundred people in the Defence Forces. We need to turn the tide. There is a huge focus in the Defence Forces and Department of Defence on doing that across all specialties and ranks and among enlisted personnel. The straight answer to the Deputy's question is that I am, of course, open to new ways of adding to the medical staff in the Defence Forces beyond direct entry and the normal induction and recruitment campaigns which we have.

Air Corps

5. **Deputy John Brady** asked the Minister for Defence the timeline for the delivery of a military air doctrine, following the publication of the Commission on the Future of the Defence Forces and the subsequent publication of the Government's high-level implementation plan; and if he will make a statement on the matter. [58340/22]

Deputy Sorca Clarke: Following the publication of the Commission on the Future Defence Forces report and the subsequent publication of the Government's high-level implementation plan, what is the timeline for the delivery of a military air doctrine?

Deputy Simon Coveney: I will give the Deputy my answer and I am not sure if it is what the Deputy is looking for but I will come back with supplementary responses and perhaps clarify if she has further questions. The military air doctrine dates back to before the commission but I will put a number of things on the record and I will try to ensure that I answer the Deputy's questions then, if I can.

The Defence Forces Capstone Doctrine was published in 31 March 2016. This Capstone Doctrine is published in support of the objectives of the White Paper on Defence and provides a common framework for all components of the Defence Forces engaged in military operations in accordance with Government's defence policy. It is vertically nested under the White Paper on Defence 2015. It articulates the principles which underpin how the Defence Forces go about their work, while giving guidance on many of the key concepts that drive the approach to mili-

tary operations in the complex operational environments of the twenty-first century.

Currently, the White Paper on Defence 2015 and the 2019 update are the principal drivers of doctrine at the policy level which may evolve as the State progresses the implementation of the Commission on the Future of the Defence Forces report. The Defence Forces also have a standardisation strategy that seeks to develop and implement, *inter alia*, doctrine, to achieve and maintain the most effective levels of interoperability at the national and international level in the fields of operations, materiel and administration.

Doctrine in the Air Corps is underwritten by the White Paper on Defence and the 2019 update, the Capstone Doctrine, and standardisation strategies. It is expressed through subordinate publications including Defence Forces Regulation CS.8 and the air regulation manuals. These are continually reviewed and updated and will require ongoing development in light of structural changes arising from the Commission on the Future of the Defence Forces report, and the appointment of an independent military aviation regulator, both of which are under consideration at this time.

The Air Corps is, furthermore, currently engaged in a Defence Forces project that is working to develop joint doctrine across the whole of the Defence Forces. Military air doctrine is an essential part of this process. I have given the Deputy something of a history lesson there but I can answer some of the direct questions in respect of the commission.

Deputy Sorca Clarke: I thank the Minister. Initially I noted that the Questions Office had flagged to me that the Department was not too keen on answering this question, a Leas-Cheann Comhairle. I thank the office of the Ceann Comhairle for not disallowing this question and for allowing us to have this conversation which is purely policy-based. I have heard of the Defence Forces Capstone Doctrine and of the White Paper but I have not heard about that specific stand-alone policy around military air doctrine. This is a declaration of what the fundamental principles by which the Air Corps can and will operate and acts as a guidance for a national document. It is not a strategy document but it is a core document that then leads out into the development of a specific doctrine. We have a capability which is driven by capacity because of that lack in certain sections of an overarching doctrine, ultimately to define clearly what the State views as the role for the Air Corps, which is soon to be renamed.

Deputy Simon Coveney: Yes, I hope so and the sooner the better.

The delivery of the air doctrine is not in itself a recommendation of the Commission on the Future of the Defence Forces or the high-level implementation plan. However, doctrinal development is part of the training and education command in the proposed future high-level command and control structure proposed in the Commission on the Future of the Defence Forces. It is my intention to revert to the Government on the proposed changes to the Defence Forces structures and, in particular, the reform of high-level command and control of the Defence Forces.

This includes the creation of a chief of defence, or CHOD, as supported by a vice-CHOD, with the appropriate military command and control authority of the Defence Forces. Advice has been sought from the Attorney General. Clarification of the Minister's role and the future of the Department of Defence may be required following receipt of that advice. As Minister, I favour the implementation of recommendations 1, 3, 4 and 5 in annex 1, and I presume that the Deputy also has this document, which is basically the implementation strategy for the com-

mission's recommendations. It effectively involves a redesign of the structures of the Defence Forces, how they react with each other, and within that the delivery of a military air doctrine needs to be part of that consideration and it will be.

Deputy Sorca Clarke: I fully accept that this may not have been a specific recommendation of the Commission on the Future of Defence Forces. This, however, should have been the perfect opportunity for the development of such a doctrine. Without that necessary framework being in place, my concern is that we are not looking in the exact areas that the Air Corps need to be and wants to be looking. No matter which way one looks at this State, we may be 30% land and 70% water, but we are 100% air, and that is why a doctrine such as this is of such importance. Without that comprehensive military air doctrine being in place, I fear that there will be a lack of cohesion between each element of the Defence Forces where we have not clearly identified what the State's ask is of each arm of the Defence Forces individually, which then feed back into that larger policy of the overall Defence Forces, which the Minister has referred to in the White Paper.

Deputy Simon Coveney: I do not believe that there is a lack of clarity here but this is something which must continue to evolve. For me, growing and expanding the Air Corps is a very big part of what we will be doing over the next decade in the Defence Forces. For the obvious reasons that the Deputy has outlined, we have ten times as much sea surface as we have land surface. If one takes our sovereign territory at sea as well as land, I believe we are the fourth or fifth largest country physically in the European Union. In order to have competent and comprehensive surveillance of that sovereign territory, we need an Air Corps that is continuously resourced to do that, as indeed we need our Naval Service, as well as expanding our Army and cyber domains, and so on. The advantage of having the commission report is that we now have the resources to deliver that expansion on the scale that, I believe, many people were not expecting. I can assure the Deputy that the Air Corps will be a big part of that growth story. It is up to the Defence Forces, working with the Department of Defence, to map that out and there will be no lack of ambition from the Government in how we respond to those asks.

Ceisteanna Eile - Other Questions

Defence Forces

6. **Deputy Sorca Clarke** asked the Minister for Defence the measures that his Department is taking to implement parity of healthcare between officers and enlisted personnel in the Defence Forces. [58288/22]

Deputy Sorca Clarke: I was somewhat taken aback when this issue parity of healthcare was raised with me again. I had understood that there was a commitment given about a year and a half ago that this issue would be resolved, hence the reason I am perplexed that it is still ongoing. Can the Minister confirm what outstanding issues there are, if any, what action he intends to take to address those outstanding issues and the timeline for same?

Deputy Simon Coveney: In fairness, I am surprised that the Deputy is perplexed that these

issues have not been resolved because this is a commitment in the programme for Government to address this issue but this is through the lifetime of the Government. I hope to make a great deal of progress in the next 12 months but this is not an easy thing to address and there is quite a cost to it. I believe it will cost us, approximately €10 million a year. This is, incidentally, money well spent in addressing this issue and fully responding to the commitments which have been made in the programme for Government.

As the Deputy may be aware, the programme for Government contains a commitment to “ensure that all enlisted members of the Defence Forces have the same access to health care as officers currently do”. This commitment was endorsed by the Commission on the Future of the Defence Forces and is also one of its recommendations and we will deliver it.

Currently, a wide range of medical services is provided to members of the Permanent Defence Force at State expense. These include an annual medical examination, sick parades, attendance at GP surgery outside of sick parade and out-of-hours GP services, prescription services, laboratory services, physiotherapy, chiropody, radiology, mental health services provided by a psychiatrist and two psychologists, inpatient and outpatient public hospital charges and routine dental treatment. In addition, commissioned officers and members of the Army nursing service can avail of private consultant appointments and diagnostic tests as well as private or semi-private hospital treatment, depending on rank.

In the case of Defence Forces personnel assigned to longer term overseas administrative posts such as the European Union Military Staff and the Organization for Security and Co-operation in Europe, these personnel and any accompanying dependents are provided with global comprehensive medical insurance for which a formal arrangement is in place with a health insurance provider. This involves the organisation paying the difference between a basic minimum payment and the cost of a global plan. The provision of this range of benefits is unique in the public and private sectors and these benefits are exempt from benefit-in-kind taxation.

An Leas-Cheann Comhairle: We will come back. We are way-----

Deputy Simon Coveney: If I could finish, I just have a couple of lines. A working group on medical care was established in 2021 to bring forward proposals and identify an approach to implementing the programme for Government commitment, including analysing the range and cost of treatments currently provided to officers and how best to provide this access to enlisted personnel.

An Leas-Cheann Comhairle: I will do my best on other questions.

Deputy Simon Coveney: I hear you.

An Leas-Cheann Comhairle: Just generally, we are on Other Questions and I want to ensure everybody gets in. Every question is important to the Member asking it.

Deputy Sorca Clarke: Not to be pointing at the calendar, but the Government has been in place for over half the length of its potential term and members of the Defence Forces are hearing this is something the Government might get around to at some point in the near future. Will the Minister come back to the House or the committee with an updated list of what the proposals were, what action was taken in relation to each of them and which are outstanding?

I suspect what is happening here is a reflection of the conversation we had earlier on doc-

tors' availability and staffing level. In this vacuum of misinformation, other data is being put out there that is not factual. If the Minister could do that, it would be immensely beneficial for this House, the committee and members of the Defence Forces.

Deputy Simon Coveney: If there is misinformation, I am not responsible for it in this instance. We have a working group looking at this. The group reported earlier this year and the matter is being progressed as one of the early actions in the high-level action plan of the report of the commission of the Defence Forces. It is in black and white and was part of the negotiation in terms of Estimates for next year because we want to progress it next year.

Let me be clear: we made a commitment in the programme for Government to do this. There is a significant cost to it but we will progress it and get it down. There is no misinformation there. I am putting it on the record. This is something the Government is committed to doing and we will look to progress it next year. It is not straightforward to provide these services overnight.

It is important to congratulate PDFORRA for the work it has been doing on cross-Border healthcare for many of its members in the absence of progress on this issue in the past. A member of the Defence Forces, whether an officer or in the ranks, should get the same access to medical treatment. For those who serve in uniform, that should be a common health support the State provides and it is part of the deal when people sign up.

Deputy Sorca Clarke: The Minister is correct to name PDFORRA as one of the driving forces of cross-Border healthcare but we need to see an end date at which members do not need to cross the Border to get the healthcare they need and deserve in a timely fashion and can go back to full recovery where possible.

I do not believe I used the word "misinformation". If I did, it was not my intention. I meant a lack of clarity and a vacuum. It is a specific timeline and specific challenges and events in this area need to be addressed. That is where clarity is lacking.

Deputy Simon Coveney: It is a commitment as an early action, which means we are looking to get on with it next year. This is not a simple thing to do. It costs money. We have to account for that, put it in Estimates and work with the representative bodies in the Defence Forces to make sure we are progressing it in a way that works. That work is under way. We have a working group that is focusing on this. It has already produced its first report. As a result of that report, we have the delivery of this commitment as part of the early actions which means they are prioritised to move forward next year.

Defence Forces

7. **Deputy Marc Ó Cathasaigh** asked the Minister for Defence the progress that has been made on fulfilling the Government commitment to increase recruitment in the Defence Forces by 2,000 by 2028; and if he will make a statement on the matter. [58350/22]

Deputy Marc Ó Cathasaigh: This issue has already been teased out in the discussion this morning. There is a well-acknowledged issue around recruitment and, in particular, retention in our Defence Forces. I ask about the progress made on fulfilling the Government commitment to increase recruitment in the Defence Forces by 2028.

Deputy Simon Coveney: I thank the Deputy. The report of the commission on the Defence Forces made it clear that the level of ambition, LOA, for the Defence Forces needed to be elevated beyond that at which it is operating. In that context, the Government approved a move over a six-year period to a level of Defence Forces capability equivalent to LOA 2 in the report. This will require an additional 2,000 personnel beyond the current establishment figure of 9,500. Because we are well below 9,500 now, the figure is slightly above 3,000, rather than 2,000, to get to where we need to be by the end of 2028.

The Defence Forces are developing strategies to increase recruitment and address the current shortfall in numbers. The target is to realise a Defence Forces strength of 11,500 by 2028, incorporating an appropriate civilian component. A joint civil-military implementation management office has been established to support the implementation of the overall transformation programme required to implement the recommendations of the report of the commission on the Defence Forces. A number of early actions arising from recommendations in the report are also being progressed.

A number of initiatives are under way to counter existing staffing challenges. General service and direct entry recruitment is ongoing and has resulted in 358 inductions as of 31 October this year, with further inductions due to take place before the end of the year. A separate recruitment competition has been launched specifically for Air Corps recruits, who in the past were drawn from a wider general service recruitment pool.

The re-entry schemes for former personnel have boosted specialist numbers. The terms and conditions and scope of direct entry competitions remain under consideration as does the maximum recruitment age for all competitions. The Be More recruitment campaign, launched this year, highlights the career opportunities available in the Defence Forces and the wider benefits of membership in line with a recommendation of the commission on the Defence Forces that these be made known.

Deputy Marc Ó Cathasaigh: I thank the Minister. One of the central challenges, which is well understood and which Deputy Berry talked about, concerns medical officers. We are in an economy close to full employment and there are working terms and conditions elsewhere, such as being able to go home at 5 p.m., which make the Defence Forces less attractive.

The Minister rightly acknowledged that the numbers have changed and travel is in the wrong direction. My numbers have it that we are at 8,100 personnel in the Defence Forces, the lowest in 15 years. While we are recruiting a total intake of 150, we have lost 375. By losing those people, we lose the skills and experience they have acquired over the years. Serious work is needed to turn that ship around.

Deputy Simon Coveney: I am more than aware of that but before starting to build numbers, you have to stop the losses. We are at that moment of changing momentum, I hope. We have an enormous financial commitment from Government and a policy framework to do that. We also have a plan of action linked to an independent report put together over a 12-month period. Since I have come into politics, there has never been a stronger focus and priority on trying to build, grow, expand and invest in increasing the size of the Defence Forces. We are at the end of a period of reduction and losses. We need to consider what we have decided in recent months on pay and conditions for instance. Someone joining the Defence Forces now will be paid €5,000 more than someone who joined six months ago. Those decisions were made at budget time by the Government. A range of things are happening, including pay, conditions,

culture, equipment, accommodation and medical provision. The overall package is improving significantly.

Deputy Marc Ó Cathasaigh: I acknowledge that much of that increased commitment and focus is down to the Minister's genuine interest in this area. I know he has a genuine interest in the Naval Service in particular. We have never seen the need for us to control our own waters more clearly demonstrated. I am thinking currently but am also looking ahead. There will be increased activity as we develop our offshore resources, particularly our energy resources. We will see increased connectivity in energy. Our gas connectors are obviously critical as are information systems. We need to be able to patrol those waters as we begin to develop that. Ireland will become important internationally and across Europe as we build superconnectors and try to unlock that renewable energy resource. It all speaks to the need to continue the work to which the Minister is genuinely committed. We need to travel in the right direction.

Deputy Simon Coveney: I live a few miles from the naval base and know it well. I go walking and running there fairly regularly. Nobody is more focused than I am on getting our Naval Service back up to the strength it should be at. We are about 275 people below where we should be, which is impacting on our ability to crew vessels. We have just decommissioned three ships, not because we could not crew them despite some of the commentary but because they are old and needed to be moved on. At the start of next year, we will bring in two ships from New Zealand. They require smaller crews and are much more modern vessels. Let us not deny that the Naval Service has a big challenge with recruitment and retention to get to where want to be so that we can ensure that the Naval Service can do what we are asking of it, not only in fisheries patrols, drug interdiction and the other sovereignty and security issues, but also some of the new infrastructure it will need to protect when it is built. I assure the Deputy that there is an absolute focus on getting the Naval Service back to where it needs to be.

Defence Forces

8. **Deputy Pádraig O'Sullivan** asked the Minister for Defence the number of Permanent Defence Forces personnel inducted and discharged by rank to date in 2022; and if he will make a statement on the matter. [58280/22]

9. **Deputy Cathal Berry** asked the Minister for Defence the number of Defence Forces personnel inducted and discharged by rank to date in 2022. [58474/22]

18. **Deputy Jim O'Callaghan** asked the Minister for Defence if he will detail according to rank the number of vacancies in the Defence Forces in tabular form; and if he will make a statement on the matter. [58286/22]

33. **Deputy Cathal Berry** asked the Minister for Defence the number of vacancies that exist in the Defence Forces by rank. [58475/22]

Deputy Pádraig O'Sullivan: I ask the Minister the number of Permanent Defence Forces personnel inducted and discharged by rank to date in 2022.

Deputy Simon Coveney: I propose to take Questions Nos. 8, 9, 18 and 33 together.

We have already touched on some of these numbers, but I will go through them again. I note that tables of details of inductions, discharges and vacancies in the Defence Forces were

requested and I will arrange for the Deputies who requested them to get them in writing so that there is no misunderstanding on where we stand on numbers.

Recruitment and retention difficulties in the Defence Forces have been previously acknowledged. In addition, the report of the Commission on the Defence Forces made it clear that the level of ambition, LOA, for the Defence Forces needed to be elevated beyond that at which it is currently operating. In that context, Government approved a move, over a six-year period, to a level of Defence Forces' capability equivalent to LOA 2. This will require an additional 2,000 personnel beyond the current establishment figure of 9,500. As we said earlier, the figure is now higher than 2,000.

As I outlined in response to the previous questions, the Defence Forces are developing strategies to increase recruitment to address the current shortfall in numbers and to plan for future increases. The target is to realise a Defence Forces strength of 11,500 by 2028, incorporating an appropriate civilian component.

A range of initiatives are under way to counter the existing staffing challenges. In respect of recruitment, there is ongoing general service and direct entry recruitment with further inductions due to take place before the end of the year. A separate recruitment competition has also been launched specifically for Air Corps recruits, who in the past were drawn from the wider general service recruitment pool.

The scope, and terms and conditions of the direct entry competitions remain under ongoing consideration. The campaign to re-enlist and recommission former members of the Permanent Defence Force has also boosted specialist numbers. The "Be More" recruitment campaign, launched this year, highlights the career opportunities available in the Defence Forces and also the wider benefits of membership, in line with one of the recommendations of the Commission on the Defence Forces to enhance the visibility of the wider benefits of membership of the Defence Forces.

Retention measures being implemented include service commitment schemes in the Air Corps and in the Naval Service and the seagoing naval personnel tax credit. Pay has improved as a result of increases arising from the Public Service Pay Commission report and from recent pay agreements as well as the early implementation of some of the recommendations of the Commission on the Defence Forces. Agreement has also been reached on the extension of service limits for privates and corporals. I recently agreed an interim arrangement with the Minister, Deputy Michael McGrath, in respect of sergeants.

My focus is on bringing the strength of the Defence Forces to the numbers required to meet the agreed level of ambition arising from the report of the Commission on the Defence Forces.

I will outline some of the numbers available to me. There were 735 discharges and 452 inductions as of 18 November 2022. That is a net loss of 283. We have not reached the turning point of achieving net increases given the recruitment and retention challenges we face. As I said at the start of this Question Time, we will meet every month to focus on recruitment and retention until we turn those numbers around and start to build numbers rather than managing losses.

Deputy Pádraig O'Sullivan: I compliment the Minister on his efforts with that regular monthly engagement. I ask the Minister to detail for me, as a layperson in this field, what exactly happens at these monthly meetings. Are targets set? Are action points left to the various

stakeholders? What is the general run of those meetings? Given the number of questions tabled today and most months, there is a tacit acknowledgement that there are significant challenges, as the Minister has acknowledged repeatedly again this morning. I ask him to give the general run of those meetings. Are targets set? How do we gauge that we will ultimately reach the turning point he mentioned?

Deputy Cathal Berry: I thank the Minister for those figures. I accept he is equally concerned at the shortfall of 283. Most parts of the public service are expanding apart from the Defence Forces. I agree that retention is a massive issue. The Minister may not be aware that there are six married quarters in Casement Aerodrome in Baldonnell, which members of the Joint Committee on Foreign Affairs and Defence visited about ten days ago. It is an excellent model. If the pay issue cannot be resolved immediately, perhaps accommodation could be used as a retention tool. There are six houses in Baldonnell which are excellently managed. There are no issues with overhaul in any shape or form. People living on base are military families and are rotated every year or two. There is plenty of space in Baldonnell to increase the number of houses there. We spoke to the general officer in command who said he would be in favour of the principle. Would the Minister consider providing more housing on base for military families to take them off the social housing list and use it as a retention tool?

Deputy Simon Coveney: We do set targets at the monthly meetings, not only for the remainder of this year, but also for next year. We are also planning investment programmes for the year ahead. For example, we are finalising a concept brief for the transformation of Gormanstown as a specialist training centre dealing with significantly greater numbers than we can currently deal with. We are planning for the induction and recruitment of up to 1,000 people per year through such a facility, working with the Curragh and other facilities.

10 o'clock

Much thought, planning and consideration is going into how, over the next six years, we can realistically get to the stage of having 3,000 more people in the Permanent Defence Forces than we have today. This would mean an average net increase of about 500 people each year, especially if we are going to be losing between 400 and 600 people per year. It is not unreasonable for an organisation to have a turnover level of between 7% and 9%. We need to get those numbers down as much as we can. However, we have to anticipate that people will be retiring and leaving the Defence Forces. We need to plan for those numbers and we are planning. We have the money to do it, as well as the policy basis.

Ultimately, this is about making a career in the Defence Forces more attractive in terms of pay, conditions, certainty, culture, adventure, career opportunities and development of skill sets in a combined package. Following the commission's report and some of the actions we have taken in recent months, they have improved significantly, but we need to continue this. A policy decision was made to move away from putting married quarters in barracks for reasons the Deputy will probably understand, relating to difficulties in the past. I accept there is accommodation within Baldonnell that is working well. I have an open mind, but we need to think through all the choices we make.

Deputy Pádraig O'Sullivan: We all acknowledge the issues and they are well documented, and the Minister acknowledged the challenges himself. I refer to the figures of 735 discharges and 452 new inductions. What portion of the 735 discharges are due to retirement? The Minister rightly acknowledged that as with nurses, doctors or any other job in the public sector,

there will be a natural turnover of staff. Can the Minister provide an estimate of how many are discharged naturally through retirements?

Deputy Cathal Berry: I thank the Minister for his reply on housing. If he has not visited the small campus of six houses, perhaps next time he flies out of Baldonnell, he might ask to see it and eyeball it himself. It is an excellent model that could be expanded upon.

I agree that a policy decision on housing in the Defence Forces was taken a couple of decades ago, but that was prior to the housing crisis. It is appropriate that the Department of Housing, Local Government and Heritage takes the lead, from a national point of view, in tackling the crisis. However, the defence apparatus could also make a contribution, an example of which would be to provide and manage properly housing for military families in Baldonnell and the Curragh while they are in the military. It would double as a good retention tool and assist in dealing with the national housing crisis.

Deputy Simon Coveney: In truth, to provide the number of houses required to make a significant impact on recruitment and retention would need a huge capital investment programme. That is not the direction of policy we have taken in recent years. I am not ruling anything out, but I refer to the idea that providing housing for personnel, to keep them in the Defence Forces, will be a mainstay of our recruitment and retention strategy in the coming years. It may have some niche roles to play within certain elements of the Defence Forces, but it is unlikely to be a mainstay. Pay and conditions as well as supports, such as medical facilities and provision, are likely to have a much greater impact. Let us look at the historic turnover to put things into context. Turnover was 8.26% in 2018; 10.01% in December 2019; 7.4% in December 2020; 8% in 2021; and 10%. Turnover is between 7% and 10%.

An Leas-Cheann Comhairle: We are over time.

Deputy Simon Coveney: I will finish on this point. Quite a number of Members asked a question in this grouping.

It is not true to say the Defence Forces are unique in terms of vacancies across the public sector. There are recruitment and retention issues across the public sector, be it in healthcare, An Garda Síochána, or the Defence Forces, as well as in many other specialist areas.

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

Deputy Simon Coveney: Our challenge within defence is to be dynamic enough to be able to respond to that and turn those numbers around, and that is what we intend to do.

An Leas-Cheann Comhairle: Extra time is allocated when questions are grouped, and there were six minutes for this grouping.

Defence Forces

10. **Deputy Niamh Smyth** asked the Minister for Defence the way that it is proposed to strengthen the Reserve Defence Force; and if he will make a statement on the matter. [58381/22]

27. **Deputy David Stanton** asked the Minister for Defence further to Parliamentary Question No. 361 of 11 October 2022, when he expects the next recruitment campaign for the Re-

serve Defence Force to open; and if he will make a statement on the matter. [57629/22]

Deputy David Stanton: I want to ask the Minister when the next campaign to enlist people into the Reserve Defence Force will commence. What shape will it take and will it be a dynamic campaign?

Deputy Simon Coveney: I propose to take Questions Nos. 10 and 27 together.

I am always happy to answer questions on the Reserve because it is an area of the defence family I want to prioritise and, in the past, perhaps it may not have had the priority it needs. The Government remains committed to the advancement of the Reserve Defence Force, RDF. Indeed, the White Paper on Defence has fully acknowledged that there is a clear need to retain, develop and grow the Reserve.

The report of the Commission on the Defence Forces, which was published last February, serves to reinforce that commitment. As the Deputy will be aware, the report contains many recommendations on the future role and structure of the RDF. A civil-military implementation management office has been established to support the implementation of the overall programme, initially focusing on some 38 early actions to be completed within six months of the Government decision, as set out in the high-level action plan. Two such actions relate to the RDF, namely the establishment of the office of Reserve affairs, ORA, and the development of a regeneration plan for the Reserve. It is clear both of these early-action plans are directly linked and the establishment of the ORA will be an essential first step in tackling the revitalisation of the Reserve. Planning by the military authorities, in collaboration with my officials, has commenced on establishing the ORA. Once it is established, it will be actively involved in implementing the accepted recommendations of the commission, which will serve to create a Reserve force that can seamlessly train, operate and deploy with the Permanent Defence Force, nationally and internationally. We now have legislation that allows us to do this. This process will also take into consideration the other recommendations relating to the structure and strength of the Reserve, including that the future establishment of the Reserve should be increased and should include, at a minimum, an air force reserve of 200 and a naval reserve of 400.

The Deputy may also be aware that a recruitment drive for the RDF was launched this year, on 21 March 2022, which was advertised across a number of media channels. Recruitment liaison officers across the RDF conducted local recruitment to attract applicants for this campaign. I am advised that more than 1,000 applications were received during this window, which is encouraging. To date, 88 RDF recruits have been inducted into the Defence Forces, and the processing of eligible applicants is continuing. The military authorities have advised that once this body of work is completed, consideration will be given to the launch of a further recruitment campaign in mid-2023. I assure the Deputy that it is my intention, and that of the Chief of Staff, to ensure the momentum behind the regeneration of the RDF will be maintained throughout 2023 and the coming years.

It was encouraging for me to see what happened over the summer. We launched a recruitment campaign for the Reserve, for which more than 1,000 people applied. We had to close the application process because the applications beyond that number would not have been manageable in the short term. What that says to me, unlike the impression often given, is that there is a strong appetite to join the Defence Forces, including the Reserve and Permanent Defence Force. Our challenge is to turn that into numbers of people who actually join, commit and stay in the forces. We can do that with many of the changes that are being proposed now. It is

important to give the message that we will open a new recruitment campaign for the Reserve. We want people to join the Reserve. It is going to be a valued part of the overall defence family. It is going to get a lot more resources in the years ahead and will also be doing a lot more, including overseas.

Deputy David Stanton: I thank the Minister for that response. I will also say “well done” to the Department and the military authorities for the work they have done in this area. However, it seems that 88 inductees to date out of 1,000 applicants is quite a small number. Will the Minister indicate what is going on with the other people who have applied to join but have not been taken on? Have people withdrawn? Is it a matter of fitness issues or other issues? A figure of 88 out of 1,000 seems quite small. Is the new recruitment campaign that is to begin in 2023 to begin when these 1,000 applications, which have been closed, have all been processed? Will the Minister comment on whether inclusion and diversity, particularly the latter, are being promoted as part of this recruitment campaign?

Deputy Simon Coveney: This 88 will not be the final number from the 1,000 who applied. Assessment is ongoing. As people who have been in the Defence Forces will know, in order to progress applications, medicals and security checks need to happen. A series of tests is required before a person can be inducted into the Defence Forces, including the Reserve. That process is under way for many more applicants. In truth, we have faced some challenges. We need to learn some lessons to improve the next time around. For example, the pressure the Permanent Defence Force has been under in providing medicals for those looking to join the Reserve has been an issue as regards resourcing and capacity. We have looked at outsourcing those medicals to GPs. We need to improve those structures to make sure that, when there is an appetite to join, we can turn that appetite into increased numbers.

Deputy David Stanton: The other question I asked was about diversity. Is that a factor in the recruitment campaign? Will the Minister give us an indication as to when the office of reserve affairs will be up and running?

Deputy Simon Coveney: Diversity is an issue for the permanent Defence Forces and for the Reserve. My understanding is that, as of 31 October, the effective female strength of the Reserve Defence Force is 199 members. We need a lot more than that. All recruitment campaigns will be focused on trying to ensure the Defence Forces reflect Irish society, which is as diverse and gender-balanced as it possibly can be. I suspect I will get an update on the office of reserve affairs later on. The plan was to have it set up within six months of the Government decision, which means that it needs to be done in the next couple of months.

Defence Forces

11. **Deputy Richard Bruton** asked the Minister for Defence the actions that have been taken to upgrade Ireland’s defence system in response to the recent commission on the subject. [58431/22]

25. **Deputy Jim O’Callaghan** asked the Minister for Defence if he will report on the delivery of the early actions outlined in the high-level action plan for the Report of the Commission on the Defence Forces and if all targets will be met. [58287/22]

26. **Deputy Bernard J. Durkan** asked the Minister for Defence the extent to which the

reforms in the Defence Forces identified in a recent report are being put in place with particular reference to all of the major recommendations including recruitment, pay and conditions; and if he will make a statement on the matter. [58360/22]

53. **Deputy Jennifer Carroll MacNeill** asked the Minister for Defence if he will provide an update on the Report of the Commission on Defence Forces of February 2022; and if he will make a statement on the matter. [57959/22]

190. **Deputy Bernard J. Durkan** asked the Minister for Defence the extent to which the Defence Forces are being upgraded in line with the recent report; and if he will make a statement on the matter. [58645/22]

197. **Deputy Bernard J. Durkan** asked the Minister for Defence the ongoing steps to implement fully the recent report on the Defence Forces as it affects the Army; and if he will make a statement on the matter. [58652/22]

Deputy Richard Bruton: I welcome the 25% increase in the capital budget for defence and the greater ambition the Government has committed to for the Army, Naval Service and other dimensions. What progress has been made on this transformation agenda which, as set out in the commission's report, extends to the digital environment, gender, human resources, culture, command and restructuring? I would particularly like to hear what progress has been made on the 34 early actions that were to be delivered within six months.

Deputy Simon Coveney: I propose to take Questions Nos. 11, 25, 26, 53, 190 and 197 together.

The Commission on the Defence Forces was established on foot of a commitment in the programme for Government. As Minister for Defence, I welcomed the publication of the report of the commission on 9 February. The commission has undertaken a significant body of work encompassing wide-ranging terms of reference. It recommends significant changes for the Defence Forces and defence provision in Ireland. It covers high-level Defence Forces structures, defence capabilities, organisation, culture and human resources, the Reserve Defence Force and funding. It is no coincidence that four chapters of the commission's report focused on how we deal with people in the Defence Forces with regard to culture, people management, complaint management and so on.

Given the significance of the recommendations contained in the report, detailed consideration was undertaken by my Department and the Defence Forces, working together over a period of five months. This involved significant interdepartmental consultation. My officials and I have engaged with stakeholders to ascertain their views. Following this engagement, I returned to the Government with a high-level action plan and a memo for Government, which were approved on 12 July. This involved the approval of a move to LOA 2, as set out in the capability framework devised by the Commission on the Defence Forces. This will result in the defence budget rising from €1.1 billion to €1.5 billion, in 2022 prices, by 2028. In other words, the budget is index-linked. This is the largest increase in defence funding in the history of the State and will allow for the required substantial transformation and investment in recruitment and equipment that were identified in the commission's report. The recent budget for 2023 included an increase of €67 million over the 2022 budget and an additional €47 million to provide for the agreed increase in pay. This budget includes an increase of almost 25% in capital funding and demonstrates the Government's strong commitment to support the transformation

of the Defence Forces into a modern and agile military force capable of responding to increasingly complex security threats.

The move to LOA 2 will require an additional 2,000 personnel over and above the current establishment. Work has already commenced on this with the recently announced recruitment campaign, “Be More”. Some specific initiatives include the immediate commencement of planning for military radar capabilities, including primary radar, and the establishment of an office of reserve affairs with the priority objective of developing a regeneration plan for the Reserve Defence Force. The high-level action plan was also approved.

The high-level action plan set out 38 early actions to be completed within six months of the Government decision, including immediately progressing the following pay structure measures: the provision of immediate access to the seagoing service commitment scheme to direct entry personnel in the Naval Service; the removal of the requirement for a three-star private or able seaman to mark time for the first three years at that rank; and the payment of the full rate of military service allowance to all personnel at the rank of three-star private or able seaman, which is essentially a pay increase of €5,000 a year.

The high-level action plan set out proposed implementation and oversight structures. An implementation oversight group has been established, which met for the first time on 3 October. Subsequently, Ms Julie Sinnamon was appointed as the independent chair of the implementation oversight group. A second meeting took place on 17 November. A high-level steering board has been established, chaired by the Secretary General of the Department of the Taoiseach, to oversee the implementation. A civil and military implementation management office, IMO, has been established to support the implementation of the overall transformation programme required to implement recommendations from the Report of the Commission on the Defence Forces. The initial focus of the IMO is the implementation of the 38 early actions as set out in the high-level action plan and the development of an implementation plan. Reporting mechanisms have been established to facilitate regular progress reports on the early actions to the IMO and the civil and military strategic management committee. Significant progress has been made on the implementation of these 38 early actions, with the vast majority of early actions at an advanced stage. I have every confidence that the majority, if not all, of the early actions will be completed within the agreed timeframe.

The Report of the Commission on the Defence Forces and the current events in Ukraine are prompting an open debate and consideration of our defence requirements. I fully accept there is an ongoing requirement to consider whether the capabilities we maintain are appropriate, having regard to the security environment, the roles we wish the Defence Forces to undertake and likely risks.

I know the Deputy appreciates and understands the need for structures with regard to delivery to ensure policy certainty and on-time delivery. He has delivered such structures as a Minister in multiple briefs in the past. That is the kind of approach we are trying to take here. We want to have clear structures, reporting structures and people who are responsible for delivery and who will hold me and others to account if we do not deliver on what we have committed to over a period of time. There is going to be six years of action, development, growth, expansion and increased investment. We have an awful lot of work to do given the trends we have seen in recent years, which have continued into this year, whereby we are losing numbers rather than gaining them. I hope that next year will be a turning point.

Deputy Richard Bruton: I welcome the appointment of Ms Julie Sinnamon and the addressing of pay anomalies.

I wish to also ask about a few other specifics. Key positions are needed to drive the transformation: head of transformation; head of HR; head of digital; and head of gender. Have those been advertised? They are crucial to starting a real transformational change. Other changes are needed to the working time legislation as well as bringing in external capacity for change within the management structures, and progress on Army and Defence Forces design. I would like to dig a little deeper into the Minister's confidence that these all will be delivered by 12 January, which is not that far off.

Deputy Bernard J. Durkan: I compliment all of those involved in the proposals to modernise the Defence Forces. In view of the urgency to bring forward the recommendations, has specific responsibility been allocated with a specific timescale for each of the recommendations? To what extent has this been progressed so far and is in progress thereto?

Deputy Simon Coveney: The high-level action plan is the document the Deputy will need to have a look at. The plan itemises 38 early actions and there is a range of other actions that go beyond this as well.

Deputy Bruton raised some specifics, the first being applying the working time directive to the Defence Forces. We have made a lot of progress on that this year. We are, effectively, finalising the consultation process at the moment. This involves the general staff, the Department and representative bodies in the Defence Forces to make sure we get the balance right between the necessary exemptions to the working time directive that have to be there to allow the Defence Forces to operate as the Defence Forces, while at the same time limiting those to the essential areas that are necessary, so the working time directive applies to the vast majority of the work the Defence Forces do.

On advertising for the positions of head of transformation and head of HR, we now have approval from the Department of Public Expenditure and Reform, which we must get before we can advertise new posts, particularly at this level. The head of transformation will be a senior post in the Defence Forces, reporting to the Chief of Staff. We now have the green light from the Department of Public Expenditure and Reform to advertise that early next month. I believe it will be advertised on 6 December. Advertising for the role of head of HR will follow closely after that, which I believe will be on 16 December. I may stand corrected on those dates, which I cite just from memory. Either way, both positions will be advertised in December: one early in December and one around mid-December. These two key roles will be filled by civilian experts, who will then be part of the Defence Forces structure that focuses on the transformation that is needed and on the HR challenges we have discussed this morning. They are specific actions. Those positions will be advertised in the next few weeks.

Deputy Richard Bruton: I welcome the decisions on those two posts. The report made clear that it is about changing culture, changing the command structures and restructuring the Defence Forces. They are major shifts. I ask that the Minister not to forget about the appointments relating to digital transformation and gender transformation. They are equally important posts for the long-term transformation.

Deputy Bernard J. Durkan: On my Question No. 26, and the associated written questions, I have been pursuing an issue for approximately 25 years with regard to the need in the Defence

Forces for ongoing provision in an area that is facing increases in demand, responsibilities, and modernisation. Will the Minister indicate if it would be possible to extend the cadet scheme to plan for the continuity of the increase in the strength and the anticipated dropout and provide for this before it happens? Perhaps military entrants could avail of continued education while serving in the Defence Forces to enhance the position and make it attractive from the point of view of enlistment.

Deputy Simon Coveney: One of the big attractions of the Defence Forces is that a person can continue his or her education, and in many cases it is paid for by the Defence Forces. A big part of the Defence Forces is the opportunity to upskill and to get promoted. One of the changes we are looking to make is to provide more certainty and transparency around those promotion opportunities for career advancement and so on within the Defence Forces, and to back this up with the opportunities to upskill and to return to education, with a view to this benefiting the skill set within the Defence Forces.

On the digital aspect, in the commission we are being asked to provide what is called a “cyber command” within the Defence Forces in the future. This means a more structured and larger cyber and digital expertise within the Defence Forces. We have some good people in the cyber and digital unit in our Defence Forces but it needs to be a bigger unit and it needs to be plugged in more directly to the Chief of Staff, and what will become the headquarters for the Defence Forces, and likewise on gender.

An Leas-Cheann Comhairle: We will move onto the last question. I am afraid Deputy Paul Murphy will not get his full time.

EU Meetings

12. **Deputy Paul Murphy** asked the Minister for Defence the matters that were discussed when he met with his counterparts at the recent EU defence Ministers meeting in Brussels; and if he will make a statement on the matter. [58138/22]

Deputy Paul Murphy: On Tuesday last week, the Minister met with his counterparts at the EU defence Ministers meeting in Brussels. The Council launched the EU training mission of the Ukraine armed forces. Josep Borrell, the high representative of the EU for foreign affairs and security policy is reported as saying that up to 15,000 Ukrainian soldiers will be trained in different member states. Austria has decided not to participate because it is a neutral state, yet Ireland is participating in a full-spectrum military training mission of an army that is involved in a war. How is that not a breach of neutrality?

Deputy Simon Coveney: It is not a breach of neutrality, just like us providing funds through the European peace facility to help Ukrainian defence forces protect their people is not a breach of neutrality either.

Deputy Paul Murphy: That is-----

Deputy Simon Coveney: We are not aligned militarily but we are absolutely entitled to take sides. In my view, if we had not taken sides in this war we would effectively be taking the side of the oppressor. I do not believe the Irish people would support that course of action.

The most recent Foreign Affairs Council in defence ministers’ format took place in Brussels

on 15 November. There were three items on the agenda: a working session on current affairs; a working session on defence capabilities and operational realities; and a working lunch focusing on an informal exchange of views with the Minister of Defence of Ukraine and the NATO Secretary General, Jens Stoltenberg.

The current affairs session covered a range of topics including: the EU military assistance mission in support of Ukraine; possible Common Security and Defence Policy, CSDP, engagement in Niger; Operation Atalanta; the EU Rapid Deployment Capacity; and the current financial situation of the European Peace Facility.

The second working session marked the first annual ministerial discussion on defence capabilities and operational realities, as committed to in the framework of the Strategic Compass.

The meeting closed with a working lunch and informal exchange of views focusing on Russian aggression against Ukraine, including its global implications. The Ukrainian Minister of Defence participated by video teleconference to brief Ministers on the latest developments as well as Ukrainian priorities and needs on the ground.

In advance of the Foreign Affairs Council in defence ministers' format, I attended a meeting of the European Defence Agency steering board where Ministers exchanged views on the main findings of the 2022 Coordinated Annual Review on Defence, CARD, report in the areas of defence spending, defence planning and defence co-operation.

An Leas-Cheann Comhairle: I thank the Minister.

Deputy Simon Coveney: Will I have time to come back or are we closed off? It is important to get this on the record.

An Leas-Cheann Comhairle: Maybe, just to-----

Deputy Paul Murphy: We can go back and forth

Deputy Simon Coveney: I will not be allowed.

An Leas-Cheann Comhairle: It is not that the Minister is not allowed; it is that I must comply with the time limits. Deputy Murphy is entitled to come in now.

Deputy Paul Murphy: I want to hear from the Minister because what is happening is a full-scale military training mission. To quote from the Council of the EU press statement, the aim of the mission "is to enhance the military capability of the Ukrainian Armed Forces". The fact sheet states that includes operational training; preparation of companies, battalions and brigades in collective manoeuvres and tactics up to battalion level; and advice on the planning, preparation and conduct of live firing exercise. I do not see how participating in military training of an army that is involved in a war is not a breach of military neutrality. Austria is not participating because it is militarily neutral. I presume the Minister will say we will be involved just in training in de-mining. Can he give a guarantee that is all Irish troops will be involved in, or could this expand? Does he not accept that there should be a vote in Dáil Éireann on participation in a conflict? Participation in any war requires a vote in Dáil Éireann under the Constitution. Training one side in a war surely constitutes participation.

Deputy Éamon Ó Cuív: Does the Minister agree, taking into account his recent comments on the triple lock and the fact that we will now be part of a military training mission and military

funding in a war situation rather than participating in peacekeeping, that it would be timely for the Oireachtas to set up a joint committee to see how best Ireland can fulfil its constitutional obligations under Article 29 of the Constitution, which specifically commits us to peaceful resolution of international disputes?

Deputy Simon Coveney: I spoke about this at some length last night in the Seanad. I have given a clear commitment to the Joint Committee on Foreign Affairs and Defence that I would discuss with the committee the way in which I believe the triple lock mechanism should evolve. I do not believe that it is okay to continue on the basis of relying on a UN Security Council mandate to send Irish troops abroad if that mandate may be blocked by the use of the veto, given current tensions between P5 member states of the Security Council. I do not believe that Russia, China or any other P5 member should have a veto over where Irish troops go. That is all. We are not proposing to change the long-standing policy of military non-alignment and military neutrality and we are not breaching that policy in helping Ukraine to defend itself against aggression. I would like to see this House be more critical of the aggressor in this war rather than the country that is trying to defend its people and whose capital city-----

An Leas-Cheann Comhairle: Táimid thar am.

Deputy Simon Coveney: -----was 70% in the dark last night because of the deliberate targeting of civilians-----

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

Deputy Paul Murphy: Can the Minister give a guarantee that we will be involved only in training in de-mining?

Deputy Simon Coveney: -----by a country that Deputy Murphy does not seem willing to criticise.

Deputy Paul Murphy: I ask the Minister to answer the question. Will he give a guarantee that it will be only de-mining?

Deputy Simon Coveney: Instead the Deputy is focused on criticising a Government decision to help a country to defend itself and its people.

Deputy Paul Murphy: Will the Minister please give a guarantee that it will be only de-mining?

An Leas-Cheann Comhairle: Thank you, Deputy.

Deputy Paul Murphy: Will the Minister please answer the question?

Deputy Simon Coveney: There is no finalisation as to what the role will be but-----

Deputy Paul Murphy: There is no guarantee then. I thank the Minister.

An Leas-Cheann Comhairle: The Leas-Cheann Comhairle is standing. That is the end of questions to the Minister for Defence. Thank you. Táimid thar am. Thug mé deis daoibh teacht isteach. Bhí solúbthacht i gceist - I gave flexibility - and we are now way over time.

Ceisteanna ar Sonraíodh Uain Dóibh – Priority Questions

Child Abuse

57. **Deputy Aodhán Ó Ríordáin** asked the Minister for Education her intentions to co-operate with any potential inquiry into abuse allegations in a secondary school (details supplied) and other educational institutions. [58252/22]

Deputy Aodhán Ó Ríordáin: I appreciate that the issue of the accusations of abuse in Blackrock College has to be dealt with sensitively. I believe that the Taoiseach, the Tánaiste and other members of the Government are dealing with it with the greatest of sensitivity. There is an acknowledgement that an investigation or inquiry is needed. What is the Minister's view on the necessity of such an inquiry? What type of form would such an inquiry take, seeing as the Department of Education would be to the forefront of any inquiry into what happened at Blackrock College and other religious-run schools?

Minister for Education (Deputy Norma Foley): I reiterate how heartbreaking and disturbing these revelations and all revelations of abuse are. Sexual abuse of a child by a teacher, school employee or any other person is a repugnant act. It is also a criminal act. In the first instance, it is, therefore, critical that crimes that have been committed are fully and thoroughly investigated by An Garda Síochána, and that process must not be compromised. I have met with a number of survivors in recent days and will continue to do so. I appreciate how bravely so many have openly shared their own harrowing experiences with me and I wish to give voice to the enormous hurt and trauma they and so many others have endured.

It is important that there be an effective and survivor-led response from the Government. The Government is considering how best this can be achieved, having regard to both any Garda investigation and the wishes of survivors. As I said, I have engaged with a number of survivors over recent days to get a better understanding of what they would like to see happen and I will continue to do so as a priority in the coming days.

There is considerable expertise and experience in this area, and it may also be helpful if we were to examine previous inquiries of different types and identify what lessons we can take from them in respect of how they operated and the outcomes achieved and, in particular, the impact on survivors. The Department of Education and I are committed to fully supporting whatever actions are agreed.

I am also conscious that these revelations may have raised concerns about present day arrangements. In that regard, it is important to share with the House the significant changes that have taken place in our school environment since the era to which many of these allegations relate. Today we have a robust suite of measures in place to protect our children in the school environment.

The Department's Child Protection Procedures for Primary and Post-Primary Schools 2017 provides guidance to schools on their responsibilities under the Children First Act 2015 and the Children First national guidance 2017.

Acting Chairman (Deputy Pádraig O'Sullivan): Thank you, Minister. We will let Deputy Ó Ríordáin back in, after which you may finish the reply.

Deputy Aodhán Ó Ríordáin: I appreciate the Minister's response but, in tabling this question, I had assumed there would be a good chance that by the time we spoke today an inquiry would have been announced. I understand that she is to make contact with Opposition spokespeople as to how best this inquiry could be formulated. I also understand that it is the Government's intention to have an inquiry. I am happy that the Minister is committed to having a survivor-led inquiry. It is important that the Government takes advice on any ongoing Garda investigations.

The Minister spoke about how things have changed since the period in which some of these abuses took place, yet it is clear that some of those who were overseeing these institutions at that time are still in place. There are accusations that people who were involved in abuse still reside in these institutions. There are also accusations that people in positions of authority were approached 20 years ago and were told to return only if they had a solicitor. While the regulations and legislation and the oversight by the Department may have changed in the interim, the personnel who oversaw this and had responsibility for the care of children are still in place. What we need, at least from today, and I acknowledge that there will be statements on this later, is clarity on when and how this inquiry will be established and when it will take place.

Deputy Norma Foley: I acknowledge the Deputy's sincerity and the sincerity and unanimity across the House in expressing our revulsion and unequivocal condemnation of what has been visited upon so many children, young people, now adults, who continue to live with this repugnant trauma. I acknowledge, as the survivors have said to me, that they live with it, their families live with it and their wider communities live with it.

The Deputy is 100% correct that it is my intention to consult all Opposition spokespersons, who will shortly receive notification in that regard. I very much want them to be part of the engagement and consideration of what we are about. He has been clear, and we have all been very clear, of the importance of the voice of the survivors. It is for that reason I am currently engaging with them. He is also correct that, as I have outlined, we have to be clear that there will be no impact, rightly, on the Garda inquiry, which must continue.

This is an absolute priority, and I am happy to work across the House and with everybody to ensure we get the best possible outcome in respect of the type and scope of the inquiry.

Deputy Aodhán Ó Ríordáin: I reiterate that I believe the Government is dealing with this in a proper manner. The Minister is dealing with it with the sensitivity it demands. However, weeks have passed and there needs to be a sense of when this inquiry will take place and what its nature will be. We must also ensure that none of this can ever happen again. While the Minister rightly points to changes in the system over the past number of years and decades, this needs to feed into the citizen's assembly on education to ensure that this deference to religious institutions and fee-paying schools in the system can be broken and that every child in every school is protected by the State. I look forward to the Minister's engagement and, hopefully, if not by the end of today, we will have clarity on how and when this inquiry will take place by the end of the week.

Deputy Norma Foley: I appreciate the Deputy's genuine determination to engage with this, which is replicated across the House. I welcome that. It is important to note that we do have robust child protection measures in our schools, oversight of which is conducted by our inspectorate. Notwithstanding that, we are in a situation where we need to ensure that an appropriate inquiry is put in place to deal with all the abhorrent revelations that have come to light. To do

that, it is important that there is sufficient engagement with all concerned. We will move at a pace.

School Staff

56. **Deputy Donnchadh Ó Laoghaire** asked the Minister for Education if her attention has been drawn to the growing difficulties regarding shortages of teachers at post-primary and primary schools and the impact that it is having on schools; and the action that she intends to take to address this. [58460/22]

Deputy Donnchadh Ó Laoghaire: I blame the national broadcaster for my delay and I apologise for that. The Minister will be familiar with the survey that the Irish Primary Principals' Network, IPPN, published last week during its conference. It found that some 52% of school principals in County Kildare did not have their full quota, 65% in County Dublin and 46% in County Wicklow. Similar problems exist at post-primary. Much of it is caused by the cost-of-living crisis. What does the Department propose to do about it?

Deputy Norma Foley: I am aware that some schools are currently experiencing challenges in recruiting teachers and I am conscious of the impact this could have on our schools. Newly qualified teachers, NQTs, represent an additional source of supply. More than 3,600 primary and post-primary NQTs are registered with the Teaching Council this year. In May 2021, the Department published an updated technical report - Developing a Teacher Demand and Supply Model for Ireland 2020-2038. The report projects a decrease in demand for primary teachers to 2036 while at post-primary level the downward trend in demand starts from 2024. Work is ongoing to produce projections of post-primary teacher demand and supply on a subject level basis.

The IPPN, in line with the teacher supply action plan, has developed a portal for the recruitment of teachers to long-term teaching positions. The IPPN also operates a sub seeker, which has almost 12,000 teachers registered with it. Significant additional posts have been allocated to the primary substitute teacher supply panels bringing the total number up to 151 panels.

For the current school year, job sharing teachers may be employed to work in a substitute capacity and the limit on substitute work applying to teachers on career break has been suspended. Third and fourth year student teachers can now register with the Teaching Council and more than 2,100 student teachers have applied for registration.

At post-primary level, the Department has recently put in place a scheme that allows teachers teach additional hours in their subject area over the usual 22-hour weekly limit, up to a maximum of 20 additional hours per term. Furthermore, retired teachers who maintain their registration can provide substitute cover and the Department has agreed a waiver of abatement with the Department of Public Expenditure and Reform for such teachers. The Department runs a comprehensive programme of work to support the supply of teachers and engages closely with the school management bodies and other education stakeholders.

Higher education institutions, HEIs, have developed new four-year initial teacher education undergraduate programmes in a number of post-primary priority subjects, including Irish, mathematics, computer science and modern foreign languages.

I wish to advise the Deputy that the process for the approval of the intake on the primary bachelor of education, BEd, programme and professional master of education, PME, programme for the 2023-24 academic year has commenced and the State-funded HEIs will be advised of this shortly.

Deputy Donnchadh Ó Laoghaire: Many of those measures are for the longer term. The Minister will tell me it is the job of the Minister for Housing, Local Government and Heritage's, which it is but some of this problem to the fact that teachers cannot afford to rent or get a mortgage in or around Dublin, Cork or Galway, and a whole-of-government approach is required. Regarding what the Department of Education and the Minister can do, much of what she referred to was at primary level whereas some of the most profound issues are at post-primary level. There are schools in Dublin and surrounding areas that telling parents that they cannot offer certain subjects that they offered for years because they cannot get teachers. One thing that the Department can do is to release more positions so that teachers who work on a part-time basis can work full time and teachers who are not on a permanent contract can be given one. Is this something the Department is examining?

Deputy Norma Foley: We need to look at this in the round. We have seen significant changes, enhancements and improvements in education over the past two years both at primary and post-primary level. For example, at primary level, over the past three budgets we ensured that there has been a reduction in the pupil-teacher ratio. It is an historic low of 23:1. We have ensured that all teaching principals have at least one administration day in respect of leave. Where schools have a teaching principal and two or more special classes, they are automatic administrative principals. All that is positive and proactive. It needed to be done and has been welcomed by all. It does have an impact. To compensate for that and the requirement for additional teachers, we have proactively looked at measures. We have lifted restrictions around job share, career break and retired teachers. More than 800 retired teachers came on stream last year. There are other initiatives. The Deputy referenced the post-primary sector. We have introduced the share a teacher model under which teachers can be shared between schools. There are upskilling courses at post-primary level that are fully funded by the Department in key areas. We are beholden to our third and fourth year student teachers who can now register with the Teaching Council. More than 800 Hibernia students will come on stream and that is only one HEI when it comes to availability to work in the coming weeks.

Deputy Donnchadh Ó Laoghaire: The Minister answered several other questions but she did not answer the questions I asked regarding additional positions. I do not believe that is necessarily what will resolve it at primary level but I am talking particularly about post-primary level where some teachers work on a part-time basis and others do not have a permanent contract. If they can be offered a permanent or full-time contract, they will stay with the schools and they can be recruited, particularly in the areas where there is significant pressure.

We are coming into the Christmas period and teachers will be coming back from the Middle East, Britain and elsewhere. I would say that many of them would like to stay. The Minister will recall that her predecessor on a visit to the Middle East some years ago was told by a teacher that they wanted to come back immediately and asked whether they could be given a permanent contract. As I understand it, that will not be the case. If the teacher asked the Minister whether she could give him or her a permanent contract, that would still be the case. Can the Minister consider permanent contracts and contracts of indefinite duration for teachers who are returning from abroad this Christmas?

Deputy Norma Foley: The Deputy has to concede that we have looked at a variety of different methods. We have been proactive in this area, notwithstanding the challenges in teacher supply. In the interest of balance, the issues being faced in the education sector are not unique. We are seeing similar issues in other sectors whether it is hospitality, retail, healthcare or whatever. This is the position we find ourselves in at this time. We have an unprecedented climate internationally and all the other issues.

We have examined a number of measures and put measures in place. I am open to looking at all measures. We have a positive contracts of indefinite duration, CID, programme in place, which is a positive move for staff, and we keep everything under review. I am happy to do that.

School Textbooks

58. **Deputy Donnchadh Ó Laoghaire** asked the Minister for Education the actions that have been taken to further the budgetary commitment to providing free schoolbooks at primary level; if she has engaged with the relevant stakeholders since this announcement; and if she will outline the model that will be put in place. [58461/22]

Deputy Donnchadh Ó Laoghaire: I am encouraged by the commitment to free schoolbooks. Myself and Sinn Féin have raised this issue for several years at budget time. I regularly make the point that we are 70 years behind the North in that. To get that delivered is not just a case of announcing it. We need to know what the model will be, where suppliers, publishers and so on fit in, and how schools will manage it. Could the Minister tell us a bit more about that?

Deputy Norma Foley: The Government recognises the cost of preparing children for school each September can be a financial difficulty and challenge for many families. Therefore, as part of budget 2023, I announced over €50 million to provide free books to primary school pupils within the free education system from September 2023. This measure will eliminate the cost to these families of all schoolbooks at primary school, including workbooks. It delivers on the programme for Government commitment to extend the free schoolbook pilot, currently in 102 DEIS primary schools, as resources permit. The free primary schoolbooks scheme will benefit up to 540,000 pupils in approximately 3,240 recognised primary schools, including over 130 special schools.

The implementation of the measure will build on the existing schoolbook rental scheme, which is available in some 94% of recognised primary schools. It also builds the free schoolbooks pilot I mentioned.

My officials are continuing to engage on how the scheme will operate. Initial contact has been made with some of the education partners on the measure. Over the coming period, my Department will be engaging further with the education partners and other stakeholders to roll out the measure in sufficient time for the 2023–24 school year.

Guidance on the procurement of books will be developed as part of our further engagement process with schools, parent and management bodies and other stakeholders on this measure. The scheme will seek to ensure that value for money is achieved and that schools will be supported to implement the scheme in a way that has the best learning outcomes for pupils. Schools will continue to have autonomy to choose books that meet curricular requirements. My

Department will consider the information from the 102 schools involved in the free schoolbook pilot when developing the guidance on the procurement of books.

It is planned that funds will be provided to schools to purchase schoolbooks and related classroom resources. Schools buy books directly from schoolbook suppliers at present as part of the implementation of the schoolbook rental scheme. Ninety-six percent of primary schools participate in the scheme.

As Minister for Education, I am acutely aware of the costs faced by families upon the return of their children to school each September. This will be a ground-breaking measure.

Deputy Donnchadh Ó Laoghaire: I share the Minister's sense of the value of the measure. It is a shame that it was not extended to post-primary level, where the books are more expensive, but we will have that debate another day.

The question I still have concerns how the arrangement will work. It does not seem there is any clear sense of that. It is two months since the budget. I presume this was discussed within the Department for some time before the budget. The Minister talks about the education partners. Who they are is not a vague concept but a very specific one. Typically, it does not include the publishers or bookshops. Do not get me wrong - I believe they should not have a veto by any manner or means. Our priority needs to be to ensure the delivery of books free to children. The views of the booksellers and publishers can be taken on board but ultimately we need to decide what is in the best interest of children.

With regard to how we are going to roll this out, I presume discussions are necessary with the groups. Therefore, has the Minister met any of the publishers or bookshop owners regarding how books will be got from the printing press into the children's hands? I am not clear on that.

Deputy Norma Foley: On the Deputy's reference to post-primary level, if we had an abundance of money, we would-----

Deputy Donnchadh Ó Laoghaire: I am not seeking to get into that.

Deputy Norma Foley: No, but I am just making the point. A sum of €50 million is available to me. I am beginning the process at primary level but it is my hope and expectation that it will in time progress to post-primary level. We already have a very successful book rental scheme, operated by 96% of our schools.

With regard to engaging with book publishers and booksellers, schools will have autonomy regarding how they engage. If they wish to engage with a local distributor, they may do so. I made that very clear when I make my announcement and continue to do so.

There are lessons to be learned from the book rental scheme. There are also lessons to be learned from the pilot programme we have run for DEIS schools. All of that has been brought to bear. Initial discussions have taken place with the partners in education, and these will continue. The engagement will be fully consultative. I am very clear about the fact that individual schools will be free to continue with local arrangements, including through local bookshops, if they so wish.

Deputy Donnchadh Ó Laoghaire: I want to see this succeed but it all has the ring of "It will be all right on the night." The Minister refers to the education partners but she has not chal-

lenged me on, or disputed, the fact that they do not include the publishers or booksellers. I am open to being challenged on this. It does not seem there have been any discussions.

The Minister's reference to autonomy indicates there is a relatively decentralised model and that schools will be provided with a fund with which to procure the books. Am I picking that up right or will there be an element of central procurement? Will there be tendering? Obviously, the money is significant when we consider the needs of the whole State and also EU procurement rules.

It is fair enough to state the book rental scheme is good but that is not the same as free schoolbooks or what the Minister talked about. It is a step along the way but not where we need to go to. I really hope we see what I want in September but I am a little worried about the lack of preparation, or at least the lack of a clear sense as to how this will work. Having listened to the Minister, I believe there could be any number of things.

Deputy Norma Foley: The Deputy, given his position as education spokesperson, will appreciate more than most the value of engaging across the table on any departmental initiatives. That has been a feature of everything we have done, particularly since I became Minister. That engagement will continue. It will specifically include, in respect of the working out of this, the lessons learned from what we did in the past, namely, the book rental scheme and the DEIS scheme, under which there were free schoolbooks. A variety of options have been put on the table regarding central procurement. It is also a matter of ensuring autonomy within the schools. All of those options are being analysed and worked through in the Department with the partners in education, and, obviously, it will be-----

Deputy Donnchadh Ó Laoghaire: It is more than just the Department of Education.

Deputy Norma Foley: I have just said "with the partners in education". Any further discussions required with interested parties and central parties will take place. However, the first step is to engage with the partners in education.

Acting Chairman (Deputy Pádraig O'Sullivan): Tá an t-am istigh. Níl an Teachta Gannon i láthair. Mar sin, bogfaimid ar aghaidh go dtí Ceist Uimh. 60, in ainm an Teachta Ó Laoghaire.

Deputy Donnchadh Ó Laoghaire: Who the education partners are is very clear.

Deputy Norma Foley: Let us be clear that this should be led by the Department of Education and education partners.

Deputy Donnchadh Ó Laoghaire: Of course, but-----

Deputy Norma Foley: The service providers will be consulted in due course.

Acting Chairman (Deputy Pádraig O'Sullivan): Táimid ag bogadh ar aghaidh go dtí Ceist Uimh. 60 anois.

Deputy Donnchadh Ó Laoghaire: Excuse me. That was probably out of order. I accept that.

Question No. 59 taken with Written Answers.

Special Educational Needs

60. **Deputy Donnchadh Ó Laoghaire** asked the Minister for Education if she will provide an update on the preparations being undertaken by her Department and the National Council for Special Education for admissions to special schools and special classes in September 2023; if it has forecasted the number of places that will be required; and if all parties are now beginning to analyse where it may be necessary to make use of legislation to compel schools rather than waiting until late spring. [58462/22]

Deputy Donnchadh Ó Laoghaire: Bearing in mind the discussion on special education on RTE, where we need to get to with special schools and special classes is not where we were in the past couple of years, which involved panic in April and May over where children would go. I have already been contacted by parents about September 2023, and some were worried about September 2024. We need to ensure the forecasting is right and that we can wrap this up early this year, or early in the spring, so we do not have panic. I want an update on that from the Minister of State.

Minister of State at the Department of Education (Deputy Josepha Madigan): I thank the Deputy for raising this. We debated a lot of these points already on radio. I did not get the opportunity to mention the National Council for Special Education, NCSE. I did mention the extra €30 million in funding that we secured for it in the budget, but the reason it is pertinent to this question is that the council will now be in a position to hire new special educational needs organisers, SENOs. One of the things that strikes me when travelling around meeting school staff and principals is that they have had difficulty on some occasions over communication with SENOs. They comprise a critical link between families and schools. We need more SENOs. The NCSE is going to be in a position to hire an extra 160 staff. It is in the process of recruiting them. They will really help in the shorter and longer term in mitigating the problem of the last-minute rush that the Deputy correctly stated occurred in the past, whereby there was a scramble to obtain an appropriate placement, be it in a special school or special class. I wished to reiterate that because it very much reflects what is happening on the ground from an operational perspective.

11 o'clock

John Kearney, the new CEO of the NCSE, is doing an awful lot to make sure those lines of communication are kept open. In fairness to SENOs, there was only one SENO for every 55 schools in the past. That is a huge caseload and, with the best will in the world, it has been very difficult for them to have to constantly update families as to the status of the process. I hope that will make a significant difference and ameliorate the situation.

Deputy Donnchadh Ó Laoghaire: I will take this opportunity to go to the parish pump. If we are recruiting SENOs, I wish to state that there is an absence of them in my area. The Minister of State might take note of that.

There is a shared objective, namely, that we do not have a scramble every year. There are almost 1 million children in our 4,000 schools and there is easily the capacity to accommodate these children, provided we plan early enough to ensure every child has an appropriate school place. We are not yet at that point, but that can be achieved not too far into the future. To achieve that, we need to have early forecasting. Do the NCSE and the Department have a number, even an estimate, of the number of children who will require special classes or schools in

September 2023? If they have those figures, what are they? If not, when will they have them?

Deputy Josepha Madigan: Regarding SENOs in Cork, I can make inquiries. There are 63 new special classes in Cork this year, out of the 600 special classes we opened in primary schools this year, along with the 300 classes in post-primary schools and five special schools opened over the past three years.

In terms of numbers, it is critical that the NCSE is aware of children who require an appropriate placement, and this is where SENOs come in. I refer to one of the difficulties in the past, of which the Deputy may be aware. A child who has received a different professional assessment, or for reasons of parental preference, may move from a mainstream to a special class or *vice versa* or from a special class to a special school. It can be interchangeable. Some schools were not informing the NCSE of that. For this reason, it was under the misconception that there was capacity in circumstances where there was not. That issue has now been addressed.

Deputy Donnchadh Ó Laoghaire: I am aware of the number of schools in Cork with places. As is the case everywhere else, there is a significant discrepancy between what is available in primary and post-primary schools. One of the biggest challenges we need to address is the number of places in post-primary education.

One of the most frustrating issues to deal with is people who are looking for places in post-primary schools, and whether the NCSE or local schools have provided enough places. Parents have children who are 12 years of age, have had diagnoses and have been in the school system for years. They do not understand how the Department or NCSC could not know that their children need places. It is very hard to dispute that. The Minister of State did not have an opportunity to address that in the time available. Do the NCSE and Department have a figure, even an indicative one to the closest 100 or whatever, for the number of places available? If they have that information, what is the figure? If they do not have it, when will they have it? That is crucial to making decisions around section 37A.

Deputy Josepha Madigan: They are, of course, aware of the numbers. They change on a daily basis, as the Deputy can appreciate. That is why we have all of the forecasting measures, which I outlined to the Deputy. For the sake of the House, we are bringing forward a number of different strategic initiatives. The geographical information system, GIS, through the planning and building unit, is now sharing real-time capacity information with the NCSE. There is updated technical guidance for building reconfiguration. There is future-proofing at post-primary level.

I mentioned that I have written a letter to all post-primary schools in recent weeks stating that we will expect them to open at least four special classes in each post-primary school over the next five years. Not all of them will have to open special classes next September, but they will need to do so in future. There are 1,803 special classes at primary level and 704 at post-primary level. We will need more in the post-primary sector, as the Deputy said, over the next few years.

Question No. 61 taken with Written Answers.

Questions Nos. 62 to 63, inclusive, taken after Question No. 66.

Questions Nos. 64 and 65 taken with Written Answers.

Special Educational Needs

66. **Deputy Aodhán Ó Ríordáin** asked the Minister for Education the progress that has been made in regard to the proposed changes to the assessment of need process; and if she will make a statement on the matter. [58255/22]

Deputy Aodhán Ó Ríordáin: The Minister of State will know that in October a lot of disquiet was expressed by school communities about the potential change in the AON process. I understand from her negotiations with the INTO that a pause was put on that process. I want to get a sense of where the process now stands.

Deputy Josepha Madigan: I thank the Deputy for his question. As he is aware, the AON process is provided for under the Disability Act 2005. Assessment officers under the remit of the HSE are charged with organising the AON. The Deputy will be aware of a court ruling in October 2021, which created an legal obligation on the education system to assist the HSE as part of the HSE's AON process. That refers only to the educational component, as distinct from anything else.

The Department engaged with unions, management bodies and other stakeholders regarding the AON process and how it applies to schools. The Deputy will be aware that the Department and NCSE worked with a number of schools in June - I understand 17 were involved - on a draft of the documents required by schools to complete the education component of the AON. Feedback from the schools on the trial process informed the development of the form and guidance to be used in the process. Feedback arising from engagement with the schools was provided to stakeholders in September.

The Department of Education and NCSE have put in place a suite of supports to assist schools in completing the educational component of the HSE's AON process. These include: detailed guidance; a short video for use by schools setting out how to comply with the process; email support; and a dedicated phone support line.

On Thursday, 27 October, the Department and NCSE met stakeholders and partners in education. The purpose of the meeting was to address the issues and concerns which have arisen in schools around the AON process and to work to resolve these issues. I understand progress was made and clarity was provided on a number of issues raised by the stakeholders.

Deputy Aodhán Ó Ríordáin: The reaction I and other Deputies involved in this sphere got was very negative regarding the new responsibility schools felt they had to oversee, the workload being imposed on them and the lack of expertise teachers and principals have in terms of overseeing the process, especially when trying to account for a child's disability, including motor skills. On that basis, the issue has been raised in the House. Various education partners raised concerns with the Minister of State and Minister. In fairness, a conversation took place and I understand from the INTO statement the process was paused. Given that the process has been paused, what status does the pause now have? Will the idea be abandoned, changed in some way or reverted to?

Deputy Josepha Madigan: I understand there are still ongoing conversations on this matter and there is a commitment to extend the trial period. On principals or teachers being overburdened, as Minister of State with responsibility for special education, I acknowledge that schools are very complex organisations, as I have seen in the school visits I have undertaken. It

is important that we acknowledge we are very lucky to have effective leaders in our schools, a point noted in the chief inspector's report recently.

It is also important to be clear that while completing the AON form is a task, it is not necessarily one that has to be completed by the principal. The guidelines and video support are clear that this task can be completed by another staff member. This mirrors the efforts that we have undertaken to lessen the administrative burden on school leaders in general. For example, we strongly encourage principals, in organising the summer programmes, to delegate key tasks to others in the school.

Regarding teachers, I do not have time to continue.

Deputy Aodhán Ó Ríordáin: The Minister of State was coming to the second point I raised. It is not just about the workload, but also the expertise. Every Deputy in the Chamber will appreciate that principals, teachers, special needs assistants, SNAs, and everyone else who works in a school community are heroes. They are often undervalued, the first to be criticised and face a great deal of negativity, but what they do for children of all backgrounds every day of the week is inspirational. If one ever wants to be uplifted in one's political work, then take a trip to the local school to get cheered up.

Regarding expertise, teachers and principals have told me that properly assessing the needs of a child is the role of an educational psychologist. A teacher or principal does not have the expertise, or should not be expected to have the expertise, to assess the motor skills of a child. The Minister of State was about to address this point.

Deputy Josepha Madigan: It is important to be clear on the purpose of the AON process as it applies to schools. The assessment of educational needs requires schools to take information about a student that already exists, usually in the student support file in the school, and make it available to the HSE via the NCSE. The assessment is an integral part of teaching and learning and teachers assess their students constantly using a range of formal and informal assessment practices. This is the information that informs the assessment of educational needs. Obviously, there are other elements to the AON process, but these are a matter for the HSE to progress. In short, teachers are fully qualified to assess their students, record the outcome of those assessments and use those outcomes to inform the teaching approaches.

School Transport

62. **Deputy Éamon Ó Cuív** asked the Minister for Education the number of students who applied for school bus tickets for the 2022-23 academic year who have not yet received a school bus ticket; the number of these who were what is termed late eligible; and if she will make a statement on the matter. [57855/22]

Deputy Éamon Ó Cuív: I applaud the introduction of free school transport for everyone, but as the Minister knows, it raised a number of issues. I seem to have many late eligibles in my constituency who are still awaiting transport. I counted this morning and found that I still had 30 students waiting. Has the Minister any idea of the number of applications that have not been processed? In particular, does she know how many late eligibles there are? By that I mean people who are going to become eligible for school transport but are still awaiting such transport.

Deputy Norma Foley: The school transport scheme is a significant operation managed by Bus Éireann on behalf of the Department of Education. In the last school year, more than 121,400 children, including over 15,500 children with special educational needs, were transported on a daily basis to primary and post-primary schools throughout the country. The cost of the scheme in 2021 was €289 million.

In July 2022 and as part of a wider package of cost-of-living measures, the Government announced funding for the waiving of school transport scheme fees for the coming school year for those who were eligible for the scheme. Ticket registration for the 2022-23 school year closed on 29 July, by which time almost 130,000 applications for mainstream school transport had been received. This figure included 44,299 new applications as well as roll-overs from previous years.

This time last year, there were approximately 103,600 children on school transport scheme services. Already, more than 127,800 tickets for the 2022-23 school year have been issued to applicants, meaning that in the region of 24,200 additional places have been created. This is an increase of 23%. Specifically, there has been an increase of 33% in concessionary tickets.

Children are eligible for transport at primary level where they reside not less than 3.2 km from and are attending their nearest national schools and at post-primary level where they reside not less than 4.8 km from and are attending their nearest post-primary schools or education centres, as determined by the Department. All children who are eligible for school transport and have completed the application process on time are accommodated on school transport services where such services are in operation.

Pending completion of the outcome of the full review of the school transport scheme, temporary alleviation measures at post-primary level have continued for the 2022-23 school year. Under these measures, pupils are eligible for transport to their next nearest schools.

As part of the budgetary process, some additional funding has been approved for the scheme, which has allowed officials in the Department, in consultation with Bus Éireann, to provide additional capacity where it is possible to do so. Bus Éireann has been prioritising areas where there are students who did not meet the eligibility criteria but were “on time concessionary pupils” and had tickets previously. It is important to stress that this is subject to capacity considerations. Constraints in sourcing vehicles and drivers in certain areas of the country may also mean that it may take a number of weeks to explore solutions for additional capacity.

Deputy Éamon Ó Cuív: They prepared a long answer for the Minister telling me all sorts of things about the school transport system I have known for many years. I asked a specific question about the number of students who had not yet received a school bus ticket, the number of those who were what are termed “late eligibles”, and if the Minister would make a statement on the matter. What number of applications have been received but not dealt with yet? Some late eligibles and concessionary ticket holders got tickets while others did not. Extra money was given but there seem to have been loose rules around it. I am looking for hard facts about the number who applied and have not yet received tickets and the number of those who were late eligibles, that is, they were eligible but did not get their applications in on time.

There was a problem with the reminder that was sent out to Yahoo email addresses. There was also a bit of confusion among the public because there were no fees and parents who were used to paying fees did not realise that they had to apply a second time.

Deputy Norma Foley: More than 130,000 applications or registrations were received by 29 July and we have issued 127,800 tickets. That process is ongoing. The 127,800 tickets represent a 23% increase on previous years, including a 33% increase in concessionary tickets.

Regarding the late application process, it is important for families to note that the application deadline was 29 April and that the deadline to confirm registration was 29 July. Any application completed after this date was a “late application” and, therefore, many school transport services were already operating at full capacity. While a number of late applications have been received, eligibility can only be determined at the time of assessment. These applications will only be assessed after all “on time” applications have been processed and there can be no guarantee of places for late applicants.

Deputy Éamon Ó Cuív: The second answer was much clearer than the first, which I appreciate. There are 2,800 applicants left, but the Minister has not yet told me how many of those would have been eligible had they applied on time. The website had to go down during the middle of the summer for a period because it had to be updated when the free transport scheme was introduced. I applaud the scheme, but it had its gremlins and caused confusion. Bus Éireann has admitted that there was a problem where people with Yahoo email addresses did not get the reminder that the rest did.

There was a little confusion. I have never had to deal with as many late eligibles as I have this year. In many cases, they applied in April but did not confirm in July because of the confusion during the summer. Is consideration still being given to granting these applicants school transport? Is fearr déanach ná go brách, or better later than never.

Deputy Bernard J. Durkan: I wish to record my appreciation for the efforts made by the Minister to improve the school transport system and the measures she took during the course of the year to do so. A number of places are still available throughout the system on existing coach services. If those were replaced by larger buses, many more children could be accommodated. Would it be possible for the Minister to have a look at that, with a view to meeting, insofar as possible, the existing voids that can be addressed, including in some cases for concessionary students, who see the buses passing by and whose parents must drive them to school because they cannot get access to the bus service?

Deputy Norma Foley: Deputy Ó Cuív referred to Yahoo and the difficulties in that regard. If he has any specific cases where an issue arose, I would appreciate if he could forward the email address to my Department. However, in the main, that is not the only means of communication with parents; there were others. There was public information and the closing dates were advertised. The responsibility rests with individuals applying to be mindful of the application dates. I am happy to hear from the Deputy about specific instances. If he can give me the details, I will have them directly followed up.

In response to Deputy Durkan’s point about places being available on buses, I want to be very clear that there is a rigorous analysis of the availability of places. Where it has been necessary to put on larger buses for those who are eligible and for concessionary places, we have done that. I want to be very clear about the availability of places on buses. In some instances, there may be cases where pupils do not travel on a particular day or there are other needs within a family where a child might be sick or whatever the case might be and there will be a free place on that day, but that is not a consistent free place. Where a child or young person is eligible for a ticket, he or she has the ticket.

Special Educational Needs

63. **Deputy Joan Collins** asked the Minister for Education his views on whether updated special needs reports should be ceased given that schools are still seeking updated reports for children with special needs, particularly for secondary schools, and the fact that parents are stressed attempting to access private assessments to obtain a place for their child. [58413/22]

Deputy Joan Collins: What is the Minister of State's view on whether updated special needs reports should be ceased, given that schools are still seeking updated reports for children with special needs, in particular for secondary schools, and the fact that parents are stressed attempting to access private assessments to obtain a place for their child? Private assessments can cost anything up to €1,500, so it is an expensive avenue.

Deputy Josepha Madigan: This is based on the NCSE's advice in its guidance document from 2021 regarding health professionals reports. In the first place, the report must indicate whether a child has a specific diagnosis, and then there must be some understanding of the complexity of the child's needs, what placement would be appropriate and the rationale for it. That is the NCSE's advice in that regard. An updated assessment is required when a child transitions from primary school to post-primary school. This is something post-primary schools might look for in their admission policies as well. While there is some merit in providing new assessments and reviewing a child's needs on an ongoing basis, we do need to move away from parents having to pay for the reports privately. Deputy Collins mentioned that in her question.

We must also look at whether the reports are needed or whether a more continuous review of educational needs would be better. As it stands, there is the professional report and the admissions policy, and the details are shared in the transition process between schools at primary and post-primary levels to support the transition. A lot of those details might be taken from the student's support file. There is also the National Council for Curriculum and Assessment, NCCA, education passport, which provides a structured process for schools to share information to support the transition of pupils with special educational needs. It is not always used, but it can be used. Schools often prioritise the involvement of a NEPS psychologist as well to support the transition. I will update Deputy Collins on what we are doing when I next respond to her.

Deputy Joan Collins: I was asked to put the question to the Minister of State by members of the Campaign 4 Autism Inclusion in Dublin 12. What they are seeing now are the difficulties posed for many of their children who have gone through primary school and are moving on to secondary school. As Deputy Ward said, many parents are starting to worry. One of the criteria for most secondary schools is that a child needs an updated report to access an autism class, irrespective of whether the child was attending an autism class at primary level. The campaign is raising the need to change the system. If a child is diagnosed as autistic, the diagnosis should carry through the child's educational life. The campaign suggests that there should be a supporting letter on a child's needs from the NEPS or a children's disability network team, CDNT, and that liaising with a primary school and parents should be sufficient rather than having families break the bank to get a private assessment of needs.

Deputy Josepha Madigan: Given the passage of time since a pupil may have been assessed, it is common practice that pupils are reassessed ahead of transitioning to post-primary school. The assessment may assist both the pupil and the post-primary school in determining the most appropriate supports that are required for the pupil and how the school can best support the individual to integrate into mainstream classes, where possible. A review is ongoing,

and the work is at an initial stage. There is a meeting today with the inspectorate, NEPS and the NCSE. It is envisaged that broader stakeholder engagement will also be undertaken on this sensitive issue for parents and children with special educational needs.

Deputy Joan Collins: I welcome that. Does the Minister of State know how long the review will take? We will have a perfect storm with parents trying to find places in secondary schools in the time ahead unless we move very quickly to get special classes into secondary schools. There is also pressure on parents being out of pocket for €1,500 or more as they try to get an assessment of needs for their children prior to them accessing secondary level. The group is raising the issue with the Minister of State in order to map out some way to assist parents and school principals to bring their children from primary level, in particular those in special classes, into secondary school and to address their needs.

Deputy Bernard J. Durkan: I acknowledge the Minister of State's work in this area and thank her for it. This applies to a number of schools throughout the country, including in my constituency of Kildare North. I tabled separate questions about them. I refer in particular to schools that are affected by increased demand due to population increases. Even new schools are not in a position to take the students. There is a necessity to accommodate such students, on foot of a previous agreement. I emphasise the importance of making that special accommodation for them at this particular stage. All delays will obviously impact severely on the students and their parents.

Deputy Josepha Madigan: I will respond to Deputy Durkan first and then speak to the matter raised by Deputy Collins. As I mentioned in response to a previous question, 742 special classes in post-primary schools were opened this year but there are 1,803 special classes in primary schools, so there is already a gap in that regard. As I outlined, that is why I wrote the letter to all post-primary schools, stating that over the next five years each post-primary school will have to open four special classes. We need to close that gap. I mentioned earlier in response to Deputy Ó Laoghaire the forward planning that we are doing.

As regards the body of work that is being done, I understand some of the points made, for example, on cost. We must move away from people trying to pay privately for the assessments. When we have the classes set up in post-primary schools, we want to make sure that people can go to them and avail of the capacity. The work is at the initial stage. It is part of a wider range of initiatives being taken by the Department and the NCSE on the forward planning of special education. The initial work is on how placements are reviewed on an ongoing basis.

Environmental Schemes

67. **Deputy Donnchadh Ó Laoghaire** asked the Minister for Education her plans to ensure that energy use in schools is addressed, with particular reference to the installation of solar panels and retrofitting. [58469/22]

Deputy Donnchadh Ó Laoghaire: The Minister might have seen that Sinn Féin launched a document in recent days outlining our belief that schools have potential to be real leaders in challenging climate change. Some of it is to do with the curriculum and some to do with energy efficiency in schools. It is a real shame that very few of the 4,000 primary and post-primary schools have solar panels because the regulations are outdated, even though it would make a great difference to the costs of the schools and also in reducing emissions.

Deputy Norma Foley: The Department has a strong record with respect to sustainable energy in school buildings and this performance has been recognised at both national and international level with sustainable energy awards for excellence in design and specification. The National Development Plan 2021-2030, published on 4 October 2021, provides for capital funding of more than €4.4 billion for investment in school infrastructure during the period from 2021 to 2025. There continues to be a strong climate action dimension to this additional capacity and modernisation programme. Schools designed and built in accordance with the Department's technical guidance documents have been achieving A3 building energy ratings since 2009, with current schools typically achieving up to 20% higher energy performance and 25% better carbon performance than required by the current building regulations. In addition, 10% of primary school energy is provided via solar panels and there is infrastructure provision for electric vehicle charging.

As the Deputy will be aware, budget 2023 provided for the provision of funding from the climate action fund in respect of the provision of solar panels in schools up to 6 kW output. This is really positive news, which I am sure the Deputy will welcome, and will assist with schools' energy needs and costs along with supporting the decarbonisation of our school buildings. Departmental officials are working closely with colleagues in the Department of the Environment, Climate and Communications on the arrangements for this scheme and details will be announced in the shortest timeframe possible. The provision of the solar panels will be fully funded for schools. I will also announce in due course a climate action summer works programme to progress climate action specific initiatives that will assist with the roll-out of smaller scale energy retrofit works in schools.

The summer works programme has for many years featured categories that assist in improving energy reduction in schools such as heating system upgrades, roof insulation upgrades, high-performance window upgrades and electrical upgrades. The Departments of Education and the Environment, Climate and Communications have established a jointly funded pathfinder programme, which is administered by the Sustainable Energy Authority of Ireland and the planning and building unit in my Department. Support is also provided by Limerick and Clare Education and Training Board, ETB, in respect of the programme.

Deputy Donnchadh Ó Laoghaire: On the school buildings that have been built in the past 15 years, the Minister will find no dispute from me. They are fantastic, energy-efficient buildings using the best of materials and so on, but the difficulty is that there are more 4,000 schools, many of which were built in the 1950s and 1960s by the Christian Brothers, for example, which are not the best in terms of energy efficiency. We have a big job to bring the schools estate, generally speaking, up to scratch.

I return to the issue of solar panels and I might return presently to that of retrofitting and so on. The Taoiseach told us several months ago that this would be resolved by the summer and indicated the regulations would be addressed, but it went out to a further round of consultation. I am a big fan of consultation in general but I am not sure it was necessary here. When will the regulations be in place? It is a no-brainer in view of the energy that can be generated, the benefit to schools financially and the reduction in emissions. When will they be finalised in order that schools can enter the planning process or whatever kind of process will follow?

Deputy Norma Foley: I agree that this is a very positive move, and I welcome the fact schools will be eligible for the programme and it will be fully funded for them. Much work is being done in this regard and it is the absolute intention to roll it out as quickly as possible.

Obviously, this is not within the gift of just my Department, but we are working constructively to ensure it will be delivered as quickly as possible.

I acknowledge the Deputy's reference to the deep energy retrofit programme, a significant and successful programme on which tens of millions of euro have been spent by the Department. We have seen the benefit in very many schools throughout the country and it is our ambition to grow that initiative. Much of the leadership and impetus for climate action and sustainability is coming from young people in our schools. There is a strong body of work in this area and we are continuing to move at pace.

Deputy Donnchadh Ó Laoghaire: I certainly agree with the point regarding young people. In the case of green flags in public buildings, many of the first ones we saw were in schools and other buildings in local communities. Great initiatives have been shown by young people and schools have been leaders in that regard.

On solar panels, the Minister has not given a specific date regarding the regulations. Schools cannot enter the planning system and that is a big problem.

To return to the retrofitting issue, the pathfinder programme is beneficial, but the point of it was to establish scalability. As that has surely been established over the past four or five years, it is time to scale up the programme.

I have a few practical questions on the summer works programme, which the Minister mentioned. Will the programme be entirely separate from the existing summer works programme or will there be a number of new grounds on which schools can apply? In any event, will there be additional funding for that? To clarify, will it be an entirely new programme, with a new form and so on, or will there be new grounds, additional to the nine or ten that currently exist, on which to apply within the existing programme?

Deputy Norma Foley: The Department has many award-winning schemes that are internationally recognised for their agenda and for the priority given by the Department in the area of climate action and sustainability, and we have a strong strategy in that area as well. I mentioned the pathfinder programme and the solar panel scheme, in conjunction with the Department of the Environment, Climate and Communications, and I acknowledge the work of my ministerial colleague in that regard.

As the Deputy knows, the summer works programme is invaluable to our schools for lesser initiatives but is equally important and impactful within our schools. It is envisaged the new climate-focused multiannual summer works programme will open for new applications in early 2023 and it will have the climate action initiative embedded in it.

Deputy Donnchadh Ó Laoghaire: Will they be two separate programmes?

Deputy Norma Foley: We are working on the finer detail of that.

Question No. 68 taken with Written Answers.

Dáil Éireann
School Staff

69. **Deputy Donnchadh Ó Laoghaire** asked the Minister for Education her plans, if any, to change conditions for teachers coming from abroad to qualify for incremental credit such as, but not limited to, staff who held a part-time role in a recognised school setting abroad; and if she will outline any other actions that may attract teachers to return to the Irish education system. [58471/22]

Deputy Donnchadh Ó Laoghaire: We spoke earlier about trying to ensure that teachers who are abroad will be attracted to come back to lay their roots here and get jobs. One challenge and disincentive can arise if they feel as though they are going to enter the system at the bottom despite being experienced teachers. I have come across several cases of teachers, which I will detail in a moment, who feel as though they would be disadvantaged and would enter the system at the bottom despite their experience and, therefore, they are inclined not to come back.

Deputy Norma Foley: The criteria for the award of incremental credit to recognised teachers were agreed under the auspices of the Teachers Conciliation Council, TCC. This council comprises representatives of teachers, school management and the Departments of Public Expenditure and Reform and Education. The council is chaired by an official of the Workplace Relations Commission. The TCC meets at least every two months and the agenda is agreed between the Department and the teacher unions. The award criteria for incremental credit are laid out in the Department's circulars for primary teachers and post-primary teachers. These circulars provide for the awarding of incremental credit for both teaching service and relevant non-teaching service that has taken place abroad.

Under the auspices of the TCC, a subcommittee has been set up to deal with incremental credit issues. Officials from my Department are considering a submission that the teachers' unions lodged at the TCC subcommittee regarding the rules relating to incremental credit. An update on the progress of this work is provided at each TCC meeting. On conclusion of these negotiations at the TCC, the Department plans to replace existing circulars with a consolidated circular that will be applicable to both primary and post-primary teachers.

The TCC subcommittee meets four times per year and is currently considering many items including the removal of the seven-year cap on incremental credit for teaching service outside of the EU and the alignment of primary and post-primary rules relating to service in private schools outside the EU. Work is ongoing on this submission and the next subcommittee meeting is scheduled for January 2023.

As for measures to attract teachers returning to the Irish education system, I fully appreciate that, as the Deputy noted, this issue is a consideration for many of them. Nevertheless, it is a significant step forward that we have the subcommittee and the issue of incremental credit is being adjudicated on, discussed and engaged with by it

Deputy Donnchadh Ó Laoghaire: I find the Minister's response encouraging, in which she identified some of the issues we are talking about. I can think of two examples, from Australia and Vietnam, where somebody was teaching at a private school that is well recognised by that state's authorities and operates in line with its curriculum and so on. Despite having seven or eight years of experience in those schools, on returning home they would be treated as if they were just newly qualified. That is a severe disincentive.

Is it possible to get a timescale on how this process will proceed? I am not suggesting that it needs to be rushed or anything like that, but how long will it be before the new consolidated circular is available?

Deputy Norma Foley: I appreciate that a body of work needs to be done in this regard. As the Deputy acknowledged, it is positive that this is now the work and consideration of the sub-committee.

We must be clear that the Teachers' Conciliation Council is made up of a variety of bodies. It is not just the Department of Education. It is also made up of teachers' representatives, school management and the Department of Public Expenditure and Reform in order that there is a full, frank and open discussion as regards what we can do.

It is my hope and expectation that this will be prioritised in terms of moving it apace. There is an absolute commitment around looking with priority at the specific issues I already raised, whether it is the seven-year cap for those outside of the EU or the alignment of primary and post-primary conditions into one system. The next meeting of the subcommittee is scheduled to take place in January. It is difficult to give a particular timeline but it is being given the highest priority.

Deputy Donnchadh Ó Laoghaire: I will forward to the Minister some correspondence I received. If she is taking on board what the Teachers' Union of Ireland is saying, she might take on board what I am saying.

I will also flag to her a different type of issue that arose in Britain which, at the time, was still a member of the EU. A particular teacher was working on a job-sharing basis in a recognised public school, although that is not really at the heart of the issue. This teacher taught for six years, working three days per week in a job-share capacity in this particular school. They hoped on their return to be able to receive incremental credit *pro rata*. The circulars as they stand for people working within the EU only recognise full-time jobs, however, despite the fact that had this person been working in the Irish education system for the same six years on a job-share basis, the person would have accrued *pro rata* incremental credit. There is, therefore, an inequality that needs to be addressed. This person is fully qualified and wants to work in the system but is disincentivised because it would be starting at the beginning, even though the person has been working for six years job-sharing in Britain. That is not fair and needs to be addressed.

Deputy Norma Foley: For my own clarity, is that somebody who is working in the primary sector?

Deputy Donnchadh Ó Laoghaire: This person is working in the primary sector.

Deputy Norma Foley: The current process as we know it has been in operation for more than 20 years now. Over the years, a number of amendments have been made. As we said, there is now an opportunity to address very specifically some of the issue that have been raised and, indeed, the wider issues I raised earlier. The fact is that this process has been operating for more than 20 years and within that period we have seen amendments, which shows the openness to looking at new opportunities to address situations as they arise. I am very happy to take the details of the case Deputy Ó Laoghaire wishes to share with me. As I said, work is moving apace and this is being prioritised.

School Accommodation

70. **Deputy Richard Boyd Barrett** asked the Minister for Education the up-to-date report on both the temporary and permanent plans for a school (details supplied); and if she will make a statement on the matter. [57934/22]

Deputy Richard Boyd Barrett: Gaelscoil Laighean in my area was recently denied planning permission for temporary buildings on the Mount Anville site, which Dún Laoghaire–Rathdown county councillors agreed to dispose of earlier this year in order to provide a site for both temporary and permanent buildings for the school. Parents have expressed absolute disbelief and fury that this is now the third planning permission application for temporary buildings that has been put in by the Department and been refused. They asked whether the Department of Education knows how to put in a planning application for a school that has been looking for a location for seven years now.

Deputy Norma Foley: Gaelscoil Laighean is currently located in interim accommodation in a building at Kill Lane and a room is also rented from the Mount Merrion parish centre, which is located directly across the road. It is intended that the school will move to interim accommodation and a permanent site at Mount Anville for September 2023.

With regard to the interim accommodation for Gaelscoil Laighean, an application for planning permission was lodged for the Mount Anville depot site on 21 June 2022. The final grant of permission issued from Dún Laoghaire–Rathdown County Council on 16 September 2022 with 18 conditions. My Department’s design team responded to the council on these conditions on 5 October 2022 and is currently liaising with the local authority to finalise and agree all pre-commencement conditions to allow the building contractor to commence work on the site. The contractor has been appointed.

Agreement in principle for the acquisition of the permanent site was reached with the executive of Dún Laoghaire–Rathdown County Council in June 2021, subject to the approval of the elected members of the council. The approval by the elected members to dispose of the lands to the Minister for Education was granted at a council meeting in April 2022. This acquisition is subject to the successful grant of planning permission for the permanent school facility.

With regard to the permanent school building project, the Department has commenced the tender process for the appointment of the project manager for the delivery programme, which includes Gaelscoil Laighean. An expressions of interest notice was published on the eTenders portal on 14 November.

Once the project manager is appointed, he or she will commence the tender process for the appointment of the design team that will take the project forward through the stages of architectural planning to tender and construction. The school and its patron body will be kept fully informed as these steps are progressed.

Gaelscoil Laighean is part of a strong pipeline of school building projects for delivery under the Government’s national development plan, NDP. The Department has a strong track record of delivery with more than 360 school building projects at construction during 2022, including more than 50 new schools. The Department has an allocation of €4.4 billion to facilitate delivery during the period 2021 to 2025.

Deputy Richard Boyd Barrett: The conditions the planning application failed to meet

were around things like lack of public lighting, lack of proper pest control, failure to put in correct waste management systems and other green conditions in those conditions mentioned by the Minister.

What the parents of Gaelscoil Laighean find really hard to believe is that where there are particular conditions around building a temporary school building - bear in mind, this school has been authorised to exist since 2015 and has been in a completely inappropriate temporary situation in Deansgrange since then - the Department does not know how to put in a planning application that meets these conditions. Therefore, we get delay after delay. Can the Minister explain that? Can she give a clear timeline as to when the school will gain access to the Mount Anville site? What is the timeline for the completion of not only the temporary but the permanent school buildings for Gaelscoil Laighean?

Deputy Norma Foley: I want to be clear; the planning system is the planning system. In the first instance, however, I totally reject the Deputy's view in terms of the Department of Education and its delivery of school buildings and knowledge of planning. The Department has an extremely strong record of delivery in terms of school buildings. More than 360 school building projects were at construction during 2022. That is a phenomenal investment by the Department. That includes brand new schools, of which there are more than 50. The Department also has an allocation of €4.4 billion to facilitate delivery during the 2021 to 2025 school period.

Specifically with regard to Gaelscoil Laighean, the application for the Mount Anville site was lodged in June 2022. Planning was granted on 16 September 2022, with conditions. The Department's design team responded to the council on these conditions on 5 October and is currently liaising with the local authority to finalise and agree all pre-commencement conditions to allow the building contractor to commence the work on site. The contractor has also been appointed.

Deputy Richard Boyd Barrett: It still seems quite extraordinary that some of those conditions could not be met and that we have delays around the failure to meet some of them, some of which I just outlined. One would have thought people would know how to meet these sorts of basic conditions, or "green conditions" as they were described to me. We must also remember that this is a long saga. The school was originally promised a site at Newtownpark Avenue. Then, there was a long battle to get another site. We had to have council land that had been originally zoned for housing disposed to the school. The site was given to the school because Gaelscoil Laighean needed a site. They seriously question when they will actually gain access. What is the timeline for access to the Mount Anville site for temporary buildings, and the timeline for the completion of the permanent school buildings for Gaelscoil Laighean? Is it possible to get answers to those questions because, otherwise, things seem to just drag on and on?

Deputy Norma Foley: It is intended that the school will move to interim accommodation on its permanent site at Mount Anville for September 2023. The grant of planning permission was received on 16 September 2022. The Department officials, the project manager and the design team have engaged with the planning roles and departments within Dún Laoghaire-Rathdown County Council to agree the works required for the public road and junction outside of the school site, as required on condition No. 7 of the planning permission. The last communication from the local authority to our design team on 17 November indicated that the council is finalising its programme of work for Mount Anville and Deerpark Road. The works to the road junction to be carried out by my Department for the interim accommodation for the school are required to align with the council's programme of work. Both the design team of my De-

partment and the local authority are jointly working to agree that alignment.

Specifically, on the permanent project, once the project manager is appointed, the tender process will commence for the appointment of a design team which will take the project forward through the stages of architectural planning, including preparation of the planning application to the local authority. It is not possible at this time, in advance of the appointment of the project manager, the design team and ahead of the pre-planning consultations with the local authority, to indicate when the planning permission for the project will be secured. Considerable work has been done, however, and the school will be kept informed via its patron, which I believe is An Foras Pátrúnachta.

Acting Chairman (Deputy Pádraig O'Sullivan): As we have ten minutes remaining, I will try to fit two questions in, so I will ask Deputies to be as brief as they can, please.

Question No. 71 taken with Written Answers.

Online Safety

72. Deputy Emer Higgins asked the Minister for Education the way that online safety and awareness is currently incorporated into the school curriculum at primary and post-primary school level; and if she will make a statement on the matter. [57484/22]

Deputy Emer Higgins: I ask the Minister the way in which online safety and awareness is currently incorporated into the primary and post primary curriculum, please.

Deputy Norma Foley: I thank the Deputy for her question. As Minister for Education, the online safety of our children and young people is a priority both for myself and my Department.

Within the education system, the current Social Personal and Health Education Curriculum, known as SPHE, at primary level covers the important topics of personal safety and protection, and includes online safety. This SPHE curriculum content aims to foster well-being, self-confidence and seeks to develop the child's own sense of personal responsibility. This learning is built on at post-primary level. Here students learn how to exercise judgement, weigh up different possibilities, examine the steps and choices that guide them towards considered decision-making, begin to understand their own rights and the rights of others, and explore decision-making in all aspects of their lives including online.

The SPHE specifications, as the Deputy is aware, are currently being redeveloped by the National Council for Curriculum and Assessment, NCCA. The immediate focus of the work has been on creating support materials for teachers, with the NCCA online SPHE toolkits being expanded during 2022. As part of the redevelopment work, we have specifically referred to the need to ensure that the specifications are modern and up to date in respect of the online world and its impact on children.

The junior cycle draft SPHE specification was subject to a consultation process which concluded in October 2022. It is expected that the specification will be finalised by the end of this year, with implementation in schools in September 2023.

With regard to senior cycle SPHE, consultation is expected by next summer and it is expected that the curriculum will be ready for implementation in schools in September 2024. At

primary level it is expected that the new curriculum will be in schools in 2025.

The Professional Development Service for Teachers, PDST, funded by my Department, offers professional learning opportunities and resources to teachers and school leaders in a range of curricular and educational areas, including supports on the prevention of online bullying and harassment.

In particular, Webwise which is part of the PDST technology in education, promotes the effective and safe use of the Internet through a sustained information and awareness strategy. It also addresses key issues such as cyberbullying, sexting, image sharing, respectful communication, social media, popular apps and much more.

Deputy Emer Higgins: I thank the Minister for that update. We all acknowledge that we are living in a very different world now from the one we were in ten or even 15 years ago. Children nowadays have so many more pressures on them and much of that is as a result of the online developments. Online gaming and social media are now an everyday part of many teenagers, if not most teenagers, lives. While that has benefits in that we will have a technically agile workforce when these children come out of school, it also poses challenges. These are challenges in respect of cyberbullying, online safety, and the implications that this can have on people's mental health, particularly the mental health of developing teenagers.

The Government has introduced new laws to update our statute books to reflect this new online world. We have had Coco's law, action when it comes to revenge porn, and hate speech also. How has the Department incorporated this new reality into the curriculum? It is great to hear what the Minister is saying about SPHE and the move to incorporate this into the next two, three or four years, if one is talking about primary school, but I am wondering about what is happening now in schools across the country to protect our children online?

Deputy Norma Foley: I completely agree with the Deputy. We are living in a much-changed and very different world now and it is important that we have an agile workforce. It is also important that we have students who are well informed and capable of living safely in this world.

I want to be clear that there are a number of initiatives under way, while we are talking about the redevelopment of the primary school curriculum, and equally so of SPHE at post-primary level. Significant resources in the interim are being made available to our staff specifically in respect of cyber bullying and online safety. Equally the PDST has a very strong continuing professional development, CPD, roll-out into our schools to support our staff. We also have the digital strategy for our schools which sets out the policy of the Department of Education on the effective use of digital technologies and teaching learning and assessment. The key action under the strategy is the promotion of the responsible and ethical use of the Internet and related technologies. That all feeds into practice within our schools.

Deputy Emer Higgins: It is fantastic to see that the responsible and ethical use of technology is very much at the core of this because that is what we want young people to do, which is to behave responsibly online towards their peers and, above all else, to stay safe.

I am aware that the Minister mentioned Webwise in her initial contribution and I have had many dealings with them. They are one of many organisations which provides fantastic resources which are there for students and teachers, but are also there for parents. I encourage parents to have a look at the online resources that are there. Some of the social media com-

panies themselves offer workshops, training and explanations also. I held a number of events in my own constituency in Clondalkin, Lucan and in Rathcoole a number of years ago about cybersafety, online gaming and social media. It was very much an eye-opener to hear how much some parents knew and how other parents were very much struggling to keep up. All of us here, as public representatives, should be there to help our parents to keep up, even when it comes to the dictionary and the new words that children are using online now. It is very much to be aware and to be there to support children through this. I thank the Minister very much.

Deputy Norma Foley: I appreciate the Deputy's interest in this area and indeed her shining a light on it. It behoves us to acknowledge the world in which we live today. Significant progress has been made by the Department. There is also a recognition that more needs to be done in this space and it is for that reason there is the review of the programmes we deliver. In the interim, we have made the toolkits available, and we have, as the Deputy has referred to, supports such as Webwise. We also have our PDST, which is specifically supporting our staff, the toolkits that are available online. The whole impetus for all of this is to ensure we can have respectful online communications through the development of digital literacy, as the Deputy has said, which is very important. We want our young people to have digital literacy, but also that they would be cognisant and mindful of the need for online safety and the safe and ethical use of all digital technologies, which is at the core of all we seek to achieve.

Special Educational Needs

73. **Deputy Rose Conway-Walsh** asked the Minister for Education if she will take action to ensure that children with Down's syndrome in County Mayo have access to a school and supports in their local schools; and if she will make a statement on the matter. [58439/22]

Deputy Rose Conway-Walsh: The battle for the right to an education for children with special educational needs has been a very long one. The €2 billion which has been provided now is very welcome. This is why it is very difficult to accept that there are still some children who are not getting their education. I am thinking in particular of a 13-year-old boy in Mayo, about whom I have written to the Minister of State. He should now be halfway through the first year at this stage but he has had no education. The school is saying that it does not have the capacity but the special educational needs organiser, SENO, is saying that the school does have the capacity and would have all of the resources the school would need for that. There are children who are still being caught in that gap. I am asking the Minister of State, in particular, if she would intervene. I am afraid that they might appeal to the Department but that will take months and months and, by that time, the child will have gone through almost all of the year without having had an education. I ask the Minister of State to look at that.

Minister of State at the Department of Education Deputy Josepha Madigan: It is unclear to me why a SENO would say that there was capacity and that the child does not have a place. That does not make any sense to me and that is something that I can follow up with the Deputy afterwards and we can take it from there.

12 o'clock

Deputy Rose Conway-Walsh: I thank the Minister of State and will follow up with her.

Is féidir teacht ar Cheisteanna Scríofa ar www.oireachtas.ie.

Ceisteanna ó Cheannairí - Leaders' Questions

Deputy Pearse Doherty: Tá sé tagtha chun solais go bhfuil táillí bóithre dola ar fud an Stáit le hardú go dtí an leibhéal is airde. Is buille ollmhór é seo d'oibrithe agus do theaghlaigh, ag am ina bhfuil praghsanna peitрил agus díosail chomh hard is atá siad. Buailfidh na táillí seo go mór agus go díreach iad siúd atá ina gcónaí i bpobail tuaithe nach bhfuil mórán rogha acu ach a gcuid carranna a úsáid de bharr ganntanas iompar poiblí. Le linn na paidéime Covid-19, bhí ar na cáiníocóirí seasamh isteach agus na milliúin a íoc leis na comhlachtaí dola seo. Anois de bharr an chonartha luachmhair seo ó ré Fhianna Fáil, beidh ar thiománaithe na tíre níos mó arís á íoc. Níor cheart go rachaidh na méaduithe seo ar aghaidh. Tá cúram ar an Rialtas cinntiú nach dtarlódh sé seo.

We are in the middle of a cost-of-living crisis and nearly every day brings bad news to individuals. This morning we learned from the Governor of the Central Bank that mortgage interests will again rise next month when the ECB meets, despite the Tánaiste and his party voting against even considering the mortgage interest relief we put forward last night.

This week people also learned that tolls are to increase across the State to their maximum level. This is a massive blow to workers and families, coming at a time of record fuel prices. These road toll increases will hurt commuters and disproportionately impact those living in rural areas, who are forced to use a private car because the options of public transport rarely exist.

The lucrative contracts for toll roads have been a loser for the State year on year. During the Covid-19 pandemic the taxpayer had to step in and pay toll operators millions of taxpayers' euro. These companies are profitable. The M3 toll operator recorded a profit of €11 million in 2021. The M1 toll operator had an operating profit of €8 million in the same year. Due to these gold-plated Fianna Fáil-era contracts, motorists are being asked to fork out even more on higher tolls. It is not lost on people that their wages do not go up in line with inflation but the Government has ensured through these contracts that the profits of toll operators do. These firms are not struggling to get by and these increases are all about protecting private profit.

The Government needs to intervene and bring all the pressure to bear that it can on operators and on Transport Infrastructure Ireland. These increases should not go ahead and it is the Government's job to make sure they do not. So far we have seen no urgency in relation to this. The Tánaiste said the Government would intervene but we have not seen that yet. The Minister for Transport, Deputy Eamon Ryan, was aware of the proposal before it became public and did nothing about it. Yesterday the Tánaiste's party and Government colleague, the Minister of State, Deputy Naughton, admitted at the transport committee that the Department was aware of this as early as September, yet nothing was done.

The Tánaiste cannot say he was blindsided. The question for motorists across the State concerns what will happen now. The priority has to be to support workers and businesses facing the worst cost-of-living crisis in a generation. Will the Tánaiste give a commitment on behalf of the Government that the proposed hikes, which are due to take place at the start of next year, will not go ahead as planned?

The Tánaiste: I thank the Deputy. I acknowledge that Ireland faces a cost-of-living crisis,

as does most of the world, and we are seeing inflation at levels not seen for a generation. That impacts different people and households in different ways. People who drive and commute are affected in a serious way because the price of petrol and diesel is so high at the moment, notwithstanding the reductions in excise duty. For that reason, any increase in tolls is extremely unwelcome.

I represent a commuter constituency, Dublin West. A huge number of people cross that toll bridge every day in both directions and this will probably add something like €100 per year to their cost of living. That is not a small amount of money during a cost-of-living crisis.

I have looked into this matter. The rules around tolls work differently depending on whether the asset, road or bridge is under the control of the Government or not. The M50 is different to Dublin Port, which is different again to the public private partnership roads. As things stand, the maximum toll is linked to inflation and the consumer price index. There has not been an increase in nine years because inflation was very low but now that inflation is very high, that increase kicks in. It is proposed to impose it on motorists from 1 January. The maximum toll being set at a certain level does not mean it has to be applied. You can have a maximum price and not charge it.

Over the next few weeks, we will try to find a way to mitigate the impact of that for motorists. There would be a cost involved of around €25 million or €30 million. It is not a small amount of money but we are working with TII and the Department of Transport to see if we can do something to mitigate or defer that increase, which does not kick in until 1 January. I cannot give a solid, cast-iron commitment today because contracts are involved. The companies the Deputy referred to will want their contracts honoured. They will go to court if they are not, and probably succeed. They will also point out the money does not go into the general Exchequer but is ring-fenced for road maintenance and improvements. The cost of all that has increased as well, including the cost of labour and of materials.

I fully understand this is a most unwelcome increase for motorists and is coming at the worst possible time. We will work with the Department of Transport and TII to see if we can come up with solutions between now and 1 January.

Deputy Pearse Doherty: Motorists listening to the Tánaiste will find it incredible, including the people he says he represents in his constituency who use tolls. TII put out a notification last year. Tolls increased this year already across eight roads. That has already happened and the second increase will take effect on 1 January. These tolls are increasing unless there is Government action.

The Tánaiste is suggesting two things, first that they have not increased in the last year. That is not true. They did increase this year. Second, the Tánaiste is suggesting that they may not increase in January. They will increase unless there is Government action. The Minister for Transport, Deputy Eamon Ryan, has told us he is not minded to do anything on this. The Tánaiste says the Government was blindsided despite his party colleague who sits at the Cabinet table, the Minister of State, Deputy Naughton, saying they were aware of this since early September. It is only now because of public outrage and the fact we are so deep into a cost-of-living crisis that Government Members are scrambling around like headless chickens, not knowing what to do.

People need to know, because there are only a few weeks left of sittings here. What will hap-

pen between now and the end of the year? Will the Government intervene? Can the Tánaiste give any assurances that these tolls will not go ahead?

The Tánaiste: The briefing I was given was that there had not been an increase in the maximum toll for nine years. That may well be incorrect-----

Deputy Catherine Murphy: It is correct.

The Tánaiste: -----and I will get that double-checked today.

In terms of information, I was not informed, nor were the Taoiseach or the Cabinet, but I accept the doctrine of collective responsibility and if Ministers were aware, then the Government was collectively aware. The question now is what we can do about it. I would like to be able to give a cast-iron commitment today but it would not be responsible to do so until we have explored the options. I think what the Minister, Deputy Ryan, said was that he would not like to see the roads budget being reduced as a consequence, or for money to be taken out of public transport. I understand where he is coming from. We will have to see if we can find another way to mitigate or defer these increases. They do not kick in until January. We have a bit of time and are working on it.

Deputy Catherine Murphy: The Tánaiste gave an interview at the weekend that caused a lot of anger. He said young people considering emigrating because of the extortionate housing costs could find the grass is always greener. He said if they go to a successful busy city, they will find the same high rents as here but the rents could be lower if they went to “a very rural area or a third or fourth tier city”.

Does the Tánaiste know we have the highest housing costs in the EU? Housing costs here are an astonishing 88.5% higher than the EU average. Unless the Tánaiste considers places like Paris and Rome fourth tier, he does not know what he is talking about. Since he made those comments, young people living abroad have reacted with utter astonishment. Today’s *Irish Independent* contains interviews with five young people living all over the world who were stunned by the Tánaiste’s remarks. Evan McGloughlin, who is aged 24, said he has doubled his standard of living and halved his living costs by moving to Barcelona and 22-year-old Caitlin Grant is doing a masters in the Netherlands and her rent in a house share is €365 a month. Meanwhile the Group Chat podcast was inundated with stories of young people living abroad who were outraged by what the Tánaiste had to say. One contributor living in Berlin said the latest housing innovation in Dublin is shed-sits - sheds where the rent is more than €1,000 per month - and I could go on.

The latest *daft.ie* report shows that the average rent across the country is nearly €1,700 per month and a staggering €2,300 per month in Dublin. Those prices are unaffordable to 90% of workers. What will the Government do about it? The Government has made many promises on housing and it has broken almost every single one. House prices are higher than they have ever been. Rents have never been higher and homelessness has never been higher. We are dreading the updated homelessness figures tomorrow, which are likely to show another record increase. Increasingly, children are growing up in homelessness. On every objective metric when it comes to housing, the Government is failing miserably. No amount of gaslighting by the Tánaiste or other Ministers will change that.

Yesterday he talked about a whole-of-government approach being needed to tackle this housing crisis. He said it is the role of the role of the Department of the Taoiseach to drive that

forward. Given that the Tánaiste will soon be Taoiseach and leading that Department, I want to ask him a few questions on his approach. What specifically will he do as Taoiseach to drive the Government's response to the housing crisis? What will he expect from other Departments to address the housing emergency? When can we expect to see results in lower homelessness and more affordable rents and housing prices? Is the Tánaiste saying the current Taoiseach has not been doing enough to deliver on housing?

The Tánaiste: I do not think it is correct to say what the Deputy said about every metric. I will just mention two, as she raised metrics. We anticipate this year between 20,000 and 28,000 new homes being built. That does not include derelict homes being brought back into use and student accommodation. Approximately 26,000 to 28,000 new houses and apartments will be built in Ireland this year. That is the highest in ten years and we need to increase that figure again next year. Although we have a long way to go, the most encouraging metric probably is that in the past 12 months alone 16,000 individuals or young couples have bought their first home. That is the highest in 15 years and 15 years is a long time. Just in the past month, more than 2,000 young people, individuals and couples, got mortgage approval. Those are some of the metrics that are at least going in the right direction, although by no means far enough or fast enough in my view.

I think the Taoiseach is doing an excellent job and I think the Minister, Deputy Darragh O'Brien, is also doing an excellent job. It is the role of the Taoiseach to co-ordinate and accelerate Government action. I absolutely want to see Housing for All implemented as fast as possible. No matter who is in that office, part of the role of the Taoiseach is to make sure that the whole of government is seized of the housing crisis, and prioritises action and solutions because the Minister for Housing, Local Government and Heritage and his Department cannot do it on their own. It requires the Departments of Public Expenditure and Reform, and Finance to do the right things and it also requires other Departments to play the role they need to play, particularly with the provision of infrastructure to service sites. That is the impetus. That is happening and needs to continue.

The Deputy mentioned high rents. We are doing three things on high rents to help people who are renting. First, we are scaling up cost rental, a new form of housing initiated by the previous Government but being realised by this Government, where the Government provides rental properties to people who do not qualify for social housing at below market rate. It works very well in many European cities, but is only getting started in Ireland. It will definitely be part of our housing mix into the future. The second is a tax credit for people who are renting. That will be more than people think it will be because it is being paid for two years - this year and next year. That will mean €1,000 into the pockets of a single renter in a few weeks. For a couple renting it will be €2,000 and for three people sharing the same house, it will be €3,000 among them. In the vast majority of cases, that will be the best part of a month's rent back into their pockets, which is not insignificant.

We have also introduced the rent pressure zone. It is useful to look at the *daft.ie* analysis in detail. That shows that for the vast majority of existing renters - maybe 75% - rents rose by 2.5% last year, not 10% or 14%.

Deputy Catherine Murphy: I did not hear what the approach will be. The Tánaiste needs to tell us what that approach will be and what difference it will make. Is he aware that commencements are down by 30% in the past three months? Only yesterday there was a report about a reduction in the number of mortgage approvals, which is not a metric I want to see.

What does the Tánaiste mean when he talks about the difference that a whole-of-government approach will make?

A large number of planning permissions are not being activated, which only increases the value of the land without seeing delivery of housing. I believe that on Saturday we will see quite lot of people out on the streets for the Raise the Roof rally that will take place in Dublin, starting in Parnell Square at 1 p.m.. People have been pushed to the point where they have lost hope. Does the Tánaiste regret up making those comments that were so ill-informed and have so angered people who can clearly show they are not true?

The Tánaiste: I referred to two cities - Sydney, where the average house price is AUD1 million, and rents in New York. The Deputy has represented what I said in a way that was not said and certainly not the way I intended it.

I believe Ireland is a great country in which to live. That is not just my opinion. The United Nations, which assesses these things objectively, put Ireland in the top ten countries in the world in which to live out of 200 countries. Everyone's lived experience is different and people travel abroad for all sorts of different reasons. I would not discount for a second anyone's lived experience or dispute the examples the Deputy gave earlier, but I do not think any individual's lived experience is everyone's. I need to look at things in the round. I see a country with thousands of people coming here every year from England and Europe to live. European citizens have 27 countries to choose from and tens of thousands come here. Even when it is narrowed down to Irish citizens, more Irish citizens return home every year than leave. It might not be true every year, but it has been true for most recent years. How does that fit in with the Deputy's narrative?

Deputy Catherine Murphy: It depends on the individual's lived experience.

The Tánaiste: Of course, it does; everyone's experience is different.

Deputy Catherine Murphy: Many young people will not share that lived experience.

Deputy Denis Naughten: There is nothing more frightening than watching someone gasping for their breath. Despite the fact that we live on a windswept island off the west coast of Europe, every day four people die in Ireland due to poor air quality. Two of the key underlying statistics when it comes to these threats are, first, that one in five children in Ireland has asthma and, second, that one in 13 adults has chronic obstructive pulmonary disease, COPD, which is the disease that makes it hard to move air in and out of the lungs. While so much can be done to manage COPD, just one in 45 adults in Ireland has been diagnosed with the condition. The vast majority of people are only diagnosed when they present with a medical emergency. That is why Ireland has the highest hospital admission rates in the developed world for COPD at twice the OECD average. This is conservatively costing our health service €120 million each year in hospital admissions alone.

As I said, so much can be done to manage COPD. One of the most innovative initiatives in the world is the warmth and well-being pilot scheme, which I launched as Minister in 2016. The pilot aimed to improve the health and well-being outcomes of people in Dublin suffering from chronic respiratory disease through a home energy efficiency retrofit by making homes warming and more energy-efficient. Last week, Deputies and Senators were presented with the results of the pilot scheme, which were independently analysed by academic researchers from the London School of Hygiene and Tropical Medicine. The empirical evidence shows that, among other things, there was a reduced usage of GP, emergency department and hospital

services and a reduced volume of prescribed drugs - a win for our climate, a win for our health services and, most important, a win for people with chronic conditions, such as asthma and COPD. Yet there is no targeted investment in retrofitting these homes, and the better energy warmer homes scheme for those in fuel poverty has a waiting list of nearly three years. When is the Government going to properly manage chronic illnesses, such as COPD and asthma, and when will it properly support globally significant, innovative pilots, such as the warmth and well-being scheme, to address poor health outcomes in a comprehensive way?

The Tánaiste: I thank the Deputy for raising this important issue. I know he is doing a lot of work as an advocate to highlight this matter. COPD, formerly known as emphysema or bronchitis, has a considerable impact on the quality of life of patients, families and carers. The course of the disease involves ongoing medical care and, in the case of certain patients, frequent hospital admissions.

It is estimated that 400,000 people live with COPD in Ireland, but only about 100,000 have been diagnosed. It is extraordinary to think that as many as three quarters of people with COPD are displaying symptoms but have not been diagnosed and, therefore, are not being treated or are not being treated optimally. Roughly 1,500 patients die every year as a result of COPD and the disease results in approximately 15,000 hospital admissions.

The COPD model of care was developed by the HSE in 2019 and it redefined the way health services are provided to people with the disease. The national clinical programme for respiratory medicine launched the guideline for the management to COPD in November last year. Through the implementation of these guidelines, the health service ensures the right care is delivered to people with COPD at the right time and in the right place in line with Sláintecare. The chronic disease management, CDM, programme provides a structured management programme for people who have one or more specific chronic diseases, of which COPD is one. The programme commenced in 2020 and is provided to all adult general medical services, GMS, patients.

Through the CDM contract, GPs are funded to provide structured reviews and interventions in line with the model of care. As of 1 October this year, 43,000 GMS patients received planned care from their GP in the community. The model of care also provides a continuum of patient-centred, specialist respiratory integrated care across both community-based ambulatory care hubs and their associated hospital. Through the enhanced community care programme, funding was secured for 30 ambulatory care hub-based specialist respiratory teams, consisting of 295 staff and approximately 100 dedicated pulmonary respiratory rehabilitation providers. A roll-out of these services has commenced in many areas and recruitment is under way to fill the remaining posts. These teams include dedicated specialist physios and nurses, who provide a comprehensive intervention with patient assessment and tailored therapies, including exercise, training, education and self-management.

Deputy Denis Naughten: Before the pandemic, respiratory consultations made up 15% of GP attendances. While respiratory diseases account for less than 6% of inpatient discharges, they account for more than 12% of the bed days used in our hospitals. The developments in the CDM programme are welcome for people with conditions such as asthma and COPD but the difficulty is what happens when GPs makes that referral, because people end up in an Eircode postcode lottery. There is a stark contrast in the number of people waiting more than 12 months for an outpatient respiratory appointment in the regions compared to the number in Dublin, resulting in far poorer health outcomes. When will this Eircode postcode lottery be addressed?

The Tánaiste: The idea is to manage COPD, diabetes, hypertension, heart failure, and other chronic illnesses in the community, insofar as is possible. If those diseases are well managed in the community, and they can be in the majority of cases, the number of hospital admissions will be very low. However, there will always be people who need specialist care and need to see a consultant or be admitted to hospital. It is absolutely wrong that there should be a major discrepancy in waiting times to see a specialist in one region of the country versus another, and that is not justifiable. Part of the reason for the move to regional health areas is to deal with this. We will establish regional health areas across the country and funding will be based on the population and medical needs of the people in those areas so that funding can be rebalanced in an appropriate way. That is something we need to work on in the next year or two.

Deputy Richard O'Donoghue: As the proposed next Taoiseach of this country, I want the Tánaiste to sort out the mess in University Hospital Limerick, UHL. He appointed the management of this hospital and he has a duty of care to the people of Limerick and the mid-west region to get it sorted. Many people who attend UHL do not have the option of private healthcare and are unable to commute to other counties for healthcare. When contacting our offices, constituents have said they would rather die than go to this hospital. That is how serious it is.

People of counties Limerick, Tipperary, Clare and north Kerry are at risk of serious injury due to the lack of proper care at UHL. Staff are leaving in their droves. According to Trolley Watch figures, UHL consistently has the highest number of patients on trolleys. Over five days in November, the number of people on trolleys were 70, 84, 70, 87 and 88, all of whom were vulnerable. Some 98 new beds were opened in December 2020 so that there would be no more people left waiting on trolleys. Where is the accountability?

Seemingly, when the expert from the Department of Health was put in place recently, there was no one on trolleys, which is amazing. I ask the management team to step down immediately and that a proper investigation be conducted, with prosecutions if needed. I understand 70 doctors made a protected disclosure to the HSE explaining the conditions in UHL. The Tánaiste is a doctor. He trained in healthcare and qualified as a doctor. I am pleading with him, as I have pleaded with other Ministers, to help us in UHL.

Jessica Sheedy, a young girl, died on 11 May 2018. I have permission to mention her name. The investigation is still ongoing, and is going around in circles, but we can now see that paperwork has been tampered with. I refer to the case of Savita Halappanavar in Galway. There were investigations into paperwork being changed in this case. I recently watched a documentary on a true case in America, I think, where a person was going around killing people in hospitals. They were caught and sentenced, as they should be.

We now have a serious problem in UHL. I said it on the first day I came into the Dáil that the management is wrong. For the safety of patients and the healthcare staff in the hospital, I am pleading with the Government to investigate this hospital and get the management to step down. The information is there and it is coming from all parties in this House. Different Deputies have mentioned it on more than one occasion. It has even been mentioned in the Seanad. We need the Government's help. Can it step up and help us, please?

The Tánaiste: I acknowledge the situation in UHL is grave. The hospital suffers from a high level of overcrowding almost all the time. There has been a lot of investment in the hospital in recent years. The budget has never been greater. Notwithstanding the difficulties in recruiting and retaining staff, there have never been more staff. I include medical and clinical

staff in that. Extra beds have been provided and there is a whole new emergency department, which the Deputy will be aware of. I guarantee that these issues and concerns regarding the hospital are raised with me by Government Deputies, particularly those from Clare, Limerick and north Tipperary, all of the time.

On the management of the hospital, the Deputy may not be aware, but I am happy to clarify for the Dáil that hospital managers are not appointed by Government nor do we have the authority to dismiss them. They are employees hired in the normal way in which public sector employees are hired and they have basic rights under law to have their good names protected and to have any complaints against them heard fairly, following a particular process. I am a little uncomfortable to hear any staff being criticised in the House, where we are protected by privilege. We need to be careful about that but I will leave the matter there. I will certainly let the Minister for Health know that Deputy O'Donoghue has raised these matters.

Deputy Richard O'Donoghue: I see that the Tánaiste has a minute and half left to speak. He could not even complete the three or four minutes he was allocated. Some €23 billion has been allocated for health. How much has been spent on cover-ups and non-disclosure agreements? There are 70 health professionals and doctors who have come to the Government but who have now been silenced. How many people are out sick because of the issues in UHL? Will the Tánaiste look at the number of staff who are leaving the hospital? I do not want to name and blame anyone. I am here for the protection of the people of Limerick and the surrounding areas who use this hospital. For years, I have asked the Government to help. There is a serious problem with management. If it was any other business, they would be gone. It was noted in the newspapers that the Tánaiste asked the CEO to take up that position. Will he now investigate this matter? I ask him to help the people of Limerick and the surrounding areas, stop the cover-ups, spend the money on healthcare and check out the amount of money being spent on legal services and the silencing of staff. For the betterment of the people of this country, we need them to know they can go to this hospital. I am from Limerick. I want UHL to be the best hospital in the country and I am very disappointed that it is not. People from Limerick and the surrounding areas are asking for our help. I ask the Tánaiste to please investigate this matter for me.

The Tánaiste: Deputy O'Donoghue has made a number of allegations with regard to cover-ups and other things. I do not know if those allegations are true and I do not have any powers to investigate them. However, if the Deputy has evidence to back them up, I would encourage-----

Deputy Richard O'Donoghue: It is coming shortly and it will all be here. I have asked for help for years and the Government stopped it.

The Tánaiste: It is impossible for me to comment on allegations of cover-ups without knowing the specifics or what evidence the Deputy has. If he has evidence to support his claims, I ask him to make it available to the relevant authorities. To clarify, in case it was not clear from my original response, I do not have and have never had any role in the appointment of hospital managers.

An Leas-Cheann Comhairle: I understand the seriousness of the issue but Deputy O'Donoghue has said quite categorically that documents were tampered with. I presume he means to say "allegedly". I ask the Deputy to be careful.

Deputy Richard O'Donoghue: We will say "allegedly" for the moment but, if the Tánaiste

will agree to meet with me personally, I may be able to update him further.

An Leas-Cheann Comhairle: That is okay. It was just important to say that.

Ceisteanna ar Pholasáí nó ar Reachtaíocht - Questions on Policy or Legislation

An Leas-Cheann Comhairle: Rather than me constantly interrupting, I ask that Members stick to the time limits to help all of their colleagues get in.

Deputy Pearse Doherty: This week, Mr. Asadullah Aslam, a consultant urologist at Letterkenny University Hospital, LUH, resigned his position in public practice. He said he made his decision as a result of impossible working conditions at LUH. This has come as a shock. It is really troubling and saddening for patients to lose such an experienced healthcare professional. It is a worrying time for them with respect to their own pathway to care and the conditions in the hospital that led to Mr. Aslam's resignation are concerning for all of us. There has been no clear statement from the HSE or from Saolta as to whether a replacement consultant will be in place. Will the Minister for Health and the Government intervene? They need to ensure that Saolta and the HSE make a public statement clarifying the next steps. Have they been able to secure a replacement for Mr. Aslam? The Department and the HSE need to engage with Mr. Aslam to deal with the issues he described as regards impossible working conditions and a lack of resources and to try to get him back into public practice, if possible.

The Tánaiste: I am very sorry to hear that consultant in Letterkenny, Mr. Aslam, has resigned. I am sure the position will be readvertised. A hospital of Letterkenny University Hospital's size should have a good urology service. I absolutely agree with that. Again, it is very difficult for me to comment on the details of any individual's employment but I will certainly make sure the Minister for Health knows the matter was raised. Perhaps the HSE can make a statement or engage directly with Deputy Doherty.

Deputy Pearse Doherty: I appreciate that.

Deputy Aodhán Ó Ríordáin: Next week, the Labour Party will bring forward a Private Members' motion on the issue of drugs and the decriminalisation of the drug user. The Government has promised a citizens' assembly on drugs for early next year. Is the Tánaiste in a position to clarify when the proposed citizens' assembly on drugs will take place? It is needed. In many communities, the drugs crisis is spiralling out of control.

Minister of State at the Department of Health (Deputy Frankie Feighan): A citizens' assembly, as committed to under the programme for Government, is being initiated and is due to happen early in the new year. Preparations are ongoing.

Deputy Cian O'Callaghan: It appears from the Tánaiste's comments that he is not aware of how seriously the housing disaster is affecting people. Is he not aware that Dublin is the most expensive capital city in the European Union in which to rent according to the OECD and EUROSTAT? Since this Government took office, rents and house prices have reached record levels, as have the number of people living in emergency accommodation for homeless people and the number of people in their 20s and 30s still living in their childhood bedrooms. At the same time, rates of home ownership continue to fall. Despite all of this, the Government has

somehow failed to spend almost €500 million allocated for housing in the first nine months of this year. It is little surprise then that the Government will not meet any of the targets it set itself for the delivery of social, affordable or cost-rental homes. Does the Tánaiste accept that renting is more affordable in Paris, Berlin, Rome or any other European capital city than it is Dublin?

The Tánaiste: I am very aware that rents are extremely high not just in Dublin, but across Ireland, and that we compare unfavourably with most other European capital cities.

Deputy Cian O’Callaghan: All of them.

The Tánaiste: Perhaps it is all. I am not sure about London, which is still part of Europe, although let us not go there. We all agree that rents in Ireland and in Dublin are unacceptably high. What can we do about it? A rent credit will kick in within the next few weeks. This will put €1,000 back into the pocket of the average single renter and €2,000 into the pockets of a couple. That will help. The best part of a month’s rent will be back in renters’ pockets within a few weeks. We are scaling up cost rental, a new form of rental where the Government provides properties for rent. We need to see a lot more of that. There are also the rent pressure zones. I refer the Deputy to the Daft report from earlier in the week. When properly studied and understood, it shows that, for the vast majority, 75%, of renters, rents increased by approximately 2.5%. That is the result of the rent pressure zones.

Deputy Richard Boyd Barrett: In the last few hours, *thejournal.ie* reported that Irish troops were being assessed by NATO assessors in the uplands of north Cork, between Mitchelstown and Fermoy. They were being assessed by a US Navy commander, Sam Mason, who is part of the NATO command. Very worryingly, Commandant Daire Roache explained that this is “part of a program that is for partner nations within NATO.” Every week, we see further evidence that this Government is trying to destroy what is left of our neutrality and bring us in with NATO by stealth. How on earth can anyone look at this report and see anything other than the Irish Government pushing into a military alliance with NATO, destroying our neutrality?

The Tánaiste: The Government has no plans to join NATO or any other military alliance. We are involved in security and defence co-operation through PESCO with the European Union. We also co-operate with NATO through the partnership for peace and have done for a very long time. I have not seen the report the Deputy mentioned so I cannot comment on it but I will ask the Minister for Defence to come back to him directly.

Deputy Peadar Tóibín: In July 2019, a very brave woman by the name of Sharon Butler Hughes blew the whistle on the fact that 4,088 women had received either the wrong letters or no results from CervicalCheck with regard to their smear tests. Brian McCracken investigated the matter and recommended that an examination be made into whether these women were negatively affected by the delays in terms of their health outcomes. We have no evidence that this has happened to date. Will the Tánaiste tell the House what is happening? The HSE has never spoken to Sharon Butler Hughes to see if she is okay. Yesterday, she received a letter from the Department and I have seen that letter. It states the HSE will now undertake to fulfil this recommendation. It will undertake to fulfil this recommendation now, three years and three months after the recommendation was made. Given all that has happened and all of the apologies, why was this not treated seriously? When was the last time the Department or the HSE reached out these 4,088 women? Will the Tánaiste give details of when this will be completed?

The Tánaiste: I appreciate the importance of this issue but I am afraid I just do not have

that information to hand. I will ask the Minister for Health or the HSE to come back to the Deputy on that. I understand he has said the recommendation is now being implemented. I do not know why that was not done previously. I will ask the Minister for Health, Deputy Stephen Donnelly, to get back to the Deputy directly on that.

Deputy Richard O'Donoghue: Before the vote on the Impaired Farm Credit Bill was taken last night, I emailed the Tánaiste's office, the Taoiseach's office, the office of the Minister, Deputy Eamon Ryan, and the Whips, Deputies Chambers and Griffin, asking if a free vote could be given to their party members last night on that Bill. Did Fine Gael offer a free vote to the rural Deputies in the party or were they under the whip?

The Tánaiste: The answer to the Deputy's question is "No." We do not commonly do free votes in our system. The Deputy is an Independent Deputy and every vote is a free vote for him. Most Members in this House are members of a political party and are bound by the policies of that party, the programme for Government and collective responsibility. We allow free votes on a small number of issues, particularly relating to abortion or life and so on.

Deputy Richard O'Donoghue: What about rural Deputies?

The Tánaiste: The answer to the Deputy's question is "No".

Deputy Michael McNamara: The Tánaiste has spoken about the problems with how this House does its business. He has also spoken about the benefits and frailties of Mercosur. I want to know how, when he is Taoiseach, the Tánaiste's Government will interact with this House. The current Taoiseach seems to have no problem with Mercosur being passed without a vote of this House or the people of Ireland. Important Bills are regularly guillotined. For example, on the Communications Regulation Bill from the Minister of State, Deputy Ossian Smyth, amendments were introduced the evening before Committee Stage so that nobody could table amendments to them. I now believe this Bill, as it stands, will be guillotined through the House. The Bill has constitutional frailties but it would also potentially involve the payment of large amounts of compensation to multinationals in Ireland. The Dutch equivalent has acknowledged that compensation will inevitably be part of it. How will the Tánaiste - when he is Taoiseach - interact with this House? Will he give a guarantee that he will not guillotine Bills and that important trade agreements such as Mercosur will require at least a vote of the House, if not of the people?

The Tánaiste: That is very open-ended question. I will interact with the House in different ways depending on circumstances. When it comes to any international agreement that depends on the advice of the Attorney General. If the Attorney General advises that an international agreement requires a vote in the House, then of course there would be vote in the House. Some agreements - and this applies to some trade agreements - are not a national competence and are decided at a European Union level. It will depend on the agreement whether it requires a vote of the House. In general, international agreements require a vote of the House but there may be instances where that is not the case.

I believe that the ratification of Mercosur by the European Union and, therefore, by Ireland is a remote prospect for the foreseeable future. There is a very strong view across the European Union, and one-----

Deputy Michael McNamara: What about the guillotine?

The Tánaiste: -----that I share, that the environmental protections in it are not adequate.

Deputy Michael McNamara: What about the guillotine?

The Tánaiste: I do not like using the guillotine but sometimes it is necessary to get things done.

Deputy Richard Bruton: The Government now has a legal obligation to cut peak-hour electricity demand by 5% over the winter and a voluntary obligation to cut both gas and electricity demand by 10%. What policy tools has it identified to deliver this? As well as protecting people from higher prices, it is very important that we help them to reduce their usage so we become more resilient. I suggest that the revenue from windfall tax be put to facilitating this. Smart meters, shallow retrofits, sharing platforms and solar can all be part of a national resilience campaign. They would get a massive boost from such revenue to do that. The Tánaiste has said how fitting doors to fridges in many of our supermarkets could help to transform usage, but there is not sufficient support for that to be undertaken. Will the Tánaiste consider that?

The Tánaiste: The policy tools are differential pricing, which now exists, and also the Government ad information campaign encouraging people to reduce energy use and, where possible, to use energy at times when it is more efficient. I would never tell anyone when they should or should not cook the dinner but it is fair to say that when it comes to things like using the washing machine or putting on the dishwasher, it is possible to do that in the morning or at night-time, rather than between 5 p.m. and 7 p.m.

The windfall tax does not quite exist yet; it must be legislated for. We have not raised any money from it yet, so no decisions have been made as to how it will be spent. It is additional revenue that we will have next year to assist us in reducing the cost of energy for people and businesses, if needs be.

I agree with the points the Deputy made about solar and micro-renewables but I would be disinclined to fund that from windfall tax because it will have to be sustained rather than being a once-off.

Deputy Brian Leddin: In advance of the changeover in a few weeks' time, I want to raise the issue of the lack of and deficit in health services and infrastructure in the mid-west region. I believe the Tánaiste is aware of this. There is a huge demographic challenge as we look to five, ten and 15 years ahead. We have challenges at the moment but as we go forward to the end of the decade and into the next one, we will need new hospitals and new services in University Hospital Limerick, UHL, and also in other parts of the region. I want to impress upon the Tánaiste the importance of this to the region because the hospital has been let down in the last number of years.

The Tánaiste: I thank the Deputy for raising the need to expand and develop our public health services in the mid-west, not only in UHL but also in the other hospitals such as Nenagh, Ennis and Croom hospitals. I am very much seized of the matter, having visited all of those hospitals on more than one occasion. I assure the Deputy it is very much on the Government's agenda for the next two years.

Deputy Thomas Gould: This weekend 15 workers from the Butcher's Block shops in Cork were told their jobs were gone. They were made redundant by text message. Some workers went in to find the shops had been cleared out and the doors locked. They were told that no stat-

utory holiday or redundancy pay would be paid. The workers were advised that the process for the Government to pay redundancy would take weeks and they should go to their local social welfare office for an urgent needs payment. It is six weeks out from Christmas. I know some of these people personally. Some of them have worked in the company for 18 and 20 years and this is how they are being treated by employers. Once again, we have a situation where workers are at the bottom of the list when it comes to liquidations when they should be at the top. The workers in the Butcher's Block have done nothing wrong but work hard all of their lives. We are seeing unscrupulous employers in the tech sector and we see it here now.

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

Deputy Thomas Gould: I will make one last point.

An Leas-Cheann Comhairle: No, we are out of time.

Deputy Thomas Gould: There are families who have saved for their Christmas food and their money has gone now as well.

The Tánaiste: I am very sorry to hear about the job losses at the Butcher's Block shops and I am very sorry to hear how those people are being treated. I strongly encourage them to engage with the Intreo service and the Workplace Relations Commission, WRC, as needs be. The Government is there to help and to make sure that employment rights are enforced. That means that the people affected will get their compulsory redundancy payments, even if we have to pay for them out of the Social Insurance Fund. Exceptional needs payments are available as needed, as is jobseeker's benefit while they try to find new jobs. We can also help with education and training. I strongly encourage the people affected to engage with the State services because we are there to help.

Deputy Thomas Gould: The company cleaned up the shop and took all the assets.

Deputy Pauline Tully: We are constantly encouraged to use public transport where available and to leave the car at home. I wish to raise problems with the bus service from Cavan to Dublin, the 109X. The service has sufficient capacity going to Dublin but there are huge problems with the return journey. Buses are at capacity when they reach the last stop out of Dublin, which is at Blanchardstown, from about 4.30 p.m. or 5 p.m. for a number of hours. In many cases the bus does not stop at all or it stops and there are one or two space available. It can leave up to 14 people behind at times. An 87-year-old man who had attended an appointment at Connolly Hospital was waiting an hour and a half for a bus and was very anxious because he thought he had missed the bus and did not know how he would get home. People tell me it can take three hours extra to get home if the bus is full when it reaches them. There is no shelter at the bus stop. Bus Éireann is aware of the issues but has not dealt with them. If we are serious about climate change, we need to create a reliable public transport system.

The Tánaiste: I am afraid I am not familiar with the 109X, but if it stops in Blanchardstown I probably should be. The provision of a shelter should not be too difficult. With the additional funding for public transport, perhaps additional capacity can be provided. If the Deputy would like to set out the details in writing on one or two pages, I will make sure the matter gets taken up with the NTA and Bus Éireann and we will see if we can make some improvements.

Deputy Niamh Smyth: This is a question about the Cavan disability network team. It is experiencing a significant staffing crisis, which is having a huge impact on the team's capacity

to provide services for children and their families. There are approximately 650 children waiting for various therapies and interventions, and 12 posts are vacant. Is there anything we can do to address this vacancy crisis, which is having a huge impact? The bottom line is that a letter I have states that kids will be waiting over two years for that intervention.

Minister of State at the Department of Health (Deputy Anne Rabbitte): I thank the Deputy for raising this important issue. I have a meeting with CHO 1 next week to address the issues facing Enable Ireland in the Cavan area and to address exactly what the Deputy has raised and what we can do in the interim to assist with recruitment and retention in that service.

Deputy Neale Richmond: In the past week, the New IRA has been linked to two attacks on the police in Northern Ireland, the first such attacks since April. What is the Government doing, in partnership with the authorities in the United Kingdom and in Northern Ireland, despite the impasse, to ensure that all efforts are made to allow for co-ordination between An Garda Síochána, the PSNI and all other State agencies and to ensure that dissident terrorist groups and all other organised crime groups are not allowed to continue their reigns of terror on a cross-Border and cross-national basis?

The Tánaiste: I thank the Deputy for reminding us once again that paramilitarism in Ireland is far from dead. I very much condemn the events in Strabane in recent weeks. There is very good co-operation between the security authorities here and those in Northern Ireland and in Britain. We want to enhance that in any way we can. Obviously, much of this relates to security, much of it is confidential and much I do not know about, but I do know that the co-operation is very good and that will continue.

Deputy Marc Ó Cathasaigh: I know the Tánaiste's Department leads on the oversight of work permits from non-EU and non-EEA countries. I have engaged on this specific issue previously with the Minister of State, Deputy English. The critical skills occupation list was last updated in June 2022, relatively recently, but is there sufficient cross-departmental engagement on addressing specific skills shortages in particular areas? In this case I am referring specifically to a shortage of bus drivers and the difficulty getting work permits for people who are adequately qualified and ready to come here to provide services but who are unable to do so because they are unable to access the correct permits. Do we have any plans to review that list or to engage in a cross-departmental way to make sure we are addressing skills shortages that exist in our economy?

The Tánaiste: We review that list every six months, so it is probably up for review about now. It is handled by the Minister of State, Deputy English, as Deputy Ó Cathasaigh mentioned. Generally, we are guided by what we hear from employers as to which skills and posts they cannot fill. Two have crossed our desks a lot recently. One is bus drivers, which the Deputy mentioned. There are well-qualified bus drivers from outside the EU who could come here and help solve some of our problems. The other relates to care. There is a very significant shortage of home carers in the country, as the Deputy will be aware. The qualifications in that sector are more complicated but those are the two areas we are looking at, with a view to expanding the permits within the next couple of weeks.

Deputy Joe Carey: I wish to raise the plight of the Burren programme in County Clare. This flagship farming and conservation scheme, which takes place on one of the most sensitive landscapes in the world, has been a win-win for farmers and the environment since its introduction. While the new agri-climate rural environment scheme, ACRES, will lead to better

outcomes for farmers and the environment, it will also lead to a reduction in income for Clare farmers and farmers in the Burren area and in the Slieve Aughty area, in east Clare. This week, a deputation of Clare farmers met with the Minister for Agriculture, Food and the Marine, Deputy McConalogue, and the Minister of State, Senator Hackett. It is important there is a positive outcome to those discussions. I ask the Tánaiste to publicly support the campaign for the continuation of the Burren programme. Will he give a commitment that he will speak to the Minister about it?

The Tánaiste: I am happy to give a commitment that I will speak to the Minister about it. It came up in my meeting with the Irish Farmers Association, IFA, only in the past two weeks. I understand that the Minister and the Minister of State, Senator Hackett, met farmers from the Burren and local representatives on 22 November. I am told that the meeting was constructive and that the work of the Burren programme was acknowledged. Ministers will now reflect on those discussions while work will continue with all the ACRES co-operation project teams to deliver the scheme. It was always the intention to mainstream positive actions from programmes like the Burren programme into a large-scale agri-environment scheme in order to ensure a much larger environmental benefit and a greater number of farmers contributing to environmental goods such as biodiversity and water quality.

Deputy Claire Kerrane: I wish to ask the Tánaiste about the temporary business energy support scheme. I understand it is still being designed. I was contacted by a business in Roscommon town that has been in existence for almost 30 years. It uses oil, not gas. We know that oil has increased in price by about 145% since January 2021, and oil is currently excluded from the scheme. This will no doubt impact other businesses in Roscommon, Galway and elsewhere. Will the Tánaiste ensure that oil is included in order that we support as many businesses as possible throughout the winter months and do not exclude businesses based on their energy usage?

Minister for Finance (Deputy Paschal Donohoe): I will take that matter, if I may. The Revenue Commissioners are responsible for the roll-out of the scheme, and I am working closely with the Tánaiste's Department on the design of the scheme. We hope we will very shortly be in a position to announce that the scheme is open. It is not possible for oil to be included in the scheme because we depend so much on the metering mechanisms available to monitor in particular the price of electricity, from which we then calculate the subsidy or support that will be available to businesses every month. We will in the time ahead look at the scheme and how it is operating and see if it is having the desired effect in supporting businesses and our economy. The scheme does not currently and cannot include oil, but we will look at the general level of support within our economy for businesses such as the one the Deputy has raised.

Deputy Dessie Ellis: Under the Government's housing plan, a review of the housing adaptation grant scheme for older people and people with disabilities is under way. Grant limits and income thresholds are being considered. Does the Tánaiste know when this review will be done? Inflation has gone up considerably and has eaten into this.

Minister of State at the Department of Housing, Local Government and Heritage (Deputy Peter Burke): I will take that matter. The review is finalised-----

Deputy Dessie Ellis: Good.

Deputy Peter Burke: -----and will be published before the end of the year. The key issue

is to ensure the increase in funding penetrates in order that we have additional work carried out for all our citizens. The grant to which the Deputy refers is a key support to ensure independent living. We hope to publish the review before the end of the year.

1 o'clock

Deputy Gino Kenny: Yesterday, with other Deputies, I attended the launch of the “Final Report – Scoping Inquiry into the CervicalCheck Screening Programme” by Dr. Gabriel Scally. It was an uplifting briefing but it was also sombre. One could not help thinking of all the women who should have been here today had it not been for the systemic failures in the cervical cancer screening programme.

A number of issues arose on the recommendations, namely capacity and there being none and the Coombe hospital is trying to fill that gap; outsourcing, most of which is going to the United States; and also language which is very important with the question of “should” or “must” in relation to disclosure. Is the Government committed to all the women who should have been here who are not because of this awful part of our history?

The Tánaiste: I join with the Deputy in thanking Dr. Scally and his team for the work they have done in the past couple of years. We were very lucky as a country that we found him. He has done some really good work to help us improve the CervicalCheck programme. I am very grateful to him and his team for that.

The Coombe lab is being developed at the moment. We are keen to have it up and running and commissioned as soon as possible so that we can have many more, if not the vast majority of smear tests examined in Ireland rather than abroad. As Dr. Scally pointed out, it is a good idea to have more than one lab for many obvious reasons, both in terms of redundancy and also comparing results from different labs. He did point out that the labs currently being used, such as Quest, are very high quality. His previous report pointed out that the labs used abroad were very much up to international standard.

Deputy Jennifer Carroll MacNeill: I wish to ask the Tánaiste again about the implementation of the sexual offences Bill where we would have legal representation for victims of sexual assault. I met with Aimee Foley who very bravely became a public advocate for this in challenging her own father and the difficulty she faced in terms of communication with the DPP and understanding court process would be made easier by proper legal representation for victims.

There is another case of a lady whose harasser dropped his legal team so that he could cross-examine and question her directly. We are outlawing that with respect to domestic violence in the family law Bill but it may be an important extension to the sexual offences Bill or harassment legislation to protect victims throughout the court process at every stage.

The Tánaiste: I had the chance to meet Aimee Foley myself yesterday very briefly when she was in the House. I really admire her courage in going public in the way that she did and seeking a tougher sentence. I am glad that the DPP did appeal that sentence and that a higher sentence was secured. I would like to see that happen a little more often than it does.

I understand and see the case for legal representation. I am not 100% up to date on what the plans are and where that stands but I will check with the Minister for Justice and come back to the Deputy directly.

Deputy Violet-Anne Wynne: There are 43,981 adults on outpatient waiting lists in the mid west; 11,422 have been on the list for over 18 months. That is almost 26% of the overall figure of those on the list. As a former Minister for Health, I hope the Tánaiste will appreciate that these long delays for scheduled care directly relate to overcrowding in the one emergency department in the region which is consistently the most overcrowded emergency department in Ireland. We need Ennis upgraded to model 3 to take the pressure off. What is the Government doing to get the consultant contract over the line and shrink these abhorrent waiting lists and get more people seen every year?

The Tánaiste: The negotiations on the consultant contract are ongoing. They are at an advanced stage. Within the next couple of weeks we will know whether agreement is possible or not. They are being chaired independently and it would not be helpful for me to engage in running commentary on some of the outstanding issues. I think we are close to the point in the next couple of weeks as to whether we are able to say that we can come to an agreement or not.

Misuse of Drugs (Cannabis Regulation) Bill 2022: First Stage

Deputy Gino Kenny: I move:

That leave be granted to introduce a Bill entitled an Act to amend the Misuse of Drugs Act 1977 to enable a person who is at least 18 years of age to have possession, for the person's personal use, of either or both cannabis and cannabis resin that in each case does not exceed a specified amount and to provide for related matters.

I am thankful that I am introducing this Bill today. It has been a number of years in the making. The last Bill which came before the House on this was ten years ago. I think Ireland has moved on considerably since then. Ireland is a very different place in relation to many things and it is a different place in the area of drug reform.

The Bill is quite moderate. It amends existing legislation that dates back 42 years. Forty-two years is a very long time. I believe the existing legislation is out of date and out of time. We need a different narrative around drug reform. Criminalising people for possession of small quantities of any drug, and particularly cannabis, is a complete waste of time. It is a waste of resources. Bringing people through the criminal justice system does not work. There are different models. We need to use a model that stops criminalising people who are adults and make adult choices. Criminalising people for drug use does not work and we need something very different.

Ironically, all drugs in schedule A are controlled drugs. That means that the only people who are allowed to have them is the State. Instead, we have the opposite. The cannabis market is controlled by organised crime. Why allow that to happen? Why keep allowing that to happen? We need to take back control and stop criminalising people.

There is a debate to be had. I think there is a ground swell of opinion not only in Ireland but across the world for something very different. We need to move away from the status quo because it does not work. It has not been a deterrent. The legislation we have now is meant to deter people from possessing, selling or cultivating cannabis but it has done the opposite. It has

driven it underground and has made it largely controlled by the black market. A better system is one that is controlled by the State. It is a system that is best for everybody whether one uses cannabis or not. Whether or not one uses cannabis is irrelevant. We are looking at a societal issue here. The Government has talked about a harm reduction, health-led approach which is welcome but it is rhetoric. It is lip service at the end of the day. If the Government believes in a health-led approach then it would have to support this Bill. If it does not support this Bill then I do not see meaning in what the Government says about harm reduction. Surely, if it supports the idea of decriminalisation and a health-led approach it would support this Bill.

There will be a wider debate around this issue in the citizens' assembly. That is very welcome. We need to have a grown-up discussion about drug use in this country because for too long people were criminalised and marginalised. That is the one thing that you do not do to people. It has never worked. Giving people criminal convictions for small amounts of cannabis that follows them around forever is barbaric. In years to come they will look at our legislation on drug use and wonder how stupid were the people who put in place these antiquated laws to criminalise people because of things that happen in life.

I hope the Government can support this legislation. It is timely. Different parts of the world are looking at different models which do not criminalise people and which take a harm-reduction approach. I look forward to the debate. We need a mature discussion on this. History is on our back. We have had 40 years of bad law. It is time to change the laws and make them good for everybody.

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

Tánaiste and Minister for Enterprise, Trade and Employment(Deputy Leo Varadkar): No.

Question put and agreed to.

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

Deputy Gino Kenny: I move: "That the Bill be taken in Private Members' time."

Question put and agreed to

Cuireadh an Dáil ar fionraí ar 1.10 p.m. agus cuireadh tús leis arís ar 1.50 p.m.

Sitting suspended at 1.10 p.m. and resumed at 1.50 p.m.

Abuse at Certain Educational Institutions: Statements

Minister for Education (Deputy Norma Foley): I welcome the opportunity to provide a statement on the deeply shocking and disturbing accounts of abuse in certain schools. I know that all in this House and right across the country will have felt the same sense of shock and revulsion at the revelations made in recent weeks about the extent of sexual abuse in Spiritan schools. I have engaged with survivors over recent days and will continue to do so over the coming days.

At the outset, I commend the courage of those who have come forward and indeed all of those who have been living with the impact of this abuse for many years. Their courage has given voice to a deep hurt that is shared, I am sure, by many others who continue to suffer in silence as a consequence of similar experiences. These revelations of abuse in several schools are deeply disturbing and heartbreaking. Like the rest of the Government, I am very conscious of the enormous trauma that has been endured by all survivors of abuse. The sexual abuse of a child is repugnant to the whole of society and is a reprehensible abuse of power and trust. Parents entrust their children to the care of schools and staff, and should be confident that their children will be cared for, protected and cherished in school.

The Government takes the issue of sexual abuse very seriously. These crimes are abhorrent and I am fully aware of the devastating impact they can have on the lives of people affected. As Members will appreciate, I cannot comment on a specific case, but I wish to reassure the House that there is comprehensive legislation in place to deal with these offences. The Criminal Law (Sexual Offences) Act was enacted in early 2017. It is wide-ranging legislation that significantly enhances laws to combat the sexual exploitation and sexual abuse of children.

I have been informed that since the broadcast of the documentary “Blackrock Boys” on 6 November last and as of 22 November last, 32 contacts have been received by An Garda Síochána regarding sexual abuse at six schools run by the Spiritan Education Trust: Blackrock College, Willow Park, Rockwell College, St. Mary’s College, St. Michael’s College and Templeogue College. Of these contacts, I am informed 27 are from survivors, three from witnesses and two from people acting on behalf of survivors. The reports relate to alleged incidents dating from 1954 until 1991.

I would like to encourage all who have been subjected to or witnessed clerical sexual abuse to contact An Garda Síochána. The sexual crime management unit at the Garda National Protective Services Bureau, GNPSB, is the central point of contact for all reports of clerical sexual abuse. A dedicated email address has been set up to support the reporting of such crimes. People who wish to report such crimes can also contact their local Garda station, the sexual crime management unit, at 01 6663430, or the Garda child sexual abuse reporting line, at 1800 555 222. This is a confidential and free service available to the public on a 24-7 basis.

It is vital that survivors of child sexual abuse have the opportunity to be heard in full and with appropriate respect and sensitivity. They need to know there will be a serious response from the Government. Right across the House, I know we are united in calling for a survivor-led response.

My urgent priority in recent days was to listen to survivors and this will also be the case in the coming days. This is to allow them to share their experiences with me personally should they so wish and for me to begin to get a sense of what they would like to see happen. I would like to express my sincere thanks to those survivors who have engaged with me to date and have done so in the spirit of openly sharing their experiences. They are telling me what they would like to see happen. As I hear a different perspective from each individual, I hope a thread of commonality in terms of an approach or approaches will come through so I can work further with the Government, all in this House and primarily with survivors to arrive at a consensus on the most appropriate way forward.

I acknowledge the calls for an inquiry. I am cognisant that the Government owes it to the survivors to ensure any process of inquiry is the right one and will best deliver the outcomes

they feel are most important. To ensure any such response will indeed be effective and survivor led, it is important at this stage to consider carefully the range of options open to achieve these outcomes while acknowledging and analysing the strengths and challenges inherent in any single approach.

2 o'clock

Every survivor who has spoken with me has told of how they have entered into this stage or entered in the past into engagement with the order or with gardaí, or taken other legal avenues, and felt entirely unsupported. They have said how difficult that has been for them. There is no doubt but that a significant body of work lies ahead. The next steps will be important and should involve, among other initiatives and opportunities, specific opportunities to speak to survivors on an intensive basis, engaging with Government colleagues and Opposition parties on potential options, thinking about the appropriate expertise that will help us to bring all aspects together so that a coherent picture can be formed of what kind of inquiry will achieve the outcomes required and carefully analysing the learnings from previous inquiries in respect of the appalling legacy of child abuse.

These inquiries have played an important role in bringing accounts of abuse to light. Most notably, the Commission to Inquire into Child Abuse was established on a statutory basis in 2000 and published its final report, known as the Ryan report, in 2009. The Ferns, Murphy and Cloyne reports dealt with clerical abuse in dioceses. These reports helped the State to set out a clear pathway towards rectifying the system failures that had allowed a culture of abuse to flourish and have had an enormous impact and resonance for all children in Ireland.

We need to consider in broad terms the response of the order in terms of restorative justice, the provision of supports, how complainants are treated and supported and whether standards are being met in terms of accountability within the order. Further discussion and engagement will take place with survivors, the Government and the Opposition, child welfare experts and others to determine the final shape of any proposals. I will return shortly to the Government with proposals in this respect.

I want to take a moment to reflect on the children in our society today. While we should never be complacent, I want to reassure parents that a robust child protection system is now in place in our primary and post-primary schools. This includes enhanced mechanisms in respect of detection and reporting, including mandatory reporting of child protection concerns, vetting and greater overall awareness. These procedures have been developed in alignment with overarching national policy which is being led by the Department of Children, Equality, Disability Integration and Youth and Tusla, the Child and Family Agency. My colleague, the Minister, Deputy O’Gorman, will give a comprehensive picture of that national policy which has impact for the benefit of all children and their presence in all sectors, including the education sector.

The Children First Act 2015 seeks to raise awareness of child abuse and neglect, provides for mandatory reporting by key professionals and improves child safeguarding arrangements in organisations providing services to children. My Department’s child protection procedures for primary and post-primary schools, which were issued in 2017, provide guidance to schools on their responsibilities under the Children First Act 2015 and the Children First national guidance 2017. These procedures provide necessary information to school authorities and personnel to help them to be alert and aware of what to do in situations where there is a concern, suspicion or allegation that a child may have been abused or neglected, is being abused or neglected or is at

risk of abuse or neglect. In all cases, the most important consideration to be taken into account is the protection of children and young people.

The procedures require that in any situation where a member of school personnel receives an allegation or has a suspicion that a child may have been abused or neglected, is being abused or neglected or is at risk of being abused or neglected, he or she shall, without delay, report the matter to a designated liaison person. The designated liaison person is responsible for ensuring that any reasonable grounds for concern are reported to Tusla. It is not necessary for the designated liaison person to prove that abuse has occurred in order to report a concern. All that is required is that there are reasonable grounds for concern. The Department's inspectorate monitors compliance with the child protection procedures for primary and post-primary schools 2017 during all school inspections. The inspectorate's monitoring work in this regard is one of a range of quality assurance and oversight measures to ensure that schools and their staff are operating in compliance with the Children First Act 2015.

In addition, any concerns of a child protection nature received by staff in my Department are dealt with in accordance with the Department's procedures for responding to child protection concerns which come to the attention of staff employed by the Department of Education. Under these procedures, the Department ensures that the details of any concern reported to the Department are immediately transmitted to Tusla for assessment.

On foot of the launch of the updated child protection procedures for primary and post-primary schools in 2017, the Department of Education has funded the delivery of continuing professional development, CPD, support and training for teachers, school leaders and staff to outline the statutory obligations that apply to organisations such as schools under the Children First Act. The CPD also provides guidance and directions to school leaders and teachers in regard to meeting their new statutory obligations under the Act. The Professional Development Service for Teachers, PDST, also has a role in providing in-school support for schools who require additional guidance.

Personal safety skills are part of the safety and protection strand unit within the social, personal and health education, SPHE, curriculum of all primary schools. The Stay Safe programme is a mandatory personal safety skills programme for primary schools, both mainstream and special. Its overall objective is to prevent child abuse, bullying and other forms of victimisation. CPD training for teachers has been provided by PDST advisers and associates.

My Department also provides for online safety in schools through a range of programmes, including formal curriculum content, teacher professional development, strategies around well-being and bullying, and the use of innovative materials. An Internet safety initiative is a key educational resource on online safety issues and promotes the autonomous, effective and safe use of the Internet by young people. On a broader level, online safety and the safe and ethical use of digital technology is a key component of the Department's digital strategy for schools. Throughout the implementation of the strategy, *webwise.ie* will continue to develop and disseminate relevant resources and run campaigns addressing key topical issues as they arise.

These measures highlight the importance this Government, and other recent governments, have placed on child protection. This does not, however, lessen in any way the trauma and experience of survivors of sexual abuse. The recent revelations of abuse in certain schools are repulsive and shocking. These appalling acts merit a serious response and my Government colleagues are working to ensure such a response will be provided.

Minister for Children, Equality, Disability, Integration and Youth (Deputy Roderic O’Gorman): I was deeply shocked to hear the harrowing allegations about children who were sexually abused in Blackrock College from the 1960s to the 1980s. I want to commend all those who have come forward on their bravery. It takes incredible bravery for people to relive such traumatic events in their lives, and in particular to do so in the public domain. Their bravery is important not only in the context of achieving a criminal conviction against those who committed these offences, but also in terms of encouraging others to come forward because once one person comes forward, it makes it a tiny bit easier for the next person to do so. That bravery needs to be acknowledged.

I would like to speak to the House about the legislative measures and policies in place to keep children safe. Over the past 25 years, significant progress has been made by successive governments to strengthen provisions to protect children in Ireland. This programme of reform was embarked on partly to address past failings, but also to achieve better outcomes in the delivery of services to children and their families. This reform programme began with the establishment of a dedicated Department of Children and Youth Affairs. It was followed by the establishment of Tusla, the Child and Family Agency, which as we know is a dedicated State agency responsible for supporting and promoting the development, welfare and protection of children.

Tusla is aided in its child protection role by the Children First Act 2015, which provides for a number of key child protection measures, including raising awareness of child abuse and neglect, providing for the reporting and management of child protection concerns, and improving child protection arrangements in organisations providing services to children.

The third key element of the Children First Act was to place the Children First interdepartmental implementation group, CFIDIG, on a statutory footing. Each Department, as well as Tusla, the HSE and the Garda, is represented on this group. The CFIDIG is a high-level, cross-sectoral group with specific statutory functions relating to monitoring and promoting compliance by Departments with their obligations under the Act. These obligations include the requirement on each Department to prepare a sectoral implementation plan outlining the measures in place or planned to ensure compliance with Children First legislation and guidance. These plans apply not only to that Department, but also to any organisation providing a relevant service to children and receiving funding from the Department in that regard.

Implementation of the Barnahus model in Ireland is a significant initiative to improve services to children and families affected by sexual abuse. The aim of the model is to provide a timely assessment service to victims of sexual abuse and to reduce as far as possible the potential for retraumatisation by offering all services in one child-friendly location. The first Barnahus is operational in Galway city and a further two sites are under development in Dublin in the east and in Cork in the south. To support this, my Department chairs the interdepartmental group overseeing the model’s implementation. This group brings together representatives from the Departments of Justice and Health, the Garda, the HSE, Children’s Health Ireland and Tusla. I recently had the opportunity to visit the Barnahus in Galway and I was very impressed by the dedication of its staff and the model’s insightfulness towards young people who had undergone the most traumatic experience of their lives. The model allows services such as Garda interviews and medical checks to be provided to them in one location.

I thank the Minister, Deputy Foley, for leading the Government’s response in addressing the allegations that have emerged from Blackrock. I recognise the great bravery of the survivors

who have come forward, spoken publicly and sought to secure justice, and I hope they have opened the way for others to do so.

Deputy Donnchadh Ó Laoghaire: Ba mhaith liom mo chuid ama a roinnt leis na Teachtaí Martin Kenny agus Paul Donnelly.

Unfortunately, while the entire nation was shocked and disgusted by the revelations of recent weeks, it was perhaps not surprised, given that they followed the pattern of revelations about many similarly run institutions - horrific abuse, a failure to address that abuse, the ignoring of complaints, the moving of perpetrators and the failure to account properly for the wrongdoing that happened in the schools run by the Spiritan organisation, which is probably more commonly known by its former name, the Holy Ghost Fathers, in Blackrock, St. Michael's, Willow Park, Rockwell and Templeogue.

Like the Ministers, I wish to pay tribute to the incredible courage of the men who have come forward. I will name just a few who have spoken out - Mr. John Coulter, Mr. Corry McMahon, Mr. Louis Hoffman and Mr. Philip Feddis - but there are others. Given what has transpired since, it is clear that their courage has led to others who had never spoken to anyone about what happened to them coming forward. That is welcome.

It is vital that the Garda be at the heart of any response. It has been said correctly that many of the perpetrators are no longer with us, but there are some who may still be with us. There are also people in positions of responsibility who, if still alive, need to be held to account.

The price that the young boys paid was enormous. It was a price for which they were not responsible and about which they could do nothing. They were abused in the most horrific, violent and disgusting way. That trauma spilled into the rest of their lives and relationships, including addictions and thoughts of suicide and self-harm. The monsters who inflicted this abuse on them derailed the lives of some. I pay tribute to the extraordinary courage they have displayed.

In how the State addresses this situation, it is important that we listen to their needs and to what they want. It is clear that the State needs to address it. It is long established that the State has a moral responsibility, but it has now been established through the Louise O'Keefe case relating to a national school in west Cork that the State had a legal responsibility to ensure that abuse, including sexual abuse, did not happen in institutions. As such, there needs to be a response from the State. An inquiry is required and what the survivors want needs to be listened to carefully. Given the week that is in it, it is appropriate that we acknowledge that the Scally inquiry provides a good model of flexibility, cost effectiveness and, most importantly, reaching clear conclusions within a reasonable time. The Scally inquiry achieved results for, and generally provided a degree of satisfaction to, survivors. Ultimately, the wishes of the survivors need to be listened to carefully.

It is well for us to speak about this situation and to express our shock and horror, but it is important that there be follow-up. In some comparable situations, the follow-up has not been great. I am thinking of the survivors of institutional abuse in particular. It is some time since that survivors' group was established with the Department. Yes, Covid happened in the middle of the process, but the survivors are still waiting to find out what the situation is with the medical cards and so on that they were supposed to be awarded. Will the Minister, Deputy Foley, look into this matter?

The State's response cannot stop at us just expressing our horror and disgust. I acknowledge

the very fulsome statements in that regard from the Ministers. There needs to be a full follow-up. It needs to be followed right to its conclusion to ensure that people get truth, justice, ongoing support and whatever else we as a society believe they are entitled to, because that is crucial.

Deputy Martin Kenny: We all agree that the reports about the goings-on in the Spiritan order that have been played out over the airwaves in recent weeks are shocking. In recent weeks, I have had the chance to tune in to some of the coverage, both on the radio and in many newspapers, and to say the least, it is horrifying. I want to use this time to put on record my sympathy and solidarity with those who were let down by the system that should have protected them. Their bravery in coming forward to raise awareness, with the hope of supporting others also to make a disclosure, is a heroic effort. However, I return to the point that none of this should have happened in the first place.

Those in leadership positions within the order, and the educational institutions in which they operated, had multiple opportunities to investigate and indeed to prevent these criminals from even being in the vicinity of children. However, as with other clerical abuse scandals before this, there was a failure to intercede and protect the children. The only action taken by the order was to move the order members once it became clear they could not remain *in situ*, such was the extent of their offending. The only move taken by the order was to protect itself, not the children within its care. That is despicable, deplorable and criminal.

The entire lives of the survivors were turned upside down as a result of what was done to them. This particular type of crime is an insidious one. It has a monumental effect on the life of survivors and those around them. A trauma of that magnitude at such a young age can often change the entire trajectory of a life. Approximately two years ago a young man, Tom, rang me one evening. I had spoken to him previously. He said that he was in shock having heard that a school colleague who had been at boarding school with him had been abused while he was there and he had died by suicide. He was full of grief, horror and guilt that he had not come forward sooner. He spoke to me about what to do and where to go. I directed him to go first to An Garda Síochána and I rang the Garda myself about it afterwards. We were probably on the phone for three quarters of an hour. He went through the traumatic effect the abuse had on his life. He told his wife some years previously and it had an effect on their relationship. It also affected the relationship he had with his children. He was super-protective of them and afraid for them everywhere they went in case the same would happen to them as had happened to him. It brought home to me the horror of this crime, not just on the unfortunate person directly affected but on all of the other victims that spiral out from it. What affected him most is that when he first approached the management of the boarding school he had been in, he was met with denial and a refusal to accept or talk about it. The response was to bury it and push it away. That has been the initial response from all these organisations to date.

The Minister made a lengthy speech about the safeguarding measures that are now in place. They are all needed because of the type of carry-on we have had in the past, which would happen again if they were not there. However, even with our best efforts, abuse still happens. There is a lesson for all of us in this. We must use our position to make sure that people know they will be supported and cared for in respect of all of this.

In terms of what the Government must do now, as my colleague, Deputy Ó Laoghaire mentioned, an inquiry is the very minimum. An inquiry such as the one carried out by Dr. Gabriel Scally into CervicalCheck is an option the Government should seriously consider. It is the most recent inquiry where at least at the end of it people expressed some sense of satisfaction. We

have had so many inquiries and debacles in the past where everybody has come out of it saying it did not work and that it is was not acceptable. The old chestnut that is trotted out is that it would cost too much. I go back to the young man to whom I spoke on the phone, Tom. Anyone who speaks to people like him would realise the impact it had on their lives and that cost is not the first or only consideration. In fact, it is the last.

All of us have work to do in this regard but the Government has the primary responsibility to ensure a full and adequate inquiry takes place into all of this, not just for the children affected but for their families, wider society and to ensure it does not happen again.

Deputy Paul Donnelly: Here we find another horrific story of abuse repeating itself again. It is another legacy of abuse from a religious order in Ireland. In Ireland, from the foundation of the State and possibly until the 1980s and 1990s, there was an omerta and fear connected to criticising a religious person, and such situations arise again and again in institutions - in mother and baby homes, schools and across a range of places where children were put into the care of religious orders. In some settings, Christian Brothers had *carte blanche* to carry out the abuse of young boys and girls.

I commend the brave survivors of abuse at the hands of the Spiritan priests in Blackrock College and other institutions. Their bravery in speaking out has given others the courage to do so. The sheer fear of speaking out allowed the abuse to continue until some brave people eventually had the courage to speak out. We can only wonder how many people who were continually abused were affected by mental health, drug and alcohol abuse and suicide and are no longer here to speak out. I suggest that the number is significant. We think of them also today.

The culture of silence within religious orders also aided and abetted the abusers, who were moved to other areas or schools where in many cases they continued their evil abuse of children. It has come to light in the case of the Spiritans that some of those involved in abuse continued to live on the campuses in Blackrock, Templeogue and Rockwell in Tipperary. I would like to know if that is still the case. Is anyone connected to cases of abuse still living in any of those places? If so, they must be dealt with straight away. The Spiritan order also operated overseas on missions in Nigeria, west Africa, North Africa, and Brazil. Is this a worldwide legacy? If so, the Spiritans must extend support to anyone affected by the horrific actions of their priests.

At least 233 men have made allegations of abuse against 77 Irish priests from the Spiritans, some of whom were serial abusers and had unchecked access to children. Meanwhile, a man who is believed to be the first person publicly to allege sexual assault at Castleknock College has said that any fresh inquiry or review into historical abuse in schools should be extended until each member of a religious order who is still alive, who abused or facilitated the abuse of children, faces justice. I commend the Minister on acknowledging the calls for an inquiry. We must ensure that any inquiry process is the right one for survivors and will deliver the outcomes they feel are most important. We must keep the victims at the core of our thinking and actions. People in the order must be held to account and the religious orders must pay for their crimes of covering up the sexual abuse of children in their care. That is the least the survivors deserve, and those victims who are no longer with us today.

Deputy Ivana Bacik: I wish to share time with Deputy Nash. I will take five minutes.

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

Deputy Ivana Bacik: I welcome this important debate which I sought last week from the

Taoiseach following the broadcast of the powerful “Blackrock Boys” radio documentary. I commend the immense courage of those who have come forward in recent weeks to disclose abuse that they suffered at Blackrock College, in the other five schools run by the Spiritans, and in other schools too. I acknowledge the horror of the abuse perpetrated upon children in this way and the immense harm caused to survivors, their families and communities as a result. I stress the importance of the Garda continuing to investigate where alleged perpetrators are still alive. Last week, the Spiritans issued a public apology to victims and announced the initiation of a restorative justice process. It is welcome to see this constructive engagement given restorative justice is a non-adversarial, victim-centred approach, but it requires acknowledgment of wrongdoing as a pre-requisite for participation by the offender or institution. Given the tone of correspondence I have received from the Spiritan Education Trust in recent days following my comments in this House last week, I have concerns about whether sufficient acknowledgment will be forthcoming. Indeed, in the past, institutions and religious orders have failed to offer sufficient acknowledgment of wrongdoing.

In any case, while I think we are all conscious that restorative justice can be a welcome process, it is clearly also necessary that an independent inquiry be established to run in parallel. It is welcome that the Minister for Education and the Government have committed to establishing an inquiry and to hear she has started meeting survivors, meetings which I have heard from survivors have been very constructive. It is also welcome to hear she is engaging with Opposition party spokespersons and Deputy Ó Ríordáin, our party’s education spokesperson, will engage on this with her and other party spokespersons next week. All of us are agreed that the first principle in establishing the inquiry should that it be survivor led and, therefore, meaningful consultation with survivors must take place before any final decision on the format of the inquiry can be made.

Even so, a few points can be accepted by everyone, because whatever format is accepted or adopted, an inquiry should be capable of going beyond the six schools run by the Spiritans. If necessary, a modular format could be adopted to ensure an overall framework for the inquiry can be established for the Spiritan schools, on which the focus is currently placed, but that framework could be adapted to cover other institutions because we are all conscious that others have come forward in recent days to disclose abuse perpetrated in institutions that have not yet been the subject of any State inquiry. Such a framework could seek to review the extent of abuse perpetrated in each institution, building on previous reports published by, for example, the national safeguarding board. The framework should look at the existing culture of impunity, of turning a blind eye and of institutional cover-ups within specific religious orders. Crucially, a State inquiry should examine what the State could and should have done to prevent such abuse. In the context of the Spiritans in particular, as I said last week, any inquiry must address issues relating to the knowledge of those who are still in key decision-making roles at Blackrock College. We are all conscious that while systems have changed and both Ministers outlined those welcome improvements in child protection, key personnel may well be still in place despite the system changes and that has to be addressed by any inquiry.

I greatly appreciate the engagement I have had from survivors in recent days. Those who have contacted me want to see all these issues addressed. They want to see significant and robust outcomes as a result of any inquiry and cultural change in various institutions and orders and, crucially, they want to ensure no other children will ever have to endure such horrific abuse.

Turning to the format of the inquiry, for survivors it is about seeing outcomes. I acknowl-

edge the Minister, Deputy Foley, will engage with survivors and that we cannot decide on the format of the inquiry until that engagement has taken place. Nevertheless, on reviewing the experience of inquiries and speaking from experience having represented the survivors of abuse in industrial schools before the residential institutions redress board, I offer the following observations about this format of inquiry. As the Minister noted, we should learn from pre-existing reports. Shamefully, these recent disclosures follow a long line of disclosures relating to the abuse of children in various institutions. Next year will see the 30th anniversary of the Kilkenny incest investigation report. I believe that, in total, 17 reports into child abuse in different settings have been produced since 1993, and we can learn from them.

Second, as we know from experience, such as in the Ryan report process, statutory inquiries can be protracted and lengthy, but they come with significant powers of compellability. Some statutory inquiries, such as the Dublin and Cloyne reports, were much more swiftly carried out. While a non-statutory inquiry may have weaker powers, those powers may not be needed where an order or institution is fully co-operative. The Ferns inquiry, which was swiftly conducted, was a non-statutory inquiry and there are certain advantages to that.

Finally, whatever format is adopted, clearly it should not in any way preclude live Garda investigations.

I again express my gratitude and appreciation to the many survivors who have come forward to me and others in recent days and who have expressed their wish to see specific outcomes from an independent inquiry. We look forward to engaging with the Minister on the shape of that inquiry.

Deputy Ged Nash: The first time I ever spoke in this House, I called for justice for the survivors of sexual abuse at the hands of the former surgeon Michael Shine. That was 12 years ago, and the survivors still await justice. Shine is the most prolific paedophile to have stalked the corridors of an Irish hospital. The number of boys he abused between the early 1960s and the 1990s is the hundreds. Many of them are friends and constituents of mine. Some are my age. It could have been me or any one of us.

Shine was imprisoned in 2019 for four years for the indecent assault of seven boys, but he was released early this year. The Court of Appeal ruled last year that a separate trial could not proceed due to his age, his health and the historical nature of the allegations before the court. Last August, the Office of the Director of Public Prosecutions indicated it would not pursue a series of additional cases. This news was utterly devastating for the survivors. The Smith review, commissioned in 2009, was an utter waste of time. It is locked away, sealed off from the survivors. Justice has been repeatedly and continuously denied to these men and their families, who have suffered enough.

Michael Shine is still alive. His conduct, and the system that allowed him to do what he did with impunity, need to be investigated in a formal, survivor-led commission of investigation, as do the activities of the Spiritans and others. This is not a new call - I have made it time and again in this House and in every other forum available to me - but it is a request to which the Government should finally accede.

Deputy Jennifer Carroll MacNeill: It is with tremendous sadness that I again contribute to deeply important statements on abuse at certain education institutions, specifically Willow Park Junior School and Blackrock College, which are located in the geographic heart of my

constituency. I will speak about four issues, namely, first and foremost, the survivors, as well as the broader school community in my constituency, the institutional and State response and clerical abuse more generally in Ireland.

Like every other Deputy who has spoken has done, I offer my deepest concern and sympathies to each of the survivors of this abuse for the physical and emotional pain they suffered as children, for the damaged memories and damaged relationships, for the secrecy forced on them, for the totally unjustified but often described “shame” put on them through absolutely no fault of their young innocent selves, for the burden they have had to carry through their adult lives, for the ways they have found to cope and to manage and for the bravery they have found to highlight the abuse done to them by vicious, vile men for whom no punishment can ever be sufficient.

I acknowledge the role of RTE’s “Documentary on One” and Joe Duffy’s “Liveline” in bringing this story into the bright light, but it had already begun with victims speaking to one another on social media, connecting and sharing and amplifying one another’s experience. The many survivors who have so bravely made their experience public - I pay tribute to Mark and David Ryan, Aidan Moore, Edward Herron, John Coulter, Corry McMahon, Louis Hoffman and Philip Feddis, to name but some of them - have given the freedom to others to recollect and disclose if they have wished to do so, to talk or not to talk, and they have pulled back a most distasteful veil that lay over a violent and viscous past.

As they have said and has been noted in the House, what is needed now is a victim or survivor-centred, survivor-led process that will enable the best of reparation and healing available. I acknowledge, as the Minister did, that that will be different for different people, and I urge the Government, in its communication with survivors, to continue to reflect on what model may best meet those needs, which she has indicated she is doing. My view is that a strong scoping exercise and a strengthening of the impact of the confidential committee within the inquiry model may - I stress “may” - help give much greater weight to the stories told by the survivors than was the case in previous inquest models, survivors who were voiceless in their abuse but need not be voiceless anymore. Their voices are the ones that should direct the next stages, and I was pleased to hear that approach expressed by the Minister.

There is a broader school community that is hurting deeply. Willow Park and Blackrock College are located in my constituency. I have spoken to parents of students who attend the school today, to parents who attended the school 20 and 30 years ago and whose children attend today, and to people who left the school many years ago. My son attends the school, and my nephews and members of my husband’s family either attend or once attended the school. Families throughout my constituency, from Booterstown and Blackrock to Shankill, have a connection with the school, whether a brother, uncle or other family member. The school is embedded throughout the community through many families, and so many people have a connection to it now or did so in the past. Everybody in that community has been impacted by these revelations of abuse. There are people, of course, who knew directly already through personal or family experience. Some people knew less. They knew of things that had happened to friends or family but had no idea of the broader scale. Other people knew nothing, yet voiced suspicions about this priest or that in the past. Let us not forget, most importantly, that some on the school campus knew quite a lot and did and said nothing.

From my interactions as a constituency representative for Dún Laoghaire and as a member of that school community, I have witnessed the high volume of communication that has hap-

pened over the past number of weeks in Blackrock in the most direct way through email and in the most innocuous way by children running to their parents at the edge of the pitch during rugby or soccer games. It seems that most of the broader school community genuinely did not know. People are coming to terms with the fact that this happened, perhaps even while they were there. They are only understanding now the real pain their peers went through and what they experienced. This community is hurting, appropriately so, but hurting, nonetheless.

I acknowledge the response of the Blackrock past pupils' union, which appears to have tried to take steps to offer total solidarity to those survivors and the community. It might seem like a small thing in the round, but its immediate cancellation of its annual lunch was an important gesture available to it and a symbol of solidarity. Ironically, there was some criticism of having cancelled the lunch because people wanted to come together to discuss this openly as a community, which I understand. Overall, however, the decision was the correct one. People simply cannot carry on as normal when something of this nature comes out. It was an appropriate reaction. I took heart from the fact that the criticism was there and people really wanted to come together to talk.

Part of the school community, of course, are the boys and young men who are in the school today. Boys aged from eight to 18, and younger, are certainly well able to discern what is being discussed about their own school in the media and other places. First and foremost, there is an essential need to protect all the boys from harm from any source. I will come back to that. However, there is also a measure of care needed by the school community broadly about how this is discussed with them, particularly the younger boys, to ensure that they manage this news about their own community well and that, crucially, everybody learns from it for the future.

How do we respond? What is the future? First, we need to do is ensure the protection of the boys in school today in Willow Park, Blackrock and, indeed, every school throughout Ireland. On this, I have deeply interrogated the current principal of Willow Park, who has been there since just 2016. I did so initially as a parent, through the Willow Park parents' association, with which there has been deep engagement on behalf of the parents and extensive information made available but also, of course, as a local representative with a deep concern for the school and school community. I deeply interrogated him in person, and I believe that the boys there are well protected and cared for today. The principal has made himself available to any parent who wants to talk in more detail. I am confident that any information in his hands will be made available to any inquiry or model established by the Government and that his approach is one of total openness.

It is important to say that the boys today are protected because of a genuine cultural shift from secrecy to transparency generally in Ireland, however, and in particular the response of Government. The Minister, Deputy O'Gorman, specifically referenced the former Minister for Children and Youth Affairs, Ms Frances Fitzgerald. Ms Fitzgerald stood up to the Catholic Church in 2011 and told the authorities she was legislating for mandatory sexual abuse reporting, no matter what. That followed the publication of the Cloyne report, which documented abuse in that diocese up to 2007.

I was there with the former Minister. As recently as 2011, the Catholic Church tried to resist mandatory reporting of child sexual abuse, using the completely useless legal and even more morally bankrupt argument, that the value of the seal of the confessional somehow competed with the reporting of child sexual abuse. I was Frances Fitzgerald's special adviser at the time. It is to her eternal credit, supported by the then Taoiseach, Mr. Enda Kenny, that she faced down

the men of the church in those weeks and went ahead in no uncertain terms thereafter to put the Children First principles, which had hitherto been guidelines only, into a statutory mandatory reporting space. That was among the first cultural shifts in Government that mattered. The measures outlined by the Minister, Deputy Foley, in her contribution and indeed, by the Minister, Deputy O’Gorman, the Children First Act and other various processes follow that cultural shift away from what children knew then. In the words of a Willow Park graduate, which appeared in an article on *The Irish Times* on 20 November, “Like every one of that generation, I knew instinctively that any complaints against a priest would be futile and that they would likely assume it was my fault.”

The real measure of response now is how we atone for the secrecy and hurt of the past. The only acceptable response now from every school involved and, indeed, every congregation and order, whatever the structures - I am past caring about the distinctions - is, as Deputy Bacik said, acknowledgement of wrongdoing, and a new openness, honesty, humility and accuracy. Every record should be made proactively available. Powers of compellability should not be necessary in respect of institutions that are proactively falling over themselves offering to help. These are the basic respects that are needed. This is what survivors and the school community deserve. This is the standard of protection children of the future deserve. Irrespective of the model agreed by Government next, that is the way for schools and congregations to genuinely lead now into the future, where their past has been such a sorry shame.

The rape and torture by grown men of young boys that happened in Willow Park and Blackrock was not limited to those schools, nor any of the schools discussed here today. It was a feature of Ireland of that time, and we hope it will never, ever be repeated. There can be nothing worse than a person having that secret hanging over his or whole life into adult life. Much of this happened in a different time, in a different culture. We were affected by this terrible evilness right across Ireland. It was so hurtful and damaging for the children who, as adults, are naturally still affected by it. My heart goes out to them and their families; their parents, siblings and friends. As we move to the future, however, we must do so in a way that shows absolutely no remnants of the tragedy and violence of the past.

Deputy Réada Cronin: I approach the debate with the desire and need to tread carefully and sensitively. The debate is about abuse at certain institutions but all Members present should be aware that if the number of people who have been sexually abused is one in four, then there are at least 40 survivors in this Dáil, 15 in the Seanad and at least 200 among the Oireachtas staff and media who work in Leinster House. Child sexual abuse is a disgusting and abhorrent thing but is not a rare thing by any measure.

My heart goes out to all of them, especially to the men who are coming forward now and who in the past were ignored, disbelieved or sent for psychiatric evaluation. My heart goes out, too, to all those who have chosen not to come forward and who will never do so. Some live with the story of what happened to them leaking out of them in all kinds of ways - we spoke about alcoholism. Others are doing the excruciating work of therapy privately or on their own terms. Still more have reached an accommodation with what was done to them and have been able to recover. The people who are coming forward now are just the barest tip of the iceberg.

I spoke to someone in north Kildare this week who was abused in their teens. This person told me how, unexpectedly, they find these current stories very triggering. The Minister can be sure that this constituent is not the only one feeling like this when it comes up. They are doing therapeutic work that will probably go on for a long time, and they are doing so privately. This

person told me that it is not just young ears that need to be protected, as the radio warnings go; it is also the old ears of people who were young when they were assailed. I was not shocked, because who can be shocked now? However, this person is so solid and capable that I was surprised. Then, given how there could be 40 of us in this Chamber, why should I be surprised? We, therefore, need to be careful about how we talk and to whom we talk. We never know the terror or sorrow another person might be carrying, including a sizeable proportion of our colleagues.

As legislators, we have a particular duty to recognise that while today we are rightly and necessarily scrutinising abuse at certain institutions, it does not let us off the hook. Our huge task is to keep examining abuse in broader society and safeguard this to prevent it happening to new people.

We know that most child sexual abuse happens within the trusted family. There are many mummies and daddies and uncles and aunts - we saw a case just this week - who are relieved that political and media attention is falling away from them and their homes and who are now on the prowl.

We also need to face up to how many teens are abusing each other and children younger than them. The 2009 annual report of the committee appointed to monitor the effectiveness of the Garda diversion programme found that out of 74 sexual offences, including 17 rapes and 40 sexual assaults, many were committed by under 18-year-olds. What is the number now in 2022? I dread to think.

The task we undertake today in addressing the issues of Blackrock College and elsewhere does not lessen or relieve us of our broader task of protecting our children. What would be the point in weeping with the victims and being outraged at the church unless we take our work as legislators as seriously as possible on an issue that can break a young life and damage it forever. I feel for the men who are coming out now in our still macho society. I say to them and to people in my constituency - those I have spoken to and those I have not spoken to but have had contact with - and especially our children that while these stories come and go in the media, their pain endures.

That is why our response must be victim-led. They must have full Garda and Tusla investigations because in their excruciating pain and often broken lives, the victims know what to do. We will be adding insult to serious injury if we treat them like the Women of Honour, who were treated with no honour at all. Their story is not just a headline or spectacle. It is not just a segment on a radio show or a debate in the Dáil but something they lived.

To the people who have come forward, the people who are dead and the people who cannot bring themselves to speak out, I say it is okay. We are a society and sometimes it is our turn to lead out and sometimes it is our turn to lean on. We in the Oireachtas, as legislators, should be here for all of them.

Deputy Catherine Murphy: The revelations in recent weeks about the extent of the gross sexual abuse inflicted on children in Blackrock College over decades are horrifying but we have come to the stage now that they are no longer surprising. How many times must we go through this process, order by order and diocese by diocese? We discovered the extent of the absolute destruction that paedophiles in the Catholic Church have wreaked on the lives of children. How many times must victims of these violent, powerful men be forced to sit down in front of a cam-

era or microphone and relive the worst moments of their lives and retraumatise themselves in the public sphere out of sheer desperation for justice? I encourage everyone, especially those who are making decisions in respect of the next steps in this case, to go back and to listen to Colm O’Gorman on the radio last Sunday. One particular line that really stood out for me was when he said that we have to start talking about the cowardice of society and not the courage of victims. We need to have the courage as a nation to look our history in the eye and to do so now. We still have no concept of the true scale of the damage and hurt, and the deaths, the Catholic Church has inflicted. We have had glimpses of it and the scale of it has probably terrified the State.

Many victims want justice. They want those who destroyed their lives to face up to what they did and be held to account and, of course, they want redress. Any inquiry should not be dragged out for a long time but it should take the time it needs to be comprehensive. There must be a full public inquiry with powers of discovery and it must be tasked with scoping out where other investigations in the education system, or elsewhere, must happen. Is it essential that the inquiry is public. The Spiritans cannot lead this process. The redress system run by the order is all well and good but it is a poor substitute for a true public investigation into what has happened in these schools and for an apology, convictions, if that is possible, transparency, accountability and redress. We know that at least 233 men have made allegations of child sexual abuse against 78 Irish priests from the Spiritans, with 57 of those cases having taken place at Blackrock College.

Only three of the priests accused of sexual abuse against children were convicted and only one of those has been removed from the priesthood, and that was at his own request. Some €5 million was paid out in settlements to victims and the men who destroyed their childhood were left to retire in comfort on Spiritan property. We need to properly come to terms with the systems at play which allowed these men to prey on vulnerable children with impunity. We know the ingredients - access to children by a trusted adult above reproach - but we also know that these people abused that trust and stole the innocence of children.

In the WhatsApp group for the Blackrock class of 1980, a man told his schoolmates that he had been abused by Father Senan Corry in Willow Park. “No one had a clue that he’d been interfered with”, one of his classmates told *The Sunday Times*, but “at the same time I thought, did Corry not interfere with everybody?” In a book honouring deceased Spiritan members produced by the order, Corry, who died in 2004, was described as an entirely dedicated teacher, a man who would be remembered by generations of students for coaching junior rugby teams. Imagine a victim reading that?

There is no question that most priests in the school must have known what was going on and did nothing. There was no secrecy at play here. If clergy were not actively abusing children themselves, many were complicit in that abuse and should face consequences. We cannot continue with this piecemeal approach towards justice for victims of clerical abuse. The State has clear obligations to be proactive in uncovering human rights abuses and the provision of redress, and we are failing. We need a permanent office of investigation, not just for this issue but as an approach, with full legal powers to investigate these matters and others in the public interest. Such an office would retain vital expertise and knowledge, which are lost by the incremental approach to inquiries. Our current approach is not good enough at exposing the system at play, between individual audits, the State, the Vatican and within society as a whole. Even when we do expose historical abuse the State inflicts further damage to victims in the name of so-called redress.

In 2014, the European Court of Human Rights, ECHR, ruled that the State failed to protect Louise O’Keefe who was abused in her primary school in the 1970s. The State responded to that ruling with the most callous redress scheme one can imagine. This scheme required victims to prove to the State Claims Agency that the abuse inflicted upon them as children could not have been avoided and only made a paltry amount of redress available in the scheme to victims who had sued prior to an arbitrary date in 2021. Are the victims who do not sue less deserving of justice? We need to have a complete gear shift in how we treat survivors of abuse in this country. We have failed them from every angle and that needs to end. We need to see a different approach on this occasion.

The Minister for Children, Equality, Disability, Integration and Youth, Deputy O’Gorman, went through a whole list of things that have been done and I acknowledge the comments made in respect of Frances Fitzgerald. Tusla, however, does not have the capacity to deal with many of these historical cases. There is not the number of social workers that are needed and there are long delays. The Minister for Education, Deputy Foley, said that people felt entirely unsupported and that retraumatises people. If we are going to do this, we need to provide the capacity and resources to deal with it in a comprehensive and timely manner when people make complaints. If convictions can be secured, that must happen.

I would welcome the Minister’s comments on how she intends to proceed, the timeline she is working to and how she will engage with the Opposition.

Deputy Cormac Devlin: I welcome the opportunity to discuss the recent revelations of abuse in schools by the Spiritan Order. The details of the abuse and its handling by the order are deeply disturbing. It is heart-breaking to see so many people impacted across all the order’s schools and through so many generations. It is important to remember that crimes have been committed and should be investigated by the An Garda Síochána. This process must not be compromised. I am conscious of this while discussing this matter today. However, given that many of the individuals accused of abuse are deceased, it will be for another form of investigation to deliver transparency and accountability for the victims.

Earlier this month, the Spiritan congregation, formerly the Holy Ghost Fathers, disclosed that 233 men have made allegations of abuse against 77 Irish Spiritans in Ireland and overseas. Of that number, 57 men have alleged they were abused on the campus of Blackrock College and Willow Park in Dublin.

3 o’clock

The number of people who have made allegations of abuse at Spiritans schools has since risen to almost 300. The Spiritans run three other colleges in Dublin, St. Mary’s College in Rathmines, Templeogue College and St. Michael’s College, as well as Rockwell College in Tipperary.

I have been struck by the courage of the survivors who have spoken out, particularly David and Mark Ryan, as well as John Coulter, Corry McMahon, Louis Hoffman and Philip Feddis. I thank the former pupils of Blackrock College and Willow Park for their engagement over the past few weeks. It has been extremely difficult for the individuals who have come forward, those who have yet to come forward and those who may never do so. This is traumatising for those who have been victims of abuse at any stage of their lives. I know they have been stunned by the extent of the abuse, with groups meeting up as far away as Sydney to discuss

the situation. There is a deep sadness and outrage among these groups about what their fellow pupils have endured. They are clear there is a need for transparency and for the truth to come out. They have questions about how this could have gone on unabated for such a long period. There is concern about how individuals with a history of abuse could have been in positions of authority in Willow Park well into the 1990s. It is clear the Spiritans were aware of the situation. They need to provide transparency around their handling of the abuse and the perpetrators. Parents, equally, have been shocked by the extent of the abuse. Many worked hard to send their boys to Willow Park and Blackrock College.

It is important to identify the most effective way to conduct an inquiry while ensuring it is survivor-centred at every stage. I welcome the Minister's comments and the Taoiseach's assurances on this. It is also important to consider previous inquiries, statutory and non-statutory, and the lessons we can take from these, including in respect of length of time, findings and challenges.

We have seen a number of formats for inquiries into historical sexual abuse over the past 20 years in this country. The Ferns report, for example, was presented to the Government in October 2005 and was the result of a non-statutory inquiry established by the then Minister for Health and Children. The report identified over 100 allegations of child sexual abuse against 21 priests made in the period 1962 to 2002. It also set out a number of recommendations which have since been implemented. The Commission to Inquire into Child Abuse was a statutory inquiry that presented its report, known as the Ryan report, in 2009, after ten years of work. The commission consisted of two committees, a confidential committee for those who wished to tell their story and an investigative committee with powers to investigate. The confidential committee heard testimony from more than 1,000 people who had experienced sexual and other forms of abuse. The full implementation of the Ryan report's recommendations will be completed with the establishment of a national centre for remembrance and research, which will contain a national archive of historical records relating to institutional trauma in the 20th century.

The Commission of Investigation into the Catholic Archdiocese of Dublin was established on a statutory basis in 2006 and its report, the Murphy report, was published shortly after the Ryan report in 2009. It examined over 320 complaints of child sex abuse by Dublin clergy and how these allegations were handled by the church and State authorities. The Commission of Investigation into the Catholic diocese of Cloyne was established on a statutory basis in March 2009. Its report was published in July 2011 and examined how allegations of sexual abuse of children against 19 priests in the diocese of Cloyne were dealt with by the church and the State authorities. The report of the interdepartmental committee to establish the facts of State involvement with the Magdalen laundries, also known as the McAleese report, was published in 2013. The Commission of Investigation into Mother and Baby Homes was established in 2015 to provide an account of what happened to women and children in mother and baby homes during the period 1922 to 1998. Its final report was published in January 2021. We are all aware of the difficulties with the report published by that commission.

The extended nature of some of the inquiries needs to be considered, as noted by colleagues across the House today. It is important that any inquiry would produce a report in a reasonable timeframe, giving consideration to the needs of victims. It is also important to note that very strong child safeguarding procedures exist in all schools, the Department of Education and the Garda. Reflecting on the revelations, I note the motto of Blackrock College, "Faith and Strength". It is clear the survivors of abuse at the college have shown great strength and

courage in coming forward. It is imperative that the Government and authorities work with the survivors and their families to deliver truth, transparency and accountability. The staff, pupils and wider school community in Willow Park and Blackrock College have been there to support each other and discuss these horrific revelations but it is imperative that we try to establish a conclusive inquiry with the victims at the centre to ensure we uncover the truth, that justice is served and that this is done speedily.

Deputy Patricia Ryan: Over 230 people have made allegations of abuse against 77 Irish Spiritans in ministries across the island and other countries where the order operates. A large proportion of the allegations were from pupils of Blackrock College. Further allegations of sexual abuse in schools run by religious orders, including Castleknock College, have emerged in recent days.

I commend the survivors on their courage and bravery in coming forward. Of course, others have not yet come forward. I urge anyone directly or indirectly affected by this abuse to come forward. In the past, they may have felt their experience should be hidden or that they would not be believed. Help is available. Groups like One in Four are doing great work in helping survivors.

We need an inquiry into this matter to ensure we learn lessons from the past. The Taoiseach and other relevant Ministers need to urgently meet with survivors. We need a victim-led approach to the inquiry. Truth and justice for them must be at the centre. The Scally inquiry provides an excellent model. It has provided a more efficient, flexible and cost-effective model than the traditional tribunal of inquiry and commission of investigation models and led to clear recommendations. Garda investigations are ongoing but there is nothing to stop an inquiry laying the foundations now. An indicative timetable for an inquiry needs to be published as soon as possible.

The voice of survivors is paramount. The Government must listen to their views, take them on board and act to ensure they receive justice. In recent days, I read an account of the experiences of Peter, who was a pupil of Newbridge College in the 1970s. According to Peter, child sex abuse was rife at the college. It did not seem to be a secret. On his second night at the boarding school, boys in years ahead of him warned him who the dangerous priests were, who never to be alone with, who just stared in the showers and who was predatory in the dorms and, especially, the infirmary. The infirmary, he said, was connected directly to the priory accommodation where the priests lived. He was fortunate to avoid direct sexual abuse. He had a few close encounters that could have turned nasty but he ran, having been forewarned. He was fortunate but some others were not and the abuse went far beyond feeling and staring in the showers. He has attended two funerals of classmates who later tragically took their own lives, having hidden the abuse they suffered from their wives and families but having carried trauma, shame and misplaced guilt for decades in their tortured minds. He goes on to say they never told their parents for a variety of complex reasons, fear and shame being top of the list, along with not being believed. He cannot stomach the other priests who clearly knew what was going on and did nothing about it.

Unfortunately, stories like Peter's are not unfamiliar to anyone in this House. It is a pattern that has been unravelling for many years. Victims must have justice. They deserve it. The families of those who died deserve it. Justice must be done and be seen to be done. Those who cannot yet bring themselves to tell of their experience need to see a process that takes their views into account. So-called pillars of society have been involved in these heinous crimes for

too long and have felt untouchable. That has to end now. As the old saying goes, let justice be done, though the heavens fall.

Deputy Bríd Smith: On behalf of People Before Profit I express our solidarity to the victims. I thank those who came forward to raise this issue and brought it into the public eye. We owe them a deep debt of gratitude. There was something different about this particular revelation. We have been heaped with revelations of abuse of men, women and children by clerics and the churches over recent decades. What was different about this was the sense of shock across society that it involves a school such as Blackrock College in a middle class area where the parents had to pay hefty fees to have their boys educated. We might have assumed that children there would have the confidence to be able to articulate how they feel about what was going on and would prevent any sort of abuse in their lives. However, we saw horrifically that that was not the case.

A very good friend of mine, a wonderful articulate intelligent man, took his own life a few years ago and subsequently his brother took his life. Both of them attended Blackrock College. I will never know and their families will never know. If it was the case, they did not speak out about it.

The call from the victims for a full inquiry must be supported but the issue facing us in the Oireachtas is about the type of inquiry. As has been said, 233 men have come forward and the order has paid out €5 million in compensation. One of the most important things we can do for the victims is to conduct a criminal inquiry. It needs to be a criminal inquiry that has teeth and will also use Interpol to track down what happened throughout the lifetime of the record of abuse by this order.

A victim of the Jesuit Order in Belvedere College visited my clinic during the week as a consequence of the revelations. He said they want to see a criminal investigation of paedophiles. As we have seen, if a drug dealer travelled across the world dealing drugs and accumulating money from it, Interpol would help the Irish police to follow them around and to build a case against them.

Blackrock and the Spiritans showed, just as the mother and baby homes did, that the effects of abuse are not historical artefacts of a bygone era but that the trauma and suffering continue today. Making a statement and offering apologies is fine. However, we in the Dáil need to decide on the proper response of the State to the systemic and widespread abuse of women and children, and indeed of men by religious orders. To date we have failed miserably. We debated the redress scheme for mother and baby homes and all of the wrongs done to women. We have looked back at how inadequate the deal done by the former Minister, Dr. Michael Woods, was. We estimate that millions of euro are outstanding in restitution to the State from the church and the redress schemes have been totally inadequate.

The elephant in the room remains the control and dominance that the Catholic Church has over the education system and, in particular, over our health and other vital public services. Years after the Ryan inquiry and decades after the scale of abuse in our church and institutions came to light, we have failed miserably to take the one action that would, more than any apology or compensation scheme, say that we have truly learned the lessons of the past. We have failed to separate church and State. We doubled down on it recently with the move of the National Maternity Hospital from Holles Street to St. Vincent's. Many of our hospitals are still under the control of religious orders on land owned by those orders and are subject to Canon

Law and Catholic ethos. In recent years, Catholic religious orders worldwide have transferred their assets into Vatican-approved charities but the ethos continues. This sort of transfer is common throughout Ireland.

Some 95% of primary schools are denominational and 89% of those are run by the Catholic Church. The patron, the Catholic Church and the archbishop, determines the ethos of the school. It appoints the board of management and the board of management manages the school. The board of management is the teachers' employer. That might be fine if it was a private arrangement, but it is not. The State pays the teachers' salaries. It pays for the running of the school. It covers the bulk of capital costs, etc. Therefore, we have a religious education that is dedicated to a faith. We have a sex education system that is totally inadequate to give children the tools needed if they come across any attempt to abuse them in school, at home or in wider society.

In the Republic of Ireland and Northern Ireland schools remain exempt from employment equality legislation, meaning that teachers may be treated differently in the eyes of the law. The real honour that we can give the victims of abuse of any sort in the care of the State or the church is not to suggest that the State was blameless and compound the insult to those children and their families, but is actually to set about the real task of separating church and State. The State gained a lot by handing control of health and education over to the church back in the day, when the State was founded. It yielded in obedience and showed in a wider sense in society that people do speak up for themselves and that they must be humiliated and carry guilt. All of that has been expressed in the sort of society that Ireland has been up to now.

Thankfully, these people are speaking out. For many it is too late, including the young men across Ballyfermot who took their own lives having attended De la Salle College and other schools in the area. Many of them do not have a voice today but let us do the right thing by them all and end the legacy of the total connection of church and State in vital services, particularly in education and where children are concerned.

Deputy Ruairí Ó Murchú: It seems we have been on a rollercoaster since the 1990s with these revelations of abuse involving the church and educational institutions, particularly those educational institutions where the church had control. We all remember how shocking it was when we first heard about Fr. Brendan Smith and it has just continued since then.

We have all spoken previously about the many failures of the State in how it looked after or failed to look after its young people and women, in particular, people who did not have power. Beyond that we have not put in place the tools that are necessary to look after the needs of people who have been utterly failed by us, who were abused and in some cases greatly damaged. At this point, we are dealing with the issue of the Irish Spiritans. A total of 233 people have made allegations against 77 Irish Spiritan priests. That 57 of those who have made allegations are former Blackrock College pupils is utterly horrendous. These numbers are expected to increase and we do not know where it will stop.

We know what has happened with commissions of investigation, commissions of inquiry and tribunals across the board. In some cases, the timeline was too long, thereby extending the length of time that justice was denied. In addition, they came at enormous cost. We have to put something in place that can actually deal with this issue in a timelier way. We need to ensure that those who have been abused get their right to be heard. The necessary investigations need to be carried out. We need to ensure that those who did wrong are held to account as much

as possible. Obviously, some of these cases will relate to people who have died. We need to ensure we do right by those who have been abused, those who are not with us and those who need support.

We need the proper means of dealing with this. Many people have spoken about a Scally-type report. We need to follow best practice. We need to put it in play as quickly as possible and we need to lay out a timeline. That is the least people deserve. I do not think any of us can put into words the hurt, pain and damage that was done in such a disgraceful, reprehensible and inhuman way. We all accept a significant amount of abuse happens in family settings, but the problem is that people, including priests, were protected and there was a continuity of abuse where it should have been stopped at the beginning, and that is something we must address.

A man in his 60s came to my office recently to talk about the abuse he suffered at the hands of the Christian Brothers. It is an issue he has probably dealt with from time to time, and he has got on with his life, but it is a pain that is always there. All we are trying to do when talking to him is to signpost him in the right direction, be it to An Garda Síochána and counsellor services. The fact is that his pain is still the pain of the young boy who was abused many years ago. We have to do whatever we can to give protection to all people who were put in a situation, in which they should never have been, by abusers and we have to make sure we do not add more pain to the pain of the abuse they suffered over many years.

Deputy Peadar Tóibín: It is absolutely incredible to hear of these types of abuse cases again. It is 30 years since the country was rocked by case after case of clerical abuse that came to light in such a devastating way for the victims. It is incredible that each decade that has passed since then, we have seen a repeat of such cases.

Survivors of what happened in Blackrock and Spiritans schools have displayed enormous courage in coming forward and shedding light on these horrendous crimes. I give the solidarity and support of my party to those survivors and I pay tribute to them for coming forward. It is a fact that the effects of these crimes last a lifetime. Many people are still struggling to cope with what happened to them. Incredibly, 38 people posted reports of abuse on a dedicated Facebook page over an eight-week-period. The scale of this is extremely significant. Some 25 men from the class of 1979 posted stories of abuse they suffered, which amounts to 21% of the class. There is no doubt in my mind that an extremely dangerous environment was created in these schools and there is no way that abuse was not within the knowledge of those who should have brought that information to light at the time. The abuse took on many forms, including physical, sexual, emotional and even spiritual.

First and foremost, the survivors must be at the very centre of any investigations or truth process, how they are run and what happens afterwards. Investigations should find facts, take witness testimony, review evidence, make findings of fact into the systemic issues that caused these situations and, importantly, they must be time limited. I will come to that point later. It is also important that live Garda investigations should be allowed to run concurrently. All abusers and people who were complicit in cover ups should be held to account to the full extent of the law and punished for their crimes.

On the back of meetings with survivors and the Spiritans, a pilot restorative justice programme was set up and I welcome this. Uncertainties around general data protection regulation, GDPR, have been raised with me as it is causing difficulties for investigations. I ask the Minister to resolve this if she can.

The most important issue facing us as a result of all of this is to ensure these situations do not happen again. It is important to find justice and truth for what happened in the past, but we have a moral responsibility to make sure the children of this generation going through schools are 100% safe. Abuse happens where there is power, access and opportunity. We need to make sure there is not a confluence of those three conditions in the same manner ever again in the State.

Despite decades of such information coming to light, our country is extremely poorly equipped to investigate what happened. While we hear very strong and worthy words in measured tones in this Chamber, year after year, the truth of the matter is that we do not do survivors justice. I will give a number of examples of what I mean by that. There is a pattern in the way Governments have dealt with this. We have got an apology from the Government and a promise to survivors that they will be at the centre of any investigation or process. However, we usually had a prolonged process that sometimes did not get to the full truth and left survivors being wronged by the State again.

I refer to the situation involving the Women of Honour. The women got a fine apology from the Minister for Defence. They were told they would be at the centre of the terms and conditions of the investigation that would be established to find out what happened as a result of the grievous abuse they suffered at the hands of a State organisation. The terms of reference were then written without proper consultation with the Women of Honour and the process is now going ahead independent of their support. They are left out in the cold in respect of an investigation that should have been about what happened to them.

I am also reminded of what happened with CervicalCheck. We had apology after apology by Taoisigh in this Chamber and a tribunal. Those apologies promised that no woman would have to go to court again to achieve justice for what happened to them in regard to CervicalCheck. Yet the Government created a tribunal that forced women to go to court, over and again, to get to the truth and justice about what happened to them in the CervicalCheck programme, many of whom were involved right up to the days they were dying. This is an incredible situation.

I also raised the case of Louise O’Keeffe who did tremendous work bringing abuse that took place in the school system to light. In 2014, the European Court of Human Rights ruled that the State failed to protect Louise O’Keeffe. In 2019, it emerged the State system to deal with survivors was wronging those survivors. The independent review carried out by a judge of the High Court, Mr. Justice Iarfhlaith O’Neill, found that the terms of conditions were so stringent that nobody was able to be processed through that. The then Taoiseach, Deputy Varadkar, said that the State failed them at the time, it failed them a second time and it did not live up to its responsibility. He said that they would not be failed a third time. Again, the new system that was created is still stopping survivors achieving justice in that process. There was also the situation in which a survivor who did not litigate before July 2021 was ruled out of the process. In the case of two survivors, one litigating before July 2021 and the other litigating after that time, and where both experienced the same level of abuse, the latter was ruled out of the process. This is absolutely wrong. The commission of investigation system is broken.

Obviously, the issue of Siteserv is of a different order, but it is an example in which 38 modules were to be investigated, starting in 2015. Just a few weeks in, that commission of investigation literally got to the bottom of what happened in the first module. Truth and justice have to be timely. If it is denied from people, it is not justice. If it is denied over time, it is not justice. We need to make sure there is reform of the system so that it will work far more efficiently.

I also raise the case of the 350 victims and survivors who were sexually abused by Michael Shine between 1964 and 1994, many of whom were in the hospital in Drogheda not far from me. I know many of those are still awaiting the truth, an apology and justice for the trauma caused to them. We cannot exclude victims. To be honest, we are getting to the stage where no one wants to see such a revelation happen in three, four, five or ten years' time again. Is it not time that we create a permanent commission of investigation, in the same way the Workplace Relations Court is a permanent organisation, that has the necessary skills and staff and can build a critical mass of competency to be able to deal with these investigations? Is it not time we investigate everything that happened to victims in all the institutions and schools, once and for all? Can we not put a full stop over these situations and make sure that nobody else has to come through this same process?

Deputy Richard O'Donoghue: On 19 November, some 13 years after the publication of the Ryan report, the Taoiseach confirmed that a further inquiry will now be set up to examine allegations of abuse at one of the country's leading private schools, Blackrock College. The inquiry should cover other schools about which allegations have emerged in recent weeks. Complaints have been made about abuses in other Spiritan-run schools including St. Mary's College and St. Michael's College in Dublin, Rockwell College in Tipperary and many more schools around the country. It is crucial that the Government engage with victims' and survivors' views and ensure that the approach is victim-led.

Over the last two weeks, following the documentary broadcast on RTÉ Radio 1 on 9 November, the pressure for an inquiry to be announced has been building. In that documentary, two brothers spoke of having been sexually abused by a priest at Blackrock College in the 1970s. I believe 233 people have now made allegations in this regard. There can be little doubt that, when deciding on the model of the proposed inquiry, the Government must show it has learned from the previous public inquiries into clerical child abuse in Ireland, which have often taken longer than anticipated. If we have learned anything from decades of cases of abuse carried out by predatory paedophiles it is that, as long as they could hide or were concealed, they posed a danger. It is crucial that all of those crimes are now acknowledged and that the facts are put on record so that such things cannot happen again. Whatever investigation takes place, it is essential that it does not impede inquiries being carried out by An Garda Síochána.

This hits home for everyone in this room, across the House and in all parties. It hits home when you see people who entrusted their children to a school only for them to be abused by people they trusted. This is like *déjà vu* all over again. We have seen cover-ups in respect of the mother and baby homes and in respect of clerical abuse, including in these cases. These people have to be brought to justice. During Leaders' Questions today, I brought up the cover-ups in the HSE. Within our own hospitals, mistakes are being covered up and millions in taxpayers' money is being spent to hide things and silence staff rather than to tackle the issue at hand and protect vulnerable people, that is, the patients and staff within our hospital systems. This is my first term as a politician and it sickens me to see the bureaucracy that is in place. We are here as protectors of the people. We are seen as the protectors of Ireland and of everyone in it. Regardless of whether they are from the country or the city or whether they are of different nationalities, we are here as their protectors. It saddens me to see that, every time we try to do something to help, bureaucratic bull, legal measures and cover-ups are put in place and it takes years upon years before the people who have been abused can be dealt with.

That is also the fault of Government in trying to protect the coffers, the Catholic Church and those within the church who have done wrong. There are people within the Catholic Church

who have done fantastic work but there are also people within it who have done serious wrong. We can see that here today. We can see it in everyone's faces as they talk about this. What we have seen can happen is cutting us in two. I would now like to see accountability and full transparency. I ask the churches and schools to fully disclose every bit of information they have to help the victims and to stop dragging it out for years while waiting for people to die, to commit suicide or to become mentally ill. It is now time to help the people who have been abused.

As I said earlier today, it is disheartening to see taxpayers' money being used to protect people who have done wrong, even within our hospital systems. People who have done wrong should put up their hands so that we can fix the problem to ensure it will not happen again. They should take accountability for their actions. Everyone can make a mistake. If you want to fix the mistake you have made, it can be fixed, but covering it up only shoves it down the road for decades, causing harm, mental health difficulties and serious injuries to people. I am delighted the Minister is at the helm. She is a good person. However, we need people to make full disclosures if we are to ensure that all victims of abuse are looked after and that the people who carried out the abuse are brought to justice swiftly, rather than being protected as part of efforts to protect property, funding or anything else. They have to be brought to justice now and there has to be accountability now. We need to get help for the people.

Deputy Catherine Connolly: I fully support the calls for an inquiry. I hear what the Minister said in her speech. She acknowledges the need for an inquiry and is in the middle of taking steps to determine the best type of inquiry, to be led by the survivors. She points out on the first page that "The sexual abuse of a child is repugnant to the whole of society and is a reprehensible abuse of power and trust." I disagree with the Minister in the sense that the sexual abuse of a child was never repugnant to those who carried it out, to the Catholic Church or to the management of all of these schools. That is the problem and we have never faced it. I believe the ethos of Blackrock College is "Bold and fearless". That should be changed to "Brazen and shameless". That could also apply to many other institutions.

The Minister talks about listening to the survivors. If she does, I will welcome it. I will also welcome an inquiry if it is survivor-led. My experience to date does not give me confidence. Why do I say that? Let me look at a number of things, including the sexual abuse and violence in Ireland, SAVI, report from 2002, which confirmed that the prevalence of sexual abuse was incredibly high but about which we did nothing. Since I came in here in 2016, my colleagues and I have fought for a review of that SAVI report but we closed our ears and our eyes and did not want to know. If you look at the redress board we set up in parallel with the Ryan investigation that has been quoted so often here today, you will see that we made it an offence for people to open their mouths about what they got as an award. We made criminals of them. We then moved forward to the Magdalen laundries redress scheme, the operation of which the Ombudsman described as "maladministration". We also set up Caranua and I repeat how inappropriately named it was. It was called "new friend" when it was the old enemy. There are many other examples of absolute refusal on our part, the most recent being the mother and baby redress scheme, with which we are proceeding on the basis of saving money despite it being a completely and utterly discriminatory redress scheme.

With all of these shocking reports, we have had to rely not only on the courage of those who came forward, but also on RTÉ to give us a documentary, on Joe Duffy's show and on other shows. As a society that is learning, do we not have to ask why we have to rely on documentaries and victims having the courage to expose themselves all over again in the most traumatic way to make us aware of what is happening? On the allegations that have come forward, the

current provincial has confirmed that 233 people have made allegations in writing against 77 priests in ministries throughout Ireland and overseas. The Dominican order has received 97 complaints of alleged child sexual abuse. The bishop of Galway, who presided over a 40-year period of our morality, was a Dominican. Archbishop McQuaid in Dublin was a Holy Ghost priest, or Spiritan as they are now called. The Dominicans had 97 complaints against a large number of its order. The Carmelite order has confirmed that 56 people have made allegations against 21 members. I am racing through these facts. The Vincentians have disclosed that 46 people had previously reported being allegedly abused, and so on. I will not go into the details. The Jesuits, who we thought were above all of this, are aware of 149 allegations, which have taken 14 years to qualify. They come out as very educated priests and they are saying they are aware of 149 allegations in total against 43 Jesuits. Just one case has led to criminal proceedings. There are 124 abuse claims against 26 Franciscan friars.

I am only mentioning some of them. That is the picture within which we discuss this matter today, on top of all the institutions that have been investigated. We are looking at small parts of the jigsaw when we have never looked at the overall picture. There was total control by the Catholic Church, as represented by their bishops, priests and archbishops, over public morality. There was also the political influence and control over public affairs, public morality and personal behaviour.

Various things jump out. I think of Joanne Hayes in the 1980s. The gardaí ended up investigating Joanne Hayes's sexual morality. This investigation was led by an all-male team of lawyers, an all-male team of gardaí, and a male judge. I wonder where they were educated and I wonder where they got that ability. They come up with a theory of superfecundation: that this woman had sex with two men within a short time. I also think of the little girl in Longford who thought that her only way out was to give birth at a grotto. I think of the 1980s and all of the changes to our Constitution to control women's health. I could go on. I think of the mother and baby scheme that was thrown out of this august building, at a time when Archbishop McQuaid was in full control. I also think of Louise O'Keefe. We never listened to children. We turned a deaf ear to them and then we put every possible obstacle in their way, including non-disclosures. I will take one second to come back in later on Dr. Michael Shine. I have referred to non-disclosure agreements and to Louise O'Keefe. The State took Louise O'Keefe all the way to the European Court of Human Rights, and to establish what? She had to establish that schoolchildren were entitled to be protected from sexual criminals in the classroom. This was in 2014. This is not historical, unless there is a new meaning of the word "historical".

We then have somebody like Fergus Finlay in the *Irish Examiner* asking why we still allow these religious orders to exist. He wants them to be shut down. This is the same man who thought it was okay to hand over the maternity hospital to the St. Vincent's Private Hospital Group, with its Catholic-controlled ethos.

It is important also to refer to the fact that we have all been in receipt of correspondence in relation to Dr. Michael Shine. This has been mentioned a few times. There are 350 victims of Dr. Shine, allegedly, and we have not had an inquiry into that. One could despair. I do not just want to stand in solidarity with the victims and survivors, who are asking for a statutory inquiry, but to do something and to broaden the discussion to cover what schools produced our leaders, our doctors and our consultants - the people who abused women, who refused to listen to them and who determined the discourse or the absence of discourse in this Dáil over all of the years. It has been 100 years of containment in institutions, which was eloquently captured by James M. Smith of Boston College when he spoke of the "architecture of containment" of men and

women, but unfortunately mostly women.

Minister for Education (Deputy Norma Foley): I acknowledge and express my thanks to colleagues for their contributions on this important issue. It is absolutely clear and it is equally unambiguous that this House considers the recent shocking revelations of abuse in certain schools to be deeply disturbing, and that the House is of the view that a strong and considerate response is required with the view of the survivors being absolutely central to that response. I look forward to engaging further with Opposition colleagues next week on this issue. I am confident that this engagement will help to ensure the State's response to this issue is appropriate and effective. It is important that it would be effective.

As I have already mentioned, my primary focus at this time is to listen to survivors, to listen to their experiences and to hear their views, their opinions, their thoughts and their vision of how we should proceed. As I have already confirmed to the House, I have met with a number of survivors in recent days, and this will continue in the coming days so that I can hear from them at first hand. Ultimately, this will inform the path forward that the Government will pursue.

The experiences we have heard in recent weeks are deeply disturbing and heartbreaking. It is clear that the individuals who have come forward to tell of their experiences have been deeply affected and traumatised by their experiences, as have all survivors of abuse and indeed their families. This point is made consistently to me by survivors regarding the impact it had on them as individuals but also on their families.

I reiterate that sexual abuse of a child is abhorrent and is absolutely and truly an abuse of trust and power. With regard to where we stand presently in our schools, I confirm that there is a robust system of child protection in place in our schools. This system includes enhanced mechanisms for detection and reporting; mandatory reporting of child protection concerns, which is such a positive and important feature of child protection measures in schools; vetting; and greater overall awareness of better child protection. While we can never be complacent, it is clearly the case that our schools are giving the highest priority to child protection in our schools.

The system for child protection, as previously outlined, is underpinned by the Children First Act 2015, which is there to provide for the mandatory reporting of child protection concerns by key professionals, including school staff and management, and to improve the arrangements for child safeguarding in organisations that provide services to children, including schools. To support schools in meeting their responsibilities, the Department of Education has in place child protection procedures for primary and post-primary schools. As I have outlined previously, compliance with those procedures is overseen by the Department's inspectorate.

It is of utmost importance that survivors of child sex abuse will know that there will be a serious and significant response across the Government to this issue. I have already begun engaging with Government colleagues in this regard. The Government is currently considering the most appropriate and effective ways to progress this matter. As I have said, I look forward to the engagement that the Opposition and colleagues here in this House will provide as part of that engagement.

It is crucial to ensure that any process of inquiry will result in an outcome that is sought by survivors. To ensure this, as I have said, we will continue to engage with them. It is clear also that different individuals have different perspectives but it is my hope that with consistent and open engagement with survivors, and with colleagues, we will find an approach that will meet

the needs, the demands and the visions of all involved.

I appreciate that it has already been pointed out in this House - and I have also referred to this - that we can learn from the strengths and challenges of previous inquiries that played an important role in highlighting the appalling legacy of child abuse in this country. It is also crucial that any steps taken by the Government, in consultation with survivors, do not in any way impact negatively on the ongoing or future investigations by An Garda Síochána. Sexual abuse is a criminal act and it is of the utmost importance that any crimes that have been committed are fully and effectively investigated by An Garda Síochána and the perpetrators of such heinous crimes are held to account. From listening to survivors over recent days, I am aware that very few have thus far had the opportunity to see their abuser face justice. I am equally conscious that it is critical we do nothing to jeopardise any future remaining opportunities to do so. I have been assured that those coming forward with allegations will be treated with the utmost sensitivity by An Garda Síochána. Again, therefore, I urge anyone who has experienced abuse to consider coming forward using the contact details I mentioned earlier in order that action can be taken to hold those responsible for these terrible crimes fully accountable. The appalling acts perpetrated against children and young people merit and need a significant and strong response from the Government. I confirm to the House again that the Government is absolutely determined that such a response will be provided.

Ábhair Shaincheisteanna Tráthúla - Topical Issue Matters

Acting Chairman (Deputy Denise Mitchell): I wish to advise the House of the following matters in respect of which notice has been given under Standing Order 37 and the name of the Member in each case:

Deputies Thomas Gould and Mick Barry - to discuss the loss of jobs at the Butcher's Block in Cork.

Deputy Aodhán Ó Ríordáin - to discuss the proposed reconfiguration of primary schools in Raheny.

Deputy Dessie Ellis - to discuss incorporating the suitability test into the national car test, NCT, for small public service vehicles, SPSVs.

Deputy Paul Donnelly - to discuss teacher recruitment in Coolmine Community School, where many students lack access to metalwork, woodwork and technical graphics classes.

Deputy Pádraig O'Sullivan - to discuss the announcement of the site of the new elective hospital in Cork.

Deputy Bernard J. Durkan - to discuss the issue of emergency medical cards.

The matters raised by Deputies Thomas Gould and Mick Barry; Pádraig O'Sullivan; Bernard J. Durkan; and Aodhán Ó Ríordáin have been selected for discussion.

Forestry: Statements

Minister of State at the Department of Agriculture, Food and the Marine (Senator Pippa Hackett): I am grateful for the invitation to address the House. I welcome the opportunity to speak to Members about forestry at a time governments across the globe are seeking to implement policy solutions to tackle the climate crisis. In recent years we have had our own crisis in the forestry sector, with particularly low planting rates. Today I will outline the Government's plans to reverse that trend and to put in motion actions that will help us to deal with our climate change challenge as well as addressing other important environmental and societal needs.

Planting trees is one of the most effective actions we can take to tackle climate change. Compared with our fellow EU member states, we are coming from a relatively low base, with forest cover of 11.6%. This low level of existing forest cover gives us the scope to increase tree planting significantly as part of our climate change mitigation efforts. Since taking on ministerial responsibility for forestry, my primary focus has been to address the barriers to planting and to understand better what Irish people want from our forests in order that we can progress towards our target of planting 8,000 ha per annum.

I recently launched a new shared national vision for trees, woods and forests in Ireland until 2050. This vision is rooted in the principles of planting the right tree in the right place, for the right reason, under the right management. The shared national vision also sets out our vision to use wood as a material of choice in the buildings we construct. We canvassed views across society to inform our shared national vision. That consultation was wide and deep; we sought views from communities and young people, from a representative sample of citizens in a deliberative dialogue, from all sectors of society through a public consultation process, and through a series of engagements with stakeholders from across the sector.

The draft forestry programme and forest strategy are out for public consultation. That closes next Tuesday. We are anxious to hear all views before we finalise both the programme and the strategy. I encourage all those with an interest in forestry who have not yet done so to send in a submission if they want to make their views known.

This will be the best funded forestry programme in the history of the State, with €1.3 billion committed to its implementation. This is a huge vote of confidence in forestry as a public good and in our farmers. The structure of the new programme recognises that we will depend to a large degree on farmers to deliver our targets for increased planting. Our farmers have done this in the past and I am confident they can do it again in the future.

I myself am a farmer who has planted trees through a previous forestry programme. I know from personal experience how well farming and forestry can complement each other. Forestry has a huge role to play in supporting rural Ireland, offering an additional income stream for farm families open to diversifying some of their holdings into alternative land uses.

The new programme will have something to offer all types of farm enterprise, with 12 different forest types, including agroforestry. Whether they are dairy farmers in County Tipperary, sheep farmers in County Louth, tillage farmer in County Wexford or dry stock farmers in the midlands, they will find a forest type that suits their farm. If they are organic farmers, they can now receive an organic payment as well as a forestry premium on the same piece of land if they sign up to the new agroforestry scheme. It is important to remember that all farmers will continue to receive their basic payment or basic income support scheme payments on land they

choose to afforest.

Key to re-engaging farmers with forestry is increased incentivisation through the annual forestry premium rates. The new forestry programme will deliver on this, with premiums increasing from between 46% to 66%. In a further backing of farmers, we have introduced five extra years of premia for farmers, giving them an income for 20 years.

We are asking not only that private landowners sign up to the new forestry programme, but also that public bodies play their part. The new forestry programme will incentivise public bodies to establish new native woodlands on suitable public land. This includes Departments, higher education authorities and local authorities. I believe that this intervention under the new programme will provide these public bodies with a wonderful opportunity to play a valuable role in our climate action efforts.

For those who wish to engage in tree planting for the first time, the new native tree area scheme is worth exploring. It allows farmers to plant up to 1 ha without the need to apply for a forestry licence. Such planting will, of course, be subject to environmental requirements, but the application and approval process will be much more straightforward. The scheme will facilitate farmers to plant appropriate areas on their farms and along watercourses at an accelerated premium rate over ten years.

That brings me to the licensing process, which we can all agree has been a difficult issue over the past few years. I am well aware that it has negatively impacted the perception of forestry among some landowners. I am happy that we have worked hard to improve the system, tackle the backlog and reduce turnaround times for licence applications. We have brought in more ecologists, forestry inspectors and administrative staff to tackle the licensing workload. We have looked at our processes and made them more efficient, and we will continue to make improvements to the system.

As Deputies will be aware, we also commissioned an independent expert legal and regulatory review of forestry licensing, which was carried out by Philip Lee solicitors. The report was published in June, following extensive stakeholder consultation. While it is clear from Philip Lee's analysis that a robust forestry licensing regime is required as a matter of EU and Irish environmental law, the report makes a number of recommendations for positive action in areas where greater efficiencies and streamlining of processes can be achieved within the existing regulatory regime. I am pleased to inform the House that my Department is now working on a detailed and time-bound action plan for implementation of those recommendations.

The steps we have taken to date to improve the licensing process have led to a welcome increase in the number of licences issued. We have issued 4,279 licences so far this year. The pace of processing applications has also picked up significantly. We are issuing nearly 30% more licences than applications received. That means that the backlog continues to drop, with faster turnaround times for new applicants. The backlog has reduced from 6,000 in August 2021 to 3,700 in January of this year. At the beginning of November, the number of licences at hand stood at 1,606. While we still have work to do, we have achieved a lot, and I am confident that, thanks to the investments we have made, my Department is well equipped to meet the licensing demands of the new programme.

This year will be a record year for roads and timber volumes licensed. Some 272 km of forest roads have been approved, which is already the most on record for any given year. The

volume of felling licences issued year to date stands at 8.6 million cu. m. This is in the context of the Council for Forest Research and Development, COFORD, forecast for harvesting this year having been just over 4.5 million cu. m.

4 o'clock

We have issued licences for 4,500 ha of afforestation this year and we continue to prioritise afforestation files in advance of introducing of the new programme.

Beyond afforestation, this programme contains a wide range measures and interventions to support a healthy and viable forestry sector. I will not go through all of them here today but I will highlight some. Current forest owners are very important given that we depend on them to supply wood to our sawmills. This is an industry that delivers renewable wood products and maintains employment in rural areas.

Forest owners will have the opportunity to join knowledge transfer groups under the new programme. In these groups, forest owners will learn from their peers and from professional foresters how best to manage and optimise the yield from their forest. The new programme will also contain measures that will support sustainable forest management, such as continuous cover forestry, a woodland improvement scheme for thinning and tending of broadleaf forests and a native woodland conservation scheme.

As with the current programme, we recognise that forests can sustain damage from unforeseen events such as threats from weather, pests and disease. That is why we have included for reconstitution of such forests, which includes ash plantations, and I know that this has been an issue of concern to many in this House. We have paid out significant sums to many whose plantations have been affected by this devastating disease, but I am still very aware of the difficulties faced by the owners of ash plantations. That is why we will actively look at the scheme again in the new year to see what possibilities there are to take account of concerns expressed.

This is a hugely exciting time for our forestry sector. Only yesterday I spoke at a conference in Avondale in County Wicklow about building with wood, and it re-emphasised in my mind not only the huge potential of wood as a sustainable building material, but the environmental imperative to transition to the widespread use of timber in construction as a low carbon option.

We have an enormous opportunity to achieve something of lasting significance for generations to come with the new forest strategy and the new forestry programme. The Government has put the funds in place to achieve this and we now need everyone across the sector to come together to promote the benefits of forestry for climate, nature, water quality, wood production, people, the wider economy and rural communities. I hope the members of this House will help us in this endeavour.

Deputy Matt Carthy: We are back in this Chamber discussing forestry again. It would be useful to commend the Joint Committee on Agriculture, Food and the Marine which has ensured that this has become and remains a prevalent issue. We know that agriculture occupies a unique role in Irish society. It is our largest indigenous sector. It does not up and leave when recession hits. It is an integral part of and the core economic driver of many of our rural communities. It also produces top quality food for people in Ireland, Europe and across the world. We also know that the climate crisis poses challenges to every aspect of Irish society. An under-recognised and under-valued fact is that because of the unique ability of farms to sequester

carbon provides an opportunity for them to play a positive and important role in achieving our emission reduction targets in a way that is both environmentally and financially sustainable for the farmers concerned and the communities that depend on them.

As we are committed to reducing our carbon emissions we should equally be committed to ensuring that the cost is not borne alone by the already inadequate margins of family farm incomes. Forestry, therefore, is an area that should unite opinion among environmentalists, farmers, local communities and businesses. I have often said that a good forestry strategy is one that would deliver for the environment and for local communities. Until now, it must be said the current strategy is not delivering by any of these metrics. Climate change is happening. Every individual company and state must take action; the bigger the entity the greater the responsibility.

We know that forestry will be a pivotal part of Ireland meeting its climate action targets. I would go so far to say that if we do not deliver on forestry then we will not deliver on climate. At the moment we are nowhere near delivery. That needs to be recognised.

The programme for Government sets a target of planting 8,000 ha of new afforestation each year. We are currently reaching about a quarter of that. What is not often commented on is that all the numbers recited for 2030 and 2050 in climate action targets work under the assumption that we have actually met our 2021 and 2022 targets. Therefore in reality every year of missed milestones results in the need for even greater numbers in the coming years. Nobody I have spoken to in the sector has the slightest confidence that this will be realisable under the current framework. The implications for climate action and biodiversity plans are incredibly worrying.

The Minister of State hardly mentioned how forestry has become a dirty word in some parts of the country. The failure to engage adequately with local communities and the concentration of forestry especially the blanket planting and subsequent clearfelling of Sitka spruce in a few regions and the failure to ensure that local families, farmers and wider communities see the economic benefits of afforestation has led to widespread hostility and ill-feeling in those areas. That was and is entirely avoidable. I have said many times here that a forest is something that people should want to live beside. They should have the benefits for clean air, good living and economic benefits that afforestation can represent when it is done correctly. Those economic benefits can only happen when there is a functioning, vibrant timber industry. That means that you have to have a sustainable, constant, free-flowing supply of wood. Within that there will be a growing need for soft wood if for no other reason that we will need it to build the houses that my party wants the Government to deliver, as well as the furniture, pallets and vast array of products that can be produced most sustainably with timber.

My view has always been that when the required timber can be sustainably produced in Ireland then this is the place that it should be produced rather than Irish companies being reliant on imports. There needs to be a correct balance. One or two counties should not be expected to accommodate wildly disproportionate levels of monoculture afforestation. There must be a regional balance as well as a species balance across the board.

I acknowledge that this is an area that was in crisis prior to the Minister of State taking office and I recognise that it could not be turned around over night. But the reason we are having this debate again is not because the sector could not be turned around overnight but because it was subjected to gross mismanagement, teetering on incompetence. In 2019, prior to the formation of the Government, afforestation rates stood at a modern low of 3,550 ha. Since the Govern-

ment took office we have been hitting just above 2,000 ha. The Government has been achieving that against a backdrop of a 8,000 ha target. My fundamental difficulty is that having failed to meet the target in 2020, 2021, and it will fail to meet it in 2022, the target for next year with all the additional investment is again only 8,000 ha. We will see whether it can be delivered.

There have been improvements in the licensing regime. However, I must say that farmers were responsible for 81% of all afforestation between 1980 and 2019 but the numbers involved in afforestation actually dropped from 950 to 206 between 2014 and 2019. Without farmers there will not be next or near the levels of afforestation required over the next 30 years. I acknowledge the recently published payment rates for the new forestry programme represent an important step even if their publication arose from yet further delay to an existing programme which was already two years out of date. However, the payment rates essentially amount to a single-page document. The route to restoring confidence must be through using the new forestry programme when it is eventually published in an all encompassing new covenant with our farming families. For farmers, I hope this can mean a new start for forestry and for the Government it will no doubt be its last chance to garner any credibility in this area. Back in 2019 the Mackinnon report identified a lack of political commitment as a key part of the problem. To prove that lessons have been learned, the forestry programme must be all-encompassing. How do we get to the place where we can deliver a forestry strategy that delivers for the environment, communities, economy and industry in the first instance? It involves the investment announced but we need quick confirmation that the Department of Public Expenditure and Reform has signed off on the full allocation, and also a firm commitment that the ongoing debacle on forestry licensing will finally be resolved. One hundred licences per week is an incredibly soft target. It is insufficient to meet the ambition and must be revised upwards. This is an area about which I still have concerns because it has been missed for 29 weeks of this year.

We also need additional targets to ensure a fair allocation of licences to non-Coillte applicants. We have a difficulty in that this year to date, for all the improvements the Minister of State has cited, which see us getting to the point we should always have been at, only around 4,500 ha have been approved for a licence. That is not because of a backlog or EU regulations; it is the result of a systemic failure. If it is not corrected, higher payment rates simply will not lead to an increase in afforestation.

While there are some welcome innovations regarding supports for forests for water and seed orchards in particular, I remain incredibly concerned that the policy approach in other areas remains entirely unreformed beyond increased expenditure. While the expenditure is welcome, the crisis in the forestry sector goes beyond that.

The Minister of State indicated she is going to revisit the ash dieback scheme. If not, all this will count for nought. In our engagements with farmers, they cite ash dieback repeatedly as the reason they are refusing even to contemplate re-entering forestry.

We also need to ensure fairness in the system. I am sure the Minister of State is aware of the joint venture between Coillte and the British investment fund Gresham House. Many in the sector are pointing to that as a cause of genuine concern. I am sure the Minister of State is aware of the deliberations in the Scottish Parliament, where this type of scheme has been cited as involving not the expansion of community ownership but an explosion of corporate ownership. I asked the Minister of State to disavow that type of venture.

Deputy Martin Browne: I welcome the opportunity to address the matter of forestry be-

cause, despite recent announcements and fanfare, the issues facing many foresters remain the same in many cases. The Minister of State claims these are exciting times for the forestry sector but this is not what any of the rest of us are hearing from foresters. We note the anger and frustration of foresters, who know the Government is not up to the task of solving the problems in the sector.

The dysfunctional licensing system, poor communications and overall mismanagement of the licensing process are still factors for operators across the sector. Since I was elected to this House in 2020, forestry has been a persistent feature of the agriculture committee's agenda. Licensing, ash dieback, the reconstitution and underplanting scheme, RUS, planning matters and the overall objective of making the sector attractive to get involved in have been discussed over and over but those problems are still evident. They are getting in the way of operators making the income they depend upon and result in a degree of reluctance to invest. Such is the uncertainty within the sector over the Department's ability to roll out a forestry programme that is accessible and efficient.

I want to turn to the issue of ash dieback. Does the Minister of State have any idea of landowners' anger and frustration in dealing with ash dieback? Farmers and landowners who planted native ash trees are watching their forests die or deteriorate every year. Forestry owners in my part of the country are still asking when the Government will intervene to fix the problem. Let me give an instance for the sake of clarity. In July 2020, a Tipperary forester submitted a RUS grant application for a specific area of forestry. Incidentally, this was at the same time that a letter sent to industry groups by the Department specifically promoted its communication plan. Until a letter arrived in October 2022, almost two and a half years later, there had been absolutely no communication with the farmer on the part of the Department. The October letter requested a harvest plan for the site. At the time of the application, the RUS criteria did not require a harvest plan. What does it mean for the landowner? It means the slow pace of the Department, alongside its inability to keep foresters updated, will result in the farmer expecting further delays in dealing with the disease on the land.

While this incident relates to one particular forester, the problem is being experienced by all the other applicants around the country. Can the Minister of State tell the House why it has taken the Department almost two and a half years to decide it requires additional information? Foresters want to know how long more applications will likely take to be approved and whether there will be further requests for more information. Furthermore, the forester's site is going to be replanted with conifer trees. An application was made to Tipperary County Council for planning approval, in the form of a section 5 planning exemption. The application was approved by Tipperary County Council, which has the competence to deal with planning issues in the county. Why, therefore, is the Department questioning the process of the competent local authority? The Minister of State is well aware of the consequences of treating operators in the sector in this way.

The Minister of State has a target of 8,000 ha of new forestry each year, but because applications are taking so long to process, many of the farmers being granted licences are delaying planting because of the likelihood of similar delays when they apply for felling licences.

The Minister of State's new forestry proposals are out for public consultation. I hope she and her Department will do more than listen to what foresters say to them; they must act on their contributions. One thing the Government should set about doing immediately is provide for a statutory period in which applicants are entitled to a decision on their licence applications.

Felling licence targets for Coillte have now been met but they have not been for other operators. Is there room for manoeuvre to put the focus on them? What thinking goes into addressing current shortfalls? It seems a real-time response is lacking when opportunities present themselves. I urge the Minister of State to listen to the suggestions of the foresters and act on their contributions as she rolls out the public consultation. That includes addressing continuing concerns about the RUS, among other schemes. I appeal to her to act on their concerns, not just pay lip service, as is usual.

Deputy Sean Sherlock: I welcome the Minister of State to the House. I wish her well with the new forestry programme that has been devised. We appreciate that it is a draft programme. One certainly perceives there has been a tremendous amount of energy put into forestry, certainly in recent months. The premiums for the proposed forestry programme, across the forestry types the Minister of State has outlined, indicate a significant increase, on the face of it, for those who will plant and grow trees. That is to be welcomed.

I took possession of an interesting report by Auxilia Group entitled *The Economics of Afforestation and Management in Ireland*. It was commissioned and was published in 2022. I am sure the Minister of State will have had sight of it. The key person who drove it was Professor Cathal O'Donoghue, whose opinions on forestry policy matter. We take at face value his bonafides. He did what I would call in my awkward language a mapping exercise of the estimated total establishment cost by species in 2023. The report states on page 37 that the total establishment cost for a conifer plantation will be approximately €7,000 per hectare. For hard broadleaf, it is to be €10,551, and for soft broadleaf it is to be €9,631.

The table of forestry types has 12 categories, ranging from FT 1 to FT 12. These include native forests, forests for water, forests on public land, emergent forests, mixed high forests with conifers and 20% broadleaf, and mixed high forests with mainly spruce and 20% broadleaf. The proposed grant per hectare for a native forest is €6,744. That includes hard broadleaf. The establishment costs are more than the premium devised in the new forestry programme. Therein lies the challenge. The proposed establishment grant for mixed high forest with mainly spruce and 20% broadleaf is €3,850. The analysis that Professor O'Donoghue and the Auxilia Group have done is based on real-time receipts they have been furnished with. They are the lived and true experience of forestry companies.

The true cost of establishment is far in excess of the proposed grant rate for establishment. Already there is a disincentive on the part of the forestry companies to be able to move into a position whereby they can meet the needs of the new forestry programme without incurring losses. In other words, it will not pay the forestry companies and contractors to become involved in the new programme because the financial metrics are such that it is too expensive for them to be able to do so.

If I was looking at this from the point of view of somebody who wanted to invest in forestry or had a land holding on which there was forestry, I would look at the premiums. For example, for native forest the figure is €1,103. I would consider that a very good premium per hectare if I was going to benefit from it. However, the nub of all of this is whether forestry companies, which established roads and land holdings, use forwarders and so on. I am no expert in this area but if they are telling us, and the research is bearing out what we are hearing on the ground, that the costs of establishment are far in excess of the grants that will be provided, then I would respectfully suggest that the Minister of State may already be on the back foot.

In that context, it is vitally important that she bring together all of the stakeholders. The establishment of a forestry development agency could bring all of the stakeholders together. We have such an agency for food, namely Bord Bia, or employment development, such as Enterprise Ireland and IDA Ireland. If the Minister of State created an agency to bring all of the stakeholders together, she would be able to work through a lot of these issues.

If Coillte is going to change the manner in which it operates such that it will be able to benefit from premiums, there may be a challenge for private forestry companies which may be sucked into operations devised by Coillte because of economies of scale. There are considerable worries about that within the private forestry sector.

Ash dieback needs a scheme. The Minister of State made reference to it, and I am glad she did so, but we need something more concrete than what we have heard heretofore regarding an ash dieback scheme. It has to be sorted. If we want confidence in the sector, we need to sort out the ash dieback scheme.

A forestry development agency will be the mechanism for the Minister of State and Government to succeed. For confidence to exist, we need to bring all of the stakeholders together. My wish is that the Minister of State moves forward and achieves what is necessary.

Deputy James O'Connor: I am here today to represent the constituency of Cork East, which I share with Deputy Sherlock. What is quite interesting about our constituency is that we are very fortunate to have a large number of commercial forestry operators in the region. They provide very valuable employment to communities, in particular in areas like Fermoy and rural hinterlands surrounding some of the mountainous regions in the constituency. Many agricultural landowners in those areas are very fortunate to have engaged in the forestry industry through the decades, planting commercial forestry in co-operation with State agencies such as Coillte and other players in the industry.

We are very fortunate to have many facets of the timber industry located in the county. For example, a substantial proportion of timber from Ireland is imported and products are exported in Cobh, which is something that may be seen as negative and positive. My desire and hope for our Government is that we would be in a position to deal with a long-standing mess. The Minister of State, Deputy Hackett, gets a lot of criticism. My perspective on this is that the Government inherited a substantial mess in the Department of Agriculture, Food and the Marine.

The Minister of State is somewhat precluded from making such a statement, but I am happy to say, as a Government backbencher, that before we entered into Government there was a very serious issue building up. Putting ideologies aside, as somebody who comes in here day in and day out to vote for the Government and its legislation as a Government backbencher in Fianna Fáil, we have concerns in our party, from an ideological perspective, about the Green Party and the future of commercial forestry in Ireland. We have the overall hope and desire to increase the amount of timber planted in Ireland.

An enormous amount of land is available in this country. There are over 17 million acres in the Republic of Ireland, but unfortunately our forestry cover is far below the European average. I understand we have set a target to increase our forestry cover by 11% by 2050, in line with many of our European colleagues, but I am hopeful that next year we can deal with the red tape and administrative burden of regulations in the Department of Agriculture, Food and the Marine to try to bolster the plantation of forestry.

Forestry Industry Ireland has been very good in terms of its engagement with many Members of the Oireachtas. There is deep-felt anger in the organisation and people involved in the timber industry in Ireland from a commercial perspective. They need drastic increases in the amount of forestry being planted. They have concerns that there will only be around 2,000 ha of forestry planted when they want us to reach a target of 8,000 ha per year. I wholeheartedly support this.

I come from a dairy farming background and have an appreciation of the importance of agriculture to the economy. I want to diversify agricultural incomes. People who may have land that is not the most productive and may have been involved in GLAS and REPS should have the option to go into forestry. Off-site farms may have ten or 20 acres available away from the main farm that may be deemed suitable for forestry. If people felt it was easy to get in and out of a scheme, it is something they would consider. However, from a planning and regulatory point of view, I am hearing time and again that people are concerned.

I am very genuine about my desire to see us hit our target for 2050 and increase the level of woodland in this country. However, I want to put the point across to the Minister of State that I am getting it in the neck at home from people involved in the timber industry and farmers who want to get involved in it. They feel the burden and barriers of entry to get involved are very difficult. That is something we need to continue to work on in a productive and inclusive way.

In politics, it is often difficult to take criticism, but I want to relate what I am hearing from people involved in agriculture, not just at a small-scale level but also at the upper echelons of the industrial level. I have been very fortunate to see the direct employment some timber mills provide. I will not name any company, but I recently had the opportunity to visit a plant in Fermoy which has provided over 150 jobs near Corrin. It is spectacular to see in a small rural area far from Cork city that scale of local employment provided for people across a range of ages. That is the type of balanced regional development Ireland can thrive on. We need to ensure strong rural enterprises continue to be allowed to thrive. Some in the industry in Ireland have become international leaders in this area, something we have to salute as a small, open and diverse economy. I want Ireland to have an impact.

On the impact timber can have when it comes to sustainable practices in the building industry, it is exciting what Ireland could achieve if we fully explore the options of including more modern timber building and timber-frame housing in trying to meet our housing targets and bolster the volume of housing being built in this country. If we want to do that, though, we must get serious about increasing the amount of forestry being planted and remove the regulatory red tape around felling licences, maintenance and thinning, in which respects there are many challenges. We could be much more proactive and progressive. I wish we could try to do this. A significant amount of timber is being imported from places like Scotland that are further advanced in their use of timber in housing construction. When it comes to lowering the cost of construction in rural Ireland and having more sustainable practices in forestry, this is an area where we need to up our game. We have the right people at the helm in the Department to drive this forward. I encourage the Minister of State to do everything she can in the time between now and the next general election to take on the civil servants and demand that we make a change. Doing so would be for the good of society, lower building costs and give young people like myself an opportunity to buy a home some day. That is important.

I am passionate about this issue. I come from a family of landowners and farmers and I grew up on the land I knew. The Minister of State has a serious appreciation for that and our

stories are not too dissimilar. I am passionate about improving Ireland's capacity to grow native species of trees. I would love to see a project in the south east to develop a national park of some description where native trees were planted, although not for commercial forestry use *per se*. The south east is missing something like that. There are many fabulous locations there. For example, the Comeraghs are a short drive from where I live in east Cork. There might be some scope to work with Coillte on considering how to segregate biodiversity and recreational areas. We are looking at bolstering our stock of native woodlands, so we could have segregated stock of native woodlands as well. This would make a major difference. From the point of view of education, providing a national park in the south east - to my knowledge, we do not have one currently, with most national parks being on the west coast - would have considerable benefit.

Killeagh is my home village and parish as well as being Joe Deane country, for people who are familiar with hurling terminology. Killeagh is a fabulous little village in east Cork and is where I grew up. We have a fabulous facility there in the form of Glenbower Wood, some of which is owned by Coillte. We have seen the impact that some aspects of forestry have had on the area. Perhaps the Government, the Department of Agriculture, Food and the Marine and the Office of Public Works, OPW, which is under the Minister of State, Deputy O'Donovan, could consider taking such woodlands that are owned and maintained by Coillte and where there are already natural walkways into the ownership of the OPW or funding them through the Department so that they could be expanded and made available as amenities. I wish to cover commercial forestry, but I also wish to cover forestry's recreational side by considering the expansion of native woodlands. This is something about which I am deeply passionate. Fianna Fáil does not get as much praise as it should, but people like Charles Haughey and other former Fianna Fáil Members of this House always had a strong interest in preserving many facets of Ireland's biodiversity and expanding our native woodlands. This is something that has been lost, so I would like to see some work being done on it.

I wish the Minister of State, Senator Hackett, continued success, but I want to relay the fact that I am getting it in the neck from people involved in commercial forestry. They are not happy with the level of forestry that we are planting. As stated by Forest Industries Ireland, FII, people in the industry want to see planting increasing from 2,000 ha per year to 8,000 ha as quickly as possible to try to bolster timber production and limit the need for so much to be imported. Aside from the positive impact on the rural economy and the timber industry, this could have a positive knock-on effect on the housing crisis.

Deputy Johnny Mythen: Forestry is one of the key components that can deliver lower emissions and contribute substantially to our domestic construction industry. It also has a major role to play in reducing global warming and achieving our emission targets. However, we must all learn the lessons from our over-reliance on imported energy and fuel and the consequences of Russia's invasion of a sovereign nation, including the domestic consequences where we are being held to ransom by suppliers and middle brokers who are making significant profits, scandalously profiteering from a pricing system that charges the same for a unit of gas as for a unit of energy produced by free wind. Therefore, we must invest even more in our forestry and afforestation.

The €1.3 billion announced by the Government is welcome. It gives Ireland an opportunity to become a leading example in managing afforestation and forestry and the capacity to contribute to substantial reductions in our carbon emissions. To achieve this, we must consider the existing weaknesses and the slow, grinding processing of applications and licensing. Six months into this year alone, the number of afforestation licences issued was behind target by

43%, with private felling licences behind target by 18%. This situation must be tackled. Farmers who have been granted licences to plant are choosing not to do so simply because they do not want to go through the same long rigmarole of a process to be granted felling licences. I ask the Minister of State to provide for a set statutory period within which applicants are entitled to a decision on their licensing applications. If this fundamental issue is not addressed, then all future plans for afforestation and the industry will be in jeopardy.

Let us remember that afforestation missed today cannot be made up in subsequent years. The successful model already exists. In our neighbour, Scotland, the Mackinnon recommendations were fully adopted. Within 12 months, Scotland's afforestation stabilised and, within 24 months, target levels doubled. The same senior civil servant, Mr. Jim Mackinnon, published a report for the Irish sector in 2019, yet the Government's response was to commission an implementation report on that report. How many reports do we need?

The message here is to act now. This is a national asset that can be harnessed into a thriving industry for the benefit of all our citizens. It is possibly the only industry that can be future-proofed. It is a national resource that can provide citizens with a healthy environment that can be enjoyed by all and help with their well-being. Agriculture can remove carbon through forestry. I urge the Minister of State to take on board the issues I have raised, recognise the importance of stakeholders - the farmers - and provide a streamlined licensing process that gets this industry back on its feet as quickly as possible.

Deputy Richard Bruton: I speak on forestry with some trepidation because I once spoke in the Chamber many years ago about fisheries. A then prominent Fine Gael Member said that I would not know a mackerel from a herring. I am likely to transgress and, with Deputy Fitzmaurice here, I am sure he will tell me how wrong I am.

Acting Chairman (Deputy Cormac Devlin): I am sure he will not criticise Deputy Bruton.

Deputy Richard Bruton: He will show great restraint.

For good reason, we have set ourselves transformative targets. We aim to reach net zero emissions by 2050 and we hope to have 18% of our land in forestry by the same time. We are seriously struggling to develop policy tools to deliver on these targets, though. I commend the Minister of State, Senator Hackett, on achieving a much higher planting premium, but we are 75% off target. We are not using timber in buildings. The Scots use three times as much timber in buildings than we do. As a sector, we do not have the integrated approach to either land use or forestry that we need. We must think seriously about how we are going to approach this. We thought forestry and land use were emitting 4.8 million tonnes of emissions and that was going to go up to 7 million tonnes by the end of the decade. That has been radically re-estimated to 6.8 million tonnes now, rising to 11 million tonnes by the end of the decade. We are heading away from the hoped for carbon neutrality from land use. That is leaving aside agriculture altogether. Even if we deliver the 8,000 ha of planting, its impact will be just 2 million tonnes by 2050 and the imbalance in our land use will not be corrected. We must seriously examine how we can reward farmers for the carbon farming that is inherent in the two big challenges we have, one of which is to deliver forestry at probably more than double the target contained in the Minister of State's strategy. We must also consider how we will succeed in restoring the peatlands, which are in grassland, and being used in such a way that they are accounting for 10 million tonnes of emissions. If we take the 10 million tonnes of emissions that are coming from 400,000 ha and we value them at €100 a tonne, that equates to €2,500 per hectare per year on

those lands. That is theoretically what is at stake. No agricultural activity is yielding anything on that scale in terms of the potential rewards from carbon farming.

I accept there are all sorts of uncertainty. It was quite depressing to hear Teagasc say to our committee recently that it could not pin down whether we would save 1 tonne or 10 tonnes per hectare. We are still far away from having metrics that could have genuine carbon farming that would give farmers a good prospect of being able to do something differently in line with the big transformative goals we have set ourselves and be well rewarded for it. We must get our act together. We are waiting for the perfect research before we come up with some policy tools that farmers will see as attractive to make the sort of change that is required. I can understand the suspicion of farmers regarding these issues because they have not had a great experience with many of the initiatives. Going into biomass was not a success. The difficulty with forestry is that when the land must be locked up for a long period, its value immediately falls. We must think more creatively about how we devise a model where carbon farming is genuinely rewarded. Agriculture is in a unique position. It is responsible for one third of our emissions, but it is unique in that between agriculture and land use we have the capacity not just to stop the rate at which climate is deteriorating but to reduce and sequester carbon. This is something that is not available in any other sector. The best that they can do is slow down the pace of deterioration in climate, whereas agriculture and land use have the possibility to improve the situation. We are not creating the policy framework where there is such a level of potential reward that people could see a bright future for their farm or district in this transformed environment.

I recently read an article by an academic from Galway whose name I cannot remember, which pointed out the value of the sequestration of carbon on a hectare of forestry is €25,000 and the avoided methane by not stocking it was worth another €17,000. That is just in carbon terms, not to mention the income that could be derived from the use of the timber in various ways. There is not the urgency in the Department of Agriculture, Food and the Marine to address the situation in the new context we face. The Department's food strategy delivered and was successful, but its forestry strategy has completely failed, notwithstanding the great efforts the Minister of State is making to turn that around. The Department does have serious questions to answer. I know that people will be critical, but we must partner with farmers on a different conversation.

I am very taken with the concept of the circular economy, which is the idea that we can still deliver high standards and quality of life but take the environmental damage out of it. The conversation we must have with the agriculture and land use sector is how we create this new vision that we want to achieve in a way that they come with us. Too much of the conversation with agriculture and about forestry and land use is about pointing the finger at people for failure rather than saying that this is a genuine opportunity to transform rural prosperity and to build strong vibrant rural communities on the practices and infrastructures of the future instead of pretending that we can hang on to all the ways of the past. That is the vision I would like painted for rural communities. It is possible to do that. I genuinely believe that the sort of changes we need are potentially available, as well as the rewards, because the cost of doing these sorts of things in other sectors will be astronomical in terms of the commitment to net zero. Agriculture, which has this great competitive advantage in this particular arena, should focus on how it grabs that opportunity for itself.

I think I am taking extra time. I have probably said enough. I genuinely believe that we must change the conversation about the future of rural Ireland. Broadband will change it, as will the circular economy. A well-thought out strategy for carbon farming as well as food

production can genuinely offer a much brighter future than many think possible. That is the conversation that we need to lead.

Deputy Patricia Ryan: Like many policy areas, the crisis within the forestry sector has increasingly worsened under this Government. We have a target to achieve 18% forest cover by 2050. While the Government set a target of 8,000 ha of new forestry each year, it has only achieved 25% to 30% of the target each year to date.

COFORD advises that 16,000 ha of annual afforestation is required to achieve our target. At current pace, the Government is failing miserably. The Department is taking too long to process applications - in some instances several years. Applicants have lost confidence in the process. Many who have finally been granted licences this year are choosing not to plant because they fear similar delays when they apply for licences to fell.

Landowners who had been considering planting trees are staying away in their droves because they have heard of the bad experiences of others. In recent weeks, further issues have arisen with the forestry programme, which meant that forestry companies were unable to market services to landowners as the level of grant supports was unknown. I find that incredible. The Government has been slow in publishing this payment, while the public consultation on the programme is ongoing, and there are no details available on the programme itself. These delays are costing jobs, investment and the health of the planet. We need action immediately to move towards a resolution.

The Mackinnon report, first published in 2019, provided the solutions to resolve this crisis. In typical time-wasting and money-wasting fashion, the Government commissioned an implementation report of that report and has since conducted a series of reports on the basis of that report. It is a Russian doll scenario at this point.

The first action to resolve this crisis should be to establish a statutory period within which a decision will be provided to applicants, similar to that in the general planning system. We need to look at best practice in other countries. Scotland commissioned the same civil servant, Jim Mackinnon, to review its forestry sector. Its afforestation rates stabilised within 12 months and returned to pre-crisis levels within 24 months. Targets of doubling pre-crisis levels of afforestation by 2025 have been set at 18,000 ha.

We also need a specific strategy to increase the planting of native broadleaf species, especially on farms. More must be done to persuade farmers to return to the sector. They are guardians of the land, they are at the coalface of climate action and we need to treat them with the respect they deserve. Over the past 40 years, 80% of private lands that have been afforested have been done by farmers. Restoring farmer confidence and reversing their flight from the sector will be crucial to delivering the necessary change. The recent report on licensing throughout the European Union must be acted on. We must provide a streamlined licensing process without impinging on public consultation while providing for environmental oversight, as is in place in other EU countries. Anyone who has flown into a major European city during the daytime will have looked out the aeroplane window and seen how far ahead of us other European countries are. Sorting out this mess is a no-brainer from a climate action point of view and from a public health and well-being point of view. Coillte is good at what it does. Let us take, for example, Moore Abbey Wood in Monasterevin, Killinthomas Wood in Rathangan or Donadea Forest Park. We should support Coillte but not forget farmers and landowners.

I am concerned at recent reports that Coillte is to enter into a joint venture with a private equity fund. We need to know what portion of the allocation is expected to be soaked up through this mechanism. There is no point in killing the goose that lays the golden egg and then giving its lifeless body to a private equity fund. The fundamental issue of ash dieback remains unaddressed, and the manner in which those affected have been treated is a source of negativity. This needs to be addressed if we are to restore confidence in the sector. We need action fast. The best time to act was when this crisis first developed; the second best time is now. There should be no more reports and no more delays; let us get on with it.

Deputy Richard Boyd Barrett: Despite having the best conditions in Europe for growing trees, we have a totally dysfunctional forestry model in this country, and that has not changed in the 11 years I have been a Deputy. I do not claim to be an expert on forestry, but my interest was piqued beyond a general interest in forests as just being beautiful places before that when, in 2013, the Government of the day agreed with the troika to sell the harvesting rights of Coillte's entire forest estate. At the time, I tabled what was the first Private Member's motion on forestry to the House - it was possibly the only such motion tabled in that Dáil - as part of the campaign to prevent the agreed sell-off of Coillte's harvesting rights to, most likely, an entity called the International Forestry Fund, which at the time was fronted by the former Taoiseach, Bertie Ahern, and was operating from a little office in Eblana Avenue, Dún Laoghaire, where the main financiers behind it were a crowd called Helvetica Wealth Management Partners, a Swiss wealth asset management operation. The plan was to go from the fairly dysfunctional Coillte model of planting Sitka spruce, which was commercially driven and was experiencing consistent failure to achieve afforestation targets, to simply the wholesale privatisation of forests.

The large protests we held at the time were successful. We mobilised huge protests in Rathdrum, Avondale and elsewhere throughout the country and, as a result, the then Government abandoned the agreed plan in the memorandum of understanding with the troika to sell off the harvesting rights, which was an important victory. Sadly, however, while that should have prompted a fundamental rethinking of the forestry model, to move it away from that sort of corporatised focus with an industrial forest model based on Sitka spruce and monocultures, demonstrating a failure to take advantage of the climatic conditions in this country to develop Irish forestry, things have remained much the same for the interceding 11 years. Despite often reasonable rhetoric, promises of change and promises to hit increased afforestation targets and to move away from the industrial monocultural model, we heard recently that there is a plan for Coillte to team up with Gresham House Asset Management, an investment fund, to advance afforestation in Ireland.

That says it all. Coillte has been operating a largely for-profit venture, albeit with some decorative nods to the idea of getting back to developing native woodlands, diversifying Ireland's forest estate, developing a sustainable forest model and acting generally as the guardians of the forest estate. Instead it is teaming up with an international investment fund to compete with farmers rather than support them, as its role should be. It is going to compete with them and, potentially, run them out of business, making it even more difficult for them to engage in forestry, when we should be doing precisely the opposite. This is happening to the extent that we are thoroughly discrediting the entire project of afforestation in the minds of many in rural Ireland, who might be interested in forestry if they were supported and if Coillte saw its role not as one operating as a dominant, business-corporate force competing with the small farmer but rather as one that would support them, and also as one that operates as the guardian of the forest estate, and it seems as though nothing has changed in that regard.

We hear about some moves to transition the monocultural plantations of Coillte to more diverse native woodlands, but how much of that is happening? When we think about the campaign we had to have recently with Killegar Wood in Enniskerry, where Coillte had planned, quietly, to sell off a forest to whomever, we wonder what is really going on in Coillte and what its agenda is. Indeed, given that 57.7% of the personnel involved in the forest policy group that formed Project Woodland come from a commercial background, we again get a sense of the Government not understanding that we need dramatically to change our forestry model whereby, in particular, Coillte would have a role as the guardian of the forest estate while simultaneously supporting small farmers. If we want farmers to move into forestry and to assist us in climate action and in enhancing biodiversity, we genuinely have to support them, engage with them and listen to them.

5 o'clock

Simultaneously, Coillte's fundamental mandate has to change from the one it is currently operating. I suspect, sadly, that we are still a long way from that.

Deputy Ruairí Ó Murchú: There is an element in this Chamber every day, and seemingly more so of a Thursday, of returning to the scene of the crime. We get an opportunity to probably rerun one of the many single transferable speeches we have at this stage. This is not the first time any of us has dealt with forestry in the House. We all see the issue as what is described as low-hanging fruit, in the sense that it is one of the major gains. We could be on to a winner as regards doing what is necessary from the point of view of ensuring sustainable farming and, beyond that, meeting those targets to which the Government has agreed. If we are not doing these relatively easy things which need to be done, we will have serious difficulties in the future and it will be very hard to deal with the targets we have missed. We are talking about the afforestation target of 8,000 ha per year. In the years we have been trying to do this, we have reached between 25% and 30% of that target. We have all seen the figures.

We have all heard from farmers anecdotal stories about the slow application process. This year, a large number of people, even those who had previously had no difficulty, told me they were not entirely sure what the end result would be when they had grown their crop. They are afraid to plant trees because they are not sure they will be able to fell them. They will have a similar problem at the end of the application process. That means we have a real deficit of trust in the system. That is one issue we must rectify.

Many of us have been saying for a long time that the Government needs to deal with the farming sector by producing solutions that work for all of us and for the betterment of society. As we have all seen, the arguments can sometimes become heated, particularly with regard to climate change. Those of us who have attended local Irish Farmers Association, IFA, meetings will have seen that a significant number of farmers accept that we are in very different world with changing circumstances, and that we all need to play our part. That is a fact that we must accept. When people are willing to meet us halfway along the road, we have to do the other part.

The ongoing issue with the application process does not cut it. That is accepting that work has been done on offshore wind, where we are behind. We know there are major issues in the planning process in general. We have to address this problem.

It has already been stated that nobody is particularly enamoured of the relationship between

Coillte and private equity funds. These funds are interested in getting bang for their buck and not necessarily the societal payback we are seeking. We are dealing with three particular sets of circumstances, namely, wins for the environment, society and farmers, respectively. If we could get this work done along with work on anaerobic digestion, it would be a good achievement.

Timber costs are through the roof at this point. We must facilitate the domestic timber industry in whatever way we can. We are failing at this point. Everyone has spoken about the Mackinnon report, which laid out best practice. It is about time we implemented the report and delivered what needs to be delivered. As I said, this is low-hanging fruit. It will be unforgivable if we miss this opportunity and particularly unforgivable for a Government that involves the Green Party.

Deputy Michael Lowry: The forestry and timber business is of huge economic importance to those involved in the sector across County Tipperary. It is a national business and industry that has never achieved its full potential. There are many unhappy people in the forestry sector. These same people are very disgruntled with the administration of the Department. Services, practices, procedures and various schemes and programmes are in a chaotic state. We have raised this matter on numerous occasions. We have seen a little progress but it is not sufficient. As a result, many people in the sector are demoralised, there is huge uncertainty and a lack of clear direction. The industry, in general, lacks a clear path for the future. The result is apathy and a lack of confidence in the future.

The timber sector is worth €75 million to the immediate local economy and supports a further 350 jobs through contractors in haulage, forestry, harvesting and planting. Everyone accepts that there has been significant underperformance by the sector. The Minister of State inherited this and is doing her best to regenerate the industry but, unfortunately, there is no confidence there.

At the beginning of this Dáil term, licence applications for afforestation, felling and road access were extended beyond two years. That is as a result of all Deputies raising issues we had in our constituencies with the Minister of State. This is having a significant effect on the ability of those who depend on the sector for employment and a livelihood.

For private growers and farmers, the benefits of participation in the forestry sector were becoming a negative given the delay that existed in accessing felling licences, in particular, due to the significant number of nuisance objections and complex environmental requirements that were delaying afforestation and felling. These regulatory and environmental obstacles remain. In addition, the lack of clear sight within Government to a viable, sustainable and profitable forestry programme has also negatively impacted private investment in the sector. The new forestry programme that was recently announced appears to offer better incentives for landowners and is a welcome improvement on previous offerings. However, the grant that companies can claim for establishing forestry and development sites is not sufficient and does not keep pace with what is happening or match the increases in the price of materials and labour supply costs.

Forestry companies that develop and establish these sites are simply not able to do it; it is not viable for them with the scheme that is being proposed. This begs the question as to who will be able to deliver the new programme the Minister of State has proposed. Many of these forestry companies are in a bad financial position as a result of their trading levels in recent years and all the sectoral difficulties that are impacting their businesses. This has damaged their

revenue, bottom line and profit margins with the result that they have very little funding on hand to spend as investment.

Many people have told me over the years that they find it very difficult to develop relationships with the Department of Agriculture, Food and the Marine that would allow them to trade profitably, particularly in the last five years. As I said, many of them are in heavy debt. How does the Department believe these companies can afford to take on new afforestation projects when this programme does not offer them a clear margin or profit?

We have all encountered the problem of ash dieback. Deputies have raised the issue in the House on numerous occasions. It is a problem for us in Tipperary particularly, as a county that relies on ash for our sporting activities, hurling and Gaelic games. Every hurley maker in the county and country is telling me now that it is a very serious issue and that they have run out of raw material. This ash dieback is having a significant impact on the overall forestry sector. The ash tree has been a feature of the Irish landscape for centuries. It is also part of the Ireland's social, economic and sporting life. But now, serious concern is being expressed about the survival of the species because of the devastating impact of ash dieback.

This invasive fungus was first detected here in October 2012 on plants imported from continental Europe. The disease is now prevalent countrywide and is likely to cause the death of most ash trees over the next two decades. There are inadequacies with the existing reconstitution and underplanting scheme for ash dieback. There are several practical issues relating to this underplanting option. There is need for adequate financial support for forest owners impacted by this fatal disease.

Teagasc is currently carrying out research to establish a gene bank composed of genotypes of ash tolerant to the disease, aimed at producing planting stock for forests and hedgerows.

Forest owners are very dissatisfied with the current ash dieback reconstitution and underplanting scheme and it needs to be reviewed. It has been confirmed by the Department itself in a Dáil question that so far, it received 410 applications for 1,608 ha and has decided on 128 of those for 434 ha. Of the outstanding applications, while all have not yet been assessed, some 100 are currently delayed because of the requirement for planning permission for the replacement of broadleaf high forest, in this case ash and conifer species. This is adding insult to injury for affected forest owners and must be changed and we must certainly look at that. This poses difficulties for landowners wishing to replace their diseased ash plantation and it is very important to review it at this stage and to engage with all stakeholders as a matter of urgency.

There is talk of a possible joint venture with Coillte, our state-supported company, which has been largely excluded from participating in afforestation since an EU ruling in 2003 which prevented it from claiming grant premiums as a State-owned company. This proposed joint venture with a UK institutional investor may change this status and mean that this new venture will be able to claim grant premium. If so, we must ask what impact will this have on the already struggling private sector operators who will have difficulty competing for land prices versus a highly geared institutional investor.

To conclude, there are barriers to entry which need to be addressed. There needs to be a review of the current afforestation business model to improve scale economies and deliver wider scale. We need to develop a national land use strategy to provide a formal framework to make use of planning applications and decisions.

My final point is that there needs to be greater communication with all stakeholders involved in the industry to bring it forward.

Deputy Richard O'Donoghue: I believe the Minister of State believes that farmers are going to rush into forestry to save the planet. Sorry, but that is not going to happen. The confidence is gone in the industry. Farmers were never compensated for ash dieback and, in fact, no one is even applying currently for licences for felling or thinning. This year less than 2,000 ha were set. If we were ever to reach carbon neutrality by 2050 we must have a minimum of 18% of our land under forestry. In real terms, this means that we need to be setting 18,000 ha per year to achieve an 18% land cover by 2050. Afforestation is the single largest land-based climate change mitigation measure available to Ireland to reach a net zero emissions level. This is the minimum level supported by the Department of Agriculture, Food and the Marine and the Department of Public Expenditure and Reform, but - there is a but - there is no strategy in place, so how can this aim be achieved or taken seriously?

The further this target is missed the greater the need to deliver reductions from other sources. None of the value of the carbon sequestered by forestry in Ireland is currently accredited to the growers of the trees. Why is that the case?

The cries from farmers about the layers of bureaucracy is upsetting. They have asked the Minister of State's Department to simplify the process as it becomes more and more complicated. One farmer asked me if the Department thinks we are idiots. He said that if anyone does anything in the forest within 15 km of a special area of conservation, one must submit an environmental impact assessment, with all of the costs associated with that. If one was building a factory one would hardly be expected even to do this. By the time a person receives an answer, it is too late in any event.

The decline in forestry in 2021 and 2022 is nothing short of a scandal considering all of the urgent calls from COP and the EU in the past week. I will be surprised if there will be any forest industry left to salvage.

Like any industry or business in this country - I am in business all of my life - one tries to look for the generation that one wants to support that is coming after. I asked some children what they think of forestry in this country. These were the children of people whose mothers and fathers, grandmothers and grandfathers had invested in forestry under the same Government which the Minister of State is a Member of now. They were told when the ash dieback emerged, and the Government knew it was coming in from Holland, that it sat on its hands for 12 months in advance and did nothing. This has now caused the problem with the ash dieback. All of these people trusted the Government and set the forests around this country for the future. When the time came, the Government did not even tell them that ash dieback was coming into the country and when it came to fruition in the past 12 months or two years, the Government sat on its hands again.

The Government expects that it can go back to the same people and ask them now to grow trees again after their livelihoods and their investment for their retirement has been taken, together with the investment for their children and grandchildren. The Government has shown nothing but contempt for those people who are involved in forestry. That is what the children whose families were engaged in afforestation are saying to me. All the Minister of State's Department does is to complicate it.

I am aware that the Minister of State was elected in 2019 to the council and came to the Oireachtas in 2020. I wish her well in her job but this was broken before she got here and it is off the rails now. Perhaps it is to do with the bureaucratic bull that she has to deal with within her own Department to get this thing going but, first, she must look after the people who were trying to do right in the first place if she wants to invite them back in for the future. That is what I am asking for. Look after people who have already invested and who have been burned by the Government's failure to let them know that ash dieback was coming in on the plants. It is on record that it knew beforehand, but it did nothing about it because it said that other states had not done anything. Again, like everything else with this Government, it is last to the table.

Now we have a very serious problem in this country because nobody wants to go into forestry. The first thing that the Minister of State can do now is to fix the problems of the past and encourage the people of the future to go into forestry so that they will save it in this country. That is what I am asking for and this came from the vision of children whose families are engaged in forestry. They see no future in it after seeing their families cry for what they have lost in recent years by investing like the Government asked them to invest. When motorways were being brought through lands, they valued the forestry land at €1,000 per acre and the grassland at €12,000 per acre. They said it would cost €7,000 or €8,000 to clear the land for motorways. However, when the offer was made to subsidise them to clear the land, it was for €1,000. Fix the problems of the past and nurture it into the future. That is the only way to get forestry back on track.

Deputy Michael Fitzmaurice: On the announcement of the €1.5 billion, it is a lot of money. Many people were interested to see how it would be divvied out. There are improvements in the planting grant for some and on the yearly subsidy the farmers get. It is worrying that, of the €1.5 billion, there does not seem to be a red cent for ash dieback. That is unusual because we have a problem that needs to be rectified. We talk about growing more broadleaf trees and we need to get farmers on board.

The worry I have is the Minister of State is trying to promote forestry while the EU is involved in the biggest land grab of all, namely, trying to get 30% of the land in the country rewetted. That is its agenda. Adding the 18% forestry to that 30% and throwing in the odd lake or river, that is probably 50% of the country gone. Where does food production come in? We need to think about people making a living.

Much of what the Minister of State said was sound, but I do not agree with the Deputy who spoke about how we will be carbon farming. You can forget about a community if you are carbon farming for the simple reason that it is abandonment. It is not going out driving in a sheep, a cow or a bullock. You do not have to be there because it is basically rewilding. You do not have to get up at night and go out with a flashlight looking for a calf in a ditch or whatever.

When the Minister of State spoke about planting, she mentioned the south and east but did not mention the west. Is the west being earmarked for rewetting? No one will force us in the west, whether EU or anybody else, on this rewetting thing. They need to cop on to it. For years our livelihood has been made out of shoring some of the land. We above all people have contributed on rewetting. Along with the Minister and the national parks, we have done 6,000 ha working together on certain bogs. When they come into the field, it will be a different story.

The pressure that is on should be recognised. I am not saying it is the Minister of State's fault. She has increased the rates and that has to be acknowledged. No one is saying that has

not happened, but consider the rates for the bit of land the dairy man has. I was in Limerick this morning. I spoke to a person whose farm is in Tipperary and who told me that it costs €450 to rent an acre of land in Tipperary. That is about €1,200 per hectare, and your land is not tied up. You can decide after four or five years what you will do. I am not saying it is the Minister of State's fault, but that pressure exists in different parts of the country in respect of land. It is problematic.

There is one part causing problems and the Department needs to nip it in the bud. There is much speculation about Coillte going with an investment company. Why does it not go to the European Investment Bank for funding if it is buying land? It is going with an investment company in England. We hear - and let them contradict it if we are wrong - that a special purpose vehicle will be introduced and that company will draw the premiums, which Coillte never did before, and then go in ploughing out bits of lands. Small farms where a farmer might be trying to be viable and buy 5 or 10 acres will be made unworkable. If that starts, an awful battle will happen in rural Ireland. The Department can nip that in the bud.

In fairness to the Minister of State, over the past two years, forestry licences, where Coillte had an advantage, have improved well. However, the Minister of State mentioned 8,000 ha and said we are flying now. The facts are we have about 4,500 ha - or let us say 5,000 ha - of planting licences granted this year. Let us multiply that by 2.5 because to plant 8,000 ha, approximately 12,000 ha must be given out in licences as a result of the fact that one third will never go back into it. That is the reality. If the Minister of State is at her damndest at the moment getting out 5,000 ha, how will we magically get to 12,000 ha to make sure we will be able to plant 8,000 ha with the fall-off of what has happened? There is a reason behind some of it. They went to GLAS or the agri-climate rural environment scheme, ACRES, because they had been waiting two or three years. That is the reason. It is because there is a bad taste in farmers' mouths. I know there are new grants there and appreciate that part of it.

There are solutions but we could be picky about it. It is a solution many farmers will buy into. There will be a scheme for sewing broadleaf trees over 1 ha. Even if every farmer was encouraged to sew 1 acre, however, 130,000 acres would be sewn in one go. It would be about seven or eight years of what the Minister of State's target is. It will tick a box but it will not solve the problem of planting. We still need planting for the timber industry because we cannot just run away from it.

Figures were provided with regard to what trees and bogs or peat will absorb and put out, and what land will and will not do. Everybody needs to know we are on default figures because in fairness to Teagasc, that agency has started doing the research and the initial results look positive. Compared with what the default position was in relation to emissions, it is a good bit less. Even a cow, which everyone was kicking around the place not too long ago, looks like the emissions could be 20% less. That will change a lot of the ball game. There is an awful fight for different sectors and that is where the pressure will come on.

Minister of State at the Department of Agriculture, Food and the Marine (Senator Pippa Hackett): I thank Deputies for their contributions. It is clear that across the House, while there are different views on where we are headed, everyone wants the forestry sector to be successful. That is important to acknowledge. We need it to be a success in the context of the climate, nature, water quality, wood production, our people, the wider economy and rural areas.

I welcome Deputy Bruton's comments. I was glad to hear him talk about the use of timber

in buildings. It is something we need to progress significantly. We need an integrated approach. We spend a lot of time talking about the need to get trees in the ground but the end-product use has a significant contribution to make to our climate action, particularly in the built environment.

On carbon credits and carbon farming, Deputy O'Donoghue asked why we are not doing it. There is no mechanism yet to do it. We await proposals from the European Commission, which are due to be published shortly. When they are, in the Department we will study them and examine what is in there. A group has been established in the Department to examine the many issues relating to carbon farming and carbon credits. It is on our agenda to examine.

I was disappointed to hear the comments of Deputy Carthy to the effect that he has not heard from anyone in the sector who has confidence. I have spoken to many of the forestry companies, who say their phones are ringing. Farmers are enthused by these new rates. That incentive is important for farmers. In the debate between the farmers and the investors, the farmers are the big winners here, and rightly so because we will be heavily reliant on them over the coming decades if we are to meet our afforestation targets. Not only have farmer premiums been extended to 20 years, with non-farmers still getting 15 years, but farmers are entitled to retain their basic payment scheme, BPS, payments on forested land. Non-farmers do not have those entitlements. In addition, as I referenced my opening speech, organic farmers will be entitled to receive both their organic payment and their forestry premium on agroforestry land. That is a significant element. If we are to hit those targets, and some Deputies have indicated we may well need to go above and beyond the 8,000 ha per year, we need to use every tool at our disposal, including private lands, farmers' lands and public lands as well as private investment.

Most Deputies spoke about ash dieback. I acknowledge the ongoing concerns and I know it is a major issue. I visited many of the sites of ash dieback around the country. I have been consistent in recent months. There is a scheme for ash dieback, the reconstitution and underplanting scheme, RUS, introduced in the summer of 2020. We have given it time and we have heard the feedback. It would be timely to have some sort of review, and I have committed to doing this in the new year. It is something I want to engage with. I understand and acknowledge the damage it has done to confidence in sector. We need to do something about that. My Department is working with the Department of Housing, Local Government and Heritage to change the legislation. I think Deputy Lowry referred to the difficulty landowners are having in converting to a conifer base after ash dieback. We are looking to make that easier for applicants.

Some Deputies need to get their facts right. There was a sense that forestry is in as bad a place as it ever was. There have been significant improvements in the delivery of licences. My Department has made a significant investment of time and money in making processes more effective, and that can be seen. I certainly recommend people to check out www.gov.ie/forestry to get all the updated information.

Some Deputies commented on the licensing process and Deputy Mythen referred to a statutory period. We have examined this in great detail. I commissioned Philip Lee solicitors to examine the regulatory process. I would recommend anyone who has concerns about licences and why we cannot just issue one licence for the whole process to read the Philip Lee report, which is on my Department's website. It is a very comprehensive detailed report. It takes a bit of digestion but it goes through it in great detail with some very positive recommendations. Unfortunately, there is no silver bullet but it contains recommendations we will pursue. We think they will deliver improvements into the future in how we issue our licences.

Deputy O'Connor took a balanced approach. He accepted we need conifers for the commercial side of things but we also need the broadleaf. That is the balance we are trying to strike, the balance that has come through from our consultation, which has lasted about a year at this stage. That is what is in our forestry strategy and programme. As I said in my opening statement, those two sizeable documents are out for public consultation until next Tuesday. People should read them, see what is there and give feedback into that process. I hope some Deputies or even their political parties might do that. We need to hear all those views.

Deputy Sherlock and one other asked whether we need a forest development agency. Since entering office my focus has been on fixing the issues that had this sector in turmoil. As I said, my Department has made significant progress in this regard. The backlog in appeals is gone. The supply of timber into the sector is strong. The urgent focus now is on the afforestation levels that many Deputies referred to. We need to get farmers re-engaged with tree planting. My Department already supports the work of Teagasc and we have supported the private sector to the tune of a couple of million euro over recent years in forestry promotion. The establishment of a stand-alone agency would need to be the subject of a cost-benefit analysis. Would it deliver any more than we are delivering as it is? At the moment the focus is on getting the new programme up and running and delivering on our forest strategy.

A number of Sinn Féin Deputies referred to the Mackinnon report. More than half of the recommendations have been completed with significant progress on the others. That has been through the work of Project Woodland. Deputy Boyd Barrett said that something like 57% of the members of my forestry policy group are commercial. I do not know what his terminology was. I have a stakeholder group of 26 people from across the spectrum. We could have six NGO members. We have representatives from communities, representatives from the sector itself, farmer organisation representatives and forest owner representatives. We have every possible representative on there. I say this all the time: credit is due to the members of that because it is a difficult group with very diverse opinion. It is certainly not a commercially focused group as Deputy Boyd Barrett implied. We have kept everyone together and I thank them for their time on that. Project Woodland is essentially coming towards its end. It was established to implement the Jo O'Hara report, which was essentially her review of the Mackinnon report. We are coming to the end of that process, which is to be welcomed.

I was disappointed to hear Deputy Fitzmaurice speak so negatively about forestry, particularly when we are going to be reliant on the hard-working farmers of this country to plant. It would be good to have a bit more positivity there. I reiterate that I believe it is an exciting time for forestry. It is a complex area, but if we get it right, it has an enormous amount to offer. I accept the pressure from other land uses, but I am confident the building blocks the Government is putting in place mean we will get it right. Our shared national vision is a vision worth striving for. We will get there. If we deliver on our forest strategy to 2030, we will be well on the road to that. The first step is getting the forestry programme up and running as early as possible in January so that we can get farmers re-engaged and planting trees in the ground. The Government is giving this new programme its full backing with this historic package of €1.3 billion. We need the sector and everyone in the House to back the next forestry programme and to back the sector to deliver on its enormous potential.

Communications Regulation Bill 2022: Instruction to Committee

Minister of State at the Department of the Environment, Climate and Communications (Deputy Ossian Smyth): I move:

That, pursuant to Standing Order 233, Standing Order 187 is modified to provide that it be an instruction to the Committee to which the Communications Regulation Bill 2022 may be recommitted in respect of certain amendments that:

the Committee has the power to make amendments to the Bill which are outside the existing subject matter of the Bill, in relation to:

i. the Digital Hub Development Agency Act 2003 to amend section 15(1) to reduce the membership of the Agency from fourteen to eight; and

ii. the Digital Hub Development Agency Act 2003 to amend section 17(3) to reduce the quorum for a meeting of the Agency from six to four;

and to change the title of the Bill, and make other consequential amendments required to take account of the change above.

The purpose of the motion is to instruct the Dáil, in Committee, that Standing Order 233(2) is modified to provide that the committee has the power to make amendments to the Communications Regulation Bill 2022 which are outside the existing subject matter of the Bill.

This is required in order that I can introduce Government amendments to the Bill on Report Stage, which I hope will take place before the end of the year. The amendments provide for a reduced membership of the agency, specifically reducing the membership the agency from 14 members to eight members and reducing the number required for a quorum for a meeting of the agency from six members to four members.

The Digital Hub Development Agency, DHDA, Act provides that the agency comprises 14 members, however, Deputies will note there have not been 14 members on the board since January 2009. Currently, there are just eight members on the board of the DHDA and the current size and composition of board, in terms of the range of experience and skills, is appropriate to the requirements of the agency over the next period. In this regard, the policy context for the amendments is the Government's decision of last year to dissolve the DHDA and to transfer its land and property assets to the Land Development Agency, LDA. The process and focus for the agency to prepare for the dissolution will necessarily be different to that required for the agency in the ordinary course of business. The dissolution process will require a period of time and these amendments are designed to allow for continuity of a strong, appropriately constituted and functioning board throughout the dissolution process and to mitigate the risk of the board becoming inquorate during the wind-down and dissolution period.

The amendment to reduce the maximum size of the board will not affect the current members and will ensure the DHDA board is maintained on a scale proportionate to the focus of its activities as it prepares for dissolution and allows it to successfully discharge its statutory functions, pending the enactment of the legislation required for its dissolution. Furthermore, the amendment to reduce the quorum for a meeting of the agency to four is designed to ensure stability and to mitigate the risk of the board becoming inquorate during the period of transition that will see the wind-down of commercial activities and, ultimately, the dissolution of the

agency.

Separately, I indicated on Second Stage of the Communications Regulation Bill 2022 that it was my intention to introduce legislative amendments, to provide for the sale of the properties held by the DHDA to the LDA. However, following further consultations at the Office of the Attorney General, it was apparent that there would be significant complexities and challenges to provide for such a sale in legislation at this stage. Consequently, I have decided not to proceed with any property-related amendments and I expect the sale and acquisition of properties will be governed by the framework established by the Land Development Agency Act 2021.

In the meantime, my Department is advancing the development of the legislation required to dissolve the DHDA, and I expect this legislation will be ready for publication next year. I look forward to any contributions on this motion and I will do my best to respond to any specific questions.

Deputy Ruairí Ó Murchú: This motion is necessary to deal with specific amendments. A fair amount has been put into the public domain by my colleague, Deputy Ó Snodaigh, in particular, on the digital hub and the fear of lost good, initiatives from a part of Dublin and that will need to be addressed.

Across the board, we all welcome parts of this Bill in dealing with European directives and codes that need to be transposed into law. We all know with telecommunications, we are dealing with something that changes rapidly, almost on a day-by-day basis. We are in a very different world in respect of telecommunications than we were five, ten, 15 years ago, never mind 20 years ago. It is very difficult for legislation, on a European level, never mind on a domestic level, to keep up with that.

One of the major things we need to ensure in the context of commercial operators or those who provide services to citizens is that they are of top quality and are exactly where they need to be. From time to time, this means some of these companies will need to be held to account and the only means of doing that, as we have discovered from dealing with the Commission for Communications Regulation, ComReg, and others, is to provide teeth to ComReg. That relates to the modalities and protocols, which they can use to take action against companies that infringe or do not deliver the required service, particularly in the case of something that is absolutely necessary. This was realised, across the board, in relation to communications and was highlighted during the pandemic, a period when many people were remote working. We knew there were issues with services offered by Eir. The fact is that ComReg did not have the teeth to address these issues. The piece that one does not want to see in operation, but which is sometimes necessary, is the big stick. From a company's perspective, the only thing that counts is money. We welcome all the necessary measures on that.

There is general support across the sector for much of this Bill. There have been a number of changes to what we will be dealing with. People are talking about security and networks. That is another part of the world in which we are in a different set of circumstances compared to previous times and everyone understands the necessity for being able to maintain network security.

Something I am going to put into the mix relates to a number of issues. Obviously, a lead-in time must be provided to companies operating this system and for best practice. There is no point in us not giving them sufficient run-in time, which could take a couple of months, to make

sure they are given all the information they need to ensure their systems can do the business and have the necessary processes in order that they are in compliance with this. If that is not the case, we could end up creating a set of circumstances in the short term where people are in breach of rules due to a technicality, and that needs to be looked into.

On networks and security, questions will be raised about some of the wants and needs and what is expected, such as why some vendors can be used and some cannot. There will be a need for a wider conversation on that. An awful lot of operators across Europe that are dealing with networks and communications already limit some of the technology they use in the core, secure and vital part of the communications network. If a determination is made, and much of this power will lie with the Minister, Deputy Eamon Ryan, that the technology of certain companies cannot be used, we will not need to get into the rights and wrongs on that. The Minister at some point will probably have to get into what led to this, what the worries are and where that information is provided.

On another level, if certain technologies cannot be used, we must ensure they can be replaced and sufficient time would be provided. We all know the supply chain issues that have arisen recently. It is vital that this would be considered. In an awful lot of cases, technology is used on the basis that it is probably the best in the market, the most reliable and trustworthy. From a European point of view, that is probably only one company that can deliver some of these alternative technologies. It would be under pressure in relation to two issues, namely, in ensuring its innovation levels are on a par with some alternative technologies and the significant supply chain issues. Then there is the cost, which also has to be taken into account. I assume there will be an element of sense to this and that, when the legislation is in place, the Minister will not make an absolute determination that everything has to be replaced by next Wednesday but I would like a bit of a conversation and a bit more information as to how the Minister of State foresees those added powers actually being applied.

Deputy Michael McNamara: I have to say I have concerns about this motion. They stem as much from the content of the Bill as from the manner in which it has been brought before the House to date. When the Bill was discussed on Committee Stage, certain matters were ruled out of order. The Minister of State is now seeking a motion to instruct the committee so that those matters can be brought back before it. That committee meeting was held on 26 October. The evening before, 25 October, the Minister introduced a number of new amendments which completely alter the purpose and shape of the Bill and which are very novel in Irish law. The fact that they were introduced on 25 October meant, of course, that no member of the committee or Member of this House had any opportunity to consider them or to table amendments on Committee Stage. The amendments the Minister introduced essentially facilitate him in making assessments of what are called “high-risk vendors”. That is a very novel approach in Irish law. One of these amendments states “The Minister may assess at any time, and on an ongoing basis, the likelihood of a vendor being subjected to interference by a third country” and, in doing so, shall have regard to the following matters:

- (a) whether or not a strong link exists between the vendor and the government of any third country;
- (b) the status of the rule of law and the political situation within the third country in question, in particular whether or not there is democratic or legislative oversight, including an independent judiciary, in place, and whether or not data protection or security agreements exist between the European Union and the third country in question

If the Minister has concerns about a lack of judicial oversight, judicial independence or the rule of law in countries of the world, the way to counter such concerns is not to impinge upon those matters at home, which is very much what this Bill does. If the Minister makes a high-risk vendor assessment, he informs the vendor in question of that assessment but can require that this be kept confidential. Vendors cannot reveal that to anybody, not even their own customers who will not know why they are doing this. As one might expect, vendors can appeal the matter to the High Court. However, if the Minister's assessment is based on national security grounds, he can make an application to the High Court for the appellant not to be provided with the information on which the decision is based. The court can decide whether to give the appellant a mere summary or the gist of that information and then go on to determine the case. The case itself will be heard in confidence. It is not that it "may" be heard in confidence. The court has no discretion. The amendments would introduce the proposition, which is extraordinary in Irish law, that the court and the Minister would be in possession of certain information while the appellant would not and would therefore not be in a position to challenge it.

Something a little bit similar to this occurred in a case involving citizenship, *A.P. v. The Minister for Justice and Equality*. In that case, the Chief Justice, Mr. Justice Clarke, said that:

short of breaching the State's legitimate and proportionate security interests, it is difficult to see how a process can be constructed which might not, in at least some cases, potentially infringe one or other of what might otherwise be considered matters of principle. Either the Court will have to assess legality without having access to information which formed part of the administrative decision making process but which is covered by State security privilege or the Court will have to make a decision on the substantive merits of the case on the basis of evidence or materials which a party was not permitted to access and could not, therefore, challenge. Neither proposition is particularly attractive but one or other solution must be found if State security privilege is to be upheld. Irish law clearly favours the solution which does not permit the Court to have regard to materials not available to the parties.

He then went on to consider the Offences against the State (Amendment) Act 1972 and said, to be consistent with the Constitution, the opinion evidence of a chief superintendent would have to be corroborated. Mr. Justice O'Donnell, who is now the Chief Justice, said "I also agree that there are, to put it at its lowest, serious doubts that it would be permissible to provide that, certainly in respect of court proceedings, a court could proceed upon material which was not available to be considered or challenged by or on behalf of one party." That is an extraordinary proposition.

Amendments were put in this morning but the Bill was also pulled this morning. I am informed that it will not be considered next week or the week after, which means that it will be considered in the run-in to Christmas with, if past experience is anything to go by, a whole load of other legislation, which will be rammed through without debate or with a guillotine. It is quite important that this be debated fully given how novel it is. I believe it needs to be considered by a fuller Dáil and, on that basis, I call for a quorum of the Dáil.

6 o'clock

Notice taken that 20 Members were not present; House counted and 20 Members being present,

Question put and agreed to.

24 November 2022

Acting Chairman (Deputy Bernard J. Durkan): I propose to suspend the Dáil for five minutes while we prepare for the Topical Issue debate. Is that agreed? Agreed.

Cuireadh an Dáil ar fionraí ar 6.02 p.m. agus cuireadh tús leis arís ar 6.06 p.m.

Sitting suspended at 6.02 p.m and resumed at 6.06 p.m.

Saincheisteanna Tráthúla - Topical Issue Debate

Employment Rights

Deputy Mick Barry: “Unfortunately, we have closed the shop in Blackpool. There won’t be any need for any staff member to attend work from now on. You will be contacted by people as regards how to claim your redundancy and all the other bits and pieces. Thank you for your service over the years. Kind regards, Sean Nyhan”.

This is the text message that was sent to a Butcher’s Block manager in the middle of the night last Friday night-Saturday morning, informing workers - some of whom had 20 years of service - that their jobs were gone five weeks before Christmas. What does the Minister of State, Deputy Feighan, make of that? What the ex-employer described as “all the other bits and pieces” include back pay, holiday pay, and time in lieu. I spoke to one couple who both work there. They are owed approximately €1,500 in back pay and holiday pay. This is outrageous treatment from the former employer.

This situation is compounded by the outrageous inaction of the Minister of State’s Government. Why is it that one and half years after the Debenhams strike the Government has failed to pass legislation to improve workers’ rights in a liquidation situation? Why might these workers have to go down the queue to get what is owed to them in a liquidation? When will the Government support the passage of the Companies (Protection of Employees’ Rights in Liquidations) Bill 2021 - known as the Debenhams Bill - through the Houses of the Oireachtas?

There has been an outpouring of sympathy and solidarity from the ordinary people of Cork to these workers. What has happened to these workers has rung alarm bells for other workers - and by the way, the shops that will close are not just the ones in Cork, they are in Dungarvan and in the midlands also. This needs to ring alarm bells for other working people. It is no great secret that a recession is on the way. It is no great secret either that the way these workers have been treated is far from exceptional. It is only a couple of weeks since we saw one of the biggest names in international capitalism, namely Twitter, get a new owner. The richest man in the world, Mr. Elon Musk - the man who wants to colonise Mars - sacked workers in that company by way of an email. Those workers were sacked by email and then a couple of weeks later we have these workers being sacked by way of a text message. This is becoming more common.

What we need, and what I advocate, is not just improved legislation for workers’ rights - pass the Debenhams Bill - it is for workers themselves to prepare for the coming recession. Given the type of hard-nosed employers we are dealing with in these situations the message from me to workers is the same as the message that was necessary ten years ago, 20 years ago,

and 100 years ago: organise, organise, and organise again.

Tonight, however, I want to put the spotlight on the Government and the question of legislation and why there is not sufficient legislation there to protect fully these workers.

Minister of State at the Department of Health (Deputy Frankie Feighan): I thank the Deputy for raising this very important issue. It was raised in the Dáil this morning too.

I extend my sympathies to the workers in the Butcher's Block, who are now suddenly facing job losses. The way in which this was handled was cold and lacked compassion. It is no way to treat hardworking, loyal workers. We have to protect and support workers. The Government and I appreciate how difficult this situation is for those involved and their families, particularly at Christmas time.

The Government is acutely aware of the difficulties businesses have faced in recent times. The financial assistance provided during the pandemic was unprecedented. The Government continues to support businesses, especially in the context of higher business costs, particularly energy costs. Budget 2023 introduced a package of new measures to help businesses across a wide range of sectors to deal with rising costs. Those measures include the temporary business energy support scheme, TBESS, the Ukraine credit guarantee scheme, the Ukraine enterprise scheme and the new growth and sustainability loan scheme. All these actions are focused on supporting continued employment.

Where businesses close, Ireland has a robust suite of employment rights legislation to protect and to support workers. By law, it is the employer's responsibility to pay statutory redundancy and other outstanding wage-related entitlements to workers. Where an employer is genuinely unable to pay these entitlements due to financial difficulties or insolvency, the State provides a safety net and may make the payments on the employer's behalf from the Social Insurance Fund.

The Protection of Employment Act 1977 imposes certain legal obligations on employers proposing collective redundancies, including an obligation to engage in an information and consultation process with employees' representatives and to provide information on the proposed redundancies. Those obligations apply where more than 20 workers are employed and depending on the number at risk of redundancy. The proposed collective redundancy must be notified to the Minister for Enterprise, Trade and Employment. There is no obligation on the employer to notify the Minister of proposed redundancies outside the parameters of collective redundancy legislation. However, under the Minimum Notice and Terms of Employment Act 1973, employers must provide employees with statutory periods of minimum notice, which vary depending on the length of service.

The Workplace Relations Commission, WRC, is the organisation mandated to secure compliance with employment rights. Employees have the right to refer complaints to the commission on a wide range of employment law breaches, including those relating to statutory minimum notice, for adjudication and compensation where appropriate.

I assure the Deputy that the Government will work in a co-ordinated way to assist these workers. The Department of Social Protection will assist in respect of income supports and employment and training opportunities.

Again, I extend my sympathies to the workers in the Butcher's Block. As I said, the way

this was handled was clumsy and cold and lacked compassion.

Deputy Mick Barry: I asked the Minister of State a question and, in response, he read out a prepared script. The script dealt with many different points but did not deal with the core question I asked him, so I will use my time to go back over that.

The response he gave states that if push comes to shove, the State will pay statutory redundancy to the workers who have lost their jobs in Cork, Dungarvan and the midlands. However, I asked him not just about statutory or minimum redundancy but also what happens to the holiday pay and back pay due to these workers and what happens to the tip jars that belong to them. The workers, when they got the text message on Saturday morning, passed on by the manager, hurried down to the shops. They could not get in because the shops were shuttered and locked up. The locks had been changed. By all appearances, the places had been cleaned out. What was on the counter, including the workers' tip jar, was no longer there. Talk about cold and callous. What is the story there?

As for the key question I am asking the Minister of State, he pointed to the Social Insurance Fund, but the liquidation laws state that there are those other than the workers who are first in the queue for access to that fund and if there is not enough money in the kitty to deal with such situations, the workers will lose out on what I regard as entitlements, what should be their entitlements and what would be their entitlements if the Debenhams Bill was passed. The question I am asking the Minister of State, therefore, is when the Government will ensure that legislation or equivalent legislation is passed in order that workers can vindicate their rights in redundancies, rather than facing the situation that the Debenhams workers faced and that now threatens the workers in the Butcher's Block.

Deputy Frankie Feighan: The Deputy has outlined many different issues, including the tip jars, holiday pay and back pay. I will bring those concerns to the Minister.

The Debenhams Bill, or legislation like it, does not come under the remit of my Department, but I will bring the Deputy's suggestion to the Minister.

The Government appreciates the impact this dispute has on the affected workers, and the Minister is disappointed by the suddenness of the announcement. For its part, the State will do all it can to support the workers at this most difficult time. We will ensure that eligible employees receive statutory redundancy and other outstanding wage-related entitlements from the Social Insurance Fund. As the Deputy will be aware, under the redundancy payment scheme, an eligible employee is entitled to two weeks' statutory redundancy payment for every year of service plus a bonus week, subject to a ceiling of €600 per week. In insolvencies, entitlements covered under the insolvency payments scheme include outstanding arrears and wages, holiday pay and payments in lieu of minimum notice, subject to certain limits.

Finally, the Department of Social Protection is aware of this issue and is available to assist these workers. I urge all those who are affected to contact their local Intreo centres for advice and support.

As I said, the Deputy has raised a lot of issues and I will bring them back to the Minister.

Dáil Éireann
Hospital Facilities

Deputy Pádraig O’Sullivan: I acknowledge that we had a bit of news on this issue earlier in the week, in an article featured in the *Irish Examiner*, courtesy of Danny McConnell, who is sitting above us. The early indications coming out of the announcement seem to suggest the confirmation we have all been looking for in Cork North-Central. Deputy Barry opposite and all the Deputies in Cork North-Central - well, many of us - have been fighting the corner for this hospital to be located in Glanmire, and it now appears that will be the case.

We have all had the debate on the preferred site, as I said, over the past 12 months, if not longer. An existing mental hospital in Sarsfield Court is being used currently. There are more than 100 acres, which will allow for future expansion. There are many positive attributes to the site, with it being so close to the motorway, which, in the future, if it is developed, will lead to greater accessibility for patients and users. We have sung the praises of the Sarsfield Court site for many months now, and it seems we are coming to a close on this issue. I believe that it will be finalised before Cabinet next Tuesday or Wednesday. All that is looking positive. The new hospital will include nine operating theatres, seven endoscopy suites and six outpatient diagnostic suites and, when operational, will have a staff complement of approximately 300. All that is being delivered by the Government as we build towards a future Sláintecare model.

I will quote the phrase the Taoiseach used the other day in the Dáil, which featured in the same article in the *Irish Examiner*. He said we need to take this issue “by the scruff of the neck”. On many occasions, when it comes to large items of infrastructure and the national development plan, the Taoiseach has told the House that it is all about delivery. What we need to see is no more speculation about this. We need to see a decision. We need to see it progress through tender and planning and see it delivered as quickly as possible. There is speculation that the hospital will be delivered as early as 2027 or 2028. When we are speculating we should remember that the best way that the Government can facilitate that kind of timeline is in the upcoming review of the Planning Act which is being led by the Taoiseach’s office and the Attorney General. In that legislation, we need to see the provision for large-scale strategic infrastructure like this so that it can be treated expeditiously and in a streamlined manner so we can get on with taking it by the scruff of the neck, as the Taoiseach said, and with delivering it. There are a number of capital projects in the Glanmire area. The flood relief scheme has been well spoken about in here in recent months. That has been slowed down because of difficulties in planning initially that went on for an awfully long time. Most recently, the cost of building materials and inflationary pressures has set back the project by some months. Happily, it is back on track for maybe March-April next year.

If the Government is serious about these hospitals, not just in Cork but also in Limerick and Galway, then we need to see delivery not only on the ground but in the legislation that is meant to come before us in the next couple of weeks to reform the Planning Act which will facilitate those large infrastructural projects.

Deputy Frankie Feighan: The cross-party Sláintecare report of 2017 articulated a new vision for healthcare, including the provision of elective-only hospitals, providing protected capacity for elective care. This policy has also been informed by a number of subsequent policy documents and Government decisions including the 2017 Sláintecare report, the Sláintecare implementation strategy 2018, the national development plan 2018, the programme for Government 2020, the Sláintecare implementation strategy and action plan 2021-2023 and fi-

nally the new national elective ambulatory care strategy which was agreed by Government in December 2021.

This new strategy aims to change the way in which day cases, scheduled procedures, surgeries, scans and outpatient services can be better arranged to ensure greater capacity in the future and help to reduce waiting times at a national level. The development of additional capacity will be provided through dedicated, stand-alone elective hospitals in Cork, Galway and Dublin.

The elective care scope of service will be developed in two phases commencing with day cases, diagnostics and outpatients and then by inpatient treatment. On this basis, the elective care centres will be designed to provide sufficient capacity to facilitate future phases, including some elective inpatient capacity, thereby providing a sustainable and strategic response to cater for the highly dynamic landscape of healthcare policy and practice.

The locations chosen for the new elective care centres will allow for new facilities of a size and scale to implement a national elective care programme. This means that the new facilities will be designed to maximise their capacity and in doing so will operate to meet the demands of as wide a catchment area as possible, extending beyond existing and future health areas. Locating the new facilities in Cork, Dublin and Galway will enable us to cover more than four fifths of the entire population of the State.

I am conscious of the strong public support for these new facilities and the desire expressed by many, including the Deputy, for them to be developed as quickly as possible. I say to him that it is important we follow due process with regard to developing our plans to ensure value for money from this significant strategic development. This means that we are following the public spending code process. As part of this, detailed programme and project preliminary business cases for Cork and Galway have been developed and undergone both internal and external assurance. These will be coming to the Government very shortly for approval in principle. I would not wish to pre-judge the process, but can assure the Deputy that we will make an announcement on the locations of the emerging preferred sites once that approval is given.

Deputy Pádraig O'Sullivan: I did not expect the Minister of State to confirm with a big fanfare that the site has been chosen as Glanmire here this evening but it is not a secret anymore. Many of us have been aware that the preferred site was Glanmire up to eight months ago, to be honest. That detail was quite well known although, as I said, I do not expect the Minister of State to confirm it this evening.

I commend the Minister, Deputy Michael McGrath, for his work on this. I know his Department turned around the business case and the public spending code that the Minister of State mentioned in his response in a matter of weeks. It is just unfortunate that the report spent eight months in the Department of Health sitting on a desk when the Taoiseach said that we need to start delivering major infrastructure like this. That it spent eight months sitting in the Department of Health does not fill me with confidence that we will work on large-scale projects like this as expeditiously as we need to.

As I said, I did not expect the Minister of State to come in here and confirm the site. I am assuming that will be done after the Cabinet meets next week but I will make two brief points. First, the response mentioned that it would be announced very shortly but that it would be approved in principle. Will the Minister of State elaborate on what "in principle means"? Is that subject to any other type of confirmation that we can be made aware of? Second, the report

spent eight months in the Department of Health. If that is how we treat these major infrastructure schemes, I do fear for the future. Taking things by the scruff of the neck, to me, means making decisions quickly and cutting out a lot of the red tape which drives many of us here demented. I would appreciate if the Minister of State could expand on what approval in principle means.

Deputy Frankie Feighan: As I said in my opening remarks, I am conscious of Deputy O’Sullivan’s desire for the new elective facilities in Cork and in particular that they are delivered as soon as possible. Producing this new delivery capability into the public healthcare system will benefit the good people of Cork and indeed the whole population. I am as keen as the Deputy that they get to work as quickly as possible.

I suppose being approved in principle means the Government has given a commitment. However, I am aware that the Government has a duty to ensure value for money when delivering projects such as this and it is important to follow due process. Preliminary business cases will be coming to the Government for consideration very soon. The Taoiseach suggested yesterday that this could be as early as next week. As soon as the Government approval in principle is given to those, we will be in a position to announce the locations of emerging preferred sites at Cork and Galway. That will then allow us to move on to the next stage of the programme which is the development of detailed project design, project brief and procurement strategy. We are taking all possible steps to move the projects forward as quickly as possible within the current rules. I look forward to being able to make a further announcement soon and I appreciate the Deputy’s support in this matter.

I do not have the exact location but if my esteemed colleague Dan McConnell says that it is in Glanmire then I suspect it is. But that has not been officially revealed yet.

Medical Cards

Deputy Bernard J. Durkan: This relates to emergency medical cards and emergency relief where patients are suffering from a particular life-threatening situation and the need to issue a medical card quickly. It is true to say that a patient who has a life-threatening illness has enough worries but some are forced to wait again and again and are told they must apply again. The last thing that should be on the mind of the patient should be the delay in applying again. They do not want very much. All they want is a bit of consideration, compassion and a little bit of movement, particularly where the hospitals have issued the request for the medical card. They know what the condition is and the circumstances, but there is a dragging out of the whole situation to the extent that the deciding officer is making a suggestion on the seeking of further conclusive evidence. For heaven’s sake, the hospital has already indicated what is required.

I am referring to two particular cards but I am not using the people’s names. There was a call to my office this evening from the Department to suggest one card has been granted. One card has not been granted. A card was granted to a person with the same name. It was not the same person at all. The issue was such that I decided all the cases should be dealt with globally and finished with. Is it possible to indicate to the HSE the urgent need to respond and alleviate the stress on the patients? They are under enough stress already. It should not be necessary for them to repeat the nature of their condition time and again. They have life-threatening conditions. I call for an immediate response in all the cases concerned and all cases that are pending. What I am calling for will not bring the nation to a halt. It involves a simple expression of

compassion and concern to alleviate the stress of patients and make life a little easier for them.

Deputy Frankie Feighan: I thank the Deputy for raising this issue. He talked about issuing medical cards quickly and people having to supply information again. He has a unique view on the hospital making a decision. A time of illness is difficult and a cancer patient experiencing trauma, for example, needs compassion and needs the State to act as quickly as possible.

Person-centred care is a core value of the health service, whereby everyone living in Ireland and considered by the HSE to be ordinarily resident here is entitled to either full eligibility or limited eligibility for health services. Persons with full eligibility, namely medical card holders, can generally access a wide range of health services without charge. As of 1 November, there are over 1.56 million medical card holders and more than 533,000 GP visit card holders.

Eligibility for a medical card is provided on a statutory basis under the Health Act 1970 and is based primarily on means. The Act obliges the HSE to assess whether a person is able, without undue hardship, to arrange general practitioner services, having regard to his or her overall financial position and reasonable expenditure. Where individuals might be in excess of the medical card income threshold in the guidelines, every effort is made by the HSE to support them by taking full account of the difficult circumstances, such as extra costs arising from an illness. In such circumstances, the HSE may exercise discretion and grant a medical card. That said, it is vital that we do as much as possible to support people with difficult illnesses, including, where appropriate, through the provision of a medical card.

With the exception of patients who are terminally ill, all emergency medical cards granted are issued on the grounds that the patient is eligible for a medical card on the basis of means or undue hardship and will follow up with a full application within a number of weeks of becoming eligible. I am advised by the HSE that such medical cards are active on the system within 24 hours of the HSE national medical card unit receiving a medical report and completed application form from a healthcare professional.

I endeavour to ensure that the medical card system is responsive and sensitive to people's needs. My Department keeps medical card issues under review, and any proposals are considered in the context of any potential broader implications for Government policy, the annual budgetary Estimates process and legislative requirements arising. However, I do hear the Deputy. For every Deputy and Senator, medical cards can be a very difficult issue. It can be harrowing for those with a terminal or serious illness if they find it hard to get a medical card. We do need to do a little better.

Deputy Bernard J. Durkan: In fact, it is not happening as it should. The people involved know that full well. Where there is a terminal illness or life-threatening illness that may become terminal, what does the section want? Does it want somebody to say the patient is going to die? That is essentially what it is coming down to. That is not something I or anybody else should decide. In order to deal with the situation that presents itself, in which the patient is under stress owing to illness and thoughts of how things might pan out, there is a need for some small gesture of reassurance, such as an emergency medical card. This would be of some small assistance to an affected family. The cost would not tear the nation apart. It is just a simple gesture to alleviate some of the burden on an family affected. It may be the head of the family or a junior member. I ask the Minister of State to relay this to the relevant section of the Department straight away. Could it have a little humanity and compassion and apply them? In all cases, the people in question said they want the medical card only for the time involved, whatever that

may be, and not forever. It is to relieve the stress. They have enough stress already. We do not need to add to it by dragging patients through an assessment, all based on money. That is not the way the system is supposed to work.

I assure Minister of State that I have dealt with this for many years. Somebody is sitting on a file or files somewhere waiting for confirmation. They are not entitled to do so. What is happening to the patients is appalling. I ask the Minister of State to convey my views to the authorities concerned in the shortest possible time.

Deputy Frankie Feighan: I will bring the Deputy's views to the relevant section immediately. As he said, we need to alleviate some of the burden on people with serious and terminal illnesses. We do as much as possible to support people with difficult illnesses, including, where appropriate, through the provision of a medical card. Every effort is made by the HSE within the framework of the legislation to support applicants in applying for a medical card and, in particular, to take full account of the difficult circumstances of applicants whose income may be in excess of that stipulated in the guidelines. In this context, it is important to acknowledge that the HSE may exercise discretion and grant a medical card, even though an applicant exceeds the income threshold, where he or she faces difficult financial circumstances such as extra costs arising from an illness.

The HSE affords applicants the opportunity to furnish supporting information and documentation to take account fully of all the relevant circumstances that may benefit them in the assessment, including medical evidence of costs and necessary expenses. We will endeavour to ensure the medical card system is responsive and sensitive to people's needs by keeping all medical card issues under review.

Schools Amalgamation

Deputy Aodhán Ó Ríordáin: The Minister for Education was in touch with my office to state she has other commitments this evening. Therefore, I appreciate the attendance of the Minister of State. I am interested in hearing what he has to say on behalf of the Government.

The Minister of State will appreciate that when Deputies get 20 or 30 emails on a particular issue, they know something has gone drastically wrong. A review of the schools in Raheny parish is taking place. When I made contact with the office of the archbishop, the representative informed me this is one of a number of reviews. I understand 29 schools in 11 parishes, of which Raheny is one, are under review. I was told there is an independent facilitator whose role is to consult, listen and be part of the information flow. This is a process done in tandem with the patron body and Department of Education. Given that I used to be in that position as a school principal, as a rule I do not get involved in individual school issues regarding the future. It is an issue for an individual school and its patron body. These matters do not need to be politicised unnecessarily. However, this has a political component to it because the Department of Education is involved. The process is being so mishandled that, regardless of one's view on the future of primary schools in Raheny, everybody would feel as if they are not being heard, the independent facilitator is not doing the job properly and there has to be a restart.

Anybody who knows anything about my politics will know that I believe in divestment and that having a disproportionate number of schools under one particular patron is not healthy. Anybody who knows anything about my political view would know that I do not believe single

gender schools, in particular at primary level, can stand up to scrutiny. In Raheny there are two single gender schools and a mixed infant school and, I understand, after a period of consultation there is a proposal that one school would divest and the two remaining schools under Catholic patronage may be reconfigured along co-educational lines.

Speaking to the representative of the archbishop, I asked him plainly whether there is an absolute guarantee that anyone who wants to have his or her child educated through the Catholic ethos in Raheny will have capacity for that to continue into the future. He said, categorically, “Yes”. He said that to me, but that is not the understanding or knowledge of many people who have contacted me.

I ask that the Minister of Education take control of the situation because clearly if people are forced to contact a local representative, they feel they are not being heard. We also need to hear the views of those who do not have children currently attending schools in Raheny but who live in the area. They may have a one, two or three-year-old child and would like to know if they could have some say as to what the reconfiguration of schools would be.

To put it bluntly, this situation has got out of control. It is not working for anybody, including staff or parents. I ask the Minister for Education to intervene and ensure that the independent facilitator of the process does his job effectively because currently there is a lot of concern and insecurity about the future of schools and people feel as if they are not being listened to.

Deputy Frankie Feighan: As the Deputy knows, I am taking this matter on behalf of the Minister for Education. I thank the Deputy for raising this matter. It gives me the opportunity to set out for the House the position with regard to the schools reconfiguration engagement process that is ongoing in a number of pilot areas nationwide, including a number of primary schools in the Raheny area.

In March this year, the Minister for Education announced that arrangements were being put in place for a number of towns and areas in cities that have no multidenominational primary schools at present as part of the pilot reconfiguration initiative. This work involves identifying potential schools and engaging with school authorities, staff and the school communities, including parents, with a view to agreeing on a transfer of patronage and change of ethos where there is sufficient demand for this.

Where a school transfers from one patron to another, it remains open with the same roll number and operating on the same school property. All State-funded primary schools follow a common national curriculum and are subject to the same rules and regulations, as the Deputy knows. The council for education of the Irish episcopal conference, representing the Catholic patrons, and relevant bishops have confirmed their willingness to engage and co-operate fully with the Department of Education in seeking to facilitate a more diverse school patronage in these towns and cities. The pilot areas are part of the cities of Cork, Dublin, Galway and Limerick and the Arklow, Athlone, Dundalk and Youghal areas.

The Department has made available a number of independent facilitators across the pilot areas to work with the school patron and relevant school authorities at a local level to progress the reconfiguration pilot initiative and engage with stakeholders, including school authorities, staff and parents. The work aims to agree on a transfer of patronage and change of ethos to multidenominational, where there is sufficient demand for this in the pilot areas.

Among the pilot areas being engaged with to consider if there is demand for the transfer

patronage and change of ethos to multidenominational are three schools, Naíscoil Íde, Scoil Áine and Scoil Assaim, in the Raheny area. For clarity, no decision has been taken to transfer patronage of any of the three schools. There is an ongoing engagement process. In this respect, the relevant facilitator has met the school authorities and staff. Dates have been set for the facilitator's information meetings with parents of children in the three schools.

A key part of the structured engagement process in the pilot area is the information meeting with parents, where the facilitator makes a presentation to parents providing information on the school's reconfiguration process initiative, including information on what this may mean for parents and pupils and setting out the steps in the engagement process. At the information meetings with the facilitator, parents will have the opportunity to raise any questions and share their views.

The information meetings are useful from the perspective of the facilitator and patron representative in helping to gauge the level of demand for a transfer of patronage and change of ethos. Parents can share their views at the information meetings with the facilitator and also by email to the Department for Education's reconfiguration email address. Such correspondence will be shared with the relevant facilitator.

The Deputy called for an independent facilitator and patron body representatives to meet, and asked that the Minister intervene. I will bring those views back to the Minister.

Deputy Aodhán Ó Riordáin: There are two issues. One is that the independent facilitator has indicated that he will "read the room". No matter what side of the debate one is on, whether one wants divestment, co-educational schools or for things to remain exactly as they are, an independent facilitator saying to a group of parents or anybody that it will be his determination what the temperature is by just reading the room is not particularly scientific and does not give anybody any sense that this will be done in a fair manner.

Second, I contend that the parents of a two-year-old have more skin in the game than the parents of somebody in sixth class. Yet, the parents of a child in sixth class, who is leaving a school next year, have more of a say in what the future of the school will be than somebody whose child is aged two, three or four, lives close to the school and intends to send their child to that school. The views of such parents are not being canvassed, yet they live in the area and surely have a view.

This is why I am asking the Minister to intervene and communicate with the independent facilitator. We cannot ask people to have faith in a process when a determination will be made by facilitator who is going to read the temperature of a room. What if my child is aged two, three or four, I live in Raheny and have an interest in what happens to the future of these schools? Surely we should find a mechanism in the school catchment area to canvass the views of those who live locally and whose children will soon be of school-going age. As I said, those parents have more of a stake in this process than somebody whose child is in sixth class and is leaving the school and has no other children going through the school. Those are two reasonable points and the Minister of State needs to hear them and communicate them back. Otherwise, we are going to have a divisive process – indeed, we already have one – that will satisfy no one. Schools are magical places. We need to ensure they remain so and not have division.

Deputy Frankie Feighan: I will bring the Deputy's views and concerns back to the Minister. Engagement on the three schools the Deputy referred to in Raheny is ongoing and no deci-

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sion in respect of the transfer of patronage from the Catholic patron to a multidenominational one has been made at this stage. As part of the structured engagement process, information meetings with the facilitator have been set up with parents in the three schools. The facilitator will provide them with information on the process, answer queries and provide an opportunity for parents to share their views. Parents and the school community can also email the Department at *reconfiguration_dublin@education.gov.ie* to ask questions or share their views.

As part of the structured engagement process, the facilitator and school patrons, or the patrons' representatives where appropriate, review the engagement as part of each information session with the school community. The facilitator writes a preliminary report reflecting the engagement with the school authorities, staff and parents and submits this to the patron. In pilot areas where the engagement has already progressed to this stage, the facilitator's preliminary report to the patron was circulated to the full school community and a dedicated reconfiguration email address was provided so that the school community, including parents, could provide feedback or views. The Department collated this and provided it to the relevant facilitator.

As the Deputy knows, this is an ongoing engagement process with the school community and I encourage the school community in this and other areas where the pilot engagement process is in train to share their views with facilitators and the Department. The overarching aim of this process is to offer greater choice to parents in areas where the availability of multidenominational schools is limited.

I thank the Deputy for raising this issue. I will bring his points to the Minister.

Message from Select Committee

Acting Chairman (Deputy Bernard J. Durkan): The Select Committee on Tourism, Culture, Arts, Sport and Media has completed its consideration of the National Tourism Development Authority (Amendment) Bill 2022 and has made no amendments thereto.

Estimates for Public Services 2022: Messages from Select Committees

Acting Chairman (Deputy Bernard J. Durkan): The Select Committee on Social Protection, Community and Rural Development and the Islands has completed its consideration of the following Supplementary Estimates for public services for the service of the year ending 31 December 2022: Votes 37 and 42.

The Select Committee on Housing, Local Government and Heritage has completed its consideration of the following Supplementary Estimate for public services for the service of the year ending 31 December 2022: Vote 34.

Dog Breeding Establishments (Amendment) Bill 2021: Second Stage [Private Members]

Deputy Peadar Tóibín: I move: “That the Bill be now read a Second Time.”

Táim brodíil as an mBille seo a chuir os comhair na Dála inniu. Is Bille tábhachtach é. I am delighted to present Aontú’s Dog Breeding Establishments (Amendment) Bill 2021, or the puppy farm Bill, on Second Stage. This Bill is the second animal welfare Bill Aontú has introduced in this Dáil. The first was the Criminal Justice (Theft and Fraud Offences) (Amendment) (Pets) Bill 2021, which was introduced by Aontú at the end of 2020 to create a minimum ten-month prison sentence for those caught stealing family pets. That Bill has passed First Stage and is awaiting an opportunity to be presented on Second Stage. It was reported in the *Irish Examiner* a year ago that up to 200 dogs per week were being stolen from Irish homes every week. Criminal gangs are especially busy at this time of year in the run up to Christmas. This is a serious issue that has a major impact on families. Dogs are clearly part of the family and the death of a pet can have a significant emotional impact, which should be recognised in law.

Animal welfare and protection is a subject spoken about regularly in Leinster House, but we seldom see good, proper action on same. This issue is very important to communities, who want to see action, not just words. We need to see enforcement of animal welfare legislation. No matter what law we have, it is no good if we do not have enforcement. Be it in terms of employment, competition, housing, the environment or so on, having all the legislation in the world will do no good if we do not enforce it.

The purpose of Aontú’s Dog Breeding Establishments (Amendment) Bill is to enhance the welfare of dogs. A dog is a loved pet in many families throughout the country. Dogs are traditionally seen as man and woman’s best friend. The relationship between dogs and people is incredible. Their love, loyalty, protection and fun enrich the lives of many people. In particular, the relationship between a dog and a child is beneficial as the child grows up. When a dog dies, it leaves the family broken-hearted. Anyone who has had a dog can remember days, if not weeks, of grieving after the dog died. Indeed, anyone who has had a dog will remember that dog and the dog’s character for the rest of his or her life.

In a civilised society, we must ensure we treat animals as humanely as possible and that all forms of life are treated with decency. This is especially true of dogs. Many people are unaware of where their puppies come from and how those dogs were brought into the world, including the mechanisms and structures behind it. None of us could countenance that our own pets came from a destructive beginning. Unfortunately, there is a great deal of money in dogs, and where there is money, there are people who are willing to exploit the situation for their own profit and try to get away with breaking the law.

This Bill aims to strengthen the regulation of dog breeding establishments to take account of key animal welfare issues. It also provides for proper enforcement of relevant statutory provisions. According to Rescue Animals Ireland, Ireland is considered the puppy farm capital of Europe. This is incredible. I understand that Ireland has one of the largest number of puppy farms *per capita* in Europe. Due to poor conditions in some puppy farms - I wish to underline the word “some” - animals can suffer greatly. Bad conditions mean dogs can develop serious illnesses and ailments that can cause serious discomfort and lead to long-term health consequences.

The number of puppy farms in Ireland is incredible. In 2016, there were 73 registered pup-

py farms. In 2018, there were 258 registered dog breeding establishments. Figures show these farms were producing at least 30,000 puppies per year. This is an incredibly high figure. Animal welfare organisations have warned that some puppy farms have upwards of 500 breeding dogs at any given time. The ability to house and feed those dogs properly, ensure their health and provide adequate staffing to meet those needs is difficult when the numbers are that high.

These are legal puppy farms, but we know there are also many illegal puppy farms in the country. In February of last year, the Irish Society for Prevention of Cruelty to Animals, ISPCA, took into care 60 dogs it found at a puppy farm in the midlands. In November 2020, 32 dogs were rescued from an illegal puppy farm in Baldoye, Dublin. Those dogs had an estimated value of €150,000.

This whole sector, legal and illegal, is dealing with significant cyclical changes. Dogs were in high demand during Covid. Heartbreakingly, due to the world getting back to normal, we have seen a significant drop in that demand, with 30 dogs per day being abandoned. This is a strong message to send to people in the run up to Christmas. People should be aware before they purchase a dog that having a dog is a significant commitment. It is a great commitment and a wonderful experience for many, but people need to be confident they will be able to look after the dogs in the years to come.

7 o'clock

The current influx of abandoned dogs is putting dog rescue and protection organisations under serious pressure, physically and in financial terms. While I understand that many people are financially strapped at the moment, I encourage those who can to consider helping dog charities financially in the coming months.

We have received many reports of significantly uneven enforcement of existing legislation from local authority to local authority. There are some shining lights among local authorities that are enforcing legislation properly but we have also received information that some local authorities are not doing their job or carrying out their responsibilities and that they do not have an individual with the specific task of the protection of dogs. Our Bill seeks that each local authority will commission a specific individual or team to ensure the protections afforded by the law are enforced.

The Bill introduces a minimum standard for animals. We strengthen the five freedoms contained in the 2010 Act by which each dog breeder must adhere in the raising of these animals. Under our Bill, dogs must be kept in such a manner as to avoid unnecessary suffering. Dogs must receive treatment when necessary from a veterinary practitioner. Dogs must be permitted to exhibit their natural and normal behaviour. Dogs must be permitted to have the company of other dogs where this is safe.

Our Bill amends the definition of “authorised person” in the Act of 2010 so as to ensure that persons who act as authorised persons under that Act are specifically appointed under it to fulfil this role. We significantly increase the penalty for breaking the law in terms of puppy farms. Profits from breeding dogs are currently very high and the existing fines are not sufficient to make an impact. In other words, with high profits, it is not a massive risk if a person gets caught and must pay the existing fine. It is not a real deterrent. The previous maximum fine of €5,000 becomes a minimum fine on statutory conviction in our Bill and we introduce a €10,000 fine for convictions on indictment.

Dogs Trust, which is Ireland's largest dog welfare charity, has called on the Government to improve legislation governing the sale, supply and advertising of dogs. As Members are aware, the Joint Committee on Agriculture, Food and the Marine has recommended action in this area. We recognise that some of the proposals of the committee have strong merit. I refer to issues such as dogs having their ears mutilated for cosmetic purposes and the illegal nature of some advertisements that are used on selling platforms, which are clear threats to animal welfare. I hope this Bill makes it to Third Stage, because then we could include some of the proposals that have emerged from the committee as amendments to the Bill. I urge the Government to allow this Bill to proceed to the next Stage.

Is é an madra an cara is fearr atá ag daoine. I dteaghlaigh thart timpeall na tíre, tá áit lárnach ag peataí. Briseann croíthe na clainne nuair a fhaigheann an peata bás. Is fíorbhrón atá i gceist. Is ainmhi ar leith é an madra agus ba cheart go mbeadh sé sin aitheanta sa dlí.

Minister for Rural and Community Development (Deputy Heather Humphreys): I thank Deputies Tóibín, Canney and Grealish for bringing forward this Private Member's Bill. I am pleased to inform the House that the Government is not opposing the Bill.

I have two dogs myself, a miniature Yorkshire terrier called Rusty and a King Charles spaniel called Lady. Like everybody else, they are part of the family and we would be heartbroken if anything happened to them. I think that is the case for many people. Whether it is an elderly person living alone or a young family, often the entire household revolves around the dog; whether they have been fed or walked or if the dog took a shoe. These are all familiar questions in any household with a dog.

Hallowe'en has just gone by. We always want to make sure the dogs are safe and sound before the fireworks start going off because we know the noise stresses them out. It is the same story if there is thunder. It is always one thing or another. We are always on the lookout to make sure the dog is okay. There is a fair bit of work in that. Sometimes they might tear socks, dig up the flowerbed or do their business somewhere they should not and then you put your foot in it, but the fact of the matter is that we would not be without them. What we get back in return is the most loyal friend and companion we could ever ask for. You always get a friendly welcome when you come home at the end of the day. We had a long day yesterday. No matter what time we get home, the dog is always glad to see us. That is why it is so horrifying to many of us when we hear of instances where dogs are not treated well or they are subjected to cruelty. Whether it is in dog breeding establishments, DBEs, which tonight's Bill relates to, or whether it is in a home, as far as I am concerned if a person is not going to treat a dog right then he or she should not have one.

The proposals outlined in the Bill are broadly in line with my Department's overall objective to promote responsible dog breeding in Ireland. I assure the House that they will be taken into consideration by my Department in the preparation of amendments to the Dog Breeding Establishments Act 2010, on which work is already under way. As Deputies will be aware, the Dog Breeding Establishments Act 2010 regulates the operation of dog breeding establishments. It is important to say that local authorities are responsible for all operational matters in relation to DBEs, including the licensing, monitoring and inspection of dog breeding establishments and, where a serious and immediate threat exists to public health or animal health and welfare, for the closure of such establishments. All local authorities must establish and maintain registers of dog breeding establishments and the Act prohibits the operation of unregistered establishments. I welcome many of the proposals in this Bill. I agree that we need enhanced

enforcement by local authorities to ensure that dogs in dog breeding establishments are kept in appropriate conditions. None of us want to see dogs kept in substandard conditions. I believe consultation with local authorities and other key stakeholders will be required on some of the proposals as they would have operational implications for the work of the local authorities on the ground.

I also welcome the proposals to increase the maximum fines for convictions under the Act to €10,000. For the information of the House, I might use this opportunity to outline the role of my Department in this area, and set out its responsibilities regarding dog breeding establishments and dog control. Legislative and policy responsibilities in relation to the Dog Breeding Establishments Act 2010 and the Control of Dogs Act 1986 transferred to my Department from the then Department of Housing, Planning, Community and Local Government in July 2017, when the Department of Rural and Community Development was formed. Since the transfer of these functions, my Department has carried out several reviews of this area of work to ensure that the legislation is fit for purpose, to seek to make improvements where appropriate and to promote responsible dog ownership.

Each year, my Department publishes comprehensive annual statistics on local authority dog-related activities. These cover, for example, information on stray and unwanted dogs, dog licences, enforcement actions and the operation of local authority dog shelters and dog breeding establishments. These statistics are available on the *gov.ie* website.

Information on dog breeding establishments is also collated. The number of such establishments in 2021 was 245. This figure includes 92 commercial dog breeding establishments, 83 hunt clubs, 49 commercial boarding kennels, 17 animal welfare shelters and four training kennels.

In order to provide a full picture of the work carried out on dog breeding establishments, it is important to understand the role of other arms of Government with responsibilities in these areas. The most important aspect of work relating to dog control happens at the front line. The local authorities are key in this regard. They are responsible for all operational matters relating to dog breeding establishments, including the licensing, monitoring and inspection of dog breeding establishments, and in very serious cases, for the closure of such establishments. Local authorities are also responsible for the enforcement of certain legislation in this area. For example, under the Control of Dogs Acts, local authorities have the power to issue dog licences, appoint dog wardens, provide dog shelters, seize dogs, impose on-the-spot fines and take court proceedings against dog owners, where appropriate.

My officials co-operate closely with the local authority veterinary service to ensure that we do what we can to support the vets in their work. This includes facilitating training and information days for the vets.

My Department also has a close working relationship with the Department of Agriculture, Food and the Marine, which is responsible for the Animal Health and Welfare Act 2013, and a statutory instrument made by the Minister for Agriculture, Food and the Marine under that Act includes provisions relating to the microchipping of dogs. That Department also oversees regulations on the sale, supply and advertising of pets, including dogs.

On 13 October, the Oireachtas Joint Committee on Agriculture, Food and the Marine published its report on issues impacting on dog welfare in Ireland. One of the main recommenda-

tions in that report is that legislation relating to dog breeding establishments and dog control be brought under the remit of the Department of Agriculture, Food and the Marine, and I think there is merit in this recommendation. Many Deputies probably assumed that that Department, as the lead Department for animal welfare, would take this Private Member's Bill, but I think having all of the relevant legislation under one Department's roof would be preferable and I will engage with the Minister, Deputy McConaLogue, on this.

In line with my commitment to the responsible breeding of dogs and as a result of my Department's close relationship with both the local authority vets and dog welfare groups, I am well aware of the need to tighten up on the operating standards in dog breeding establishments. As part of that work, my Department initiated a public consultation in 2017 and, as a result of that consultation, revised guidelines for the operation of dog breeding establishments came into effect in January 2019. They now form part of the framework within which local authorities carry out inspections and issue improvement notices where required. Having taken on board the stakeholder views, we ensured a substantial shift in focus within the revised guidelines towards the welfare of dogs and pups in dog breeding establishments. We know that better socialised pups, housed in appropriate accommodation, make for better pets. Where there is a focus on socialisation in the first few weeks of life, there is a smoother transition to life in a family home. The revised guidelines also placed emphasis on the need for accurate record-keeping by dog breeding establishments and set the staff-to-breeding-bitches ratio at 1:25. This was a key shift from the original guidelines, which did not stipulate a ratio.

As part of our drive to review and improve legislation in this area, work is ongoing in the Department on a review of the legislation and proposed amendments to both the Dog Breeding Establishments Act and the Control of Dogs Act. In respect of dog breeding establishments, we are considering, for example, strengthening the enforcement regime by introducing additional penalties for offences and allowing for fixed-payment notices. We are also proposing additional amendments to ensure local authorities can inspect de-registered premises and seize dogs when warranted due to welfare and other issues.

Some other amendments under consideration in respect of the Dog Breeding Establishments Act include requirements for dog breeding establishment operators to ensure dogs are adequately socialised and habituated; strengthening the enforcement regime by introducing additional penalties for offences and allowing for fixed payment notices; amendments regarding the deregistration process; allowing for the seizure of dogs when warranted due to welfare and other issues; and the introduction of dog breeding establishment fee bands. For example, larger dog breeding establishments may require more on-site inspections and follow-up actions warranting increased fees. In the context of this work, my officials will also review all the recommendations of the joint committee's report I mentioned earlier.

I reiterate I am in broad agreement with the thrust of the proposals in the Bill. They will be fully examined and taken into consideration by my Department in the preparation of amendments to the Dog Breeding Establishments Act 2010, which I hope to bring forward early in the new year.

Deputy Réada Cronin: I am glad to speak to the Bill and I commend na Teachtaí Tóibín, Grealish and Canney, all of whom had some part in getting it to this stage. It was nice to hear the Minister's remarks. I always think the Thursday debates are a bit more easygoing and it was good to hear her put her dogs' names on the record, so I will do likewise. I had no dog to welcome me home last night because my little Slaney is dead. While she had a great life with

us, it is a dog's life for many hundreds of dogs that are bred again and again in some of these dog breeding establishments.

These misfortunate dogs suffer because too many people are willing to buy their dogs on a roundabout, in an hotel car park or at a layby. When they do this, they must know that the reason they do not want to go to an establishment relates to the fact they cannot face the conditions in which some of these dogs are kept, like prisoners who just breed, feed and bleed. It is a dog's life because too many people are still willing to get puppies from these cruel, exploitative puppy farms, where the poor mothers are bred purely for money. What kind of life is that for any animal and what kind of person breeds animals like that? As any of us who has a dog will know, when you look in a dog's eyes, you wonder how anyone could have been drawn to that as a job. In my opinion, and I think that of all animal lovers, these people are unfit to keep any animal at all.

I support the Bill also because it will increase the penalties for those running unlicensed and illegal puppy farms. It calls for dogs to be kept in a manner that avoids unnecessary suffering, where they receive all necessary veterinary treatment in a timely manner. I pay tribute to groups in Kildare such as My Lovely Horse Rescue and Hilltop Sanctuary, which have to go around picking up the pieces of some of these poor dogs that are bred almost to death for the sake of profit. I also commend my comrade Senator Boylan on the report the Minister referenced, which she initiated with the Joint Committee on Agriculture, Food and the Marine, on issues impacting on dog welfare in Ireland. We need to act immediately on that. I was surprised the Bill has come under the Minister's Department, given I had expected this debate to be with the Minister for Agriculture, Food and the Marine. Senator Boylan is anxious to facilitate a debate with him and she is a bit worried about his reluctance to have one, so the Minister might have a word with her Cabinet colleague in that regard.

We need to act on the licensing of dog breeding establishments, whose guidelines have been under review for years, and we need a firm date for when those guidelines will be updated. Just as important, we need confirmation that they will be put on a statutory footing because that is the only way this can work, with no ifs or buts. Right now, each local authority licenses dog breeding establishments but there is no standardisation of the information they make available. Sinn Féin would like to ensure that each local authority will display the details of each dog breeding establishment on its website, including the number of breeding bitches at the establishment. We would also like the Department to have a central online database where the public can access all the information they need in one place. That would make it easier for people to cross-reference the information in an online advert with the dog breeding establishment licence number and make the best possible decision about where to source a new pet.

A man's best friend becoming a man's best profit is just cruel and exploitative. Many dogs surrendered to shelters are mutilated breeding bitches or farmed dogs that are never socialised properly because so many of the dog breeding establishments are now mechanised. Dog shelters are full of gorgeous dogs that need loving homes. If I were not a Deputy, I would replace my dog, but I am away from home so often and a dog needs company. I would have loved to have had a bit of a welcome home late last night.

"Adopt, don't shop" is not just a phrase; it is excellent advice and I urge everyone to take it. We are coming up to Christmas, which is the wrong time to buy a dog, so I hope people will not do that.

Deputy Paul Donnelly: I thank Deputy Tóibín and the other Deputies who brought forward this important Bill. On a few occasions, I sat in on the committee meetings because I feel passionately and strongly about the mistreatment of dogs. I will declare my ownership of a husky, who was at the groomer's today getting ready for Christmas. Anybody who owns dogs cherishes them. It is important that we look after them. Deputy Cronin referenced some of the issues and, therefore, I will not do so again. As I said, it is Thursday and we want to get out of here and go home. There are a couple of issues I would like to raise, however. The ratio of dogs is something we need to consider. It was said in committee that the ratio was 1:25. I find it impossible to think that dogs are able to socialise and be settled and cared for in some of these dog breeding establishments with such large numbers. Most animal and dog shelters work on a ratio of 1:6. A ratio of 1:25 is, therefore, quite high.

The committee also recommended that a maximum number of breeding bitches be established. The committee heard that some dog breeding establishments have up to 500 breeding bitches, which does not take into account sires or puppies. Incredibly, there could be up to 1,500 dogs on a premises at any given time. Anybody would find that a staggering number of dogs to be on one premises at any one time. Between staffing pressures and noise, it is impossible to produce a well-socialised, confident puppy from this setting. As these places are profit driven, I can only imagine that animals get the minimum of care and attention. Dog breeding establishments are increasingly using artificial insemination to maximise productivity and produce specific breeds, which have trouble breathing normally. Pugs, bulldogs and so-called designer breed are crosses of dogs that could not naturally mate. A new one on me is a Pomsky, which is a cross between a husky and a Pomeranian. According to veterinarians, these dogs display behavioural and physical issues. A veterinarian who appeared before the committee talked about a number of breeds that should not normally be together and cannot naturally be together. There are certain things happening with breeding and DNA. Things are happening within this dog breeding world that are not natural and should not be done. It can only happen in an unregulated manner. If we do not regulate this tightly, we will get these unscrupulous people whose only goal is profit. They do not care about the dogs because if they did, they would not be engaged in this type of activity.

We also heard how some illegal breeders carry out these practices without veterinary training, which is against the law. As Deputy Tóibín said, however, if we do not have people looking at this situation or regulating these breeders, they are liable to do anything they want. There has been a call for a complete ban on surgical AI and for all other AI services to be fully regulated. The Minister referenced in her speech that she was looking at the committee recommendations closely. That is an important issue. We cannot have this type of artificial insemination and this crossbreeding of dogs, which is unnatural and cruel. It is certainly cruel for the animals.

The inspection regime for dog breeding establishments is inconsistent. In some local authorities, a veterinarian carries out inspections; in others, it is the dog warden. Some local authorities are proactive in inspecting dog breeding establishments but others are not. To ensure we have uniform enforcement of animal welfare laws, inspections should be carried out independently of the local authority that grants the licence and receives the rates. I ask for that to be considered.

The online pet regulations have been in force since 2021, yet there has not been a single enforcement case taken, despite hundreds of complaints being lodged by animal welfare organisations. The committee report calls for preverification of all advertisements so that the contact details of the seller, dog breeding establishment licence number and dog microchip numbers

are verified in advance and then traceable back to a central database. This would prevent unscrupulous puppy breeders selling dogs and then disappearing, leaving the purchaser with no comeback if the dog is sick or stolen. Currently, dog legislation falls under three Departments. For us to properly regulate this, it needs to be under one Department and one roof. Three Departments is unwieldy. That needs to be recognised.

As we are coming up to Christmas, we always get advertisements on the television and in the newspapers asking people not to buy animals and dogs as presents. However, the mass production of puppy farm-bred dogs during Covid-19 is now coming home to roost as people return to work. Shelters are swamped with dogs being left in or abandoned. Some of these dogs have behavioural issues as they reach the age of 12 to 18 months. Shelters and dog pounds are footing enormous bills looking after these dogs. While the puppy farms are making record profits, unfortunately, it is the volunteers, charities and people who care about dogs and animals who are left to foot the bill when it goes wrong. There must be accountability for bad breeders. The current and previous Governments have, unfortunately, allowed this unregulated mess to be created. We must take greater control of dog breeding in this country to ensure that we lose the title we hold. Unfortunately, we have the title of the puppy farm capital of Europe. I will finish by saying that no reputable breeder or anybody who cares about dogs or animals has anything to fear from greater regulation. In fact, good people will benefit from good regulation.

Minister for Rural and Community Development (Deputy Heather Humphreys): I welcome the debate. I thank the Deputies for bringing forward the Bill and for all their contributions. As I said earlier, the proposals in this private Members' Bill are consistent with my Department's overall objective to promote responsible dog breeding in Ireland. Deputy Donnelly mentioned crossbreeding, which is just awful. Mixing a small dog like a Pomeranian with a big dog really is just terrible.

I welcome the broad thrust of the proposals, particularly around enhanced enforcement by local authorities and ensuring dogs are kept in appropriate conditions. I am also supportive of increasing the maximum fines for summary convictions from €5,000 to €10,000. Local authorities are responsible for all operational matters with regard to dog breeding establishments, including the licensing, monitoring and inspection of dog breeding establishments and, where there is a serious and immediate threat to public health or animal health and welfare, the closure of such establishments. It is clear that we need to work closely with the local authorities in developing any legislation that affects their work and consider how best we can support them in that regard.

I mentioned the ongoing work and the consultation that led to revised guidelines for the operation of dog breeding establishments. There is more work planned on the legislation, which I hope to bring forward early in the new year. The guidelines for dog breeding establishments are important. They had a focus on improving the conditions for dogs and pups and they have made a difference. We now need to consider putting some of the changes we made to the guidelines on a stronger footing in law. The changes we made place a strong emphasis on the welfare and socialisation of dogs and pups, which is important. Dog ownership is a serious matter and carries serious responsibility. A happy, healthy pup is a good start on the dog ownership journey.

My Department is working to encourage responsible dog ownership. As a result of the guidelines and the relationship between my Department, local authority veterinarians and the Department of Agriculture, Food and the Marine, dogs bred in dog breeding establishments are now more likely to receive individual attention and be socialised properly before going to their

homes. I accept that we can do more, and we will do more. That is not to take away from the responsible dog breeding establishments, which we know exist.

This work is now all the more important as dog ownership in Ireland is on the increase. As I said earlier, dogs make wonderful companions and are an addition to any home. I want to make sure that the experience of dog ownership is as good as it can be by strengthening the legislation on responsible breeding in order that more people can fully experience the joy of dog ownership.

I again thank the Deputies. I welcome the proposals in the Bill, which are consistent with my overall objectives to promote responsible dog breeding in Ireland. As the other Deputies have said, we are coming close to Christmas and it always seems like a good idea to give somebody a dog, but we must remember that there are responsibilities with that and if a dog is given as a gift it is a long-term commitment to another member of the house. They have to be looked after to ensure that they are being taken care of. I thank the Deputies for bringing this Bill forward and I thank everybody for their contribution.

Deputy Peadar Tóibín: I am delighted that this Bill will now make it to Committee Stage. I thank the Minister for supporting the Bill and for allowing it through this Stage. I also thank Deputies Canney and Grealish for helping to bring the Bill this distance. I thank Deputies Donnelly and Cronin for their positive words in favour of animal welfare. This is one of the issues which very much unites everybody in here in that the relationships we have with our own pets are key and important ones.

It is also important that I put my own dog on the record. Rua is a 14-year-old cross between a red setter and a golden retriever. He is still going strong at that age. He runs the fields and the country roads and, as typical for a dog of his age, he is very laid back. He is henpecked by our three hens. They get a treat and he gets a clean, which is probably no harm for them. The cat is always wrecking his head on a daily basis as well.

I will finish with one story where I am reminded of a local artist in Navan, Patsy Reel, who some people may know. Patsy Reel had a lovely dog who lived in Ludlow Street in Navan. That dog used to travel three streets up the town by himself, go to a pedestrian crossing and wait for somebody to hit the lights so that he could cross the road. He would then go to the pet shop and bark outside it and the pet shop owner would throw him out a treat. At the end of the week Patsy Reel would go up to the pet shop and pay the tab himself. It was incredible.

Obviously, the relationship between families and pets is very important. It is fair to say that in that relationship, we owe a debt of gratitude to dogs and owe them a responsibility to ensure that they are protected and are treated humanely. Unfortunately, the reality is often very different. For some people, they only see pets and dogs as a source of big money and profit, and of enormous exploitation. Incredible damage is done to dogs on a daily basis, especially breeding animals, including injury, ill-health, lack of veterinary treatment when it is needed, no space at all to be the animal that it is, very poor diet, wet, cold and dirty conditions, and isolation. If we build a relationship with pets on the basis of that wrong, unjust and evil at the heart of it it is a sad reflection on the rest of society. It is important that this Bill plays a role in improving those conditions over the long term. Gabhaim buíochas leis na Comhaltaí go léir.

Question put and agreed to.

Cuireadh an Dáil ar athló ar 7.33 p.m. go dtí 2 p.m., Dé Máirt, an 29 Samhain 2022.

24 November 2022

The Dáil adjourned at 7.33 p.m. until 2 p.m. on Tuesday, 29 November 2022.