



DÍOSPÓIREACHTAÍ PARLAIMINTE
PARLIAMENTARY DEBATES

DÁIL ÉIREANN

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

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DÁIL ÉIREANN

Dé Máirt, 24 Eanáir 2023

Tuesday, 24 January 2023

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

Paidir.

Prayer.

Ceisteanna ó Cheannairí - Leaders' Questions

Deputy Mary Lou McDonald: The controversy surrounding the Minister for Public Expenditure and Reform, Deputy Donohoe's undisclosed election donations raises again Fine Gael's relationship with big business and its influence at the heart of Government. The whole saga carries the stench of cronyism and favours for insiders.

The businessman at the centre of the controversy, Michael Stone, issued a statement today in which he revealed he gave a second undeclared donation to the Minister in the 2020 general election. This means the Minister failed not once but twice to disclose a donation in back-to-back elections from the same wealthy supporter. This is a supporter who has secured lucrative State contracts, was appointed to the powerful Land Development Agency by Fine Gael outside of the normal process and was appointed as chair of the north-east inner city programme implementation board. Mr. Stone has now resigned from both bodies. A theme of this controversy is the Minister's ever-changing story, the muddying of waters and the ducking and diving to evade accountability. It has been an exercise in concealment and cover-up from start to finish.

This morning we have it again. Mr. Stone claimed the Minister asked him twice if he had paid for his postering operation in the 2020 general election and that he told the Minister he had not. Then, in a eureka moment as the Minister was being questioned on the floor of the Dáil, Mr. Stone remembered that he had paid for the postering in 2020. This is the farcical story the Minister asks the Dáil and public to believe but nobody buys it. The reason Mr. Stone had a sudden recollection is he knew they were caught out. The idea that this donation slipped through the net and out of memory does not stack up. The idea the Minister did not know and the businessman forgot does not hold water. Are we seriously supposed to believe neither the Minister, his director or elections nor any member of his campaign team knew anything of who was putting up the election posters? The posters had to be ordered, delivered and their distribution planned. Mr. Stone's vans were crisscrossing the constituency putting up the posters and taking them down. People had to know Mr. Stone was taking care of the postering, and the Minister had to know also.

Tá sé seo an-dáiríre. Tá rud éigin aisteach faoi scéal an Aire, an Teachta Donohoe. Tá a chreidiúnacht i gcrúachas. Caithfidh sé an fhírinne a insint. The Minister's credibility lies in tatters. He has chosen concealment and cover-up again and again. At every turn, the truth has to be dragged out of him. He was informed about the nature of the 2016 donation in 2017 and he did nothing. He denied there was anything to see when he was questioned by the media last November. It was only when the Standards In Public Office Commission, SIPO, wrote to him that was he forced to respond. When he was asked about the 2020 election, he denied the involvement of Mr. Stone. Indeed, we would know nothing of the 2020 donation had it not been for questions being put to the Minister in the Dáil last week. The Minister misled the Dáil last week. Now, to continue the cover-up, Michael Stone has fallen on his sword, all to protect the Minister.

Is the Taoiseach also standing by this story? Does he also claim that the Minister did not know and that the businessman simply forgot? As the head of the Government, does the Taoiseach stand by this account of events?

The Taoiseach: As the Deputy knows, the Minister, Deputy Donohoe, will make a statement before the House this afternoon and he will take questions on it. That will be an opportunity for the Deputy to put some of those questions directly to him, should she so wish. Once that process is over, once he has made his statement and once he has answered questions, it will be a matter for people to decide whether they believe Paschal Donohoe. I heard his explanations over the weekend. I spoke to him about it, and I believe him. I have fought four general elections and I know what can happen in a campaign, particularly in a chaotic campaign. There might be 1,000 posters and somebody might offer to put up 100 or 150 for you. They may offer to drop a few thousand leaflets for you. You do this on the assumption they are going to do it voluntarily. It is possible that they may pay a third or fourth party to do that for them and not inform you. That appears to me to be what happened in this case.

We have strict laws when it comes to election spending in Ireland, and we have them for a very good reason. We do not want it to be the case that people have to have hundreds of thousands of euro or millions of euro just to stand in an election. That is why we have spending limits that cannot be breached, and that were not breached, even inadvertently, by the Minister with respect to 2016 and 2020. We do not want to have the kind of politics they have in the United Kingdom, the United States, or indeed on other parts of this island, where politicians and political parties accept multimillion euro donations, which is something Deputy McDonald's party has done, with questionable legality, quite frankly.

Paschal Donohoe has not breached the spending limits, as I have said. However, he or his agent did fail to account for some of the spending in 2016 and 2020, in the region of €1,000 to €2,000 on each occasion. Why did that happen? It was because he did not know. Once he found out the full facts, only after last Wednesday, was he in a position to file revised returns. I understand he has filed a revised return for 2016 and is in the process of filing a revised return for 2020. Once he found out the facts, he acted to amend his declaration. This is something that is allowed under the law. Deputy McDonald knows it is allowed under the law because her whole party had to file its election declarations on three occasions after the 2020 election because it neglected to include in its accounts a €7,000 payment to a British polling firm. Sinn Féin tried to claim it did that after it noticed the error itself. It was exposed on that, and it turns out it only found out about that after *The Irish Times* contacted the party. Therefore, Sinn Féin filed its returns in 2020 three times because of errors that had been identified by the media. The sums involved were much greater than any sums involved in relation to the Minister, Deputy

Donohoe. Therefore, the Deputy seems to be trying to apply a very different standard to him than she would apply to her own party.

Indeed, the Deputy needs to consider revising her own declarations. Her declarations show she received a personal donation of €1,000 from her friend, gangland criminal and Navan Road torturer, Jonathan Dowdall. Members of the Deputy's party, who are around her, have claimed that was a donation to her party. That requires Deputy McDonald to decide which it was and to make an amendment to her own declarations, just as the Minister, Deputy Donohoe, has done.

Deputy Mary Lou McDonald: Nice try. That is a nice try at a distraction. If the Minister for Public Expenditure and Reform has a very faulty memory, then I have to say the Taoiseach is of Olympic-level competence in trying to breed further distractions. This is what has happened. Every rule in the book has been broken. Spending limits, I suspect, have been breached. Certainly, a corporate donation was made by somebody who was not registered as a corporate donor. But here is the rub: a very wealthy individual who is a beneficiary of State contracts and who is appointed to State boards is a donor to the then Minister for Finance. That is a matter of public interest, but the deliberate concealment of that, election after election, is a real cause for public worry. There is a need for accountability on this. The Taoiseach says the Minister will come before the House again, I imagine to spin the same cock-and-bull story he spun last week. I put it to the Taoiseach that it is not credible for him, on his own part, to attempt to stand over these donations that were undeclared and the cock-and-bull story his colleague has fabricated, after the fact, to try to cover his tracks.

The Taoiseach: I thank the Deputy. Exposing her hypocrisy is not a distraction; it is simply telling the truth, something she consistently runs a mile from. She has some brass neck, quite frankly, in that regard given her party had to file its 2020 declarations on three occasions-----

Deputy Mary Lou McDonald: That has nothing to do with donations.

The Taoiseach: -----because of a €7,000 payment to a UK polling company it had forgotten about until *The Irish Times* questioned the party about it.

Deputy Mary Lou McDonald: Michael Stone did not pay for that, though, if that is your concern.

An Ceann Comhairle: Let the Taoiseach answer, please.

The Taoiseach: The Deputy always wants to shout me down when she does not want to hear the truth, but this country is still a democracy-----

Deputy Matt Carthy: It is the truth. Answer the question.

The Taoiseach: -----and the Deputy is not in charge of it.

Deputy Mary Lou McDonald: You are.

The Taoiseach: As long as we are a democracy, people will be allowed to speak freely in our Parliament and I will continue to do so. The Deputy has some brass neck in this regard when we consider the Jonathan Dowdall donation, which was a personal donation to the Deputy, not to her party, and the fact her party had to file its own declarations on three occasions in 2020, something the Minister has not had to do.

What is a distraction is this snide reference to Mr. Stone receiving public contracts from the Government. The Deputy knows as well as I do that Ministers have no role in awarding commercial contracts to businesses, and trying to throw that out there under cover of privilege is a pure distraction. The reason the Minister and his agents did not declare the donations is they did not know they had happened. They did not receive or give the donation. No money was exchanged-----

Deputy Mary Lou McDonald: Michael Stone, under cover of darkness, stole Paschal's posters.

The Taoiseach: A service was provided, which they believed had been done on a voluntary basis, and once they found out about it, they made efforts to put things right.

Deputy Mary Lou McDonald: Okay. Bang on.

Deputy Ivana Bacik: Last week, I put several questions to the Taoiseach about ethical standards in Fine Gael, and I have just been sitting here, as we all have, listening to the exchanges between Fine Gael and Sinn Féin over dodgy donations and funny money, we might say. I know we are going to return to the issue later.

I want to raise with the Taoiseach an issue that is very serious because of the enormous real-life harm and consequences that have been inflicted on children and families as a result. I am speaking about the damning report of the Mental Health Commission, which has made unequivocal findings about the failings across the child and adolescent mental health services, CAMHS. They are appalling findings. One hundred and forty children have, apparently, been "lost" in the mid-west CAMHS system. There has been an abject failure to monitor children on anti-psychotic medication, chronic understaffing and long waiting lists. There have been two-year delays, we were told, for follow-up appointments, young people reaching 18 with no transition to adult services, and an appalling and endemic lack of organisation across the service.

The findings are shocking and, behind the staggering figures and statistics, there are real children and families, some of whom will suffer lifelong consequences as a result of the failings detailed in the report. I am thinking about the 46 children in south Kerry CAMHS found to have suffered significant harm, as detailed in a report we saw last year, and of the 13-year-old girl written about by Kitty Holland in yesterday's newspaper, who was told, when she was engaging in self-cutting, that she was too high risk to receive help from the charity Jigsaw but not high risk enough to receive support from CAMHS. This was a child with a suicidal diagnosis, left in limbo. It is unthinkable that this is happening in today's Ireland, that children are being sold short in such a way.

It is not just mental health services for children, because a record-breaking 46 children are reportedly waiting on trolleys in hospitals today. That is not how children should be cared for in a republic, with persistent failures of clinical oversight and delivery of services to children in need of mental and physical health services.

The Taoiseach committed to setting up a unit on child poverty in his Department, as part of his nomination speech in December, but will he commit to ensuring children will receive the necessary health services that are clearly not currently available? Will the Government outline the parameters of the clinical review being conducted by the HSE into all open cases in each CAMHS team so we can see the true extent of failures for children? Will the Government ensure, as a priority, the immediate regulation of CAMHS under the Mental Health Act

2001? We need to see that legislation progressed. On “Morning Ireland” earlier, the Minister for Health, Deputy Donnelly, was somewhat evasive in his response to the question on legislation, yet we know that gaps in the Mental Health Act have left Ireland significantly out of line with international human rights standards regarding mental health services for children. There was a review ten years ago stating that we need to see all parts of existing legislation relating to children’s mental health put into one stand-alone Bill. We need to see proper statutory regulation of this service.

The Taoiseach: I thank the Deputy. The Mental Health Commission’s interim report into CAMHS is of great concern to me and to Government. The Minister for Health gave us a briefing on it at Cabinet this morning. Any of us working in politics who have a constituency service, anybody who has worked as a GP and many parents will understand that we have had problems in our CAMHS service for quite some time. Many children get very good care from CAMHS but it also falls short for a lot of children. It is a matter of resources, although they have been improved a lot in recent years, and an issue of governance, which needs to be resolved. I am particularly concerned to hear of children who have been prescribed antipsychotic medications being lost to follow-up. That falls very far below the basic standard of care that should be expected in any country. Child or adult, if somebody is prescribed antipsychotic medicines, they have to be followed up, not just six months later, probably even more frequently than that. I am very concerned that occurred and I wish to better understand why it occurred. The HSE is now contacting all of those so-called open cases to make sure those children are being looked after and they get the care they need.

Like the Mental Health Commission, I thank the young people and their families who spoke to the commission and shared their experiences of the CAMHS service. I know it will not have been easy for them and it is incumbent on us to listen and ensure action is taken. The Minister of State, Deputy Butler, has been clear on this. I will meet with her and the HSE later this week to follow up on the issue. The Minister of State asked for the Mental Health Commission to expand the remit of its report, which is why these findings are now in the public domain. I am advised there is an ongoing exercise of engagement between the Department, the HSE and the Mental Health Commission regarding the findings. It is essential that a full review of open cases by the HSE now takes place to ensure all children and young people are receiving the appropriate care they need. I am told this is under way. The HSE will arrange further clinical follow-up for any child, where required, and it will make direct contact with parents and guardians as necessary. If parents or guardians have a concern, they are invited to contact their key worker. In terms of other actions that will take place this year, a new youth mental health lead post will be created so that there is better clinical governance and clinical control in this area. A new assistant national director level in the HSE will also be created to make sure there is better management.

Regarding Deputy Bacik’s questions on the clinical criteria, I do not know the answer. I will ask the Minister of State to come back to her about that. The Government absolutely commits to improving our paediatric and mental health services. They are good by international standards but below the standard we would wish them to be. We are going to do everything we can to raise them in the period ahead. We are going to give consideration to the Mental Health Commission’s proposal that it should be allowed to regulate CAMHS. On the face of it, I think it is a good idea, but we need to do the work and the due diligence before we can definitively commit to that.

Deputy Ivana Bacik: I thank the Taoiseach for his response but it does not sound as if he

and the Government are bringing the necessary urgency to this. I am conscious, as I think we all are, that Dr. Susan Finnerty found her findings so stark that she published them as an interim report. There is an urgent need for action to address that report. As I said, it is over ten years since an expert group recommended reform of the Mental Health Act to ensure all parts of existing legislation relating to children would be in a separate stand-alone section setting out child-specific guiding principles in line with international human rights standards. That is the sort of overall governance the Government needs to be leading on. The Taoiseach said the Government would give consideration to it but we need to hear more urgency from him about putting in place the necessary framework in order that the services can be delivered to the children who are being currently failed. I would like to hear from the Taoiseach what the parameters are for the HSE review into the open cases. The Taoiseach stated he does not have that available. I would like to hear about the timeline of the amendment of the Mental Health Act.

Finally, can the Taoiseach accept the calls of organisations like Neurodiversity Ireland, which are seeking an urgent round-table discussion with stakeholders, parents groups and clinicians to address the devastating situation for children's mental health services?

The Taoiseach: I thank the Deputy and completely agree that urgent action is needed. I will be following up on this personally later on in the week, alongside the Minister of State, Deputy Butler, ensuring that the whole of the Government is behind her, the Department of Health and the HSE in taking the actions that are needed. As I mentioned earlier, a new clinical lead will be appointed in youth mental health to ensure we have the clinical leadership and governance which is required. In addition, a new assistant national director will be appointed for CAMHS to ensure that we have the senior management.

Deputy Ivana Bacik: Can the Taoiseach say when?

The Taoiseach: I do not want to make that commitment here until I have had that meeting but as soon as I can answer that question, I will. I point out that there has been a great deal of investment in CAMHS in recent years. There has been a marked increase in staffing in the community, for example. Fewer than 400 full-time staff worked in CAMHS in 2011 and it is now over 659. Much investment has been made in recent years but clearly, we will need more investment in staff, in management and in clinical governance.

Deputy Richard Boyd Barrett: One of the reasons the issue of a political donation to Deputy Donohoe is so damaging to politics is because it is distracting from issues that would otherwise be dominating the debate and discussion in this House this week.

One of those is the utterly scandalous and unacceptable proposal by Coillte to partner with an UK equity fund to buy up thousands of hectares of land and forestry in this country where public money and a public company in which the Minister of Finance owns 99% of the shares will be subsidising and facilitating a corporate takeover of Irish land and forestry that could reach up to 100,000 ha, as part of Coillte's plan for afforestation. This is 250,000 acres, which is an area the size of County Carlow, to be potentially handed over to vulture and equity funds. That is completely unacceptable.

I wish to inform the Taoiseach that this Thursday, to coincide with the special debate on Coillte which we requested and the Government has allowed, there will be a protest outside the Dáil organised by the recently-established Save Our Forests – Save Our Lands alliance. This alliance now involves about a dozen different rural organisations, environmental groups, com-

munity groups and so on that are completely outraged, as are many of those organisations representing people who work and earn their living from forestry, that the Government and Coillte, the State forestry company that should be responsible for being the guardian of the people's forest estate and enhancing the afforestation programme is, instead, facilitating profiteering by vulture funds from the UK in this case but potentially by all sorts of vulture funds.

This is so bad because it will exacerbate an already dysfunctional and failed forestry model. Gresham House and other equity funds do not care about biodiversity, farmers, rural communities, climate mitigation, soil or water quality; they care about making money. We will get more of these monocultural Sitka spruce plantations, which actually damage our environment, and adversely affect farmers and our aims to develop a sustainable afforestation programme. Will the Government agree to abandon this and to radically reform the mandate of Coillte in order that it starts to act in the interests of all of the people and stops facilitating the profit hunger of vulture and equity funds?

The Taoiseach: I thank the Deputy for raising this important issue, which I acknowledge is causing a lot of concern at the moment. We should not lose sight of the objective. The objective is to increase dramatically the amount of trees on our island and the amount of our land that is under forestry. We want an increase from about 11% of our land being forestry to something more like 18%, and that means planting millions of trees. We need trees for all sorts of different reasons. We need trees for timber, which includes spruce and conifer trees that are suitable for timber, so that we can build houses to help us with the housing crisis. We need other types of trees too, such as native woodland, for example, for climate action, biodiversity and leisure. It is intended to have a different mix of types of plantations for exactly that reason, namely, that we need trees for lots of different reasons. We need timber for desperately-needed homes, as well as trees for biodiversity and for leisure. All new Coillte forests will be open to the public.

We believe farmers will be the primary drivers of our afforestation programme, as well as being the primary beneficiaries of what is an ambitious forestry programme worth €1.3 billion. Farmers are Ireland's main landowners and will have the opportunity to play the most important and significant role in the creation of new forests. We have designed a new forestry programme to be as attractive to farmers as possible, with farmers receiving 33% more premium payments than other landowners under the new forestry programme, in addition to the single farm payment which other landowners will not receive. In many cases, the income farmers will derive from forestry will be tax-free. It is a very attractive offering and we are encouraging farmers to take up forestry on at least part of their land.

Regarding the Irish Strategic Forestry Fund, which the Deputy mentioned, there has been some misinformation regarding it. First of all, no public land will be privatised. The land that will be bought is already in private ownership. Most of it is already under forest and some bare land will be purchased and afforested. The Government is part of the fund. The Ireland Strategic Investment Fund, ISIF, the Government's sovereign welfare fund, is a minority investor in this fund, alongside the UK fund. Land that is now entirely in private ownership will be brought, at least in part, into public ownership, albeit through a minority shareholding in that fund. The total amount of forestry we are talking about is roughly 1% of all new forest that we intend to develop between now and 2050.

I want to be clear on this. Contracts have been signed. This was not approved by Government but contracts have been signed on it. To be clear, this is not our intended or preferred main model for increasing the number of forests in Ireland. Primarily, we want Irish farmers taking

up the forestry programme and schemes that are now available. That will be the mainstay of our forest programme, not arrangements such as this.

Deputy Richard Boyd Barrett: Pretty much every farmers' organisation, every organisation that represents communities in rural Ireland and every environmental organisation I can think of are utterly opposed to this deal. They say, rightly, that it is likely to drive up the price of agricultural land, squeezing out farmers and making it more difficult for them to engage in sustainable afforestation.

As I said, it will exacerbate an already utterly failed and dysfunctional model that has been pursued by Coillte, with the consequence that the vast majority of our public forest estates are dead zones of Sitka single species monocultural plantations that do nothing for biodiversity. Some reports have said they are actually carbon emitters because the trees are cut down too young. We need the State forestry company to stop facilitating the profit hunger of even more people by bringing in these funds and to instead support farmers, local communities, environmentalists and so on in developing a sustainable forestry model that will advance afforestation in a way that is good for climate, farmers and communities. This is not it. It is a corporate heist being facilitated with public money and by the State forestry company.

The Taoiseach: As I mentioned, this arrangement will account for roughly 1.5% of new forests developed between now and 2050. The mainstay of the forestry programme is going to be Irish farmers and we are encouraging them to plant at least some of their land. The new forestry programme has been designed to incentivise farmers to the greatest extent possible, as I mentioned earlier. Under the new programme, farmers will receive 20 years of premium payments compared with 15 years for non-farmers. They will receive 33% more premium payments and farmers who want to plant new forests will receive the single farm payment on land that they convert to forestry. Private landowners will not receive that payment. As much of the income that farmers derive from forestry will be tax free, it is a very beneficial scheme in that regard.

I reiterate that Coillte will not be selling any existing publicly-owned forests to the fund and nor will it seek to purchase any other publicly-owned land on behalf of the fund. This is land that is already in private ownership that will be bought by a fund which has State involvement in the form of the ISIF.

Deputy Noel Grealish: There has been a lot of debate in recent times about the state of our health services, with growing waiting lists, emergency department overcrowding and more. What may be missed in the middle of all of this talk is by how much services in the western and north-western part of Ireland lag behind those in the rest of the country. A capacity review carried out by the Saolta University Health Care Group in 2019 found that almost two thirds, or 64%, of the infrastructure at the region's biggest hospital, University Hospital Galway, UHG, was classified as either not satisfactory or unacceptable. In the case of its sister hospital at Merlin Park in the city, the figure increased to a shocking 95%. During 2022, waiting lists for inpatient and outpatient pain relief treatment in Galway increased by 75%, while the rest of the country only saw a tiny increase of just 1% in such waiting lists. The numbers in Galway waiting for 18 months or more, many in severe pain, are now more than three times greater than this time last year, while the rates in the rest of the country dropped by almost one fifth. In specialities such as orthopaedics, the experience of the patients in Galway falls well short of what is happening in the rest of the country.

The west of Ireland currently has the lowest survival rate in Ireland for breast and lung

cancer. This is in a country that had the highest rates of cancer in the EU 27 in 2020. Experts in the field point out that late diagnosis leads to poorer patient outcomes. The facilities for the treatment of cancer in Galway are not fit for purpose. Cancer patients are competing with elective and emergency patients for vital life-saving treatment. I welcome the recent announcement that a new cancer care centre at UHG is to be included in the HSE's national service plan this year. I want to compliment Professor Michael Kerin for his excellent work on this project and I hope it will be progressed as a matter of urgency. We need similarly urgent action to be taken in relation to the rest of the health services in Galway and the west. At the very least, we must bring them up to a standard that is fit for purpose. The west is starved of proper services and I am calling for a task force to look at what is going wrong with the health services in the region and what needs to be done to improve them.

The Taoiseach may point out that a new elective hospital is to be built on the grounds of Merlin Park University Hospital in Galway but how long will it take for that to become a reality? Realistically, it could take 15 years or more, given that the recently-opened radiotherapy unit in Galway took over 14 years to deliver. There are many instances in the provision of health services where Galway and the west are falling well behind the rest of the country. What are the Government's plans to improve the delivery of healthcare to the people of Galway and the west of Ireland to bring it up to an acceptable standard? Will the Taoiseach ensure that proper resources are put in place?

The Taoiseach: Gabhaim buíochas leis an Teachta as ucht a chuid ceisteanna.

Ar dtús ba mhaith liom buíochas a ghabhadh lenár bhfoireann sláinte go léir as ucht an cúram atá á sholáthar acu inár ospidéal agus sa phobal le linn tréimhse an-ghnóthach. Sin é an fáth go bhfuil líon na leapacha ospidéal á mhéadú againn; tá an buiséid sláinte is mó riamh againn; agus tá níos mó dochtúirí, altraí agus foireann cabhrach ag obair inár ospidéal in iarthar na Gaillimhe agus i ngach cuid den tír. I agree with the Deputy on one important point, which is that we need to invest in our health services all over the country but also in the west of Ireland. I share his frustration that so many important projects in the west have been delayed, particularly the emergency department and the paediatric and maternity units at University Hospital Galway, UHG, which should have been under construction by now, let alone have gone to planning. That is something I will be pursuing with the Minister for Health, Deputy Stephen Donnelly, and the Minister for Public Expenditure and Reform, Deputy Donohoe, over the course of the year so that we get those projects up and running. I am aware, of course, that there are other important projects that need to be advanced as well, such as the medical assessment units in Sligo and Castlebar and also the cancer centre the Deputy mentioned.

As Deputies will know, the Saolta University Health Care Group covers six hospitals in the west and north-west region and serves a very significant population, covering more than 830,000 people. We need to plan for a population of 1 million in that region in the course of the next 20 years. That is the way we should see it, not as a number of counties or cities but also as a region of 1 million people that should have the kind of health services and specialist services it deserves. The combined budget for the hospital group is more than €1 billion and that is an increase of 24% in five years. I recognise the importance of investment and we are committed to working with the HSE, the hospital group and individual hospitals to make sure that happens.

As regards cancer services, cancer survival rates have increased significantly in the past two decades in Ireland and continue to improve, as we know from the national healthcare quality reporting system. When it comes to lung cancer, which is the leading cause of cancer death

in men and women in Ireland, our five-year survival rates are now above the OECD average, and the same goes for breast cancer. In the HSE west area, the survival rate for lung cancer is 16.5%, compared with 17.1% nationally, a gap of 0.6%. The survival rate for the HSE west region for breast cancer is 82.5%, compared with 82.9% nationally, a gap of 0.4%. It is important to say there are many factors, not just one, that may give rise to this discrepancy.

As regards the elective hospitals we are building as part of the Sláintecare reform plans, we are committed to them but we are realistic that it will be 2027 or 2028 before patients will be seen in those hospitals and we need interim measures. That is why we are working on the surgical hubs, for example, which will help to bring down wait times in the meantime.

Deputy Noel Grealish: I thank the Taoiseach but, given the track record of the HSE, I cannot see that happening. I appreciate there has been some investment and there are plans for further investment in health services in Galway and the west but the region is still lagging behind the rest of the country and needs much more. I have raised previously the need for a minor injuries unit in Galway. I visited the excellent facility in Roscommon and I was extremely impressed with the efficient way in which it deals with everything from broken bones, lacerations, sprains and strains to minor scalds and burns. There are 15 of these minor injuries units across the country, helping to relieve the pressure on busy hospital emergency departments, but there is none in Galway. The emergency department at UHG remains one of the busiest in the country, without the relief that would be provided by thousands of people being redirected to a minor injuries unit. Can the Taoiseach give a commitment that a minor injury units will be built in Galway to help to alleviate the pressure on UHG?

The Taoiseach: Almost all regions of the country would say they are underfunded or under-resourced when it comes to healthcare. The Deputy has made the case very strongly today for the west. I have heard Deputy Shanahan, who is sitting beside him, make the same case for the south east on many occasions and many of my colleagues have made the same case to me in respect of the mid west only a few weeks ago. Where the truth lies and where the balance of resources and funding is located is quite opaque. That is one of the reasons we need to move towards population-based funding in healthcare and that is very much part of the Government's reform programme. I have seen minor injury units work extremely well across the country. I cannot give the Deputy a commitment here that we are going to do what he says but I think they make a big difference and I have seen them work extremely well in all parts of the country, with people with minor injuries not having to go to very busy and crowded emergency departments and, more important, people with minor injuries who need to be seen and to receive healthcare getting that healthcare in an uncrowded and more humane setting within a few hours. We are happy to give consideration to a minor injury unit for Galway but I am not at liberty to make that commitment here and now. We will certainly take it seriously, however.

Committee on Parliamentary Privileges and Oversight: Appointment of Members

An Ceann Comhairle: The following Members have been appointed to the Committee on Parliamentary Privileges and Oversight: the Minister of State, Deputy Hildegard Naughton, has been nominated to replace the Minister of State, Deputy Jennifer Carroll MacNeill, and Deputy Seán Haughey has been nominated to replace the Minister of State, Deputy Jack Chambers.

Committee on Standing Orders and Dáil Reform: Appointment of Members

An Ceann Comhairle: The following Members have been appointed to the Committee on Standing Orders and Dáil Reform: the Minister of State, Deputy Hildegarde Naughton, has been nominated to replace Deputy Emer Higgins, and Deputy Seán Haughey has been nominated to replace the Minister of State, Deputy Jack Chambers.

An tOrd Gnó - Order of Business

Minister of State at the Department of the Taoiseach (Deputy Hildegarde Naughton):
Tuesday's business shall be:

- Motion *re* Proposed approval by Dáil Éireann of the Nagoya Protocol on Access to Genetic Resources and the Fair and Equitable Sharing of Benefits Arising from their Utilization to the Convention on Biological Diversity (*without debate*)
- Motion *re* Presentation and Circulation of Further Revised Estimate 2023 [Vote 42] (*without debate*)
- Motion *re* Report of the Committee on Standing Orders and Dáil Reform entitled “*Orders of Reference for Special Committee on Assisted Dying*” (*without debate*)
- Statements and Q&A by the Minister for Public Expenditure, NDP Delivery and Reform (*not to exceed 57 mins*)
- Human Tissue (Transplantation, Post-Mortem, Anatomical Examination and Public Display) Bill 2022 (Second Stage) (*to adjourn, if not previously concluded, after 2 hrs and 23 mins*)

Private members' business shall be the Motion *re* Forestry, selected by Sinn Féin.

Wednesday's business shall be:

- Motion *re* Appointment of Ordinary Member of the Houses of the Oireachtas Commission (*without debate*)
- Human Tissue (Transplantation, Post-Mortem, Anatomical Examination and Public Display) Bill 2022 (Second Stage, resumed, if not previously concluded) (*to adjourn, if not previously concluded, after 2 hrs 10 mins*)
- Motion to Instruct the Committee on the Communications Regulation Bill 2022 (*to conclude within 60 mins and any division claimed to be taken immediately prior to Report Stage of the Bill*)
- Communications Regulation Bill 2022 (Report and Final Stages) (*if not previously concluded, to adjourn after 2 hrs and 30 mins or at 8.30 p.m., whichever is the later*)

Private members' business shall be the Motion *re* Inshore Fishing, selected by the Rural Independent Group.

Thursday's business shall be:

- Statements on Ireland's Forestry Strategy (*not to exceed 210 mins*)
- Statements on Interim Report on Child and Adolescent Mental Health Services (*not to exceed 210 mins*)

Thursday evening business shall be Second Stage of the Parental Bereavement Leave (Amendment) Bill 2021, sponsored by Deputy Réada Cronin.

Announcement of proposed arrangements for this week's business:

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

1. the ordinary routine of business as contained in Schedule 3 to Standing Orders shall be modified to the following extent:

(i) the Dáil shall sit later than 10.30 p.m.;

(ii) the time at which Government business is interrupted shall be in accordance with the arrangements for the Human Tissue (Transplantation, Post-Mortem, Anatomical Examination and Public Display) Bill 2022, which shall have consequential effect on the commencement time for private members' business and oral Parliamentary Questions to the Minister for Finance; and

(iii) the time for Parliamentary Questions to the Minister for Finance shall be extended by six minutes, with consequential effect on the commencement time for topical issues;

2. the Motion *re* Proposed approval by Dáil Éireann of the Nagoya Protocol on Access to Genetic Resources and the Fair and Equitable Sharing of Benefits Arising from their Utilization to the Convention on Biological Diversity shall be taken without debate;

3. the Motion *re* Presentation and Circulation of Further Revised Estimate [Vote 42] shall be taken without debate;

4. the Motion *re* Report of the Committee on Standing Orders and Dáil Reform entitled "*Orders of Reference for Special Committee on Assisted Dying*" shall be taken without debate;

5. the Statements and Q&A by the Minister for Public Expenditure, NDP Delivery and Reform shall not exceed 57 minutes, and the contributions shall consist of an opening statement by the Minister for Public Expenditure and Reform which shall not exceed 10 minutes, followed by 6 minutes each for Opposition parties and groups for questions and answers, and the Minister shall be called upon to make a statement in response which shall not exceed 5 minutes; and

6. in relation to the proceedings on the second reading motion on the Human Tissue (Transplantation, Post-Mortem, Anatomical Examination and Public Display) Bill 2022, the following arrangements shall apply:

(i) if not previously concluded, the proceedings shall be interrupted and stand adjourned either at 7.10 p.m. or after 2 hours and 23 minutes of debate, whichever is the

later; and

- (ii) the proceedings shall not be resumed on Tuesday.

In relation to Wednesday's business:

1. it is proposed that the ordinary routine of business as contained in Schedule 3 to Standing Orders shall be modified to the extent that the weekly division time shall be taken on the adjournment or conclusion of Report and Final Stages of the Communications Regulation Bill 2022, whichever is the earlier, with consequential effect on the time for the adjournment of the Dáil;

2. the Motion *re* Appointment of Ordinary Member to the Houses of the Oireachtas Commission shall be taken without debate;

3. the proceedings on the resumed second reading motion of the Human Tissue (Transplantation, Post-Mortem, Anatomical Examination and Public Display) Bill 2022 shall, if not previously concluded, stand adjourned either at 5 p.m. or after 2 hours and 10 minutes of debate, whichever is the later, and shall not be resumed on Wednesday;

4. the Motion to instruct the Committee on the Communications Regulation Bill 2022 shall, if not previously concluded, be brought to a conclusion after 60 minutes, and shall be confined to a single speaking round, with the contributions of a Minister and of a spokesperson for Sinn Féin, the Labour Party, Social Democrats, People-Before-Profit Solidarity, the Regional Group, the Rural Independent Group, and the Independent Group (which shall be taken in that order) not exceeding 7.5 minutes each, and members may share time; Provided that any division claimed shall be taken immediately prior to Report Stage of the Bill, but in any event, no earlier than 5.30 p.m.; and

5. the proceedings on Report and Final Stages of the Communications Regulation Bill 2022 shall—

- (i) be taken on the conclusion of proceedings on the motion to instruct the Committee on the Bill, but in any event, no earlier than 5.30 p.m.,

- (ii) if not previously concluded, be interrupted at either 8.30 p.m. or 2 hours and 30 minutes after the conclusion of proceedings on the motion to instruct the Committee, whichever is the later, and

- (iii) shall not be resumed on Wednesday.

In relation to Thursday's business:

1. the ordinary of business as contained in Schedule 3 to Standing Orders shall be modified to the following extent:

- (i) the Dáil shall meet at 8.54 a.m.;

- (ii) the Dáil shall sit later than 9.27 p.m.;

- (iii) the time for Parliamentary Questions to the Minister for Housing, Local Government and Heritage shall be extended by six minutes; and

(iv) in order to allow the Statements on the Interim Report on Child and Adolescent Mental Health Services to conclude, Government business shall not be interrupted at 7.24 p.m., and topical issues shall be taken on the conclusion of those statements, with consequential effect on the commencement time for Second Stage of the Parental Bereavement Leave (Amendment) Bill 2021;

2. the Statements on Ireland's Forestry Strategy shall not exceed 210 minutes, with arrangements in accordance with those agreed by Order of the Dáil of 30th July 2020, for 200 minutes, following which a Minister or Minister of State shall be called upon to make a statement in reply which shall not exceed 10 minutes and members may share time; and

3. the Statements on the Interim Report on Child Adolescent Mental Health Services shall not exceed 210 minutes, with arrangements in accordance with those agreed by Order of the Dáil of 30th July 2020, for 200 minutes, following which a Minister or Minister of State shall be called upon to make a statement in reply which shall not exceed 10 minutes and members may share time.

An Ceann Comhairle: Is that agreed to?

Deputy Denis Naughten: I repeatedly raised with the HSE the case of a ten-year-old child with ADHD who has expressed on a number of occasions the wish to die but yet cannot access the child and adult mental health services, CAMHS. This is just one of the thousands of cases across the country. I thank the Cheap Whip for facilitating a debate on this important issue on Thursday. It is important that the report be thoroughly debated in the House.

Deputy Mattie McGrath: We in the Rural Independents are very concerned when we see advertisements from Go Vegan World on Dublin Bus and Galway city buses. This is a rural country, after all. The misleading advertisements are damaging to what has been good farming practice and husbandry over decades, and to our food chain, food supply and thousands of jobs. Who allowed for these? We are told it lies with Dublin Bus. Is the Minister for Transport or National Transport Authority responsible? Where is this craziness going to stop? Who is paying for these advertisements? Is it some of the well-funded NGOs, which are costing us nearly €6 billion per year? This attack on rural Ireland, our way of life and our primary industry, agriculture, has to be stopped. We must not have false information spread maliciously, as is happening. I salute Deputy Nolan for raising this here and indeed Councillor Geraldine Donohue from Galway for raising it. It must stop. We must find out where it came from. Fair play is fine play with us, but this kind of carry-on, demonising farmers and good animal husbandry, is not acceptable. We need a debate on it.

Deputy Ivana Bacik: I have written to the Taoiseach and the Minister for Children, Equality, Disability, Integration and Youth, Deputy O'Gorman, and others over a number of months seeking an answer about the better co-ordination by the Government of services for those who come here seeking protection or refugee status, including those who come here from Ukraine. I am very concerned about today's report that Citywest transit hub is to pause the entry of new international protection arrivals to emergency accommodation. I ask that the Taoiseach facilitate statements, a debate or some response on the co-ordination of services for those who come here seeking protection. I ask this particularly given that so many people in my constituency, in an exercise of "yimbyism" – yes in my backyardism – are asking me to put to the Taoiseach and other Ministers that a huge hotel in Ballsbridge, Jurys, is sitting vacant. Baggot Street hospital, which I have also raised on numerous occasions, and other major centres also have the potential

to be used for accommodation, yet we are not being given any co-ordinated response by the Government as to where we should go with these very positive and constructive suggestions on the provision of emergency accommodation to those who come here seeking refugee status. We ask that this be put on the Government's agenda.

The Taoiseach: I thank the Deputy. I will have to consult the Whip on this but we will certainly be happy to provide time to discuss the issue. The response to Ukraine and the migrant crisis we are dealing with across Europe, including Ireland, is co-ordinated by a Cabinet subcommittee led by the Department of the Taoiseach. It involves many different agencies, not just the Department responsible for integration. The Departments responsible for housing, social protection and community development are also involved. I will be happy to have a further debate about this if it can be agreed by the Business Committee.

An Ceann Comhairle: Are the proposals agreed to?

Deputy Mattie McGrath: I had no answer.

An Ceann Comhairle: What about Deputy Mattie McGrath's question?

The Taoiseach: Was it the question about the advertisements?

An Ceann Comhairle: Something about the advertisements on the buses.

The Taoiseach: I am afraid I do not know.

An Ceann Comhairle: The Taoiseach does not know. The Deputy should table a Topical Issue matter.

Deputy Mattie McGrath: The Taoiseach should ask the Minister for Transport, Deputy Eamon Ryan.

An Ceann Comhairle: If the Deputy wants to table a Topical Issue matter, we will look favourably on it.

I take it that the proposed arrangements for the week's business are agreed to.

Deputy Danny Healy-Rae: They are not agreed to. We could never agree when the Taoiseach will not give an answer. It was all over the news and everything.

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

<i>The Dáil divided: Tá, 88; Níl, 38; Staon, 0.</i>		
<i>Tá</i>	<i>Níl</i>	<i>Staon</i>
<i>Bacik, Ivana.</i>	<i>Andrews, Chris.</i>	
<i>Barry, Mick.</i>	<i>Brady, John.</i>	
<i>Berry, Cathal.</i>	<i>Browne, Martin.</i>	
<i>Boyd Barrett, Richard.</i>	<i>Buckley, Pat.</i>	
<i>Brophy, Colm.</i>	<i>Carthy, Matt.</i>	
<i>Browne, James.</i>	<i>Collins, Michael.</i>	
<i>Bruton, Richard.</i>	<i>Conway-Walsh, Rose.</i>	
<i>Burke, Peter.</i>	<i>Crowe, Seán.</i>	

<i>Butler, Mary.</i>	<i>Cullinane, David.</i>	
<i>Byrne, Thomas.</i>	<i>Daly, Pa.</i>	
<i>Cahill, Jackie.</i>	<i>Doherty, Pearse.</i>	
<i>Cairns, Holly.</i>	<i>Donnelly, Paul.</i>	
<i>Calleary, Dara.</i>	<i>Ellis, Dessie.</i>	
<i>Canney, Seán.</i>	<i>Farrell, Mairéad.</i>	
<i>Cannon, Ciarán.</i>	<i>Gould, Thomas.</i>	
<i>Carey, Joe.</i>	<i>Guirke, Johnny.</i>	
<i>Carroll MacNeill, Jennifer.</i>	<i>Healy-Rae, Danny.</i>	
<i>Chambers, Jack.</i>	<i>Healy-Rae, Michael.</i>	
<i>Collins, Joan.</i>	<i>Kenny, Martin.</i>	
<i>Collins, Niall.</i>	<i>Kerrane, Claire.</i>	
<i>Costello, Patrick.</i>	<i>Mac Lochlainn, Pádraig.</i>	
<i>Coveney, Simon.</i>	<i>McDonald, Mary Lou.</i>	
<i>Cowen, Barry.</i>	<i>McGrath, Mattie.</i>	
<i>Crowe, Cathal.</i>	<i>Mitchell, Denise.</i>	
<i>Devlin, Cormac.</i>	<i>Munster, Imelda.</i>	
<i>Dillon, Alan.</i>	<i>Nolan, Carol.</i>	
<i>Donnelly, Stephen.</i>	<i>O'Reilly, Louise.</i>	
<i>Donohoe, Paschal.</i>	<i>O'Rourke, Darren.</i>	
<i>Duffy, Francis Noel.</i>	<i>Ó Broin, Eoin.</i>	
<i>Durkan, Bernard J.</i>	<i>Ó Laoghaire, Donnchadh.</i>	
<i>English, Damien.</i>	<i>Ó Murchú, Ruairí.</i>	
<i>Farrell, Alan.</i>	<i>Ó Snodaigh, Aengus.</i>	
<i>Feighan, Frankie.</i>	<i>Quinlivan, Maurice.</i>	
<i>Fitzpatrick, Peter.</i>	<i>Ryan, Patricia.</i>	
<i>Flaherty, Joe.</i>	<i>Stanley, Brian.</i>	
<i>Flanagan, Charles.</i>	<i>Tóibín, Peadar.</i>	
<i>Foley, Norma.</i>	<i>Tully, Pauline.</i>	
<i>Gannon, Gary.</i>	<i>Ward, Mark.</i>	
<i>Grealish, Noel.</i>		
<i>Griffin, Brendan.</i>		
<i>Harkin, Marian.</i>		
<i>Harris, Simon.</i>		
<i>Haughey, Seán.</i>		
<i>Heydon, Martin.</i>		
<i>Higgins, Emer.</i>		
<i>Kehoe, Paul.</i>		
<i>Kelly, Alan.</i>		
<i>Leddin, Brian.</i>		
<i>Madigan, Josepha.</i>		
<i>Martin, Catherine.</i>		
<i>Martin, Micheál.</i>		

<i>Matthews, Steven.</i>		
<i>McAuliffe, Paul.</i>		
<i>McGrath, Michael.</i>		
<i>Moynihan, Aindrias.</i>		
<i>Moynihan, Michael.</i>		
<i>Murnane O'Connor, Jennifer.</i>		
<i>Murphy, Catherine.</i>		
<i>Naughten, Denis.</i>		
<i>Naughton, Hildegarde.</i>		
<i>Noonan, Malcolm.</i>		
<i>O'Brien, Darragh.</i>		
<i>O'Brien, Joe.</i>		
<i>O'Callaghan, Cian.</i>		
<i>O'Callaghan, Jim.</i>		
<i>O'Connor, James.</i>		
<i>O'Dea, Willie.</i>		
<i>O'Donnell, Kieran.</i>		
<i>O'Donovan, Patrick.</i>		
<i>O'Dowd, Fergus.</i>		
<i>O'Gorman, Roderic.</i>		
<i>O'Sullivan, Christopher.</i>		
<i>O'Sullivan, Pádraig.</i>		
<i>Ó Cathasaigh, Marc.</i>		
<i>Ó Ríordáin, Aodhán.</i>		
<i>Phelan, John Paul.</i>		
<i>Rabbitte, Anne.</i>		
<i>Richmond, Neale.</i>		
<i>Ring, Michael.</i>		
<i>Ryan, Eamon.</i>		
<i>Sherlock, Sean.</i>		
<i>Shortall, Róisín.</i>		
<i>Smith, Duncan.</i>		
<i>Smyth, Niamh.</i>		
<i>Smyth, Ossian.</i>		
<i>Stanton, David.</i>		
<i>Varadkar, Leo.</i>		
<i>Whitmore, Jennifer.</i>		

Tellers: Tá, Deputies Hildegarde Naughton and Cormac Devlin; Níl, Deputies Michael Healy-Rae and Carol Nolan.

Question declared carried.

Deputy Mary Lou McDonald: When launching Croí Cónaithe last year, the then Taoiseach described the scheme to advance the delivery of new apartments as a crucial strand in the Government's housing response. A Department of Public Expenditure and Reform document tells a very different story. It warns that the size of the initiative is too small, too complex, and has had a low take-up from developers. It also reveals a staggering capital underspend of €1 billion in the Minister for Housing, Local Government and Heritage's 2022 budget, with social and affordable housing output well below target. Just 6,500 of the 9,000 social homes promised will be delivered and the affordable homes delivered will be 78% short of the 4,100 promised. This is the third year the Government has missed its public housing targets and failed to spend capital budget allocations. When will we see the very necessary emergency response to the housing crisis?

The Taoiseach: We do not have the exact figures in yet for 2022, but we will have them in the next few weeks. They will show that we met, and in fact exceeded, our overall housing target for last year, with more new homes being built in Ireland since probably 2010 or 2011. In relation to social housing, we have not built perhaps as many as we would have liked or as many as we had intended, but we will have built and provided more new social housing last year than any year in decades, and perhaps even since the foundation of the State.

Deputy Ivana Bacik: I want to raise the proposed €200 million deal between Coillte and UK investment fund, Gresham House. It is incomprehensible to us in the Labour Party why a State body is going to do all the work while foreign investors will be able to reap financial profits. We have seen across other sectors, including housing, healthcare and education, our society suffering the consequences of an over-reliance on the private sector. Childcare is another case in point. The Citizens' Assembly on Biodiversity Loss recently made clear that State-owned woodlands should be recognised and managed as a strategic long-term national asset for the benefit of the common good. We think the State should take control of planting biodiverse forests and put an end to the expanse of clear-fell monoculture across the island of Ireland. Will we see some move from Government to halt the sell-off and to ensure Coillte will be able to make use of Department of Agriculture, Food and the Marine forestry payments? I understand the Minister for the Environment, Climate and Communications, Deputy Ryan, has indicated a belief that the rules will be changed, but will we see the rules on state aid change to ensure that aim of the Citizens' Assembly on Biodiversity Loss will be carried out?

The Taoiseach: As the Deputy knows, state aid rules are a European matter, but we are examining the state aid rules to see what can and cannot be done. It is 20 years since the particular court judgment was handed down. The State is, and will be, planting trees on public land for all sorts of purposes. We need trees for timber to build all those houses we need. We also need trees to act as a carbon sink, for biodiversity and leisure. We need different types of trees for different purposes. The mainstay of our forestry programme will be Irish farmers choosing to plant trees and more trees. We are going to incentivise them to do so. To pick up on something the Deputy said, there is no sell-off when it comes to the Irish strategic forest fund. No public land will be privatised. This is a fund part-owned by the State through the Ireland Strategic Investment Fund, ISIF, which is a minority investor in the fund, that will buy private land. It is not the case that there is any sell-off here. That is just incorrect.

Deputy Gary Gannon: The Taoiseach's office oversees the north inner city programme. As such, I hope he will agree that dereliction has long contributed to the decline of the north-east inner city, which in turn creates the conditions for antisocial behaviour and crime. The north inner city programme was established to address dereliction as a root cause of antisocial behaviour and is dedicated to the regeneration of the north inner city area. Therefore, I find it bizarre that a chairperson appointed by Fine Gael - by this Government and the previous Government of which Deputy Varadkar was Taoiseach - to oversee this programme was, in fact, the owner of a derelict property in Dublin 1.

Does the Taoiseach agree that the appointment of that person to the position of chair to oversee this task force was appropriate given the fact that he oversaw a property that was in dereliction in Dublin 1? When did the Taoiseach become aware that this person was the owner of a derelict site? Was he aware at the time of the appointment?

The Taoiseach: I only became aware of that matter in the last couple of days whenever the story appeared online. I do not know if it is fully accurate. I would not necessarily assume that it is and I do not want to comment on it further. I do not know Michael Stone but I met him once or twice in the context of his chairmanship of the north-east city project. I must say that the vast majority of people I met, especially in the north-east inner city, felt that he was very dedicated to the work he did and that he did very good job.

We have a system of taxation on derelict sites. There is a Derelict Sites Act and derelict sites levy. I do not know if the city council imposed that tax or if it declared it to be a derelict site at all. These are things to which I just do not know the answers. One thing I would say, however, is that we need to do much better in Ireland and in this city when it comes to meantime use. There are many plots of land around the city that are being brought together and waiting to be built on and developed, and that will happen. We should be more open to meantime use and using these as cultural spaces, community spaces or for whatever purpose, at least until development happens.

Deputy Mick Barry: Matthew Healy was killed in a violent attack in Mercy University Hospital in Cork in the early hours of Sunday morning. I want to extend sympathy to his family and friends. In the past five years, there have been more than 50,000 assaults on staff alone in our hospitals according to the HSE, of which 274 were sexual assaults.

The last time there was a security audit across the hospital system was seven years ago in 2016. I am calling for a security audit to be organised across the hospital service now. I am also calling for monies to be set aside for measures to improve security for patients and staff alike in our hospitals. I would like to hear the Taoiseach's response to these two proposals.

The Taoiseach: I am deeply saddened and was quite shocked to hear about what happened to Mr. Healy only a few days ago. My heart and my thoughts go out to his family and friends and to his community. It is particularly sad that this happened to him only a few weeks after he buried his own wife.

Sadly, as we all know, assaults can happen anywhere. Hospitals should be safe places, however, and we should do everything we can to minimise the number of assaults that happen in our hospitals. We will certainly give the idea of a security audit consideration. I know it has been called for by some of the professional groups and trade unions. I will need to speak to the Minister for Health about that and perhaps on foot of that audit, find out if there are additional

measures we can put in place in our hospitals to make sure incidents like this do not happen again, or if they do happen that they can be responded to more quickly and perhaps prevent further injury.

Deputy Seán Canney: I wish to raise the issue of housing and delays in the planning process but more importantly, the number of one-off houses or estates that are tied up with An Bord Pleanála. I know the Government is very much aware of this, but what types of measures are being put in immediately to provide the resources to make sure decisions are made?

I know people who have one-off houses who have been waiting for a decision from An Bord Pleanála for up to ten and 12 months and they are being deferred all the time. These people want to build houses and the cost is rising all the time. If we are to build houses in a reasonable way, we need to make sure there is a process in An Bord Pleanála that gets us through that. In its statutory timeframe, we should introduce that to make sure the required houses are delivered.

Minister for Housing, Local Government and Heritage (Deputy Darragh O'Brien): I thank the Deputy for the question. On overdue decisions within the board, I met with the new board of An Bord Pleanála last week and have asked it to come forward with a plan for the backlog, particularly but not exclusively in areas of residential development. We have provided over the past 12 months sanction for an additional 59 staff so far.

This Thursday I will publish the consolidated planning Bill, the most significant reform of planning legislation embarked on since at least 2000. It will continue our reform of An Bord Pleanála, which is urgently required. I have sought a plan from the board to tackle the backlog. We had a good meeting last week with all the new board members and the new interim chair. I will keep the Deputy informed of progress.

Deputy Mattie McGrath: Corman Miloko announced on Friday that they were closing the company. This was formerly owned by south Tipperary farmers, Avonmore and Glanbia. It is now a consortium involving a Belgian group and Tirlán, an Irish company, and 31 jobs remain at the plant. They are excellent jobs and it has been an excellent workforce over the half century I have known it.

I ask the Taoiseach ask the Minister for Enterprise, Trade and Employment to engage with the company to see if the jobs can be saved and what other uses the plant can be put to. It is in a good location on the N24. The town of Carrick-on-Suir and that area of Tipperary has been decimated with job losses over the years and this is the final straw. The people in Carrick-on-Suir Business Association are doing their best to develop the town but we need these flagship industries that have been there for decades. We need intervention. It has been announced for June. Can it be staved off?

The Taoiseach: I am sorry to hear about that closure and the loss of jobs in Carrick-on-Suir. The Deputy's colleague, Senator Ahearn, has been on to me about this too. I will ask the Minister, Deputy Coveney, to engage with the company to see what can be done perhaps to save the jobs, to make sure a package is put in place for the staff if possible and if an alternative use can be found for the site.

Deputy Marian Harkin: I raise the unique, or at least very special, case of a constituent of mine who suffers from a most painful congenital condition and other illnesses. When this person has to attend essential medical appointments or scans, they have to travel by car as there is never a HSE ambulance available. As a consequence, the person is in absolute agony. It is

a cruel situation. The private ambulance services are not just prohibitively expensive but also impossible to source. I ask that, in this instance, an ambulance transfer be provided for these necessary medical scans or interventions. The Order of Malta has assisted on one occasion and the family is very grateful but it is a voluntary organisation. If the HSE cannot provide the service, could further resources be provided to the Order of Malta?

The Taoiseach: I am sorry to hear about that case. Without knowing the details, I cannot comment on it much further but if the Deputy sends the details to my office, we will look into it on her behalf.

Deputy Willie O'Dea: I thank the Taoiseach for his attendance at a recent meeting concerning University Hospital Limerick. It was much appreciated. Arising from the proceedings of that meeting, will the Taoiseach provide an approximate timescale within which the 303 beds which have been deemed necessary to stabilise the hospital will be in use? When will the elective hub committed to by the Government become operational? Has a building been secured to house that facility or has one been identified? What is the up-to-date situation on a section 38 application by UPMC to build a hospital on the north side of Limerick city with elective capabilities, which will considerably reduce the pressure on the main hospital?

The Taoiseach: It was a very useful meeting and I was glad to be able to attend for at least an hour of it. I hope to visit the hospital soon. I do not have the exact answers to all the Deputy's questions. I will ask the Minister, Deputy Donnelly, to come back to him directly but I understand the 96-bed block is under construction and might be open some time next year. I will double-check that. We accept another bed block is required and will try to progress that. There is no date for the surgical hub yet, unfortunately. We need to look at different options for that but it could help a lot with elective waiting lists.

I understand construction is to begin on the new Bon Secours hospital in Limerick quite soon and I encourage the UL Hospitals Group to begin early discussions with them. We know how effectively Waterford hospital uses the Whitfield and it makes sense for Limerick hospitals to get in early to see if they can make use of the new private hospital when it is build and engage with UPMC on their ideas.

Deputy Ciarán Cannon: In recent times a number of towns across County Galway have experienced complete water outages or boiled water notices. Irish Water, in engaging with public representatives at national and local level to inform us why the issues have arisen and what is being done to resolve them and to assure us these issues will be avoided in the future, has not been forthcoming. I know from talking to colleagues here that the experience is similar across the country. I urge the Taoiseach to contact the CEO of Irish Water and ask him to put in place a formal protocol of engagement with public representatives at local and national level when such issues arise. It is important we are able to inform our constituents of what exactly is happening and what work is being done to resolve issues in the shortest possible timeframe.

Deputy Darragh O'Brien: I thank the Deputy for his question. The issue of outages in Galway has been raised by the Deputy and by some of his Dáil colleagues. I will contact Niall Gleeson, the chief executive of Irish Water. I am in regular contact with him. It is important Deputies are aware that Irish Water now has a €6 billion capital programme to deal with legacy issues we have had for decades. Having said that, communication is key and Oireachtas Members should be contacted and kept informed when issues arise. Following the Deputy's intervention today, I will speak to the chief executive and revert to the Deputy.

Deputy Brian Stanley: On Christmas Eve, Midoc, a private company which provides out-of-hours GP services in the midlands, ceased trading. The company was paid nearly €8 million last year. HSE management has had to rush in and put a temporary service in place. I give them credit for that but it is a day-to-day service in place until 15 January. Since then, they have been trying to tie up a contract with an agency for a temporary solution but that is still not in place. The public and the HSE had the rug pulled from under them by this company in terms of out-of-hours GP services in the midlands.

I have found out since there are six different models of providing out-of-hours GP services across the State. This is no way to provide emergency health services. It is at the whim of private companies which can provide the services or pull the rug. Will the Taoiseach ensure the Minister for Health deals with out-of-hours GP services in the midlands and gives some certainty? Can we move collectively towards building a proper public health service, as envisaged in Sláintecare?

The Taoiseach: I will let the Minister, Deputy Donnelly, know that the Deputy raised Midoc and out-of-hours services in the midlands. Out-of-hours GP services, which are really important, have evolved on an *ad hoc* basis. Back in the day when my dad was a GP, GPs did their own calls and were out every night. Nobody would expect anyone to do that any more. When I was a GP, the co-ops started being set up but it is *ad hoc*. Sometimes they are run by GPs, sometimes by the HSE and sometimes by private companies. That means an inconsistent type and level of service across the country, and it is not cheap either. We need to look at it in the round and come up with a model of care that works for urban Ireland, as well as for rural Ireland where the needs are different.

Deputy Barry Cowen: How many sections of the European directive 2019/944 on the common rules for the Internal Market for electricity have been transposed into Irish law? Will the Taoiseach confirm or check that the community elements of the directive have been so transposed? I am anxious to ensure there is potential for large-scale community projects which would, for example, be catered for in the event of Bord na Móna lands being returned to communities which provided those lands to Bord na Móna when that opportunity arose in the 1940s. Now that the community gain is not what it was then and not what had been envisaged in the intervening period, this now offers an opportunity of that magnitude and that nature. It is imperative that the relative directives are transposed into Irish law to cater for a pilot scheme of that nature being allowed to proceed.

The Taoiseach: We support community energy projects. There have not been all that many in Ireland and I would like to see a lot more happen. I do not know the situation with the particular directive or with European law, but I will get my office to liaise with the Minister, Deputy Ryan's, office and come back to the Deputy once we have an answer.

Deputy Alan Farrell: The new runway at Dublin Airport has been operational using a 70° northward turn since August 2022. This is an unexpected flight path that has caused months of misery for an unsuspecting public in very rural parts of my constituency and indeed of the Taoiseach's. These are communities that were assured over almost two decades of planning that they would not be affected, but they have since found that they are directly impacted by flight operations. Having been approved for planning in 2007, all aircraft movements have been planned for in a straight-out departure path. The Dublin Airport Authority, DAA, Fingal County Council and the aircraft noise competent authority, ANCA, have based their county development plans and noise insulation programmes on these plans. What reassurances can

the Taoiseach provide to our communities that have been so adversely affected? What role can the Government plan to ensure accountability on the part of the Irish Aviation Authority, IAA, towards a transparent planning process for aircraft departures at Dublin Airport?

The Taoiseach: I thank Deputy Farrell for raising this important question, which I know is of great concern to his constituents and indeed to constituents not too far from my own place, where there was a well-attended public meeting recently.

I am advised the DAA holds statutory responsibility for the airport. Noise mitigation at Dublin Airport is subject to substantial regulation and oversight as well as best practice mitigation measures. Following the opening of the north runway in August, an issue regarding the runway's departure flight paths was identified which resulted in some local communities being unexpectedly overflowed. Once it was identified, the DAA advised local communities and elected representatives that they had commenced a review with the aim of resolving the issue. When the review was complete, the DAA reverted to these stakeholders, advising that the current standard instrument departures would be updated, resulting in flight paths aligning more closely with those previously consulted on and used as part of the planning process. All flight paths are governed by international safety standards, so the revised departure procedure required a regulatory review and approval before being implemented. The DAA has confirmed that the new flight path will be operational from 23 February and aircraft will operate the revised departure procedure from that date.

Deputy Claire Kerrane: Hundreds of people in Roscommon and Galway remain on waiting lists for home care. Some wait for up to 18 months. With the recent loss of step-down beds, nursing home closures and a lack of respite available in both counties generally, home care is even more essential. There have been clear issues around the recruitment and retention of home care workers for a long time. A report was published by the Minister last November which had 16 recommendations. Of course, there were no surprises in the findings of that report. Has there been any progress on those 16 recommendations? I also urge greater urgency from the Government on home care. We want to see older people and our most vulnerable being able to be cared for at home. We want to see them able to leave the hospital, go home and be looked after. That is very important, and I ask for a greater sense of urgency on these waiting lists.

The Taoiseach: I thank the Deputy for raising the important issue of home care. It is so important, as we all know. It keeps people out of hospital, gets people out of hospital more quickly, keeps people out of nursing homes and makes sure they are safe. We have dramatically increased the budget for home care in recent years. The problem is no longer a matter of money but of finding staff who are available to be home carers. To help deal with that, we have relaxed the work permit rules so that up to 1,000 people can come in from outside the European Union and outside the EEA to work here as home carers. We are examining the possibility of an employment regulation order to put in place better pay, terms and conditions to make it more attractive, as we have done in childcare. We are also making progress on the statutory home care scheme so that there is a statutory right to home care in the way there is for nursing home care at the moment but that is not currently in place for home care.

Deputy Matt Shanahan: There has been much discussion on the Coillte and Gresham House deal. Many of the issues have been aired already, but I will focus on the policy around it, namely, the policy to favour the State sector over the private sector. In terms of licences achieved, in 2022, Coillte achieved 110% of licences whereas private felling achieved only 80% for private afforestation. In other words, farm afforestation only achieved 60%. In fact,

from 2020 to 2022, even by the Department's own target figures, only 67% of licences were achieved for the domestic sector. Can we look at this bias into the future surrounding this policy?

I have two questions around this. First, in terms of future fund management, has the Government considered any private investment vehicle that could do the job of Gresham House into the future to allow for domestic investors to take part in the afforestation programme? Second, is it time now to establish a forestry agency to oversee the important work, to try to hit these targets and to ensure rural and domestic growers will not be disadvantaged?

The Taoiseach: Our objective is to go from a situation whereby only approximately 10% of the country is under forest to get up to 18%, which will almost double the amount of the country that is afforested. That will require the State, through Coillte, to plant more forests, particularly on public land. It will require farmers to plant more trees. It will require private investment, which can of course come from anywhere, including from domestic Irish investment funds. That said, the people who can make the biggest difference here are farmers. They own most of the land in the country. By getting involved in forestry they can make the biggest difference. That is why, under our new forestry programme, we are trying to make it much more attractive for farmers to do so by keeping the single farm payment, providing 20 years of premiums instead of 15, providing tax-free income at the end of it in many cases, and a 33% increase in premiums.

An Leas-Cheann Comhairle: We are over time and almost out of time. There are just two speakers left, so I will take the two speakers together, and they will have 30 seconds each.

Deputy Carol Nolan: As the Taoiseach will be aware, scenes emerged last week of horrific animal cruelty to a defenceless donkey in my county of Offaly. Since then, I understand the animal, along with others, has been rescued. This clearly shows our animal welfare laws are not being obeyed and that we need a more robust regime to deal with animal welfare. We also saw the case of a sheep farmer who had 50 lambs destroyed by dogs in Moneygall in County Offaly. Will the Taoiseach commit the Government to setting up a regime that will be funded and will enforce the animal welfare laws to ensure people obey them?

Deputy Michael McNamara: I return to the issue of the meeting at University Hospital Limerick, UHL, which the Taoiseach attended, at which the HSE acknowledged that the model 2 hospitals, such as those at Ennis and Nenagh, are underutilised. The CEO of UHL undertook to carry out a review of additional resources required at Ennis Hospital pursuant to the change in the ambulance protocol. Does the Taoiseach know the result of that review and what additional resources, if any, have been provided to Ennis as a result?

The Taoiseach: On Deputy Nolan's question, I saw the footage the other day. It was very upsetting to think anyone would treat an innocent animal such as a donkey in that way and then take pleasure in videoing it and putting it online. It was appalling. I agree we need to step up enforcement when it comes to dogs and dangerous dog laws as well as the wider issue of animal welfare, which the Deputy raised. I will certainly take that up with my colleagues.

In response to Deputy McNamara's question, I have not seen the outcome of that review. I have been told the decision to bring stable patients to Ennis Hospital rather than to the main emergency department in Limerick has made a difference. It is a small difference-----

Deputy Michael McNamara: Minuscule.

The Taoiseach: -----but it has made a difference, and I think it is the right thing to do. I agree that if Ennis is to take more patients, even if they are stable patients, it will need the resources to do that. Otherwise, it will just move the problem to somewhere else, and we do not want that to happen.

Nagoya Protocol: Motion

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

That Dáil Éireann approves the following Convention on Biological Diversity Protocol:

Nagoya Protocol on Access to Genetic Resources and the Fair and Equitable Sharing of Benefits Arising from their Utilization to the Convention on Biological Diversity, a copy of which has been laid before Dáil Éireann on 8th December, 2022.

Question put and agreed to.

Presentation of Estimates: Motion

Minister for Further and Higher Education, Research, Innovation and Science (Deputy Simon Harris): I move:

That, notwithstanding Standing Order 215 of the Standing Orders of Dáil Éireann relative to Public Business or the Resolution of the Dáil of 14th December, 2022, the following Further Revised Estimate for Public Services for the year ending 31st December, 2023, be presented to the Dáil on 24th January, 2023, being a date later than that prescribed for the presentation of Estimates:

Vote 42 — Rural and Community Development (*Further Revised Estimate*).

Question put and agreed to.

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

Minister of State at the Department of the Taoiseach (Deputy Hildegard Naughton): I move:

That, in accordance with the recommendation of the Committee on Standing Orders and Dáil Reform pursuant to Standing Order 118A(2)(b), a Special Committee on Assisted Dying is hereby established, with Orders of Reference as contained in the report of the Committee on Standing Orders and Dáil Reform entitled “*Orders of Reference for Special Committee on Assisted Dying*”, a copy of which was laid before Dáil Éireann on 19th January, 2023.

Question put and agreed to.

Ceisteanna - Questions

Cabinet Committees

1. **Deputy Peadar Tóibín** asked the Taoiseach when the Cabinet committee on housing will next meet. [58944/22]

2. **Deputy Mary Lou McDonald** asked the Taoiseach if he will report on the work of the housing and infrastructure unit of his Department. [59157/22]

3. **Deputy Ivana Bacik** asked the Taoiseach if he will report on the work of the housing and infrastructure unit of his Department. [60875/22]

4. **Deputy Mick Barry** asked the Taoiseach when the Cabinet committee on housing last met. [60885/22]

5. **Deputy Paul McAuliffe** asked the Taoiseach if he will report on the work of the housing and infrastructure unit of his Department. [60893/22]

6. **Deputy Jennifer Murnane O'Connor** asked the Taoiseach if he will report on the work of the housing and infrastructure unit of his Department. [60894/22]

7. **Deputy Cian O'Callaghan** asked the Taoiseach when the Cabinet committee on housing will next meet. [60901/22]

8. **Deputy Richard Boyd Barrett** asked the Taoiseach when the Cabinet committee on housing will next meet. [61331/22]

9. **Deputy Paul Murphy** asked the Taoiseach when the Cabinet committee on housing will next meet. [61334/22]

10. **Deputy Mary Lou McDonald** asked the Taoiseach if he will report on the progress of Housing for All. [61816/22]

11. **Deputy Mick Barry** asked the Taoiseach when the Cabinet committee on housing will next meet. [1182/23]

12. **Deputy Peadar Tóibín** asked the Taoiseach when the Cabinet committee on housing will next meet. [1567/23]

13. **Deputy Mick Barry** asked the Taoiseach when the Cabinet committee on housing will next meet. [3278/23]

14. **Deputy Peadar Tóibín** asked the Taoiseach when the Cabinet committee on housing will next meet [3345/23]

The Taoiseach: I propose to take Questions Nos. 1 to 14, inclusive, together.

The housing and infrastructure unit assists me and the Government to meet our housing and infrastructure policy objectives. This includes providing a secretariat to the Cabinet committee on housing, which oversees the delivery of Housing for All, along with wider public invest-

ment through Project Ireland 2040, which falls under the Cabinet committee on the economy and investment, which is chaired by the Tánaiste. The unit also provides updates, briefing and speech material on relevant policy issues.

The Cabinet committee on housing met eight times in 2022. The last meeting took place on Monday, 21 November. The next meeting of the Cabinet committee on housing is scheduled for next Monday. This committee works to ensure a co-ordinated approach to the implementation of Housing for All across government and the implementation of programme for Government commitments regarding housing and related matters.

Housing for All is the most ambitious housing plan in the history of our State and contains actions to ensure more than 300,000 new homes are built by the end of the decade, along with delivering a fundamental reform of our housing system. The plan is showing real progress. Almost 28,000 new homes were completed in the 12 months to the end of September, the highest rolling 12-month total of any period since comparable data were first published in 2011. We are building more new homes than at any point in more than ten years, and that does not include student accommodation or derelict homes being brought back into use. We expect to see data in the next few weeks that will confirm we exceeded our overall target of 24,600 new homes in 2022. The target for 2023 is 29,000 new homes, and I want us to exceed that as well.

For renters, we are making cost rental a reality. We have legislated to cap rent increases and enhanced security for tenants through deferring no-fault terminations until April. We have also introduced a rent tax credit and we encourage renters to avail of that, given it is now possible to apply for it online. We are also reforming the planning system and promoting the use of innovation, rapid builds and modern methods of construction. Other significant initiatives under Housing for All include the first home scheme, Project Tosaigh and the residential zoned land tax.

We will continue to prioritise the building of new homes, taking further action as it is needed and listening to what those involved in the sector are telling us.

An Leas-Cheann Comhairle: There are nine contributors, so it is up to one minute each.

Deputy Peadar Tóibín: In the 2022 census, 166,000 homes were recorded as vacant, and these did not include holiday homes or those that were temporarily vacant for other reasons. To have so many vacant homes in a time of crisis is shocking. It is similar to having food available in a time of famine. A vacant homes tax was detailed in the most recent budget and was to be levied at 0.3% of the value of the home, which is tiny compared with the increase in the values of homes at the moment, but Revenue indicated it was going to levy it on only about 4,000 homes, with a benefit to the Exchequer of about €4 million. Surely that is outrageous. How many empty homes will have this tax levied against them and how much will it bring in? How many Croí Cónaithe grants have been drawn down to get vacant homes back into use?

Deputy Mary Lou McDonald: I again raise the redress scheme for homes with Celtic tiger-era building defects that was announced last week. As my party colleague, Deputy Ó Broin, has acknowledged, the announcement is a step in the right direction but we, like the homeowners affected, would like the Taoiseach to clarify some aspects of the scheme as proposed. The legislation will not be completed, we are told, until the end of this year and the scheme will not open for applications until some time next year. Will he explain this delay and tell us why this matter cannot be expedited? Does the scheme provide for 100% redress for all applicants

and will it be applied retrospectively? How far back will it go and will it apply to apartments, duplexes and houses impacted by structural defects? Will the Government make funding available for interim emergency fire safety works for those developments at greatest risk?

Deputy Ivana Bacik: The housing crisis, as we know, continues to worsen and Mike Allen warned on “News at One” of the growing shortage of accommodation. Last week, Threshold warned that the majority of tenants it had helped towards the end of 2022 were at risk of homelessness due to the landlord selling their property. When the eviction ban was being introduced, I repeatedly raised with the Government the urgent need to ramp up the tenant *in situ* scheme to secure people’s homes and prevent homelessness. As there is likely to be a flood of evictions after the ban ends in April, now is the time when the Government should act. We ask that the Minister for Housing, Local Government and Heritage publish monthly figures, for the duration of the eviction ban, from local authorities on how many tenant *in situ* schemes they have been able to complete or how many are being processed. We have asked this previously and the Minister has failed to provide this information. There is a massive underspend in the Department of Housing, Local Government and Heritage of almost €1 billion and we know the target of 8,000 social homes in 2022 will not be met.

Will the Taoiseach publish monthly figures on the tenant *in situ* scheme? Has he yet been briefed on how many social homes were built last year, and will the targets be met?

Deputy Mick Barry: I want to see a constitutional referendum on the right to housing, not because it will resolve the housing crisis, which it will not do, and not because it is a substitute for our housing campaigns or housing protest, which it is not. I want to see it because it would improve, at least somewhat, the rights of those who need housing and add, at least somewhat, to pressure on the State to deliver it. We are hearing reports that the Housing Commission is due to report relatively soon with a recommendation on this matter. Will the Taoiseach give this House an update on the estimated time of arrival, so to speak, for that recommendation? Will he also outline his thinking, as Taoiseach, on whether a referendum might be a good choice to make in our current situation?

Deputy Paul McAuliffe: It was good to hear the Taoiseach outline the details of one of the strongest public housing programmes in decades and I look forward to getting those final details for last year. One of the other commitments in Housing for All is to having a better fit of existing stock for those people who need it, including through reviewing the housing aid for older people grant, which many councillors work with their constituents to deliver as part of the local authority system, allowing them to make changes to bathrooms and accessibility mechanisms in their homes. Unfortunately, because of the rise in construction costs, it is getting more difficult to get the same value from those grants. Incomes have increased and I hope that in the same way that we have increased income thresholds for social housing, we might be able to do the same for housing aids. The Department has carried out a review and I hope a statutory instrument will be available soon. I have been putting pressure on the Minister in that regard. Will the Taoiseach confirm that there will be an increase in those grants?

Deputy Jennifer Murnane O’Connor: In the middle of a housing crisis, I am seeing refusals of planning permission for once-off housing developments because the services are not there. I am talking specifically about water. There is a direct knock-on impact because Carlow’s water treatment plants need to be upgraded, whether in Tinryland, Ardattin, Ballinabranagh and Bagenalstown. These plants are working at 100% capacity, and although funding has been promised again and again, we still have not got it. What is the update from Irish Water?

I also have an issue with funding for vacant buildings. Between 2018 and 2022, planning exemptions allowed some developers to take on vacant buildings in Carlow and put them forward for beneficial housing schemes. There is a great example in Tullow, where a former hotel, which has been derelict for more than 20 years, has applied for the repair and leasing scheme, RLS, to develop 100 units in the town centre. The local authority, however, is issuing compulsory purchase orders, caught up in red tape, to develop this high-profile unit in an historic part of the town centre. It has taken two years with all the red tape and I ask the Taoiseach to look at it.

Deputy Cian O’Callaghan: Can the Taoiseach explain why almost €1 billion allocated to the Department of Housing, Local Government and Heritage in 2022 was not spent? What does he have to say to the thousands of people who are paying unaffordable and exorbitant rents, the hundreds and thousands of people who are in their 20s and 30s and still living in their childhood bedrooms, those who cannot afford to buy a home and the 11,500 people who are homeless and living in emergency accommodation about the Government’s failure to spend this €1 billion? How can he justify it?

Deputy Richard Boyd Barrett: The figure of 11,500 people who are currently homeless is going to continue to swell unless the Government takes urgent emergency measures to stop the flow into homelessness. The major reason the vast majority of those people are homeless is because they have been evicted; the vast majority of whom have done absolutely nothing wrong. Next Friday week, I will be going into court with a family, that is, people who have worked, paid their taxes all their lives and have not done a single thing wrong. Even during a supposed ban on evictions, they are facing an enforcement order to throw them out of their home where they have lived all their lives. As they are over the threshold for social housing support they are not even entitled to housing assistance payment, HAP. What will the Government do to stop the flow of families and individuals into homelessness? I propose it has to impose a complete eviction ban and buy up the homes, regardless of where they are in terms of income, of those people who are threatened with homelessness.

Deputy Paul Murphy: Victims of apartment and duplex defects were very happy last week to hear the Government announce that there will be a redress scheme and it will be retrospective but they also know from the experience of the mica homeowners who had 100% schemes supposedly announced for them over a year ago and are still waiting, in reality the small print means it is significantly less than 100%. They understand the devil will be in the detail and at the moment we have very little detail from the Government. When will the detail of this scheme be announced? When will emergency funding be announced because clearly this is a safety issue for a number of homeowners. We need immediate action. They cannot wait for a year or longer. Will the Government meet the insurance industry to ensure people are able to get their blocks insured while they are waiting for this scheme to start? Will non-fire but latent defects such as defective balconies be included, and will houses built at the same time in the same developments by the same developers affected by the same issues, such as balconies, also be included? Finally, will the Minister meet representatives of the Not Our Fault campaign to understand how this is going to work?

The Taoiseach: It is a long time since I have done this and I had forgotten what it was like. I have done my best to write down as many questions as I can. I definitely cannot write as quickly as people can talk but will do my best to answer the questions. In relation to Deputy Tóibín’s question on the 166,000 vacant homes, I am not sure it is published yet but it is worth taking a look at the Department’s report, which is the derelict homes action plan. It might be

published or may not be. It gives a very interesting breakdown as to why those 166,000 homes are vacant and in a huge number of cases, it is for a reason, in that they are to let or for sale; they are being renovated; the person who lives there is in hospital or in a nursing home; they are recently deceased and the home is in probate. Actually, the real number of homes that are habitable and could be available for use is much lower than that.

Deputy Peadar Tóibín: How much?

The Taoiseach: I cannot remember the exact figure but a fraction of that-----

Deputy Peadar Tóibín: It is an important figure.

The Taoiseach: -----and it shows as well that vacancy rates in Ireland are falling compared with the last time the survey was done and are in line with European norms. There is huge variability from different parts of the country to others, as the Deputy can imagine. Bear in mind the vacant property tax will only apply to habitable homes. It will not apply to those that are not habitable; they are derelict and are covered under different legislation. What ever the correct number is, there are certainly tens of thousands of derelict properties that could be brought back into use and turned into homes for people, and they should be. We have a lot of very good schemes at the moment such as buy and renew; repair and lease and Croí Cónaithe but at the moment, it looks like those schemes are going to bring hundreds of homes back into use every year and it should be thousands. We have to do everything we can to drive that forward and make sure it happens.

A couple of Members asked about the building defects scheme for apartments and duplexes. I cannot remember the exact dates it applies to, I think it is pre-2013, but that was part of the announcement on the day. We will get the legislation done this year. There will be retrospection. It will be up and running in 2024 at 100% but there will be checks and balances. People will not just be able to claim any amount. There will have to be checks and balances, of course, and there will be funding for interim fire safety. I should, as I have done before, declare personal interest in this in that my apartment, which is the only property I own, is in a building that has building defects and therefore I am a potential beneficiary of this scheme once it is up and running.

On the tenant *in situ* scheme which Deputy Bacik asked about, I very much agree that local authorities should purchase homes from landlords who are selling up where the tenant is a social housing tenant. That is done. The Minister, Deputy Darragh O'Brien, is very much behind that. We are encouraging local authorities to do exactly that. I am not sure if we will be able to do monthly figures but perhaps we can do quarterly figures or something along those lines.

On the issue of income thresholds for housing aids that Deputy McAuliffe raised, he makes some very valid points in that regard. As we all know, the cost of getting work done to one's house has gone up a lot and people's incomes have gone up as well. It makes sense to review both the income limits and the amounts people can get. I do not know what the outcome of that review is yet but I imagine the Minister, Deputy Darragh O'Brien, will make an announcement or bring a proposal to Government as soon as he can.

I met representatives from the Housing Commission a few weeks ago. It is nearing completion on its work on a proposed wording for an amendment on the right to housing for our Constitution. I do not know what that is yet and have not seen it. I look forward to receiving that report and once we have that and the proposed wording, the next step will be to consult with the

Oireachtas Joint Committee on Housing, Local Government and Heritage to see what it thinks of the proposed wording. It is a programme for Government commitment to have a referendum on housing and it is a commitment we intend to honour. It is important we get the wording right because whether you are for or against it, anything put in the Constitution transfers at least a degree of power and decision-making from this place, our elected Parliament, to the courts, whose members are not elected, as we know, but have their role to play. We have to make sure we get the wording right and that there are no unintended consequences. I look forward to seeing that report and it will be very welcome.

On Deputy Murnane O'Connor's question, I fully agree that we need to invest in water and wastewater services. As the Minister, Deputy Darragh O'Brien, said earlier, there is over €6 billion now in the budget for Irish Water but it has to prioritise and will generally prioritise infrastructure where it is going to provide water services for a site that can perhaps accommodate hundreds of people, important social infrastructure and important economic infrastructure as well.

On the €1 billion figure mentioned by Deputy Cian O'Callaghan, I am not sure that is correct. I think that by the end of the year, that figure was much lower. I cannot remember what it was but it was considerably lower. A decision was made to reallocate the funding from one part of housing to another part but it was spent on housing. When it comes to dealing with the housing crisis, I can assure the House there is no lack of money available to do what needs to be done. There is certainly no lack of political will and no lack of care or compassion on the part of the Government but there are constraints. There is currently a shortage of labour and we are trying to build and renovate new houses, repair old homes and apartments, and build transport and commercial infrastructure. There is just a shortage of labour at the moment. Materials are more expensive and not always available and there are delays around planning permission and servicing sites. There are real constraints which this Government and any Government would face, unfortunately, when it comes to turning the tide on the housing crises which is our objective.

Finally, Deputy Boyd Barrett asked about the eviction pause and that is in place until the end of April. We will have a better idea between now and then as to whether it has been effective in terms of reducing the number of people who are in emergency accommodation and the number of people flowing into homelessness. I am not sure what the Deputy means by a complete eviction ban and if we-----

Deputy Richard Boyd Barrett: People are being evicted at the moment.

The Taoiseach: Yes, but-----

Deputy Richard Boyd Barrett: They have done nothing wrong.

The Taoiseach: -----people are being evicted because they have not paid their rent-----

Deputy Richard Boyd Barrett: No.

The Taoiseach: -----or because they have been engaged in antisocial behaviour-----

Deputy Richard Boyd Barrett: No.

The Taoiseach: -----and I think allowing people to-----

Deputy Richard Boyd Barrett: There are people being evicted on grounds of sale at the moment, who have done nothing wrong.

Climate Action Plan

15. **Deputy Christopher O’Sullivan** asked the Taoiseach if he will report on the work of the climate action delivery board co-chaired by the Secretary General of his Department. [60184/22]

16. **Deputy Christopher O’Sullivan** asked the Taoiseach the details of the climate action plan progress report published by his Department on 22 November 2022. [60185/22]

17. **Deputy Bríd Smith** asked the Taoiseach the total number of actions in the 2021 climate action plan which have not been enacted to date; the numbers of high-impact actions which have failed to be enacted or that are delayed; the high-impact actions that remain to be enacted; and if he will make a statement on the matter. [62712/22]

18. **Deputy Ivana Bacik** asked the Taoiseach when the Cabinet committee on the environment and climate change will next meet. [2120/23]

19. **Deputy Mick Barry** asked the Taoiseach to provide details of the climate action plan progress report published by his Department. [3280/23]

20. **Deputy Paul Murphy** asked the Taoiseach to report on the work of the climate action delivery board. [3408/23]

21. **Deputy Bríd Smith** asked the Taoiseach to report on the work of the climate action delivery board. [3411/23]

The Taoiseach: I propose to take Questions Nos. 15 to 21, inclusive, together.

Climate action is the most pressing long-term global challenge of our time and is a significant priority for this Government. Through our strengthened climate legislation, Our Shared Future and our annually updated climate action plan, we have set ourselves the ambition of halving Ireland’s greenhouse gas emissions by the end of the decade and of putting Ireland on course to becoming carbon neutral by 2050.

We are determined that Ireland will play its full part in EU and global efforts to stop climate change and in so doing, harness the opportunities and rewards that will come from moving quickly to a low-carbon society.

We must harness our massive untapped, renewable natural resources, providing greater energy security, stable prices, more jobs, and regional development.

The Cabinet committee on the environment and climate change oversees the implementation of the ambitious programme for the Government’s commitments on the environment and climate change. It met four times in 2022 and its next meeting will be scheduled shortly. It is chaired by the Minister, Deputy Eamon Ryan.

The climate action delivery board, established in 2019, is jointly chaired by the Secretaries General of the Departments of the Taoiseach and the Environment, Climate and Communica-

tions. As well as overseeing the implementation of the annually updated climate action plan, it monitors implementation of carbon budgets and the sectoral emissions ceilings. It can also provide recommendations to the Cabinet committee on the environment and climate change on measures required to overcome any barriers or impediments to the implementation of climate policies.

The Department of the Taoiseach has responsibility for publishing quarterly reports on the implementation of measures committed to under the climate action plan. The most recently completed report was published in November, covering actions due for reporting in the third quarter of 2022. An implementation rate of 60% was achieved specifically on those measures that were due in the third quarter. Overall, 77% of the 708 measures that were due under the Climate Action Plan 2021 were achieved by the end of the third quarter.

A further progress report on actions due in the fourth quarter of 2022 is currently being finalised and will be brought to the Government for publication shortly. This system of quarterly reporting helps to maintain accountability and transparency for the implementation of climate actions across all Departments and Government agencies and will continue.

Deputy Christopher O’Sullivan: I welcome the Taoiseach back to the hot seat and wish him the best of luck.

On solar energy, the Climate Action Plan 2023 has a new ambition of 8 GW of power from solar photovoltaic, PV, sources, which is up from 5.5 GW. A large portion of that is going to come from the farming community and farm buildings. Farmers are up for this. They want it and are very interested in it, as we can see.

We have done a great amount. The planning exemptions and the targeted agricultural modernisation scheme, TAMS, grant has been introduced up to 60%, which is down to the hard work of the Minister, Deputy McConalogue, who is in front of me in the Chamber. As farmers can also avail of that clean energy tariff when they avail of the TAMS grant, we are doing a great deal for farmers. They are still meeting obstacles out there from the Sustainable Energy Authority of Ireland, SEAI, and the ESB in what they can avail of. The maximum kilowatt-hours are 17 kWh and 50 kWh respectively-----

An Leas-Cheann Comhairle: I am afraid the Deputy has reached the maximum time allowed to speak here.

Deputy Christopher O’Sullivan: -----but they have been told that they can have a limit of 9 kW. That needs to be addressed and we also need to roll that out to as many farmers as possible.

Deputy Ivana Bacik: The Minister for the Environment, Climate and Communications launched another new strategy in the past week. This one related to electric vehicles with a new charging infrastructure strategy that will see €100 million invested over three years. I have raised concerns with the Minister about this issue on a number of occasions because we are just seeing a far too slow delivery on electric vehicle, EV, charging infrastructure. In the case of people who want to change to an electric car but who live in an apartment block, a terraced house or any home with no driveway, as is the case across my own constituency; they ask me and need to know when publicly-accessible chargers will be put in place with a sufficient network to serve increased numbers of EVs. Access to chargers is very difficult.

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In the Portobello area, there is just one publicly accessible charger for the many people who now wish to move to EVs. There is a similar position in Ranelagh, in Rathmines and I am hearing of this across the constituency. As the implementation plan says the design of the new local authority package will not be in place until later this year, how many chargers does the Taoiseach expect to have installed across Dublin by then?

Deputy Mick Barry: I ask the Taoiseach to comment on two pieces of climate news we have received since the start of the year.

The first is on the issue of climate criminals. We have now learned that ExxonMobil scientists in the 1970s mapped out with extraordinary exactitude what would happen if we continued using fossil fuels with respect to global temperatures. This information, however, was not released to the public. It was covered up and that company was involved in climate denialism for a long period after that. I seek the Taoiseach's observations on that matter.

The other matter is the claim that is being made by some scientists now that if we have an El Niño event later this year, the world could reach a 1.5°C increase in temperatures well before this decade is out, with the implications that that might have for governments globally and in this country, particularly in the context of the washout that was COP27.

Deputy Paul Murphy: Ireland's electricity emissions increased by 4% in the past year. The climate action plan requires electricity emissions to fall by 75% by 2030. Almost the entire carbon budget for electricity up to 2025 has now already been used up. The main reason is that electricity generation increased by 3%. Even though coal and oil generation fell and wind generation rose, emissions still increased because of a 10% increase in electricity produced by natural gas. Everybody knows that the main reason for this is the proliferation of data centres which the Government has encouraged.

Between 2015 and 2021, electricity consumption rose by 16%, and 70% of that was swallowed up by data centres, which used more electricity than all rural homes in this State combined. If the Government keeps enabling multinationals to dump their data centres here, we will be running to go backwards in respect of emissions. Will the Taoiseach commit to an immediate ban on further data centres?

Deputy Peadar Kirby: Public transport is one of the biggest solution opportunities in regard to climate change. In my own county of Meath, the majority of workers today left the county to go to work. That happens in no other local authority area. Most of those workers are forced to use cars. We have had the Government announcement on the Navan to Dublin rail line, which is a welcome announcement, but today we learned that no money at all has been put aside for that project as of yet. The status of that particular project is that it is still a decision of a future Government as to whether to back it financially. Is it feasible to live in a society where so many people cannot get to work in a fast and climate-friendly manner and will the Government put ring-fenced money behind this project now to ensure it will proceed?

Deputy Richard Boyd Barrett: A report was done by the Department of Agriculture, Food and the Marine approximately two years ago which suggested, astonishingly, that Ireland's forest estate was a net carbon emitter. That was a shocking fact. Why might that be? It was because people who were interested in profit, rather than addressing climate change, biodiversity or, for that matter, supporting rural communities or farmers to engage in sustainable forestry, just grew plantations of Sitka spruce trees and cut them down too young for the market, that is,

for profit. We then get a blight on the landscape and forests which do not contribute to climate action but are an actual obstruction to the sort of sustainable diverse forestry we need for climate action and biodiversity.

The Taoiseach: I thank Deputies again for their contributions on this issue. Deputy Christopher O’Sullivan, who is a great advocate for climate action and renewable energy, pointed out that our ambition now is produce 8 GW of solar capacity. That is a very ambitious target but one we believe can be achieved. I very much agree with him that we must
4 o’clock remove any obstacles that we can. Planning laws have been relaxed and TAMS and other grants are available, as the Deputy has said. I also know that people are running into practical obstacles and we need to remove any of those that we can. I also agree that farmers can lead the way on this, whether this is by solar panels on roofs or on fields which can still, of course, be grazed, and we will be encouraging farmers to do exactly that.

When it comes to electric vehicles, as mentioned by Deputy Bacik, we have seen an increase in the purchase and uptake of these vehicles in the past year, where, I believe, in the region of 20% of all new cars purchased were battery electric vehicles or plug-in hybrids. That is in line with where we thought we would be around now and is a little encouraging. We have set aside €100 million over the next three years to provide more charging points because that infrastructure is necessary if we are to encourage more people to go electric.

I do not know the exact figures for Dublin but I will ask the Minister, Deputy Ryan, to pass them on to the Deputy.

I do not want to comment on the Exxon story. I saw the reports on the news and do not know their veracity or what Exxon’s reply or defence has been, if there have been any.

Deputy Murphy is correct to say that emissions from electricity did go up. There are a number of reasons for that. We had to use coal again, something we had ceased doing. We also have increased demand for electricity. Data centres are part of that, but they are only one part.

Deputy Paul Murphy: The majority.

The Taoiseach: They account for about 10% to 14% of all electricity we use and less than 2% of greenhouse gas emissions. We have no plans for a ban, but we will reduce new connections and prioritise data centres linked to employment and important social functions, which they are. That is a fact and reality of modern life.

On the Navan rail line, I very much welcome the decision of Government to proceed with that project. It will be beneficial to County Meath and my constituency, where it plugs in at Hansfield. There will, of course, have to be funding to get it through planning and a railway order. There are already a number of projects in An Bord Pleanála, as Deputies will know, including metro, DART and BusConnects, and many are awaiting approval by An Bord Pleanála. The next step is to do planning and design with a view to reopening the rail line to Navan, connecting at Kilmessan and other stops along the way.

On the question of whether a forest estate is a net carbon emitter, one of the reasons may be where the trees were planted because trees planted in the past in Ireland were often planted in highland and peaty soils. It is not just about the trees; it is also about where they are planted. We should acknowledge that we need trees for lots of different reasons. We want more native and broadleaf trees, and for trees to act as a carbon sink. We want trees to provide biodiversity

and help improve the leisure facilities we have so that people can walk and enjoy them. We also need trees for timber. There is a housing crisis under way. We should not solve the housing crisis entirely with steel and concrete, because that will drive our emissions up. We need to have more cross laminated timber, CLT, products used in housing. The most suitable trees for that are conifers. We need to have a rounded approach to this. The housing crisis is as important as the climate crisis.

Cabinet Committees

22. **Deputy Mary Lou McDonald** asked the Taoiseach when the Cabinet committee on Covid-19 will next meet. [60869/22]

23. **Deputy Mick Barry** asked the Taoiseach when the Cabinet committee on health will next meet. [1184/23]

24. **Deputy Peadar Tóibín** asked the Taoiseach when the Cabinet committee on health will next meet. [1568/23]

25. **Deputy Ruairí Ó Murchú** asked the Taoiseach if he will outline the work that has been carried out to establish an inquiry into the State's handling of the Covid-19 which he announced in January 2023; the timeline for this inquiry; and the scope and nature of the inquiry. [1880/23]

26. **Deputy Ruairí Ó Murchú** asked the Taoiseach when the Cabinet committee on Covid-19 will next meet. [1881/23]

27. **Deputy Alan Dillon** asked the Taoiseach when the Cabinet committee on health will next meet. [2028/23]

28. **Deputy Ivana Bacik** asked the Taoiseach when the Cabinet committee on health will next meet. [2119/23]

29. **Deputy Peadar Tóibín** asked the Taoiseach when the Cabinet committee on health will next meet [3346/23]

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

The Cabinet committee on health is due to meet on 13 February. In addition to the meetings of the full Cabinet and of Cabinet committees, I meet Ministers on an individual basis to focus on different issues.

I met with the Minister for Health and HSE leadership team just before Christmas to discuss the pressures being experienced across our hospitals, particularly in emergency departments around the country. This pressure resulted from an exceptionally high level of three respiratory viruses in circulation in the community, namely influenza, Covid-19 and RSV. The current challenges facing the health service have also been discussed at meetings of the full Cabinet each week, including a memo today brought by the Minister on emergency department overcrowding.

While trolley numbers have fallen significantly since the start of the month, the number of patients on trolleys is still unacceptable and much higher than we would like. Every effort is being made to bring about further reductions over the coming weeks.

Budget 2023 provides the highest allocation of funding for health and social care in the history of the State. It is designed to facilitate better access to affordable, high-quality healthcare and further advance our ambition to achieve universal health care for all, as set out in the Sláintecare plan. We are committed to continuing to expand the core capacity of our acute hospitals, with more health professionals and more acute hospital beds. We have almost 1,000 more acute hospital beds than we had just three years ago and 6,500 more doctors and nurses.

We are also reforming how and where we provide services. The enhanced community care programme continues to develop healthcare at a more local level. Work is progressing on the establishment of six new regional health areas and elective care centres in Dublin, Cork and Galway, as well as surgical hubs in the interim.

On the Cabinet committee on Covid-19, the national response to the Covid-19 pandemic has evolved from an emergency approach to one which is appropriately mainstreamed and targeted at mitigating the severe impacts of Covid-19 on the population. Consequently, responsibility for Covid-19 now falls within the remit of the Cabinet committee on health.

On the State's handling of Covid-19, a comprehensive evaluation of how the country managed Covid-19 will provide an opportunity to learn lessons from our experiences in dealing with the pandemic, something that is being done in other countries. It will help to ensure that we are in a better and stronger position if and when another pandemic or another similar type of health emergency befalls us. It is intended to establish this in 2023.

Deputy Mary Lou McDonald: The independent review from the Mental Health Commission makes it clear that the failures identified in Kerry CAMHS last year are, sadly, reflected across the community health organisation network. I heard the Taoiseach say earlier that there is a plan to appoint a clinical lead in this area. I have to put to him that much more than that needs to be done, and done urgently. As with disability services, the ageing out of children and young people once they hit 18 years of age is an issue. There is also the fact that children and young people have been lost in the system, inconsistency in the rates of referral across regional services and a lack of any integrated system. I want to put it to him, in the limited time I have, that funding has to be increased in this area and ring-fenced. We also need new regulations under the Mental Health Act, focused on regulating CAMHS, to include national standards for monitoring the use of antipsychotic medication for children and young people.

Deputy Mick Barry: The Tánaiste that told the Dáil that the situation in our child and adolescent mental health services was unacceptable. A couple of weeks ago the Taoiseach pronounced that the situation in our emergency departments was unacceptable. I put it to him that it is time for him and his Government to own their mistakes and disasters. They are not bystanders casually viewing these crises from another planet or from afar. Can the Taoiseach outline the steps he intends to take to stop further harm being done to vulnerable young people in those services, tackle the unacceptable waiting lists for those services and cut across a potential worsening of the situation as psychiatrists retire and the flow of new graduates is insufficient to maintain even current levels of service?

Deputy Peadar Kirby: There were 18 hospital protests around the country last Saturday in probably one of the most widespread and largest campaigns throughout the country in terms of what is happening in the health service. Tens of thousands of people marched in different sites, which is wonderful to see.

The Taoiseach mentioned overcrowding in accident and emergency departments. It is not happening because pesky people are getting sick too often. It is important to say that. Accident and emergency overcrowding is happening because of a lack of accident and emergency capacity in the State. Some 6,000 beds have been closed since 2008. There are 30% too few GPs. There are 700 fewer consultants than there should be. Incredibly, the Government has closed eight accident and emergency departments in the past 15 years. People cannot understand why the Government cannot join the dots between the accident and emergency capacity crisis and Government policies to close accident and emergency departments throughout the country.

Deputy Ruairí Ó Murchú: At the onset of the Covid pandemic in 2020, 23 people died tragically in Dealgan House nursing home in Dundalk. Unlike other nursing homes, it was taken over by the RCSI hospital group. Families have been persistent in trying to get to the truth and much is in the public domain because of this. They met the Minister, Deputy Donnelly, and the Minister of State, Deputy Butler, and have been promised a mechanism to offer them the truth and closure they need. They want a public inquiry into what happened at Dealgan House. The Taoiseach has spoken about the need for an inquiry into the State's handling of the Covid-19 pandemic. We need a timeline and to know what work will be done and what the remit will be. Is there a chance that these families will get a mechanism to provide them with the truth and with closure? Will the State learn lessons in relation to this pandemic?

Deputy Ivana Bacik: On the issue of health in the context of the Cabinet committee, I raised earlier the unacceptable failures in the Child and Adolescent Mental Health Service, CAMHS. We have continued to see unacceptable conditions in our health service over the winter season, with thousands of people marching across the country at the weekend. There were especially big crowds in Limerick and Navan, which the Labour Party was proud to support. Years of under-resourcing have put lives at risk and a full security audit is now required. The INMO have called for this after the awful fatal assault on an 89 year old man in the Mercy University Hospital, Cork. Our thoughts are with his family. Will the Taoiseach commit to the holding of a security audit of our hospitals? There has not been one since 2016. For years healthcare workers have had to endure attacks and assaults and it is deeply worrying that patients are unsafe.

Finally, I want to ask about the availability of a specific antibody drug called Evusheld. I have been contacted by people affected by chronic lymphocytic leukemia about the need for more supports to protect patients. The antibody drug Evusheld was rejected by the National Centre for Pharmacoeconomics, NCPE, due to cost but is available in other EU countries and has saved the lives of many people whose immune systems have not been working well. We know that those who are immunocompromised are particularly worried about the rise in respiratory illnesses over the past month or so.

An Ceann Comhairle: The Taoiseach has just over a minute to respond.

The Taoiseach: The failings in CAMHS was mentioned again and I addressed this earlier in response to Deputy Bacik's question during Leaders Questions. I accept the assertion that action is urgently needed. Deputy McDonald is absolutely right about that. Funding has been increased and will be increased further. Staffing levels have almost doubled in the past ten years and they will be increased more. We are going to appoint a new national clinical lead for youth mental health so that there is better clinical governance and clinical leadership. There will also be an assistant national director for youth mental health so that there is better management. There will be a new consultant contract, which is very attractive by international standards, which will hopefully lead to the recruitment of more psychiatrists. We also need to develop

from a psychiatric-led model of youth mental health care but that is an issue for another day. We will give consideration to the Mental Health Commission's recommendation that it be given regulatory oversight of youth mental health services. That is a good idea on the face of it but we need to do due diligence on it.

Deputy Tóibín spoke about emergency department overcrowding which happens for lots of different reasons. It is related to capacity in hospitals; there are not enough beds but we are increasing the number of beds every year. It is also about community care and making sure that people can get out of hospital more quickly and are less likely to end up in hospital in the first place. It is also about patient flow and making sure that when patients are admitted, they get the tests and treatments they need in two or three days, not five or six days. The average length of stay in Ireland could be reduced further. The overcrowding is also happening against a backdrop of a rising population and one that is increasingly ageing. We have the highest life expectancy in all of the European Union now. That is in part a reflection of the quality of much of our health service. Of course, we are also seeing increasing frailty.

An Ceann Comhairle: The time is up.

Statement by the Minister for Public Expenditure and Reform

An Ceann Comhairle: Before we proceed, I wish to remind Members that notwithstanding the politically-contested nature of the subject matter, a number of longstanding rules of debate still apply. First and foremost, all persons are entitled to their good name, whether they be persons inside this House or outside it. If an allegation impugns the character or integrity of any person, it must be withdrawn. I also remind Members that charges against any person can only be made by substantive motion, a longstanding rule of the House. Finally, Members will be aware that complaints in relation to the subject matter of these proceedings have been made to the Standards in Public Office Commission, SIPO. It is the body assigned with responsibility, in legislation passed by this House, to examine compliance with obligations under the Electoral Act and the Ethics in Public Office Act. There is an onus on all Members of the House to be cognisant of this in the course of our proceedings this afternoon. I would be grateful to all Members on all sides of the House for their co-operation in relation to these matters.

I call on the Minister for Public Expenditure and Reform to make his opening statement. Ten minutes has been allocated for the Minister's opening statement, after which each of the groups will have six minutes each, with a back and forth for questions and answers.

Minister for Public Expenditure and Reform (Deputy Paschal Donohoe): Thank you Ceann Comhairle. As I laid out in my statement to this House last Wednesday, I have been undertaking a review of my 2016 general election expenses in recent weeks. I also reviewed expenses incurred during the 2020 general election. In seeking to determine the full facts of the matter, I consulted with the local organisation in Fine Gael about any involvement from Michael Stone in both of those elections. The situation regarding support in 2016 was confirmed to me and I made a statement to the Dáil and to the media in this regard. However, the situation regarding support provided in 2020 was unclear. There was some recollection by my team of support being provided by Mr. Stone in that year but despite my asking directly a couple of times, Mr. Stone's view was that he had not provided such support. This was confirmed to me on more than one occasion. On Wednesday night, after my Dáil statement, I received a call from Mr. Stone telling me that a member of his team did recall support being provided in 2020

through the campaign team. This prompted his call to me. The details of the support provided are outlined in the statement from Mr. Stone which he issued earlier today. I was unaware of any of these details prior to Wednesday night.

Despite my best efforts in recent weeks to ensure the fullest account of the support given in both 2016 and 2020 was accurate, an amendment will be made to my 2020 general election expenses form to reflect the new information to the amount of €864 for labour and €392.20 for vehicles for support received during the election period. In addition, I am now aware that an unauthorised corporate donation of €434.20 was unknowingly received by Fine Gael Dublin Central. This was in the form of the use of vehicles, the commercial value of which exceeded the maximum allowable donation limit of €200. SIPO has been notified of this breach and €234.20, the amount received in excess of the allowable limit, will be refunded to the Designer Group. An amendment will also be made this week to my election expenses to the value of €1,256 for the work carried out and for the use of vans up to polling day.

In addressing the House on Wednesday evening, I aimed to be fully transparent. This was, I believe, the case at the time and the statement I made was an honest reflection of the information I had. It remains the case that when SIPO returns were being submitted in both 2016 and 2020, they were believed to be accurate, as any posterage done throughout the campaign was not paid for by Fine Gael Dublin Central nor by me. All activity, it was understood, was carried out by volunteers on a voluntary basis. Neither I nor my team were aware of any payments to any individuals for the putting up or removal of posters in either election at the time of the filing of returns. The vast majority of posters that were put up and removed in my campaign were done on a voluntary basis. This was, we believed, the case with regard to the support given by Mr. Stone.

At each point in this, having undertaken reviews aiming to get the full facts, I have always looked to take the appropriate steps to correct the record. Mr. Stone has said that his statement and the information given to me represents his best and fullest recollection of events. Therefore, further steps are being taken. Since Thursday, I have been working to ensure that the information regarding the 2020 general election campaign is completely accurate. I have informed the Dáil of the facts as I have known them, that were true at each and every juncture. I again apologise for the difficulties this has caused and the distraction it has caused and may cause from the important work of the Government. I have always sought to hold myself and those around me to the highest of standards. Finally, I wish to say that I deeply regret that this has caused the loss of Mr. Stone from the boards of both the Land Development Agency and the north-east inner city task force. He gave his time freely in an attempt to make a difference to the lives of those who faced significant challenges and his experience will be a great loss to both organisations.

Deputy Pearse Doherty: When the Minister came before the House last week with his version of events, I told him he had been caught out. He was caught out concealing donations that were not declared at the time, in 2016. Despite the fact that he had information back in 2017 on the use of the company van, he did not do anything about it. He was caught out when journalists contacted him in November 2020 and he said his team reviewed everything and that there was no need to make any adjustments and everything was okay. It was only when SIPO wrote to him that he created this narrative to reverse engineer the numbers to make it all seem plausible.

The question I put to him on four occasions last week was the one he could not answer. The information he gave this House even included the number of tickets Michael Stone bought from

him in a national draw but he failed to tell us that Michael Stone paid to put up his election posters in not just one but two elections. The reason he could not answer that question was that he knew at that time that he was caught out again. I will ask a specific question. In 2017, who made the allegation in respect of the use of Michael Stone's company van in the erection of the posters? Can the Minister answer that question? When he received repeated requests from the media in November 2022, he said he carried out a review. Who carried out the review? At that stage, did he know of the involvement of Michael Stone in the context of postering?

Deputy Paschal Donohoe: I thank the Deputy for his questions. It is important to be clear, when he uses the word "donation", that what exactly we are referring to here is an inadvertent corporate donation that I have now declared and will return to SIPO. The donation he referred to repeatedly that is at the heart of this is the issue of postering and the donation to which he refers is the commercial value that is attributed to posters that I did not know were being paid for and that I assumed to be voluntary. Every time he uses the word "donation", which he is correct to raise-----

Deputy Pearse Doherty: Answer the question.

Deputy Paschal Donohoe: -----I will make the point that this refers to postering that I assumed was done on a voluntary basis. He asked me who made the allegation; who passed on the point in 2017. It was a journalist at that point. I have been unable to determine who that is. As regards the review I initiated from the end of November across December, which took time to do, at that time I believed, but it took me some time to establish, that all the support I received had been on a voluntary basis.

Deputy Pearse Doherty: Who carried out the review? The Minister informed at least one journalist that he carried out a review and he did not need to change his declaration. We now know that was not true. We now know he got a donation of postering in the 2016 campaign and again in 2020. Who carried out the review and how was the Minister able to issue that response in November - another cover-up in respect of this political donation?

As regards when it was brought to his attention in 2017, what did he do when somebody pointed out to him that a company van was used in erecting his posters at that time?

Deputy Paschal Donohoe: I thank the Deputy for recognising that the donation to which we are referring here is the putting up of posters. It is postering that I assumed was happening on a voluntary basis-----

Deputy Matt Carthy: Answer the question.

Deputy Paschal Donohoe: -----that has created an issue for which I now must be accountable in the context of the return of my SIPO forms and expenses, which I have done. As regards who carried out the review, I asked those who are involved in my constituency organisation and my team who have been involved in the campaign. As I said, until recently - I made a return in respect of my expenses for 2016 - I believed that activity had been provided on a voluntary basis. At campaign time, we put up many hundreds of posters in Dublin Central. I assumed they were all put up on a voluntary basis. That is the nature of the issue.

Deputy Pearse Doherty: To clarify this-----

Deputy Paschal Donohoe: To answer the question the Deputy put to me regarding the ac-

tion I did not take in 2017-----

(Interruptions).

An Ceann Comhairle: The Minister without interruption.

Deputy Paschal Donohoe: -----that is one of the many issues for which I hold myself accountable. I look back at that point and what I should have done in 2017 when I became aware of the issue was to amend my electoral expenses at that time to take account of the use of a commercial van that had a value of €140 at that point. It is one of the examples of my assuming that activity had been provided on a voluntary basis-----

Deputy Pearse Doherty: With respect, the Minister is now talking down the clock.

Deputy Paschal Donohoe: -----and that commercial issue I should have recognised.

Deputy Pearse Doherty: Let me ask the questions. He told the media after his review that there was nothing to see here, but he is after telling the House that during the review it was identified that Michael Stone put up the posters in 2016. He has also told the House that some members of his team recollected that Michael Stone made a contribution in 2020. I ask the Minister to please come clean on this. How many posters did Michael Stone put up in 2016 and 2020? I ask the Minister not to take the Mickey out of this and tell us that Michael Stone only put up 75 posters. How many posters did he put up?

Deputy Paschal Donohoe: I thank the Deputy for his two questions. To be clear, it was only as I initiated a more thorough review of the 2016 campaign in the aftermath of receiving further contact that it became apparent to me that those individuals had been paid, but they were not paid for by me-----

Deputy Pearse Doherty: It does not matter.

Deputy Paschal Donohoe: -----or by Fine Gael Dublin Central.

Deputy Pearse Doherty: That does not matter.

Deputy Louise O'Reilly: How many posters?

Deputy Paschal Donohoe: I acknowledge the point. The key issue here is at that point it constituted a declaration. I accept that point. The key mistake I made, which I have acknowledged to the House this evening-----

Deputy Pearse Doherty: How many posters did they put up?

Deputy Paschal Donohoe: -----was an acknowledgement that I had assumed they were all done on a voluntary basis.

Deputy Pearse Doherty: Six men, three vans and five bikes. How many posters did they put up?

Deputy Paschal Donohoe: As regards the number of posters that were put up, I am afraid I have not been able to determine how many posters were put up but what I have been able to determine-----

Deputy Pearse Doherty: No, no. The Minister is just-----

Deputy Paschal Donohoe: I do not know if the Deputy is interested in my answer or my head but what he is going to get is-----

Deputy Pearse Doherty: I am interested in accountability.

Deputy Paschal Donohoe: -----the best answers that I have available-----

Deputy Pearse Doherty: Last week, the Minister would not answer any of the questions.

(Interruptions).

Deputy Paschal Donohoe: The best answer that I have available is that-----

Deputy Pearse Doherty: It is a cock and bull story. The Minister has been caught out time and again not just in terms of-----

Deputy Paschal Donohoe: -----I am not able to determine how many posters were available-----

Deputy Pearse Doherty: -----accepting undeclared political donations, but a cover-up that has gone on week after week-----

Deputy Paschal Donohoe: -----but I am able to determine-----

An Ceann Comhairle: Hold on.

Deputy Paschal Donohoe: All the information I have, I have shared.

An Ceann Comhairle: Please do not attempt to shout down the Minister. The Deputy asked a question and the Minister should be allowed to answer it.

(Interruptions).

An Ceann Comhairle: Let the Minister answer, please.

Deputy Matt Carthy: The Minister is trying to run down the clock.

Deputy Paschal Donohoe: As I said, I have not been able to determine the number of posters that were put up but, on the information that has been supplied to me, I have been able to determine the commercial value of the labour that was involved in putting up the posters-----

Deputy Mary Lou McDonald: How?

Deputy Paschal Donohoe: -----and the commercial value of the vehicles that were involved in doing it.

Deputy Mary Lou McDonald: How?

Deputy Pádraig Mac Lochlainn: The Minister does not know how many posters were involved.

Deputy Paschal Donohoe: They form most of the revision that needs to be made from an expenses point of view. As I have indicated to the House, however, a further revision needs to be made with regard to what I now accept was a corporate donation that I have now acted on with SIPO.

An Ceann Comhairle: Thank you. We need to move on. I call Deputy Nash.

Deputy Ged Nash: Of course, the commercial value is not the value that Mr. Stone or the Minister would ascribe to the service the Minister describes and what he wants it to be but, rather, what it would cost him on the open market to obtain that particular service. We would prefer if we were here today talking about housing and health, for example, the issues that affect everybody's everyday lives and go to the core of the business we should be doing in this House today and every day. Those are the real issues that matter but this matters too. Standards matter. Accountability, ethics, transparency and full disclosure matter. I believe that standards and integrity matter to the Minister, too. However, today we know from the statement of Mr. Stone - it gives me no pleasure to say this - that the Minister broke the electoral rules on two occasions, that is, in 2016 and 2020. He has a second chance today to put this issue to bed once and for all. As we all know, third chances do not come along every day in politics. If he genuinely wants to make a clean breast of this, he needs to answer the questions I will put to him. I am pleased he has decided to take the advice of the Labour Party and to return to Mr. Stone elements of what are prohibited donations and to amend his statement to SIPO accordingly. However, at the kernel of this is the fantasy that the donations made were made to Dublin Central Fine Gael and not personally to the Minister, the guy on the poster. He needs to address that fiction and fantasy; he needs to accept and acknowledge that these were donations made to him and that, insofar as we can establish, they did not comply with the law, as described. He has doubled down on these donations as donations made to the party, not to him as a candidate.

Let us look for a moment, if we can, at Mr. Stone's statement today on this assistance for a friend. He said, "The help given in 2020 was arranged through a member of ... Fine Gael ... in Dublin Central". This is important. I genuinely do not want to be dragging people unnecessarily into this. Who was the member? Was it the Minister's election agent? It is very important to establish that because, in electoral law, it is only the election agent who can legally authorise expenditure. Did Mr. Stone's donations and expenditure have the *imprimatur* of the Minister's election agent at any time? Is there a paper trail, which is required between a third party providing a service and the election agent? That is required in law.

If the donation was in fact made to Fine Gael in Dublin Central, I would be very annoyed if I were the second candidate in 2020. It seems she has not benefited from the assistance provided by Mr. Stone. How did the Minister's running mate benefit if indeed the donation was to Fine Gael in Dublin Central? If she did not benefit, this is really starting to look like what we believe it is: a personal donation made by a corporation that went undeclared. It is *de facto* a donation made to the Minister personally.

Deputy Paschal Donohoe: I thank the Deputy. I agree that ethics and standards do matter. It is why I am so disappointed to be in this position, having to explain who put up my posters, having to explain I assumed it happened on a voluntary basis, and having to take up the time of the House making a justification for it, let alone having to revise my expenses statements with SIPO.

Regarding the point the Deputy made on my "breaking the law", which I believe was the phrase he used, it gives me no pleasure at all to hear that statement made with regard to me, which is why I take this issue so seriously. I acknowledge the mistakes that were made. Respectfully, it is up to the Standards in Public Office Commission to form a view on this matter and evaluate my action, intention and what I have done to try to ameliorate this issue. I will engage with it in any way required.

One of the two questions the Deputy put to me concerned who received the postering at the time. It was the Fine Gael councillor for the north inner city, Mr. Ray McAdam. He received the postering. On the question on the support received by the second candidate and the point the Deputy made on the nature of the account, all the funding and support received at election time go into the central party political account, which is the Fine Gael Dublin Central account. If I had received anything personally, I would be revising my personal statements, but I did not. All the funding – any support received – went in there, but I go back to the key point. It is important to be clear regarding the nature of the donation. The nature of the donation is the value that is attributed to posters put up. At no point was money received that needed to be put into the account.

Deputy Ged Nash: There is a donation of service and there is a commercial value to be placed on that. That is a matter that will be determined in time by the Standards in Public Office Commission. I hope it does its work expeditiously. I maintain it is a fiction that this donation of a service that has a commercial value, which is a donation, was given to Fine Gael Dublin Central, because that would potentially have implications for the second candidate's returns. That may need to be reviewed.

The Taoiseach said earlier he believes the Minister. He is entitled to say that. He is right to say people will make their own judgments later on today on the veracity of what the Minister says. In the interest of transparency and full disclosure, I ask the Minister, who I know values integrity in public life, to publish fully all his returns to SIPO – his amended returns for 2016 and those for 2020, including all the supporting documentation – to ensure full disclosure. I appreciate the Minister is not obliged to do so but believe it would be very helpful and in the public interest for him to do so.

Deputy Paschal Donohoe: I thank Deputy Nash. I appreciate his recognition of the value I place on integrity and standards. I am so aware of the issues I have created due to postering activity that happened on my behalf at election time. That is the issue. It concerns who put up my posters, assuming it happened on a voluntary basis.

On the point the Deputy put to me, I thank him again for recognising this was a donation of a service. On the point he made on making information available, of course I will make any available information available to SIPO, but the one point I will need to check is whether that will in any way impinge upon or influence the requirements SIPO has of me. Assuming there is no difficulty in this regard, any information that is available to me that constitutes my input to SIPO-----

An Ceann Comhairle: I thank the Minister. We need to move on.

Deputy Paschal Donohoe: -----and my amended expenses I will make available.

Deputy Róisín Shortall: The point was made last week that the question is not about the fact that errors were made or that issues arose but about how those issues are responded to when they arise and how those errors are responded to when made. It has to be said that, in their response to this, the Minister and his Government have made a complete hames of it. That is a charitable reading of the situation. At the core of the Minister's defence is his statement that he thought the work was being done on a voluntary basis. That is a very revealing statement to make. How could anybody with any political experience at all think that vans with corporate signage on them and teams of guys in high-vis jackets are doing the work voluntarily? How

could the Minister possibly think that was the case?

The other point about this is that, even if the Minister is claiming he was completely ignorant of the rules, ignorance of the law is of course no defence. It is particularly not a defence when the breaching of the law is by the Minister responsible for implementing it. Does he really expect us to believe the work was being done on a voluntary basis and that it was okay if was being done on that basis? Is he not familiar with the returns we all have to make every year, for example, those regarding donations? Under question 3 on the donations statement, which we are all filling in this month, there is a reference to the nature of donations and a footnote referring to cash, cheques, the use of property, services etc. That seems perfectly clear. As the Minister responsible for the law, how does he expect us to believe he was ignorant of it and thought the work was voluntary?

Deputy Paschal Donohoe: I thank the Deputy very much for her questions. I want to pick up on the points she made that ignorance of the law is no defence. Of course, SIPO will impartially evaluate what has happened and the consequences of it. Not knowing is not a defence but proportionality in political debate is also a point I would make.

Deputy Róisín Shortall: That is a different point.

Deputy Paschal Donohoe: The Deputy referred to political experience. I am aware she has very extensive political experience from her many successful election campaigns in the constituency beside mine, but I have some political experience too. I have political experience of being a candidate, particularly in the 2020 campaign, during which I was performing a national duty because of my party.

Deputy Róisín Shortall: No.

Deputy Paschal Donohoe: I was rarely in my constituency office.

Deputy Róisín Shortall: With all due respect, the Minister should just answer the question.

Deputy Paschal Donohoe: The reality is-----

Deputy Róisín Shortall: The Minister is talking down the clock now.

Deputy Paschal Donohoe: I will conclude briefly but I am going to answer. If you are in an environment in which the vast majority, if not all, your activities happen on a voluntary basis-----

Deputy Róisín Shortall: Okay-----

Deputy Paschal Donohoe: -----the assumption I made was that a small share of it was too.

Deputy Róisín Shortall: I am taking that as the Minister's answer.

Deputy Paschal Donohoe: I just want to make a final point on it, again to emphasise that my campaign or I was not paying for this-----

An Ceann Comhairle: I thank the Minister.

Deputy Paschal Donohoe: -----and the mistake that I acknowledge I made was not checking if somebody else was.

Deputy Róisín Shortall: Okay. I have heard what the Minister said. There are a number of forms we are required to fill out after an election. With regard to the election expenses statements from 2016 and 2020, is it the case that the Minister has amended both of those documents to include additional expenditure?

Deputy Paschal Donohoe: The 2016 one has already been amended, and the 2020 one will be amended very shortly.

Deputy Róisín Shortall: Is there a corresponding correction that needs to be made in relation to the donation statements, which of course would have been filled in the best part of a year after the election? Surely if the Minister is saying that he must change the election expenses declaration in relation to his expenses in his election campaign, surely that also requires a donation statement correction for both elections.

Deputy Paschal Donohoe: I have already said that I am amending my corporate donations for Fine Gael Dublin Central.

Deputy Róisín Shortall: Not the corporate donations. It is the donations in kind.

Deputy Paschal Donohoe: I have already said that a revision will be made to take account of a donation that was inadvertently received to the commercial value of the van that was used. I have already said I am willing to do that.

Deputy Róisín Shortall: What about the other aspects-----

Deputy Paschal Donohoe: And the expenses for-----

Deputy Róisín Shortall: -----in terms of the people who were employed?

Deputy Paschal Donohoe: I am answering the Deputy's question. We have amended the 2016 statement and we will amend the 2020 statement shortly. I am not aware of the need to make a revision to any other donations form apart from the corporate one, which will happen shortly, and we are refunding back a share of that, which I acknowledge should not have been received, which was the commercial use of a van.

Deputy Róisín Shortall: I made the point last week that what the Minister is doing and the explanation he is providing for these various figures sounds very much like reverse engineering to suit the rules. That is not the case in relation to donations that, as I have already said, are goods and services that have commercial value, which must be declared donations. The Minister seems to be suggesting these were not donations. Mr. Stone putting up the posters for the Minister, paying people to put up the posters, and providing the vans was a not a donation to the Minister but to the party. Is that correct?

Deputy Paschal Donohoe: I have made clear on a number of occasions-----

Deputy Róisín Shortall: Is that correct?

Deputy Paschal Donohoe: I have made clear that these were expenses that were accrued by Fine Gael Dublin Central, and the only-----

Deputy Róisín Shortall: No.

Deputy Paschal Donohoe: The Deputy is asking-----

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Deputy Róisín Shortall: The Minister is using expenses and donations-----

Deputy Paschal Donohoe: The Deputy is asking me a question and I am going to answer it. My understanding, having assessed this matter thoroughly, is the main donation here that needs to be reviewed is from a corporate perspective, which has now happened, or, excuse me, which will happen.

Deputy Róisín Shortall: I am not talking-----

An Ceann Comhairle: The Deputy is out of time now.

Deputy Róisín Shortall: I ask the Ceann Comhairle to just bear with me for a couple of moments. I am not talking about the corporate donation. I am talking about the donations in kind that the Minister got with people being paid to put up his posters and for the provision of vans. The Minister last week said, as I understand it, that they were actually donations to the party, so how did the Minister-----

An Ceann Comhairle: The Deputy has made that point. It is clear.

Deputy Róisín Shortall: No. I am looking for an answer to this question.

An Ceann Comhairle: Well let us get the answer then. The Deputy is out of time.

Deputy Róisín Shortall: How did the Minister relay that information to the party that they were donations to the party?

An Ceann Comhairle: Please, Deputy Shortall. Will you co-operate?

Deputy Róisín Shortall: Did the Minister, as he was required to do, get an acknowledgement-----

An Ceann Comhairle: Deputy Shortall. Please.

Deputy Róisín Shortall: -----of that donation? Under the guidelines the Minister is required to get an acknowledgement from the party if he is saying that the donations went to the party.

Deputy Paschal Donohoe: I am not aware of this concept of a donation in kind. What I am referring to here is an expense.

Deputy Róisín Shortall: The Minister is pleading ignorance.

An Ceann Comhairle: Please

Deputy Paschal Donohoe: My expenses form has been submitted and-----

Deputy Róisín Shortall: It is in the general election guidelines.

Deputy Paschal Donohoe: -----I have made clear on a number of occasions that these are expenses that were accrued by Fine Gael Dublin Central.

Deputy Róisín Shortall: Did the Minister get an acknowledgement of that?

An Ceann Comhairle: No, we are way out of time. We are moving on to People Before

Profit and Deputy Paul Murphy.

Deputy Róisín Shortall: These are the guidelines for the election.

Deputy Pearse Doherty: The Minister does not know what a donation in kind is.

An Ceann Comhairle: You have had your turn.

Deputy Mary Lou McDonald: It is utter gobbledygook. It is made up.

An Ceann Comhairle: Please. We will now have Deputy Paul Murphy and Deputy Mick Barry, who are sharing time.

Deputy Paul Murphy: Did Michael Stone help with posterage in the 2019 local and European elections?

Deputy Paschal Donohoe: No.

Deputy Paul Murphy: Fine Gael was involved in an election. This is a guy who makes donations in the form of putting up posters for Fine Gael in the 2016 and 2020 general elections but he does not do so in 2019. He only seems to get involved when the Minister is standing for election. Is that right?

Deputy Paschal Donohoe: As I have said, the two election campaigns for which I am revising my election expenses are for 2016 and 2020. If any further change needs to be made at this point, it would be.

Deputy Paul Murphy: Okay, so they look like donations to the Minister as opposed to Fine Gael. Just to confirm, the Minister is saying that the donations of the assistance of the labour, worth €972 in 2020, and the use of the vans, which were €434.20 in 2020, were donations to Fine Gael as opposed to the Minister.

Deputy Paschal Donohoe: Again, the donations referred to by the Deputy are the cost of labour and the use of a van. They were all attributed to Fine Gael Dublin Central, not to me.

Deputy Paul Murphy: The Minister also said last week that he sold tickets with a donation value of €334 in 2020 to Michael Stone. Is that right?

Deputy Paschal Donohoe: Yes, I believe I did indicate that was the case.

Deputy Paul Murphy: That would also be a donation to Fine Gael North Central, presumably?

Deputy Paschal Donohoe: No. That would have been to the Fine Gael national organisation.

Deputy Paul Murphy: Okay, but it was a donation to Fine Gael.

Deputy Paschal Donohoe: It would have been a donation, as I have said, to the national party.

Deputy Paul Murphy: Collectively, in 2020, with a donation of €972, and the figures of €434.20 and €334 in 2020, that is a total of €1,740 in that year. Is that accurate?

Deputy Paschal Donohoe: We are talking about different things here. One went to Fine Gael Dublin Central. The other was to the Fine Gael nationally.

Deputy Paul Murphy: That does not matter in terms of the legislation.

Deputy Paschal Donohoe: I am aware what the aggregate is, but I am sure the Deputy is correct. They went to different party entities. As I have said from the very beginning, one was the sale of the tickets and the other was the commercial value we are attributing to postering and the use of a van.

Deputy Paul Murphy: This is the problem. When the Minister begins to tell untruths he begins to trip himself up. It does not make any difference where the donations went. If they were donations to Fine Gael, they fall under the rules for donations to a party. The Minister is, presumably, aware that if a party receives donations or donations in aggregate exceeding €1,500 in any one year, it needs to declare that. Is the Minister aware of that rule?

Deputy Paschal Donohoe: My understanding here is that the value of the money referred to by the Deputy is below the personal threshold. As I have said, and I will go back to the point I made, one was for Fine Gael Dublin Central and the other was for tickets that went to Fine Gael nationally.

Deputy Paul Murphy: Again I emphasise that this does not matter. The Minister is known to be quite good with figures: €972, €434.20 and €343 is a total of €1,740, when the maximum that can be accepted without being accounted for in the election statement is €1,500. Yet Michael Stone does not appear on the donation statement. The Minister is just landing Fine Gael in it with his series of untruths.

Deputy Paschal Donohoe: The €430 figure the Deputy referred to is the commercial use of a corporate van.

Deputy Paul Murphy: Correct.

Deputy Paschal Donohoe: The Deputy is adding together two personal figures and a corporate figure. They are different. The two personal figures relate to the sale of tickets that I brought forward myself, and the commercial value of postering, which Mr. Stone paid for. The other figure the Deputy refers to is for a corporate donation that came from the Designer Group, that corporate donation being the commercial value of the use of a van

Deputy Paul Murphy: Michael Stone is clear-----

Deputy Paschal Donohoe: Just to conclude-----

Deputy Paul Murphy: -----that he arranged, supplied and paid.

Deputy Paschal Donohoe: -----not only are we talking about funding that went to two different entities, which are Fine Gael Dublin Central and Fine Gael nationally, we are also talking about them being paid from two different people.

Deputy Paul Murphy: Two different-----

Deputy Paschal Donohoe: Two different entities.

Deputy Paul Murphy: It makes no difference whatsoever. They are two arms of Fine Gael.

The Minister is responsible for SIPO. He is meant to know this stuff. In 2017, the Minister became aware of the issue around the use of a van in 2016. Why on earth did he proceed to do the same thing all over again in 2020?

Deputy Paschal Donohoe: The Deputy cannot make repeat assertions and assume they have or may have a truth here. As I said a moment ago, of the three different figures the Deputy has referred to, the figure of €430 is for the commercial use of a van-----

Deputy Paul Murphy: That is not the question.

Deputy Paschal Donohoe: -----which was a corporate donation from the Dublin Designer Group, a portion of which will be refunded. The other two figures referred to by the Deputy are personal figures. Those personal figures are under the donation threshold-----

Deputy Mick Barry: Minister, you may well have put-----

Deputy Paschal Donohoe: It is important to be clear about that point, because an impression is being created that the figures being brought forward are in some way-----

Deputy Mick Barry: The Minister is talking down the clock and I wish to speak. The Minister may well have put a new phrase into the Irish political lexicon this afternoon, which is the “inadvertent” corporate donation. To lose one parent may be regarded as a misfortune but to lose both looks like carelessness. I wonder what the bould Oscar might say about this debate tonight. To fail to disclose election donations and spending once might, at best, be said to be carelessness. What exactly is it when it is done twice? Did the Minister receive assistance of this kind from Michael Stone in the general elections in 2007 or 2011? Did the then Minister, Eoghan Murphy, before appointing Michael Stone to the board of the Land Development Agency, ask the opinion of the Minister, Deputy Donohoe, or canvass his thoughts on that matter? He was aware of these problems before he was appointed Minister for Public Expenditure and Reform on 17 December last. Did he inform the Taoiseach that a potential controversy was brewing here? If not, why did he not do so?

Deputy Paschal Donohoe: I did not know Mr. Stone in 2007 and 2011. I have no recollection at all of talking to the then Minister, Eoghan Murphy, in relation to this. At that point the value of the work Mr. Stone was doing in the north-east inner city was becoming very broadly known as was the impact that he was having because of the kind of value he added. The impact he was having on issues was becoming well known. In relation to 2017, as I said in response to an earlier question, I do wish at that point I had revised the donation that was equal to the commercial value of the use of that van. At that point the change I would have made would have been at the value of €140.

Deputy Mick Barry: Did the Minister inform the Taoiseach before his appointment?

Deputy Paschal Donohoe: Excuse me, I will come back to that question. No, I did not inform the Taoiseach of what was on the way.

Deputy Mick Barry: But you knew there was a controversy brewing.

Deputy Paschal Donohoe: At that point I was aware that there were issues that I was reviewing, which there were. I had received queries.

Deputy Mick Barry: You accepted a Minister’s position without informing the Taoiseach.

Deputy Paschal Donohoe: I did not inform the Taoiseach in relation to it but as this issue has developed, particularly over the weekend, I have briefed him and all the party leaders.

Deputy Cathal Berry: I am sharing time with Deputy Tóibín, four minutes for myself and two for Deputy Tóibín. I thank the Minister for his opening statement. I have a number of follow-up questions. He mentioned that he is currently amending his returns for the 2020 general election. When are we likely to get a formal submission of those returns? Is it going to be some day this week? Could he outline his engagement with SIPO in this matter? He mentioned last week that he had received a letter, I think last Friday week, from SIPO stating that a complaint had been submitted. Could the Minister outline if there was any indicative timeline as to when SIPO will make a decision in this regard? When will the public know whether this complaint will be dismissed or progressed? Finally, is this it? Is there any more information we need to know? Is every piece of information about this matter in the public domain at the moment or are we going to get more disclosures or revelations in the next couple of days?

Deputy Paschal Donohoe: I thank the Deputy. As to when I will amend my 2020 return, I expect that will be done this week. What kind of engagement have I had from SIPO? They wrote to me last week indicating they would be considering the matter but they have not given me any guideline regarding how long it will take or what the process will be, nor would I expect them to. I am sorry, I have missed the Deputy's third question.

Deputy Cathal Berry: Is this all the information?

Deputy Paschal Donohoe: Excuse me, yes, all the information that I am aware of here and that I have now taken great lengths to seek to obtain, I have made available. I am certainly not aware at all of any further information that needs to be brought. It is the reason I have amended my election returns in the way I have.

Deputy Cathal Berry: I thank the Minister. I have a couple more questions. All the Deputies in the Chamber are aware that there is a ceiling for expenditure for every candidate in a general election, depending on whether they are in a three-seater, four-seater or five-seater constituency. Had the donation of services been properly accounted for, would that have pushed the Minister's expenditure above the limit?

Deputy Paschal Donohoe: The answer to that question is no.

Deputy Cathal Berry: This is my last question. This matter was flagged to the Minister in 2017. Is there anything he can say to the House and to the public as to why it was not acted on and why he did not recognise the severity and the seriousness of this complaint at the time and take action at the time?

Deputy Paschal Donohoe: Particularly in 2017, I did not give the matter sufficient attention. My regret in relation to that, I hope, is evident. I will explain again and again that what this is about is who put up my posters in what is largely a voluntary campaign and not recognising that a small number of them did go up in a non-voluntary way - they were paid for.

Deputy Pearse Doherty: How can the Minister say it was a small number? He could not tell us how many posters earlier on, now it is a small number.

Deputy Paschal Donohoe: All that being said----

Deputy Pearse Doherty: On mature reflection, was it?

Deputy Paschal Donohoe: All that being said, the consequences of it I accept are very serious.

Deputy Pearse Doherty: It could have been 1,000.

Deputy Paschal Donohoe: That is why I have taken the lengths that I have to explain to the Dáil and to change my expenses submissions. I will engage with SIPO in the way they deal with it.

Deputy Cathal Berry: I will yield to Deputy Tóibín.

Deputy Peadar Tóibín: The issue of transparency of declarations is vital to a functioning democracy. This is because we have a dark history in this State of business people, developers and so on, people with money, buying influence regarding what happens in this democracy. It has cost us phenomenally, that type of buying of influence. The other side of this equation has not really been focused on at all as of yet. Michael Stone was nominated to the board of the Land Development Agency shortly after the donation. That is significant. The Minister named Mr. Stone as the chair of the north-east inner city initiative. That is significant. *The Irish Mirror* reported that his donor received contracts worth €8.7 million over six years. I think that is significant as well. Two companies of which Mr. Stone was director received 141 payments over six years including for work that was done in Leinster House. Many of these payments were made for contracts through the OPW, which was part of the Minister's Department. Was he aware of any of these contracts contemporaneously when they were made?

Deputy Paschal Donohoe: I am aware of that dark history. I know what it did to our politics and I do not play any part in it. The Deputy has made a number of assertions there-----

Deputy Peadar Tóibín: A number of facts.

Deputy Paschal Donohoe: -----a number of assertions in regard to the awarding of State contracts. The Deputy knows that I play no part in determining who gets a contract in this State. You know that. You know in particular that I play no role in who gets a contract from the Houses of the Oireachtas. What you have done is made a series of----

Deputy Peadar Tóibín: A Cheann Comhairle, I have asked a question here. It has not been answered. I have only 30 seconds left here.

Deputy Paschal Donohoe: What those kinds of assertions do is every bit as dark for the future of our politics as the consequences of the history the Deputy referred to. He knows I play no role in the allocation of any State contract. He knows it is done in an independent, competitive way by the Office of Public Works and every other State body. Not only did the Deputy make a number of assertions that he knows are wrong. Let me also tell him about one that he may not know to be wrong. He said a moment ago that the chair of the north-east inner city task force was appointed by me.

Deputy Peadar Tóibín: No, the Minister suggested his name for that.

Deputy Patrick O'Donovan: Deputy Tóibín said it. Check the record.

Deputy Paschal Donohoe: It was appointed by the Department of the Taoiseach. It was a decision that was made by the Department of the Taoiseach and it is precisely in recognition of the kind of issues and concerns that might arise in relation to a task force within my own con-

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stituency that it is being run out of the Department of the Taoiseach, not any State body or any Government Department I am responsible for.

Deputy Peadar Tóibín: A Cheann Comhairle, I asked a question.

An Ceann Comhairle: You are out of time, Deputy.

Deputy Peadar Tóibín: I have made no assertions.

Deputy Patrick O'Donovan: Go away out of that.

(Interruptions).

An Ceann Comhairle: The Deputy is out of time.

Deputy Peadar Tóibín: If you think that the presentation of these facts includes an assertion, that is very telling in its own right.

An Ceann Comhairle: Deputy Tóibín, resume your seat.

Deputy Peadar Tóibín: I asked the Minister one question.

An Ceann Comhairle: Resume your seat.

Deputy Peadar Tóibín: Did he know about any of those contracts at the time?

An Ceann Comhairle: Resume your seat.

Deputy Peadar Tóibín: It was not answered. It is absolutely incredible.

Deputy Paul Kehoe: Deputy Tóibín calls himself a Christian making accusations like that.

Deputy Peadar Tóibín: I do not call myself anything.

Deputy Mattie McGrath: I do not bear any ill will against the Minister or indeed Mr. Stone, who I believe did a lot of good work in Dublin inner city. The only problem I see is that he was ahead of his time. He was a visionary. He was for Fianna Fáil until the Minister met him in 2011, then he changed tack before Fine Gael ever decided to go into coalition with Deputy Micheál Martin. Perhaps the most alarming thing this entire saga has highlighted to us all is that the barriers that existed between political and business classes in this country are now almost inseparable. It is certainly not a good time for politics or for any of us. The Minister's diary states that he had 12 meetings with Mr. Stone during his term as Minister for Finance.

His actions as Minister for Finance were always to bat for the bankers, vulture funds and so on. One of his last actions before leaving office as Minister for Finance and moving to his current role was to allow bankers to get their bonuses again. Now, more than 50 bankers are earning €1.5 million plus. Why do people need that kind of money to live in this country and why is the Minister batting so hard for them?

I will move on to some questions. At the Sunday press conference, the Minister told the nation that the posters went up at night. I asked him about this as well. It is clear as day that the posters went up during daylight hours, though. Does the Minister know day from night or dark from daylight? Will the Minister please clarify the situation, given that we now know that

what he stated was not the case?

Regarding the tickets that the Minister sold to Mr. Stone, what manner of payment was used? Was it credit card, cash, cheque, bank draft, pound notes or whatever?

The valuation of the posters presented by the Minister is not credible. Will he provide a full breakdown of how he arrived at the figure of €1,057? Other candidates in his constituency documented figures of approximately €5,000. We all know the costs involved and we appreciate the volunteers who help us. We could not manage without them - families, friends and everyone one - putting up a few posters. It is not easy, but the Minister's valuation seems very skewed.

My understanding is that a second complaint has been sent to SIPO. That will take up even more time. This whole saga is taking away from people on trolleys and waiting lists, including housing lists. The Minister has handled this matter in a poor manner. It is time that he put it to bed. Let us move on and try to run the country for the ordinary people we are supposed to represent, not for the golden circles that seem to exist. I will not make any allegation about contracts, but we all know what is happening.

Deputy Paul Kehoe: How about what was collected for the septic tanks?

Deputy Mattie McGrath: That is not-----

Deputy Paschal Donohoe: The only part of the Deputy's statement that I wish to acknowledge in a positive way is his recognition of the work that Mr. Stone did in the north-east inner city.

Deputy Mattie McGrath: I do not know where it is, though.

Deputy Paschal Donohoe: This is an approach that many other Deputies have called for to be replicated in other parts of the country. One of the driving forces of its success was Mr. Stone's work. This is one of the many reasons I deeply regret how this issue has developed and that I am in a position of having to make the case for it and to defend it in the Dáil.

I will turn to the four points that the Deputy put to me, the first of which is the fact that some posters may have been put up during the day. I said at the time that we were referring to an election in 2016 nearly seven years ago. It is possible that they went up during both the day and at night. I accepted that. That was why I subsequently said there were four different dates.

Deputy Mattie McGrath: Paschal cannot tell between day and night.

Deputy Paschal Donohoe: It is difficult enough to remember what happened with posters going up seven years ago. I acknowledge that some of them could have gone up during the day.

Regarding how the tickets were purchased, I am afraid I do not know that. That is a private matter but I can assure the House-----

Deputy Pearse Doherty: Did the Minister not sell them?

Deputy Mattie McGrath: I thought the Minister sold them.

Deputy Paschal Donohoe: -----that all of the ticket sales were done in a way that was compliant with SIPO law.

Deputy Mattie McGrath: How does the Minister know if he does not know how they were paid for?

Deputy Paschal Donohoe: However, I made the decision to reveal and indicate in the House the purchase of these tickets because I felt it was a relevant matter of which the House should be aware.

Deputy Pearse Doherty: The Minister sold them.

Deputy Paul Murphy: Last week, the Minister told the House he sold them.

Deputy Paschal Donohoe: Regarding the valuation of the posters, Deputy Mattie McGrath referred to a figure of €5,000, which I believe comes from my constituency colleague, Senator Fitzpatrick. It is worth emphasising again that the difference between the two figures is the fact that the vast majority of the posters that were put up in all of my election campaigns were put up by friends, family and volunteers using their private vehicles. What is so regrettable about this situation is that the amount of activity that I now understand was not provided in a voluntary way and has led me to revising to my election expenses statements was a relatively small share of all of the activity. It appears that other election campaigns had most of their posters put up in a commercial way, which is the reason for the difference in the figures.

Regarding the second complaint, that is a matter for SIPO rather than me, but I will engage with it on any matter it raises with me.

Deputy Mattie McGrath: The Minister said on radio and in the House that he had sold the tickets to Mr. Stone. Now, he cannot tell us whether that involved cash, cheque, bank card, credit card or a new currency like crypto. Surely the Minister can remember. Did he sell so many that he does not know?

An Ceann Comhairle: I thank the Deputy, but we are out of time.

Deputy Mattie McGrath: It is a simple question. This matter should be clarified.

Deputy Paschal Donohoe: Obviously, it was not in cash. The purchase of the tickets and how they were registered happened in a way that had to be compliant with SIPO's guidelines, but I felt it was appropriate, given the interest in this matter, to declare that information voluntarily.

An Ceann Comhairle: Deputy Joan Collins is the next Deputy listed, but she is not present, so I call on the Minister to respond to the overall debate and to sum up.

Deputy Paschal Donohoe: A Cheann Comhairle, thank you for the opportunity you have afforded me to respond to the many issues and questions raised this afternoon. I have done my best to respond to each matter in a truthful and accurate way. It is the greatest of privileges to be a Member of the Oireachtas, to represent the constituents of Dublin Central and, above all, to contribute as a member of the Government to improving the lives of the people I serve. I have served under three taoisigh in three successive Governments. During that time, I hope I have made some difference - bringing our national finances to a point of surplus twice; resolving the international negotiation regarding our corporate tax rate; and supporting the workers and employers of our country during a pandemic.

This is not to excuse, and is certainly not to ignore, the sequence of events that the Dáil has

just focused on, but it does remind me of the standards that I should have applied regarding these issues. The issues, that I am accountable for, are: failing to amend my election expenses in 2017 to the tune of €140 when the use of a corporate van became known to me; not taking the time to determine fully all of the facts around payments that were made for posterings, which were not known to me at election time; and not being as involved in the details of the running of an election campaign as I should have been, with the consequences of those actions under electoral law. I was not fully aware of how every poster in my election campaign was put up, who did it and how, and I did not know exactly how that activity was being accounted for. I had understood that help to be on a voluntary basis. I did not ask further questions but I clearly should have. These are important matters and the Standards in Public Office Commission will consider them further.

While this is all that some in the Opposition will seek to define me by, it is not all that I have done while serving the constituents of Dublin Central and looking to provide a service to our country.

Deputy Mattie McGrath: No one said anything about that.

Deputy Paschal Donohoe: I have apologised for my errors in these events. I do so again now. I take hard-won lessons from them, and I will carry those lessons with me as I continue to serve the people.

Human Tissue (Transplantation, Post-Mortem, Anatomical Examination and Public Display) Bill 2022: Second Stage

Minister for Health (Deputy Stephen Donnelly): I move: “That the Bill be now read a Second Time.”

It gives me great pleasure to introduce the Human Tissue (Transplantation, Post-Mortem, Anatomical Examination and Public Display) Bill 2022 to the Dáil. It is important landmark legislation and includes provisions around organ donation and transplantation, post-mortem practice and procedures, anatomical examination and public display of bodies after death. Crucially, this Bill will embed in law the concept that consent, where appropriate, is the defining principle around these sensitive areas, and will establish a regulatory framework for the conduct of these activities. As committed to by the Government, the drafting of this Bill has been prioritised in order to provide a national legislative framework for organ donation and transplant services in Ireland for the first time. In addition to addressing organ donation and transplant, the Bill will bring the State in line with international best practice in relation to governance of activities relating to human tissue. A priority for me as Minister in bringing forward this legislation is to support organ donation and transplantation in Ireland and to make organ donation the norm in situations where the opportunity arises. This Bill will help achieve this through the introduction of an opt-out system of consent, and by creating pathways for living organ donation and altruistic donation.

Organ donation is a precious gift and often, the most precious of gifts. It saves lives. Our aim is to help increase the donor pool in Ireland while always fully respecting the wishes of individuals and their families. This approach is strongly endorsed by many of our leading chari-

ties who have campaigned for such a system for many years. I acknowledge the presence of some of those campaigners in the Gallery today. For many years, many people have advocated for the move to a position that this Bill will now introduce. An opt-out system, as we know, has already been introduced in some other European countries, including Spain, where the move has helped ensure a very high donation rate.

As we introduce the Bill today, there are approximately 570 men, women and children around Ireland on a transplant list. That is 570 families with men, women and children who are often very sick and who are often in urgent need of organ donation. They are regularly waiting for contact from the health services to say that an opportunity has arisen. Around 570 men, women and children are waiting. Last year, there were 250 organ transplant procedures. By significantly increasing the organ donation pool, which we believe this Bill will, we can go a long way - and hopefully all of the way - to making sure that those who are waiting for transplants in the coming years will be able to access that quicker than has sometimes been the case up to now.

The success of an opt-out system relies on people knowing about their options and being able, easily and quickly, to opt out if that is their wish. This is not about forcing people into donation. It is about making it as easy as possible for an individual's willingness to donate organs after their death to be acted upon. The Bill also recognises the need to introduce safeguards to protect the integrity of the human body before and after death. The background to much of the proposed legislation is the report on post-mortem practice and procedures. The report was prepared following the discovery, in the late 1990s, that it was hospital practice for many years to perform post-mortem examinations and to retain organs of deceased children without family knowledge or permission. I deeply regret that similar issues and concerns have arisen in our hospitals more recently. I want to emphasise that this Bill has quite rightly been drafted following extensive consultation with stakeholders. This has included two public consultations on the proposals, as well as direct contact with interested parties.

The Bill is divided into six Parts, comprising 105 sections. This not only highlights the complexity involved but demonstrates the substantial considerations and work done to develop overarching legislation across several distinct fields. I acknowledge the work done by all involved, including officials in my own Department and across the Government, as well as all of the time that stakeholders and interested parties have given over to making sure we get this law right.

I will now go through the Parts of the Bill. Part 1 is preliminary and general. It provides a list of definitions to aid interpretation of the legislation and includes general provisions for the storage, handling, transportation, disposal and return of organs and tissue. It allows the Minister for Health to introduce guidelines and regulations to support and underpin the legislation. It also introduces provisions for any designated family member to be consulted prior to donation of organs and tissues from deceased persons and for the conduct of non-coronial post mortems.

Part 2 of the Bill deals with donation and transplantation matters and is divided into six chapters, comprising 28 sections. It addresses the transplantation of both organs and tissues and outlines the requisite consent provisions with regard to deceased and living donors. Transplantation is currently the only available treatment for end-stage heart, lung and liver failure. It is also the most cost-effective treatment for end-stage kidney disease, and it brings enormous clinical and social benefits to patients who would otherwise remain on dialysis. The success of transplantation, in terms of life years gained and improvements in quality of life for patients,

as well as advances in treatment generally, mean that there are now more patients for whom transplantation is considered to be a viable option than ever before. At the end of last year, 572 people were on transplant waiting lists in Ireland, 512 of whom were on the kidney transplant list. Globally, the most significant problem affecting transplant programmes is the shortage of suitable organs to transplant.

The Human Tissue (Transplantation, Post-Mortem, Anatomical Examination and Public Display) Bill aims to increase organ donation and transplantation in Ireland through the introduction of new measures including an opt-out system for consent and pathways for living donation by adults, including non-directed altruistic donation. Currently, the decision on organ donation in respect of a deceased person rests entirely with the next of kin, including where the deceased person held an organ donor card or had indicated their wish to be an organ donor on their driving licence. Under the new opt-out system, all adults in Ireland will be considered to have agreed to be an organ donor when they die unless they have recorded a decision not to donate on an opt-out register or are in one of the identified excluded groups. This is often referred to as deemed consent, and will apply to the donation of the heart, lungs, liver, kidneys and pancreas. A separate consent process will be undertaken for the donation of other organs or for tissues and cells from deceased donors.

However, in all scenarios, family members will continue to be consulted before donation takes place. The wishes of the deceased should be central to the decision but if the family objects to the donation, then it will not proceed. I want to be absolutely clear that in no way does the move towards an opt-out approach mean that individual choice on this most sensitive issue is being threatened or eroded. Those who object to organ donation, for whatever reason, will be able to record their objection on a new register that will be established under the legislation. In such cases, their wishes will be respected and their family will not be approached on the issue of organ donation. It will be possible for individuals to remove their name from the register at any time.

The Bill also provides a framework for living donation. This has become an increasingly important source of organ donation and it is essential that this type of donation is underpinned by law. The legislation further introduces provisions for non-directed altruistic donation. This means that those who wish to donate a kidney while they are still alive to someone they do not personally know will now be able to do so. At the moment, people who wish to do this must travel to another jurisdiction. This means, of course, that those waiting for an organ transplant in Ireland do not benefit from this most generous action.

Part 3 of the Bill covers pathology practice or post mortems and is divided into three chapters containing a total of 21 sections. The Bill introduces consent provisions for non-coronial post mortems and sets out a clear framework for how consent should be obtained. I want to particularly draw the attention colleagues to a significant departure from what was approved in the general scheme of the Bill.

The legislation now includes provisions that will also bring certain aspects of coronial post-mortem practice under the framework of this Bill. These provisions reflect the reality that approximately 98% of post mortems conducted in Ireland are performed under the direction of the coroner. The Bill amends the Coroners Acts 1962 to 2022 to introduce a better communication and information sharing process with families in cases where a coronial post mortem is required and where material may be retained for investigative purposes. These important measures are what families impacted by recent controversies have called for and it is important that we re-

spond positively and show that we are listening and learning.

Finally, this part of the Bill provides a framework for obtaining consent for the use of material retained from post-mortem practices by third parties, including pharmaceutical companies, for commercial purposes. The provisions are not intended to regulate the practice of medical research but rather, in keeping with the overall thrust of this legislation, are drafted to ensure that consent is of paramount importance and must be obtained from the family of the deceased before any third-party use. The Bill includes an additional safeguard by mandating that use of material for any commercial purposes must first be authorised by the person in charge of the hospital where the post mortem took place.

Part 4 of the Bill deals with anatomical examination and updates the licensing system for schools of anatomy. It is made up of 23 sections. Believe it or not, currently, the study of anatomy is legislated for under the Anatomy Act 1832. While this Act provides for the granting of a licence to an individual to practice anatomy, it does not include detailed provisions with regard to consent. The human tissue Bill will repeal this outdated Act and put in place arrangements with regard to the donation of bodies to anatomy schools and provisions for the setting of standards to be met in the practice of anatomy.

Part 5 of the Bill legislates for the public display of bodies after death and consists of 19 sections. There is currently no legislation governing the public display of bodies in Ireland. Consequently, the State has no powers to investigate the provenance of bodies on public display and to intervene, if required. The Bill will introduce a licensing system for the public display of bodies after death. There are a number of activities that will be exempt from the requirement of such a licence, however. These include the display of a body as part of a funeral or any similar ceremony held for the purposes of paying respects to a deceased person; the display of a body at a place of public religious worship and where such display is necessary to the act of religious worship; the display of a body in print, photographic or digital form, including on the Internet; or the display of a body for the purposes of recording, by film or otherwise. Further, a licence will not be required for the public display of the body of a person who died at least 100 years before the commencement of the legislation or for bodies already held in schools of anatomy, hospitals, universities, museums or galleries before the law comes into effect.

Part 6, the final Part of the Bill, is another general Part that covers miscellaneous issues. This Part provides for amendments and the repeal of existing legislation to support the functioning of the Bill.

There is much in this Bill. There are many technical issues around the public display of bodies and the practice of anatomy that need to be updated and legislated for. The two aspects to this Bill that are certainly the biggest priorities for me and, I would imagine, colleagues in the House are making sure post mortems are done in the right way and that there is - and must always be - consent from families, which is something that has not always happened and has involved practices that should not have happened in this country. This Bill will mandate under law that there must always be consent, which is right and proper. It is very important.

The second aspect is that we are essentially moving from an opt-in to an opt-out organ donation system. I have no doubt but that this will increase the donor pool. We know it has worked very effectively in Spain. We will need to wait to see what the impact is here but I anticipate there will be an increase in that donor pool. What that means for the 570 men, women and children on the waiting list today and their families, friends and communities is that the time many

of them must wait will be shorter. They can get the organ donations sooner, which comes with enormous benefits in terms of their health and being able to get on with their lives. It is, therefore, important legislation. I thank all those who advocated in the Oireachtas and in civil society for this move. I am happy to stand in the Chamber this evening as Minister of Health to begin the passage of this Bill through the Oireachtas.

Deputy David Cullinane: I have ten minutes and I am sharing time with some of my colleagues. I welcome this Bill. I am sure the Minister will agree it has been a long time coming. Sinn Féin will be supporting this Bill and we will work with the Minister to ensure it is enacted as quickly as possible.

I wish to first address Part 3 of the Bill relating to post mortems before returning to Part 2, which deals with transplantation and the new soft opt-out organ donation system. We have been waiting for too long for this legislation. A human tissue Bill was enacted in Britain in 2004. It has taken 20 years for the Government of this State to do the same. That has not been without its costs and consequences. Since then, we have had the Madden report in 2005, the retained organs audit by Ms Michaela Willis in 2007 and the Carter report in 2009. Each of these identified serious irregularities, from minor inconsistencies to very serious and egregious negligence with organ retention and disposal practices at hospitals across this State.

Most strikingly, the 2007 audit, confirmed by the 2009 review, identified serial malpractice by the so-called Consultant A at the Rotunda Hospital, who named himself in 2009. The inquiry into his malpractice identified many incomplete post-mortem reports, instances of retrospective completion of reports and the inappropriate retention of organs far beyond the permissible period. What happened next is what truly shocked me and many people. An audit published last summer by the HSE conducted on 10% of post-mortem files relating to post mortems between January 2018 and October 2021 found that multiple hospitals had improperly retained organs for more than one year despite all the previous reports. In particular, the report stated “significant delays were noted in relation to the sensitive disposal of organs” from post-mortem examinations performed by one consultant, a retired perinatal pathologist, on whom the HSE is “overly reliant”.

This consultant practised at a number of sites on a locum basis and was recently named by “RTÉ Investigates” as the same Consultant A, who had been relieved of his clinical duties more than ten years ago. Due to delays waiting for approval from Consultant A, University Hospital Galway had retained the organs of 28 children for more than one year between 2018 and 2021. Other hospitals that retained organs of children while waiting approval for release from Consultant A include Portiuncula, Galway, St. Columcille’s Hospital, Dublin, Midland Regional Hospital Tullamore and University Hospital Limerick. There are still serious questions that have yet to be answered by the HSE, particularly around the governance arrangements that were in place to prevent a repeat of the earlier experience. It seems that no effort was made to ensure that Consultant A was complying with HSE policy. If any formal governance arrangements even existed, they were clearly inadequate, which underscores even further need for this legislation to be robust.

Separate to Consultant A, University Hospital Limerick and Drogheda hospital continued to incinerate remains between 2018 and 2021. Connolly Hospital also incinerated remains during this period. Children’s Health Ireland at Crumlin held organs from 24 post mortems for more than 12 months during the period 2000 to 2021, with one sample dating back to 2000. At the same time, there was the tragic incineration in Belgium of the organs of deceased babies, which

were disposed of in a panic by Cork University Maternity Hospital. These families have felt the pain of losing a child compounded by an inappropriate and insensitive disposal of some of their remains, which were retained for further examination and never buried.

This was followed by another report laying bare the tragic consequences of the failure to govern in law the retention and disposal of human remains. We are now told these tragic errors were made in the throes of the pandemic because the mortuary was wholly inadequate. The pathology team needed to clear space in the freezers in anticipation of Covid deaths. We also learned in this report that the graveyard for Cork hospital was at full capacity by the end of 2019. It is clear these mistakes took place because of underinvestment and unpreparedness. That is not a reflection on the staff in most instances, but on a system which failed time and again. All these failures were totally avoidable.

This Bill will put in place legal requirements around the retention and disposal of remains and I welcome that but it will not address the serious capacity deficits which led to these decisions. It will not address the dire shortages of pathologists or the HSE's reliance on too few staff and it will not address the failures in clinical governance and oversight which the HSE failed to anticipate when consultant A began working for it again. These were failures of management and cannot be legislated away.

That is why I have a significant concern around part of this legislation. While the series of offences and provisions would seem to cover all of these instances, none of these issues are dealt with directly in the Bill. The Bill leaves the detail to regulations which have not yet been published. That is a concern for me. It is always a concern when significant and fundamental aspects of legislation are reduced to enabling powers under which the Minister must issue further regulations. However, when it comes to organ retention and post-mortem practices, I understand and appreciate that primary legislation may not be the best way to handle such matters. I hope we can tease all this out on Committee Stage and get a better sense from the Minister of what exactly those regulations will do.

An ask that has come from some of the families affected by the scandal in Cork is a prohibition on sending organs overseas for incineration. Will the Minister address in his closing statement whether he intends to do this and believes it is feasible. If not, why not?

While there remains some work to do in regulating organ retention, disposal and post-mortem practices, Part 2 of the Bill, which deals with transplantation and donation, is very welcome. This part introduces a new soft opt-out organ donation system. That means consent will be assumed, except where a person has registered an objection in their lifetime. Importantly, the Bill requires consultation with close family where a person has neither formally consented nor objected in their lifetime. It is welcome that families will have a say in ensuring a person's true wishes are carried out. Sinn Féin fully supports this system and I hope it will lead to a significant increase in organ donations in the years to come. The Bill also makes provision for altruistic donations during a person's lifetime. This is particularly relevant for kidney donation, for example.

I have a concern that this approach will encumber the health service with a much more significant administrative burden than a hard opt-out system without family consultation. It is right to include the family but we must ensure we are resourcing the system sufficiently to increase the number of donations. The legislation places a heavy burden on the medical practitioner and our doctors are already stretched to their limits. To make this work, the Minister will

need to put funding aside to build the system and ensure clinicians are supported to conduct the rigorous outreach and form-filling that will be required.

The Irish Kidney Association made this point in a submission to all Members. It said passing the legislation without adequate resources and infrastructure will not result in additional donations. We should listen to that body's advice carefully. It has proposed several amendments to the Bill which would help to ensure transparency and accountability on this front. It proposes the annual publication of detailed data, along with a potential donor audit. This exists in practice in Britain. It asks that the report detail at hospital level the number of deaths; the number of potential donors; the number of donors requested to donate; the number assured for medical suitability for a donation; the trend of responses from families and next of kin to donation requests; the number of organ retrievals, including information on cases where retrieval is not feasible; and the number of transplants, to include detail on where and why transplantation is not feasible. That association has also requested that the legislation be amended to introduce a required request policy, under which hospitals would be required to record evidence showing all families of potential organ donors have been approached to give consent under the legislation for their loved ones' organs and tissues to be used for transplant.

The Irish Donor Network underlines the concerns about capacity and infrastructure. In its submission, it states that additional resources are needed for organ donation, transplantation and post-transplantation care, such as additional beds for pre- and post-operation care, more post-transplant specialised doctors and multidisciplinary teams and additional investment in organ assessment and retrieval practices. The network also highlights the need to optimise the use of theatre time to maximise the number of surgeries.

There is a bit more I wanted to say but I will leave it at that. We will have an opportunity to tease out the legitimate and constructive proposals those associations have made but I commend the Minister on bringing forward the Bill.

Deputy Seán Crowe: I have long been a firm believer in the need to reform and streamline the organ donation system. In particular the difficult and sensitive issue of consent from bereaved families needs to be addressed. Hopefully this legislation will go some way towards doing that.

It is a terrible time for a family which is still reeling from the loss of a loved one. To be asked to donate as you watch a loved one die in front of you is a difficult time. It can never be easy, not only for the family involved, but also for the staff asking that awful question. At least with this Bill, the intention of the deceased to donate or not will have been made clear to families and hopefully they will know more about their options. As with all matters in our health service, infrastructure will be key in deciding whether our reforms are worthwhile.

Ireland ranks well below the average for organ donation with some 700 people waiting on donations at the moment. In 2021, 31 people on the list died without receiving that all-important phone call that an organ had been found. Do we have the capacity to honour those who wish to donate organs by accepting them in our hospitals and getting them to where they need to be? That is the big question. Organ donation is an extremely time-sensitive matter. If an organ is donated in Sligo, could it be accepted, transported to Dublin or Cork, a recipient found and surgery performed in the time available? Time and infrastructure is key.

The scarcity of ICU beds was laid bare during Covid and without significant investment

we risk failing to capitalise on the potential increase in organ donations this legislation could bring. The Bill is a step in the right direction but we cannot leave ourselves unable to facilitate organ donation and transplant because the theatre space is not there. Towards Excellence in Critical Care, submitted to the HSE in 2009, mandated the number of critical care beds should be increased from the then figure of 289 to 579 by 2020 to kept up with population growth. In 2021, we had 276 operational full-time ICU beds. We managed to lose 13 beds in the 12 years, despite huge population growth. Will the Minister confirm that critical care infrastructure will be radically expanded to provide for post-operative care? Without it, I fear we will not see the good of any of the changes we are discussing.

I have a number of questions about the practical application of changes to the donation system. Will the opt-out system be a blanket refusal only or will individuals be allowed to opt out of donating specific organs? There are sensitivities, with some people reluctant to donate eyes or something. Maybe the Minister could clarify that in his response. Some people might have particular reasons for not donating certain organs, but they may want to donate others. Will that be provided for, or will it be a case that you opt out and that is it? Again, this is a matter of clarity. Will the Minister publish any of the reports on the investigations into the non-use of organ donation in the Mater hospital in November 2021 and what the learnings or actions have resulted to avoid a repeat in the future?

I cannot imagine the distress of being told a donation has been arranged for you, only to be told that the lack of a bed means that you cannot accept it. It is inhuman to put someone through that whiplash of emotions and every effort must be made to ensure that it never happens again. While I welcome the efforts to reform the system of organ donation, my big concern is the ability of our health service to accommodate it. We saw the havoc in our public hospitals during the winter months and how a predictable wave of respiratory infections brought the entire system to a standstill.

Organ transplants are not like an elective surgery where you can bump someone off a list and tell them to come back in two months. It is a matter of priority. If we are to make these changes and introduce the soft opt-out system, then we need to make the necessary investments to ensure that those who stand to benefit see the benefit.

Lastly, I want to use this opportunity to thank those who are involved in blood banks. It is a voluntary service. They move organs. They move blood. They do an essential service within our health service. They do it all on a voluntary basis. I want to congratulate them on the work they do.

Deputy Pauline Tully: I broadly welcome the Bill, although there is a small number of issues that need to be addressed. I commend the Minister on bringing this forward. In terms of organ donation and transplantation, Ireland, according to the Global Observatory on Donation and Transplantation, GODT, currently ranks 28th in organ donation rates out of 72 countries worldwide. Rates of organ donation are 18 per million population in Ireland compared with 25 per million population in Britain.

I welcome this Bill will introduce an opt-out model like that in Britain, replacing the opt-in model that currently exists. A recent study published in the journal *Anaesthesia* in May 2020 compared deceased organ donor rates in Wales, which introduced an opt-out system in 2015, with England, which only introduced it in 2020. In the three years between 2015 and 2018, the rate of consent in Wales was double that which was seen in England and donor numbers rose

rapidly. One organ donor can potentially save seven lives. There are also benefits to recipient families and Irish society in general, including the Irish health system and the wider economy in promoting transplantation and working towards the most effective organ donor system possible.

In 2021, there were 669 people here who were reported to be on the overall transplant waiting list and there were 31 deaths reported of those waiting for a transplant. An opt-out system, I believe, will give more opportunities to those who are in need of organ donation and will reduce the number of people dying while waiting for a transplant. The Bill, with choice and consent at its core, respects individual human rights, personal autonomy and religious beliefs. It retains the right of anybody who believes that it interferes with any of these to be able to opt out and this is important. It also requires consultation with the person's family and that, too, is important.

While I support the Bill, I have concerns about the administrative burden if it is not properly resourced. There is a need for significant investment in essential infrastructure, transplant surgeons, trained support staff and enhanced bereavement supports to substantially increase transplantation rates. Enhanced public awareness and education are also essential.

Another aspect of this Bill strives to address concerns raised in the report by Dr. Deirdre Madden on post-mortem practice and procedures. The Madden report came about on the back of a number of serious revelations about the retention of organs at a number of hospitals and that a number of children's organs which had been retained without their parents' consent or knowledge were also sent abroad for incineration. Again, this was without their consent or knowledge.

One of my constituents was in contact with me recently. Her son, Tadhg, was stillborn in June 2016 at almost 38 weeks gestation. A year and five months after burying Tadhg, she was contacted by the morgue in Drogheda asking her if she wanted her baby's brain and left lung. She had no idea that her son's organs had been retained and she did not get the organs back until March 2022, which was five years and nine months after his funeral. The family reopened his grave to bury the rest of their son. Can you imagine how difficult it is to lose a baby in the first place? Then, the hurt was revisited on them all over again when they were confronted with the fact that part of their baby son was removed and retained.

I acknowledge that it is common practice to remove organs during a post mortem and to retain these organs for further tests, but surely families should be informed if this is the case. This family still does not know why their baby son's organs were retained. The sad part is that they are not the only family that this happened to, and this was not mentioned in the post mortem report. It seems that one pathologist in particular was responsible for quite a number of these post mortems. The families concerned deserve answers from him or from the health service. This Bill must ensure that something like that cannot happen again.

Another issue that was brought to my attention was that of families that have been negatively impacted by the delay in the carrying out of post mortems. Many hospitals, particularly in Dublin, do not carry out post mortems. Some only carry out a post mortem if the person passes away in the care of the hospital. This means that there is enormous pressure on the mortuary in Dublin city. One family from Cavan whose family member passed away suddenly in Dublin on a Wednesday evening had to wait until the following Tuesday for the post mortem to take place and then have his body released to them for burial. That was extremely difficult on them. This is another example of the lack of workforce planning which is evident across many

sectors of society and particularly in relation to medical personnel. The staff in the mortuary in Dublin city were trying their best but they were inundated with work and were trying to cope with deaths which occurred in several hospitals as well as in the community.

Once again, I broadly welcome this Bill with the caveat that a number of issues still need to be resolved. I commend the Minister on his work, and I especially praise the families who have been so horrifically impacted and who have battled to have safeguards put in place so that no other families will have to go through what they went through.

Deputy Duncan Smith: We welcome this Bill and will be supporting it. We had been assured that this Bill would come before the Dáil several times last year and it was a cause of great distress for many that it had been delayed for so long. Yet, it is here before us now and there is no doubt that it is a highly technical and sensitive Bill that required a lot of time.

The Bill does a number of important things. It puts into practice the recommendations that had been made in the Madden report concerning post-mortem practices and procedures. This is a positive step in ensuring our bodily autonomy and integrity in death and in providing families with some peace of mind with the tragic passing of loved ones. It is fair to say that we were all devastated by reports from last year that found that the organs of 20 deceased babies were sent abroad for incineration without the knowledge or consent of their bereaved parents. Losing a child is every parent's worst nightmare, but then to have had this additional pain inflicted upon them is unconscionable. While it will be of little comfort to the parents of those babies, this legislation will at least ensure that such appalling incidents will never happen again.

The Bill allows us to increase our pool of candidates to provide potentially life-saving organ donations and transplants. It provides families with some sense of peace of mind on the tragic passing of their loved ones. Crucially, it does this without impinging on our ability to choose what happens to our bodies when we pass and our ability to consent to it, which should be of the utmost importance in matters as sensitive as those that are addressed in the Bill.

We know that an opt-out system of organ donation will save lives if it is properly resourced. At the same time, the Bill also respects the wishes of those who are not comfortable with donating their organs for various reasons, for example, cultural, religious or the wishes of the deceased's family members.

I am glad to see the Bill provides for the establishment of a centralised opt-out register. It is unfeasible to expect every person's next of kin to know their consent status. I am an organ donor, but I just checked my wallet and my card is not there. I do now know where my card is, and I am not necessarily sure if my own next of kin are aware of my wishes. It is a lesson to us all that we need to be clear where we can be about our wishes in this regard. However, it is unfeasible to expect everyone to know their consent status. While it is right, as outlined in the Bill, that the final say in donation should lay with the next of kin, regardless of whether or not an individual has opted in or out, the national register will at least remove some of the burden on those closest to the deceased having to make that decision, should they find themselves in that tragic circumstance.

It is vitally important that this register is well maintained. We cannot overstate this enough. This will be a live list and one that needs to constantly be maintained and well-resourced. Turnaround times for organ donation and transplants are often extremely short, so it is crucial that information regarding potential donors and their consent status can be accessed in the most

practical and time efficient manner possible. I urge the Government and the HSE to put measures in place to ensure the register will be well maintained, accurate and effectively bulletproof in terms of the efficiency of its administration. This matter is extremely sensitive and personal and, therefore, information security and confidentiality must be held in the highest regard.

I am glad to see that, as per recently released HSE figures, our organ donation rate is recovering following disruptions caused by Covid in 2020 and 2021. Last year, 250 organ transplants took place from 119 donors. That is still 24 shy of the 274 transplants carried out in 2019, pre-Covid, but it is encouraging to see that figure bounce back from where we saw a 32% reduction. That is 250 people who otherwise would probably not be here with us today, or who would at least be living in continued poor and diminishing health - mothers, fathers, brothers, sisters, friends. It is 250 people who have been given a second chance at life thanks to the parting gift of deceased donors and the altruism and selflessness of living donors.

We can do better, however. Ireland has a comparatively low rate of donation among our European neighbours. Our rate of donation is 18 per million people, whereas in Britain, for example, the equivalent figure is 25. While implementing an opt-out model of donation is a welcome and progressive move, it will also, I hope, help to improve our rate of donation. This legislation is not a catch-all solution to increasing the number of available donors in Ireland. As I said earlier, it has the potential to save lives if properly resourced, and I emphasise those three words “if properly resourced”. The Spanish model is often cited as showing the considerable potential of implementing an opt-out system. Spain consistently has some of the highest donation rates in the world per head of population. When it initially moved to an opt-out model, however, the increase in donation levels was marginal, and it was not until it had introduced a network of specialised transport co-ordination teams that significant improvement could be seen. This means the real difference will be made in the organisation model that follows the Bill.

I see no provisions in the Bill concerning increased funding for transplant co-ordinators in Ireland, and I urge the Government to consider this aspect seriously in order for the legislation to be as effective as possible. Transplant co-ordinators cannot be confined to a small number of hospitals, as they are at present. Organ donation nurse managers are attached to each hospital group but not to each hospital. We need to go beyond that. Dr. Alan Gaffney, clinical lead for organ donation in the RCSI Hospitals Group, has said having specialist personnel in every ICU department in the country is crucial to increasing levels of organ donation. The Irish Medical Organisation, IMO, has also called for an increase in the number of transplant co-ordinators who would, independently of the transplant team, serve to liaise with the potential donor and his or her family to talk through the process and provide any necessary assistance.

I urge the Government also to engage in a sustained public awareness campaign. The legislation deals with a difficult but important matter and people can, understandably, be uncomfortable talking about it. We have an opportunity both to inform people of the facts and processes relating to organ donation and to prompt families to have a conversation about whether they will be comfortable donating their organs when they pass. It would also provide an opportunity to assure people that their consent or that of their family will be of the utmost importance. We do not want family members to object to a loved one's organs being donated because they are unsure as to what that person would have wanted. Research has shown public awareness played a significant role in increasing donation in Wales when that country implemented the opt-out model in 2015, and now is the time for us to encourage people to have that conversation.

In the discussions and preparations relating to the Bill, we have focused on those who might have issues with organ donation and how uncomfortable they may be with it, but we need also to shine a light on those families who have got great comfort, solace and hope when the tragedy of the passing of their loved one has been followed by the donation of that loved one's organs. I have personal experience of great comfort being given to families when that has occurred. In the darkest of times, the gift of extending life for other people through organ donation can give families greater comfort than, perhaps, religion, solace or anything else. They know that their loved one is, in some fashion, living on and providing hope to another family. That is a positive, hopeful message we need to get out there, and it is something the Bill will have the capacity to do once implemented and, as I said, properly resourced.

Deputy Jennifer Murnane O'Connor: It is important that we support and develop organ donation and transplantation in Ireland, and this soft, opt-out system of consent is how we will do that. Nevertheless, we must communicate that message effectively. The Bill will bring in a system whereby a willingness for organ donation will be assumed unless, while alive, the person registered his or her wish not to become an organ donor after death. It will also introduce frameworks for living donation, including for non-directed, altruistic donation.

Sadly, tragedy happens, and many people who may have wished to donate organs after death might not have had time to discuss the issue with their families. Often, their desires are not acted on because that conversation was never had. Nobody likes talking about death, but this is one way that those who would like to donate will get that chance automatically unless they have expressed that they do not wish to do so. I welcome the fact the Bill addresses the concern raised in the Madden report on the post mortem practice and procedures for 2005 by introducing a statutory requirement for consent for non-coronial post mortems and providing for the regulation of post mortems in hospital settings. Too often, families have suffered because there has been no consent sought or no regulation of a post mortem. What kind of public awareness campaign is planned for this issue?

Another issue relates to the amendment of section 57 of the Coroners Act to introduce a far more formal process for the final interaction between a coroner, the family and a nominated person in a hospital or other facility. My concern relates to the lack of coroners in Ireland. Carlow currently has a deputy and a coroner shared with Portlaoise, and there can be delays for families. Money and resources are going to be so important in this regard. I understand the part-time nature of the coroner system often means families are made to wait longer for a decision than would be satisfactory. What steps are being taken to address the lack of resources in the coronial system?

Are new positions being created in hospitals to facilitate guiding families through the process, or will it be left to the doctor who declared the death? Will hospitals be resourced with social workers or guidance professionals for families? I would be deeply concerned if new steps were put in place and already-hard-pressed staff were expected to add that task to their very busy working day. A coroner must now ensure family members will be made aware as soon as is practicable, and that any material retained following a post mortem examination is no longer required. Are procedures being put in place for the reunification of that material, should the families so desire, with the loved one?

I am also concerned that where no authorisation has been received or where efforts to make contact have been unsuccessful, a coroner is authorised to direct the disposal of material. Such material may include material consideration of an historical nature, which may have been stored

for a long period and whose retention serves no further purpose. It still relates to someone, however. What measures are being put in place to ensure this disposal will be carried out with dignity and respect?

I recently received a phone call from a constituent who is very much in favour of the Bill. While she said it was appropriate that we get it passed as soon as possible, she asked me to ask the Minister why, when the Bill concerns death, it contains no definition of a “death”. Would that change depending on the setting where the death is said to have occurred? Would it be open to medical opinion? The death of a prospective donor should be clearly established before vital organs are removed for transplantation.

Not to reiterate what other Deputies said, I very much welcome the Bill. It has the potential to affect many families. As one Deputy said earlier, it is about the gift of life. I know of one family who have gone through this process and it has been exceptional for the person who received the transplant. The Bill is very positive, although some questions will need to be answered and the proposal will need funding. Will the Minister revert to me with responses to my questions at his convenience?

Deputy Patricia Ryan: I commend the work of the Irish donor network, the Irish Kidney Association and all other groups that do fantastic work in highlighting issues relating to organ donation. The Bill will, I hope, help normalise organ donation in Ireland. I am mindful that in most cases, in order for someone to benefit from an organ donation, another person must have lost a loved one.

I know many families who have suffered the loss of a loved one and have taken some comfort from the fact that their loved one has brought solace to another family. In either saving or greatly enhancing someone’s life, one organ donor can save up to seven lives. It is an incredibly generous thing to do. It is vital this legislation is backed up by adequate resources and infrastructure. Otherwise it will not result in additional donations. Apart from the human benefit, there is an estimated €612 million in savings from a modest increase in organ donation. This money must be used wisely.

We must see a public campaign to ensure the benefits of this Bill are known. The transplant service in Ireland is fragile at the moment. We saw this in November 2021, when a planned transplant did not go ahead at the Mater hospital due to unavailability of an ICU bed. The investigation and recommendations relating to this incident have not yet been published. They must be published as soon as possible so we can learn from the experience and prevent it from happening again.

Many issues are not clear from the draft Bill and I would appreciate clarity from the Minister. We know this Bill provides an automatic opt-in. Will the Minister clarify why families will not be approached if their loved one has opted out? In other countries, families are still approached to ensure their loved one’s view had not changed since opting out. Clarity is also needed on whether the Bill legally permits retrieval and transplantation of other organs not specified in the Bill which can currently be transplanted, for example, the cornea, small bowel and uterus, or organs that may become transplantable in the future.

I wish one of my constituents, who we have been assisting in relation to a social welfare issue, the best of luck. He had an assessment today for a double lung transplant and will be very interested in the swift passage of this Bill. We must not lose sight of the human cost of further

delays to this legislation. My hope is that we can get this legislation right so it will help people and their families through a difficult time.

Deputy Róisín Shortall: I welcome what can only be described as long overdue legislation, which we in the Social Democrats are happy to support. This is an area very much in need of reform and tighter regulation. It is by no means a new issue. The first of four rounds of public consultation took place as far back as 2007. The first iteration of this Bill was published in 2009. It is frankly unacceptable that it has taken well over a decade for this legislation to reach the House. What was the hold-up? It is hard to understand when there is so much public support and support from both sides of this House. Advocates and stakeholders are certainly on board. The Opposition is eager to support the Minister in progressing this Bill. Pre-legislative scrutiny was waived two years ago. I fully accept this is a sensitive subject which requires delicate handling. Other countries are way ahead of us. In fact, 21 EU member states already operate an opt-out consent system and 30 have a registry of organ donors. While it is difficult to draw comparisons between member states and their organ donation systems due to the differences in legal and regulatory regimes, one can draw conclusions from the total number of transplantations. In that regard, Ireland is a laggard. In 2021, the number of transplantation patients in Ireland per million of the population was 40.6. This was significantly behind jurisdictions with more developed transplant systems such as Spain, at 99.7, France, at approximately 78, and the Czech Republic, at approximately 73. While some states fared worse than Ireland, many of them have a much lower economic *per capita* income than Ireland. The low level of transplant occurring in Ireland is only one reason this legislation should have progressed sooner.

Successive governments' inability to get this over the line created conditions for further scandals to take place. In the absence of clear legislation, many bereaved families have been failed by the State. Most recently, there was a scandal in Cork University Maternity Hospital, where the remains of 18 babies were sent to Belgium for incineration without the knowledge or consent of the bereaved parents. I do not think any of us can imagine what that is like if we have not had that awful experience. Imagine that trauma and grief being compounded by hearing this news about what happened to the remains of those babies. Imagine having to go public with your story to ensure no other parent must go through the same thing. Imagine having to carry the burden of ensuring this legislation does not slip off the political agenda yet again.

This was not the first scandal. Ireland has a long and, unfortunately, sordid history in this regard. It has been more than 20 years since the Dunne inquiry was established following the scandal in post mortem examinations and organ removal and retention at Crumlin children's hospital. It has been 18 years since the Madden inquiry into the policies and practices relating to the removal, retention and disposal of organs from deceased children. I ask the Minister again why it has taken this long. Why is this not already on the Statute Book? Everyone agrees that parents and guardians must be at the centre of decision-making and control in respect of their children's remains. The Madden report was clear on the root causes of previous scandals. There had been a lack of communication with parents as to why organs were retained in the first place, differing perspectives as to the significance of remains, and a legislative vacuum on the role of consent in post mortem practices. Those concerns are just as pertinent today as they were in 2005. For 18 years, we have known that the solution is clear and unambiguous legislation. We need laws that ensure any decision in relation to a child's remains is taken with the full knowledge and authorisation of the parents. I am pleased to see we have nearly reached that point and we are finally close to implementing the key recommendations of the 2005 report. However, it should be a deep source of regret and shame for the State that further scandals were

allowed to occur while successive governments dithered over this Bill.

I will now focus on another important provision of this Bill, which is the introduction of a soft opt-out system of consent for organ donation. This change to the system aims to make organ donation the norm in situations where it is possible. Under the current system, you can express your desire to donate your organs by carrying an organ donor card or through your driver's licence, for example. However, while research undertaken in Ireland shows that 80% of the population supports organ donation, only around a third carry an organ donor card. Therefore, this shift to an opt-out system instead of an opt-in one is welcome. Although this change to presumed consent alone will not solve the issue of organ shortage, it sends out an important message. While the wishes of families will still absolutely be respected under this new system, the default expectation will have changed, which is an important point.

If we want to increase the number of organ donations in Ireland, the changes proposed in this Bill need to be supported by other resources, including increased ICU beds and staff. The awful example raised by another Deputy earlier of a lack of an ICU bed is a case in point. As things stand, the Irish health service operates with one third of the equivalent international infrastructure for organ donation and transplants. The inadequacy of this service receives little attention. There are several reasons, with the relatively low number of potential transplantations each year a driving factor. Only approximately 1% of people die in circumstances where organ donation is possible and less than 10% of those who die in ICUs are potential organ donors. Between 2017 and 2021, there were only 393 donations from deceased persons and, on average, only 80 donations occur each year. However, despite these relatively small numbers, the Irish system still struggles, because for every donor identified, an ICU bed is occupied, a resource which is in very short supply. The length of time a donor spends in ICU can also be an issue due to the shortage of consultants and surgical theatre space.

On staff, specialist organ donation personnel are needed in every ICU department along with further ICU nurses and other ancillary staff. Of particular importance is the need for trained staff who can approach and support families of potential donors. Given the tragic circumstances surrounding most potential organ donations and the need for increased instances of donations, the significance of this work cannot be overstated.

These are just some of the infrastructure issues which must be addressed in parallel with this new consent system. We know there is significant unmet need in this area but we need to resource the service in order that it is enabled to meet this need. This is especially pertinent in respect of altruistic donations where a sudden uptick in donations could overwhelm the system.

Another important but often overlooked measure is need for a robust national public awareness campaign to support the introduction of the soft option system of consent. This will be vital to secure public buy-in and ensure these changes are not misinterpreted. It must be clearly and widely communicated that the wishes of families will still be respected under this new regime. Every effort must be made to ensure the public is not misled in any way in this regard.

Another area which must be addressed is the absence of collated organ donation data. Many countries publish annual potential donor audits and Ireland should follow suit in this regard. These vital data could be managed and published by Organ Donation and Transplant Ireland on an anonymised basis.

Separately, I am pleased to see this Bill will finally deal with anatomical examinations and

the public display of bodies. The latter is sorely needed as there is currently no legislation governing these displays, meaning the State has no powers to investigate the origin of these bodies or the consent arrangements which apply in respect of some of these exhibitions we have seen staged here in this country over recent years.

On anatomical examination, this, unfortunately, is another area where the State does not have a very proud past. In 2014, we learned that almost 500 unclaimed infant remains were transferred to the medical schools at four universities from 1940 until 1965. Although this practice ended in the mid-1960s, we are told it was done in accordance with the Anatomy Act of 1832, an Act which will only be repealed by the passage of this Bill. Clearly, there is dire need for modern and robust legislation around the donation of bodies to medical schools, with consent as the defining principle.

I wish to acknowledge the deceased donors and their families who, in such tragic circumstances, have given the gift of life to, very often, complete strangers. It truly is an outstanding act of kindness and, as a State, we must do everything in our power to resource and support this remarkable service.

As the leaders of Spain's organ donation service said in a 2019 paper in which they stated that low transplant numbers are because of governments:

...ignoring that the key to success lies within the healthcare system. We should never blame the population. If people donate less, it must be something we have done wrong.

This is an insight from the leader of one of the world's most successful organ donation service. The Minister would do well to remember that.

I also repeat that I am very pleased, on behalf of my party, to support this legislation which addresses a number of very significant and outstanding issues. I am very pleased they are finally being dealt with.

Deputy Cormac Devlin: I welcome the opportunity to examine and discuss the Human Tissue (Transplantation, post mortem, Anatomical Examination and Public Display) Bill this evening. This landmark legislation includes provisions around organ donation and transplantation, post mortem practice and procedures in hospital settings, anatomical examinations, and public display of bodies after death.

The Bill will support organ donation and transplantation in Ireland and aims to make organ donation the norm in situations where the opportunity arises, thereby helping to increase the pool of organ donation here in Ireland. The proposed Bill will ensure the principles of protection of the bodily integrity of the individual before and after death. It enshrines respect for the dignity and autonomy of the individual, and the rights of the bereaved are enshrined in legislation. It will make consent for non-coronial post mortems compulsory and it will improve communication and information-sharing with families for all post mortems, including those conducted under the direction of the coroner.

I welcome the proposed regulations around transplants. I thank the Minister and the Government for bringing this forward. This issue has been long discussed, not only in this House but in the other Chamber, the Upper House of the Oireachtas. I want, in particular, to put on the record my appreciation of Senator Mark Daly, who has been proposing such legislation for nearly a decade now. He, too, would also warmly welcome the progress of this Bill through the

House. It is important to note that families will still be consulted ahead of donation and those individuals who object, for whatever reason, will be able to opt out, something the Minister highlighted very well in his opening remarks. The principle of consent is at the centre of this Bill. Transplantation is currently the only available treatment for end-stage heart, lung and liver failure. It is also the most cost-effective treatment for end-stage kidney disease, and it brings enormous clinical and social benefits to patients who would otherwise remain on dialysis. Last year, about 250 people had life-saving transplants. It is hoped the provisions of this Bill will help save more lives by providing for the first time a national legislative framework to support donation and transplant services in Ireland, helping to increase that donor pool. The legalisation introduces an opt-out approach. This will allow anyone to opt out of the scheme. It is important to note that families can also opt out if they would prefer their loved one's organs are not donated for any reason.

The Bill will also introduce a new regulatory regime to ensure best practice is followed in respect of post mortem and organ retention. We have seen a number of scandals in this area, again highlighted by the Minister, with tissue being retained for years without the knowledge or consent of families. This was particularly distressing where the tissue and organs of babies were retained without the consent of mothers and fathers. This Bill will introduce regulations in this area, which are very welcome.

The Bill also repeals the Anatomy Act 1832 and puts in place arrangements for the donation of bodies to anatomy schools together with provisions for the setting of standards to be met in the practice of anatomy. The new legislation also deals with the public display of deceased individuals, something which is not legislated for here in Ireland. It will require a licence for public exhibition. This will not impact funeral arrangements or religious ceremonies when someone is in repose, but is aimed at events such as the Real Bodies exhibition, which displays human remains to the public.

I thank not only the Minister for bringing forward this legislation in a timely fashion in this current term of the Dáil but also the officials and many campaign groups which have been in contact with all Deputies across this House over many years, pressing to bring this very important and very welcome legislation forward.

Deputy Thomas Gould: This Bill is long overdue. The consequences of the delay have been significant for many families. I commend the proposed soft opt-out for organ donation. It is positive and could be hugely beneficial, provided we see enough resourcing. Often good policies fail because of poor implementation or support. I do not want to see that happen here because this Bill can make a significant difference.

I want to talk mainly to the incineration scandal in CUMH. In 2020, the organs of 18 deceased babies were sent to Belgium for incineration without the knowledge of their parents. Some of these parents believed their babies' organs had been buried in the CUMH graveyard for children's organs. This scandal was exposed by RTÉ in September 2021. Parents found out a short few months earlier what had happened. A report was promised and, most important, parents were promised a voice. They were given a commitment that they would be able to have an input into the draft stage of the report and that the input would be included in the report.

On 19 November, the report was published. Parents saw it for the first time that day. It has been 66 days since the report was published. I spoke to a parent this morning who is still waiting to hear from the HSE to discuss the findings. She has issues with the report and wants to be

listened to. She wants to engage with the HSE constructively because she, like other parents, feels she has not been listened to or included. There is a significant issue with communication and listening to the families involved.

The Bill needs to be strong enough to stop a repeat of this tragic incident so that it will never happen again. It would appear the HSE and Government do not understand how serious the situation is for the families affected. These parents are looking for closure. They have been through an unimaginable tragedy which has been compounded by the State's incompetence. I ask the Minister to give a commitment that the HSE will meet the families before the end of January to discuss the report and finally show them the respect they and their babies deserve.

Deputy Paul Murphy: We welcome the Bill and its key provisions. The provisions to support and increase organ donation and transplant through a soft opt-out system of consent are welcome and should ensure many more organs become available for transplant. That is obviously very good news for the more than 500 people in Ireland who are on waiting lists for organ donation.

In 2021, there were 203 organ donations from 99 donors. About 250 organ transplants took place in 2022 from 190 donors. The 2022 figure includes kidney transplants from 33 living donors. The chief executive of Cystic Fibrosis Ireland, CFI, has said, "Transplant and donor rates in Ireland have the significant potential to be improved by this legislation if accompanied by the necessary resources and public awareness supports," It is vital we ensure that resources, public awareness campaigns and so on follow on from the Bill.

The truth is the Bill is long overdue. We are the last country in Europe to introduce a soft opt-out. A soft opt-out system of consent for organ donation was introduced in Wales 2015. Within four years, the rate of people donating increased from 50% to 77%. England introduced an opt-out system in 2020 and Scotland in 2021, and we hope that one will soon be in place in the North.

The Council of Europe transplant report of 2021 showed Ireland with a transplants per million population rate of 40.6, well below the rates achieved in countries like Spain, which is very close to 100, the UK, which is very close to 60, or Croatia, with a similar sized population, at 65.4 transplants per million population. It is the international norm to have legislation governing donation, organ donation and transplantation, and the Bill introduces Ireland's first legislative framework in this area. At last, Ireland will be brought into line with good international practice in regard to the governance practices relating to human tissue. It is clear the Bill is long overdue.

A key issue for organ transplants will be specialist transplant capacity. The Irish Kidney Association, IKA, recently commented that the increase in donors and transplants in 2022 is welcome but said the underpinning infrastructure is still fragile and referred to the November 2020 incident where organs donated were not used due to a lack of resources. It went on to say it awaited the recommendations of the investigation into this incident.

In November 2021, an organ transplant operation at the Mater hospital was cancelled because of a shortage of ICU beds. The organs became available and were delivered to the Mater hospital by ambulance. The transplant patient was put on standby and the procedure was due to go ahead later that day. However, the hospital's ICU beds were full, and despite a frantic check of other hospitals in Dublin, no ICU beds were available and the operation had to be

cancelled. The IKA has also said recently that it is disappointing to see that levels of heart and lung transplants have not recovered to pre-Covid-19 activity levels and it will be interesting to understand the reasons for this.

The IKA has also called for more transparency around transplant waiting lists. It said we need more clarity about the reasons more transplant operations are not taking place in Ireland. In the UK, a detailed report is available on each step of the process that results in organ donation and transplantation. No such data are published in Ireland. The IKA, correctly, wants more transparency on the criteria for patients to be accepted or removed from transplant waiting list for heart, lung, liver, kidney and pancreas transplants. For example, in excess of 2,000 patients with end-stage kidney disease receive dialysis treatment in Ireland. However, 20% of these patients are on the transplant waiting list. We need more transparency in all of these issues.

Our ICU bed capacity is far below what we need and far below the EU average of ICU beds *per capita*. We need to almost double the number of beds in the public health system. There are currently about 300 ICU beds available in our hospitals. This needs to increase to about 600 beds to ensure we have the capacity that is needed. This Government, along with previous Governments, has failed to act on this deep lack of ICU bed capacity. The likely increase in organs available for transplant makes this even more urgent. We have a chronically underfunded public health service, whether that is accident and emergency departments, child and adolescent mental health services, CAMHS, or bed capacity. A lack of capacity and staff undermines the health service, leaves more than one in five of the population on some form of health waiting lists, and creates entirely avoidable risks to the health of so many for want of timely care.

I raise the case of Dáithí Mac Gabhann, a five-year-old boy from west Belfast who was born with hypoplastic left heart syndrome and has been waiting for a heart transplant for most of his life. He has also inspired a truly remarkable campaign. His parents, Máirtín and Seph, have done Trojan work on opt-out organ donation. They have raised awareness, broken down concerns and galvanised an entire community. The Donate for Dáithí campaign was so successful it succeeded in achieving that most unique of things, namely, cross-party support in Stormont for opt-out legislation. The law has been named Dáithí's law. Stormont has passed the legislation, but full implementation is being held up because there is no functioning Executive. The family has fought enough. They have banged on the door of the Secretary of State to demand he intervenes. They have secured a meeting with him for 1 February. The demand from the campaign is clear. The demand from Máirtín and Seph is clear. The demand from Dáithí Óg is clear, namely, that the Secretary of State step in and enact the necessary legislation to ensure Dáithí's law becomes a reality. I ask our Minister to intervene and write to the Secretary of State before 1 February to press Chris Heaton-Harris to hear Dáithí's call.

Deputy Mick Barry: I have one or two specific questions regarding the Bill. In early 2020, babies' organs stored at CUMH were sent to Denmark for incineration. This was done without any consultation whatsoever with parents of those babies. The truth came out in the wash, not from above so to speak, but through various pressures from below. This was a real scandal. It was highlighted in an "RTÉ Investigates" documentary and a review was put in place on foot of that programme. The parents were forced to wait and wait again, for two and a half years, for the report of that review to be published. In the end, it did include an apology but no apology can ever make good the wrong that was done to those parents.

In fairness to them, all through the tragedy and the terrible experiences that they went through, they advanced a clear demand. Their demand was that legislation should be put in

place to ensure that this would never and could never happen again, that no other parents would be forced to go through the ordeal they had been forced to go through. It seems to me that the legislation does include an important provision on this issue. The relevant section is in Part 1 of the Bill, at section 8(6) which reads as follows:

A person who is in lawful possession of an anatomical specimen under *Part 5* or organs or tissues of a deceased person shall be responsible for the disposal or return of the anatomical specimen, or organs or tissues or their return to the designated family member, subject to the wishes of the designated family member.

That seems to point towards an important change and the campaigning work of the parents would seem to have borne fruit in that section. However, before saying clearly that this is a victory - if one can talk about a victory after what happened to those parents - for the campaigning work that the parents have done, I want to hear confirmation from the Minister. I will not be here for all of the debate but I will be reading the transcript very carefully later. I want the Minister to confirm that section 8(6) in Part 1, that I have just read into the record of the House, means that what happened at Cork University Hospital, CUH, and the ordeal that those parents went through, cannot in law happen again. I would like the Minister to confirm that clearly in his reply. I would also like him to indicate whether that section of the legislation means that if what happened at CUH was to happen after this legislation is passed, it would not just be a breach of guidelines but a breach of the law and that criminal consequences would flow from that. Alternatively, is that something that is not quite clear from the legislation and which needs to be clarified by way of regulations? I would like the Minister to state the position in relation to that.

I note that the Bill provides for the Minister to make regulations on certain matters and this can involve consultation with medical practitioners, parents and others around the detail of how the new legislation will be implemented. This is a provision that needs to be looked at very closely. I understand and appreciate that this Bill deals with issues far broader than the issues to which I refer arising from events at CUH and while I am focusing on the question of the disposal of organs here, in all aspects of this Bill parents are a key part of that consultation process.

The Madden report proposed legislative change in relation to coroner's post mortems but the key proposals from Madden are not to be included in this legislation. It would be better if the legislation had addressed that but I presume that the Minister is going to address those issues and the report's recommendations through other legislation. I ask him to confirm that is the case because the proposals in the Madden report are important.

I concur with the points raised by Deputy Gould about the way parents have been treated since the publication of that report. There is a need for face-to-face meetings and follow-up, as has been mentioned. I sincerely hope that the campaign those parents have waged to ensure that it is enshrined in law that what they went through can never happen again has been successful. That seems to be the case according to my reading of the legislation but I want the Minister to say, loud and clear on the floor of the Dáil, that this provides a legal framework to ensure that this can never happen again and that no other set of parents can be put through a similar ordeal. I also ask the Minister to clarify whether we are talking about a criminal offence if such an event were to be repeated or whether that is something he will deal with by way of regulation.

Deputy Donnchadh Ó Laoghaire: Ar an gcéad dul síos, glacaim an deis, mar aon leis an Teachta Paul Murphy, labhairt faoi chás Dháithí Mac Gabhann agus is mór an trua go bhfuil

páirtí amháin ag seasamh sa tslí le go rachadh Stormont ar ais agus an reachtaíocht sin a chur tríd na Tithe sin. I take this opportunity to mention the case of Dáithí Mac Gabhann, who has been the inspiration for a huge campaign in the North for reforms of the kind envisioned here. It is a terrible shame that one party is standing in the way of that and I echo the calls for action in relation to it.

The legislation before us has been talked about for a very long time. For me, it is a matter of common sense that there would be a soft opt-out approach to organ donation. It will add enormously to ensuring that people who are in desperately grave situations and in need of organ donation and related medical assistance can be supported. I take the opportunity to pay tribute to those who, outside of this framework and in the context of tragedy and extreme circumstances, have given that enormous gift that has helped so many people.

I echo the points made by Deputies Gould and Barry in relation to the treatment of the parents in the CUMH. As has been outlined, this was exposed by RTÉ in September 2021. Until that point, those parents had no idea what had happened to the remains of their babies. I do not need to tell the Minister because I am sure he has met many people in this situation himself, but a miscarriage or event like that is a very particular and profound type of grief for a family. To have that compounded by the uncertainty at first, and then the quite shocking discovery of what had happened to the remains afterwards, only added salt to their wounds. It added to the grief and pain those parents felt and it was completely unacceptable. It is also unacceptable that the parents were, in effect, frozen out. They were promised they would have sight of a draft report but that did not happen. The parents to whom I have spoken have not been contacted since the time of the report. It is a comprehensive report but it clearly points to very poor communication within the hospital system but also with the parents, as well as a lack of respect for what those remains meant to the parents. They needed to have confidence that the remains were looked after and disposed of in a respectful and dignified way, but clearly that did not happen. I urge the HSE to engage again with the parents.

This legislation needs to represent a new start - a change in how parents are treated and in how the remains of these babies are treated. I hope the Bill will underpin that but, in addition, there will be a change in attitude and culture.

Deputy Cathal Berry: I am grateful for the opportunity to contribute on the Bill. As the Minister pointed out, it is historic legislation. There are so many people and families waiting for organs or clarification. I very much welcome the Bill, though I wish it had come before the House long before now. I am very happy to support its passage through the Dáil for several reasons.

The first is from a school of anatomy point of view. As a person who is fortunate and privileged to have passed through medical school, I recognise the extraordinary gift given by the many people who have provided their bodily remains for medical students. It is important that those cadavers are treated with the height of respect. They are already treated with the height of respect but when a law is more than 190 years old, that is probably a sign it needs modernisation and to be upgraded. A phrase used in medical school is that these cadavers are the students' first patients and their first teachers. I pay tribute to those who have donated their bodies and to the families who facilitated that. They have made an astronomical contribution to the study of medicine and had a profound impact on the lives of medical students.

The second reason I am in favour of the Bill relates to post mortems. It tightens the legisla-

tion in respect of post mortems, thereby protecting the integrity of the human body before and after death. As colleagues have noted, we are aware of the retention of human organs without the consent or even the knowledge of the relatives. This is particularly pertinent when it comes to the retention of the organs of children. I am glad there has been at least some improvement in terms of tightening that up. The scandals of recent years should never be allowed to happen again. I like the fact that there is more guidance in the Bill in respect of coroner-directed post mortems, with a stipulation that there will be more information sharing and communication with the families concerned. I very much welcome that.

The third reason I am supportive of the Bill relates primarily to the flagship component of the Bill, namely, organ donation. This is hugely important. I agree that it is likely to increase the organ pool significantly and it does so in a very balanced way. People will not be pressurised or forced into it as there is a soft opt-out mechanism. That is a very good way to go forward. It is in keeping with international best practice. I like the living donor component of the legislation, as well as the aspect relating to altruistic donors. Finally, patients or other persons who wish to make an altruistic donation of an organ to a person whom they do not know will not have to leave the jurisdiction to make the donation; they will be able to do so in this jurisdiction from now on. That should be very much welcomed.

Most important is the fact that the Bill embeds consent, including informed consent, into the entire process. There will be a register run by the HSE and people will be allowed to opt in or out. It will even allow for the fluctuation of people's consent, such as a person changing his or her mind on getting older. The Bill will allow people to move onto or off that register as required. It emphasises the centrality of the patient and the donor, as well as the family of the patient, which is important.

I recognise there has been extensive consultation in the formation of the Bill. That is to be welcomed. The Bill has arrived later than expected but there seems to be consensus that it is a positive step forward. In conclusion, I am happy to support the Bill and I look forward to its swift implementation.

Deputy Ruairí Ó Murchú: All Members would agree the Bill is needed and long overdue. We all get the history behind the Bill and the fact that certain families had to go through brutal circumstances. What happened in the context of organ retention and incineration can only be called a scandal. We know that, beyond what happened in CUMH, there were audits by the HSE and, at best, inappropriate means of dealing with organs, particularly those of children, even in the period from 2018 to 2021. We need to ensure the rules are specific, there is no room for manoeuvre and everyone is aware of the protocols that are required. Families have been through dreadful circumstances that one would not wish on anybody and they certainly do not need more pain to be heaped upon them, as was the case as a result of what had happened in some hospitals. There were two aspects to it. People did not realise organs had been retained or incinerated and they then had difficulty in trying to get to the truth. We have all had difficulties in dealing with certain organs of the State and the fact is this compounds bad situations and makes them far worse. It sometimes seems that no lessons have been learned, unfortunately, but I would like to think they have been learned in this case.

In fairness, all present would welcome streamlining in the context of dealing with coroners, inquests or even post mortems. I dealt with a case involving a difficulty relating to the identification of a body. I do not want to get into the detail of the case but that family, local to me, were dealing with the tragedy of having lost a family member and then had further pain heaped

on them by a totally inappropriate process. That system must be changed.

We all recognise the need for organ donation. There is a need to ensure we have a system. We all welcome the idea of the soft opt-out system in the context of consent but we need to ensure that system is resourced as much as possible and that organ donation is facilitated.

I add my voice to those calling for the legislation to which the name of Dáithí Mac Gabhann has been attached to be put into operation. For that to happen, we need the DUP to get its head out of the clouds and to see the Executive returned to action in the North.

Deputy Mattie McGrath: I too am glad to have the opportunity to speak on the Bill. All present recognise that organ and tissue donation is a service that saves lives, improves the quality of life and has cost benefits for the health service. All Members know people who have had the benefit of organ donations. Indeed, my late uncle donated his body to medical science. There are many people who are affected in that way.

Bills like this one have a long gestation but they have to be tightly couched because there can be room for ambiguity. The most significant aspect of the legislation is the introduction of a new opt-out system of consent to organ donation. Under the proposed changes, the organs of deceased individuals will be donated, where possible, unless it can be shown that the deceased did not consent to the use of his or her organs. It is very important that the wishes of the deceased are fully accepted, incorporated and implemented without fear or favour. That is vital. I, too, totally abhor what went on in various hospitals, including Cork University Hospital, in respect of the incineration of babies' bodies. It was shocking and horrendous. We are all talking about this tonight and want to do so, but nobody looks at the staggering and shocking number of abortions carried out in this country and what happens to the bodies of the babies who are slaughtered in the womb. We know the horror stories that go with this. There are thousands of cases. Even during Covid, when you could not get into a hospital if you were dying, you could get in for an abortion. The number dipped only slightly. This is horrific, as far as I am concerned. Obviously, the mother consents or is persuaded or otherwise, but we cannot just worry about what happens to miscarried babies on the one hand when that is happening on the other, maybe in the same hospital.

The proposed legislation, we are told, will facilitate the creation of an opt-out register. In the event that a deceased individual has registered their wish not to become an organ donor on the register, the deceased's organs will not be transplanted and the deceased's next of kin will not be consulted. That is very important. While one can opt in, it is very important to have an opt-out provision if somebody does not want to have organs donated. We must respect people's wishes. The spouse will be the next of kin, but where there are siblings of equal balance there will be difficulties also. Therefore, it is not simple, or anything like it. We would not want to be proceeding glibly. Under the existing system, the decision rests with the next of kin, even where the deceased person has an organ donor card or has indicated a wish to be an organ donor on his or her driving licence.

The overhaul, in practice, aims to improve the State's rate of organ donation. Currently, you are three times more likely to require a transplant than to be an organ donor. That is a worry when people are looking for transplants. In some cases, there may be great excitement and a sense of hope when people are called but sometimes it does not work. The donated organ might not be suitable or might not take. It can take a long time to settle. We live in hope and expect medical science but we do not need any ambiguities in legislation like this. We have to have it

copper-fastened, tight, clear-cut and correct for anybody implementing it.

Deputy Michael Collins: We all know and recognise that organ and tissue donation is a service that saves lives. It improves lives and has better health benefits, as well as cost benefits. Ireland has the highest rate of donation in the world, at 20.3 donors per million of the population, but there is no doubt but that there has to be an opt-out system. A family must consent to any organ donation. In my view, Ireland has the highest respect for death. This is not bettered anywhere in the world from the moment of death, which is very traumatic for any family. At the moment of death, an undertaker is called and the family's requests are worked on immediately to help it in its time of mourning. It is different in other countries, where the funerals may be put off for weeks. Families have to struggle on with their daily lives and then grieve at a later stage.

Organ donations should be encouraged by all means but body parts should never be used without consent. I did not think this could happen in this country but sadly it looks like it has. Prior to my entering politics, I worked for many years as an undertaker with Arundel's in Schull. In that time, help was given to every family. For all undertakers, each funeral is sacred and the human remains are totally respected. I thank all the kind undertakers throughout west Cork and the rest of the country, whom I meet daily. They have never stopped giving, even during the Covid pandemic and extreme times. The burial and cremation of human remains are sacred, and the grave or location of ashes becomes a place for people to go to give them time to heal, which can take many years in some cases. I would find it sad beyond belief if parts of bodies ended up sent for research without the consent of the family. I find it astonishing to think that babies could be cremated without the knowledge of their parents or with no consent. This is unforgivable, to say the least.

We have to consider other aspects of this. I had a difficulty in west Cork recently when a family wanted to bury a loved one on their own property. I hope this Bill covers this area. There seems to be no one Minister responsible for deciding whether a person can be buried on their own private property and, if so, how. The upset caused to the family I dealt with was not needed at such a delicate time. The matter went without any great clarification, so much so that the family ultimately cremated the remains. This was sad in its own right. I tried to address it through various Ministers but got the run-around, which is very unfair and wrong.

Regarding the benefits of organ donation, we understand that some 600 people in Ireland are on the waiting list for an organ donation. Organ donors are important because they can save the lives of people suffering from organ failure. Someone with organ failure may have only a limited time to live without a transplant. For example, someone with heart failure may need a heart transplant to survive, and someone with kidney failure may need a kidney transplant to survive. Organ donors can provide these lifesaving transplants, which can give recipients the chance to live a normal life.

Additionally, organ donation can improve the quality of life of people suffering from organ failure. It also helps to reduce the waiting list for organ transplantation and decreases the number of deaths due to organ failure. Organ donation is a selfless act that can have a profound impact on the lives of many. I thank each and every person who has donated an organ. It is not an easy decision but one that must give families great satisfaction.

I once again thank each and every undertaker in west Cork. They are fine, decent men and women who work tirelessly to make sure families are respected and they give of their time considerably, day and night, without complaint. I thank all the employees who work with

the undertakers in west Cork, including Bandon, Kinsale, Clonakilty, Barryroe, Rosscarbery, Leap, Skibbereen, Ballydehob, Schull, Bantry, Kealkill, Castletownbere, Dunmanway and Drimoleague. I meet each of them regularly. They are fine, decent people.

Deputy Michael Healy-Rae: All the debates in this House and all the Bills that come before us are important but I believe this Bill is very important because it has the potential to save lives and create awareness of the fact that over 600 people are waiting on a transplant list for an organ donation. The subject of death and dying, and all they entail, relates to a sad event from which, unfortunately, no family or person escapes. In debating this, we must do so in a respectful way and ensure we do everything we can to preserve the great tradition of dealing sensitively with people at a time of great grief in their households. Whether you refer to opting in or opting out, trying to encourage people to be more aware of the organ donation system and the fact that it can be used to save lives is very important.

It is important to recognise the great work our excellent undertakers do in dealing with families at a sensitive time. I will start by taking the opportunity to stay very close to home and
7 o'clock mention a great person, our local undertaker, who is heading into his mid-90s. He has been our undertaker for eight decades and works along with his son. I am referring to both Danny Quill and his great father, John Quill, of Kilgarvan. They and all the other undertakers, be they in south, mid-, north, east or west Kerry, provide an excellent service.

There is an important point I want to raise today that really has to be considered. Given its importance, I, on behalf of the people of Kerry, ask the Minister to do so and take note of it. I am referring to post mortems. A post mortem can be very important to a family because they may want it to get answers. However, the excellent people who carry out post mortems, whether at the morgue in County Kerry, in University Hospital Kerry, or the excellent facility in Cork University Hospital, can find themselves hit with a massive number of people at the same time, through absolutely no fault of their own. The family of a person deceased in County Cork, for example, will want the deceased's body to be returned home as quickly as possible so they can have a wake at home or the funeral.

In many cases that cannot happen, not because of any fault of the people involved in what needs to be done, but because they need more assistance and more of a budget. I ask the Minister to please look at the whole situation surrounding post mortems. It is an extremely vulnerable and sensitive time for a family. Yes, it has to be done. If there are any questions that need to be answered for the family, they must have the post mortem, but we must try to have it done in a speedy timeframe. That is what I ask the Minister to do.

I again express my heartfelt thanks on behalf of the people of Kerry who have had to use the services of the people providing the post mortems. I thank them for what they have done and I thank our undertakers for the great work they have done, are doing, and will do in the future.

Deputy Richard O'Donoghue: There are 600 people in Ireland on a waiting list for organ donation. In the past, the number of organ donations in Ireland has been relatively low compared to other countries. In 2020, there were a total of 106 organ donors in Ireland, resulting in 318 transplants. The number of organ donors has been increasing in recent years, but the country still has the lowest rate of organ donation compared to other countries.

Education is key to success. The person dying must be well enough and sick enough to accept the organ. Today, this cannot be just about bringing a Bill through the Dáil. There needs to be back up and supports for the person receiving an organ. They need to be mentally well to accept the organ. For the donors and the donor's families, there is also a need to have proper personnel in place at the time of donation. Families whose loved ones are donating the organs can see the work of the undertaker, the work of the hospital staff, and the work of the personnel involved. This work is hugely sensitive at a time when people are grieving. On the other side, it is a time when they are giving life to people who are very sick. To me it is an act of kindness. We can be thankful to the people who donate their organs. Again, I go back to education as the key. We must ensure that the proper system is in place to support the family whose member is receiving the organ, and also to support the families grieving the person who gives the organs. The important role played by our undertakers in our counties is huge with the amount of support they give to the people at that time of need.

I hope that in the case of the opt in and the opt out, the decision is for people themselves, and that the option is there. I keep coming back to the education and the supports that need to be put in place to make sure that anyone willing to give the organs will receive the supports. In recent times we have seen what has been happening in Limerick and in other accident and emergency departments around the country. I would like to think, in the case of a transplant operation, that no operation would be postponed based on not having the proper medical staff available due to another emergency, that all of the proper personnel would be in place and that there was an emergency case, it would not interfere with any other procedures taking place in a hospital. I know of some people who went for organ donation, had been in care and prepped before the operation, only to be told when the time came - not only once but twice in some cases - that the operation would not go ahead due to complications or problems with staffing. We need to make sure that supports are put in place for the people who are giving their organs and for the family of the person who is donating.

Deputy Danny Healy-Rae: I am glad to have the opportunity to talk about this very important topic here this evening. We all know that organ donation is so important. It can make a difference and ensure that someone's life is saved. It can save the lives of people who are suffering from organ failure, be it a heart transplant, a lung transplant or a kidney transplant. We must recognise also where a family member gives one of their kidneys to ensure another family member can stay alive and have a normal healthy life. Transplants can reduce waiting lists in hospitals and decrease the number of deaths, so it is very important as we are helping others.

This Bill should increase awareness to ensure we get more donors. It is very important, however, to note that the Bill includes what the Minister for Health describes as a "soft" element. The next-of-kin of the deceased person will continue to be consulted and have a veto on any proposed transplant. If the next-of-kin objects to the donation, the donation will not then proceed. This is very important. It is a very traumatic time for someone when a family member passes away, be they young or old. It is so traumatic. Death never comes at the right time for anyone. For the family left behind it is very important to do what they feel the person who has died would have wanted. That is usually what happens and we must ensure this continues to happen. People are being told to indicate their wishes for after death. The new law creates a sort of soft opt-out regime for organ donation. The Bill aims to create a presumption that individuals are donors unless they have opted out of the scheme. The family still has a veto, however, if they feel there is something wrong or that it should not proceed. They will have the veto on the donation going ahead.

I, too, recognise the great work being done by the undertakers under extreme pressure. All of the undertakers in Kerry have certainly been under pressure for the past two months given the number of people who have died. I must recognise the work done by Quills in Kilgarvan for 70 or 80 years. It is operated now by John Quill. This man is way up in his 90s and still goes behind his shop counter every morning, and is in charge of the funerals with his son Danny. They do great work, as do the undertakers in Kenmare, Killarney, Rathmore and Gneevgullia and Furies, and all the other places. They are great people. They are very professional people. We must recognise that since the death grant was abolished they often bury people without getting a penny. I am very sad this grant has been abolished because it meant so much to families that did not have the funds to bury their next-of-kin, or if there was no one else after the dead had passed. As a result of the undertakers we have, no one has gone unburied in Kerry. They undertake to carry out the service the very same as if they had been paid or would be paid. The Minister must recognise that the Government denied the grant. We all know at this stage who did it: the crowd that were in power from 2011 to 2016.

An Ceann Comhairle: I thank the Deputy.

Deputy Danny Healy-Rae: Those were the people who took the death grant away and left so many people disenfranchised. I am glad to say that the undertakers-----

An Ceann Comhairle: The Deputy is taking advantage of my gentle nature.

Deputy Danny Healy-Rae: The undertakers in Kerry have not let the people down-----

An Ceann Comhairle: Good.

Deputy Danny Healy-Rae: They have buried them all without any money, some of them.

An Ceann Comhairle: Deputy Martin Browne, have we the view from Tipperary, please?

Deputy Martin Browne: Go raibh maith agat, a Cheann Comhairle. At the start I would like to thank all the undertakers in Tipperary, just in case I forget them later on.

An Ceann Comhairle: How are the undertakers getting on?

Deputy Martin Browne: I will not mention all the towns, just all the undertakers. This is an important Bill. It would have always been so given its nature and the matter of dignity, self-determination and of course the life-saving consequences of organ donation. The purpose of the Bill is brought into even sharper focus given the revelations we have become acquainted with involving the improper retention and disposal of organs. The Madden report of 2005 found that doctors stated that they did not tell parents about organ retention for the parents' own good. It went on to divulge how doctors at the time did not attach an emotional significance to the organs of a deceased child. Such instances warranted a full and proper examination of the system and a concerted effort to address this attitude and the rules that cover the retention of organs. While overdue, it is welcome that we are in a position to discuss this Stage of the Bill designed to address the shortcomings inherent in the system at the moment.

To start with, I will provide some background to what we are discussing today and the importance it signifies. At present organ donation and transplant rates are below average when compared to other EU states. We were in 18th place for transplants in 2020 and when it comes to deceased organ donations in 2020 we were at 17th place. Clearly more needs to be done and the introduction of the soft opt-out organ donation register is welcome. This means that

a person must object in their lifetime, or their family can object after their passing if in their view the person would have objected. There are certain other criteria that would apply in other circumstances including consultation with the person's family, which differentiates between soft opt-in and a hard opt-in. This is welcome. However, for the application of this system to be successful, it is necessary that its administrative demands are met with resources to establish the register and deal with the process.

The Bill in isolation will not add to the number of organ transplants that will take place. It will be of no help to the 600 people on the transplant list. There is another point that has been made by the Irish Donor Network and the Irish Kidney Association which needs reflection in order to provide certainty and develop a system whereby this country can move up the organ donation and transplant scale. They say that without adequate resources and infrastructure this legislation will not result in additional donations. The Irish Kidney Association has pointed to an instance in 2021 when a transplant did not proceed at the Mater hospital because of the unavailability of an ICU bed. The Irish Donor Network made a similar point, saying that for significant organ donation, transplant and post-transplant care, resources need to be available to allow for additional beds for pre- and post-transplant care as well as operating theatres, public awareness, doctors and multidisciplinary staff including nurses, cytologists and microbiologists. Resourcing issues have contributed to poor practices in the past that have led to retention scandals. I will conclude my remarks by welcoming the progress made in this Bill. There are aspects that will need further attention and my colleagues have already addressed these matters. It is welcome to be able to discuss this Bill today.

Deputy Catherine Connolly: I welcome the opportunity to speak on this Bill. I have done my best to get my head around it. I welcome the detailed speech given by the Minister. I will come back to the glaring absence of any reference to the necessary infrastructure to make this a success. The Minister said he has no doubt that this will increase the donor pool and pointed to Spain. That is not accurate, actually. On the system that appears to be wonderful in Spain, as Deputy Shortall already pointed out, during the committee discussion of the general scheme they expressed caution. Mr. Mark Murphy of the Irish Kidney Association cited a Spanish study which found:

In summary, the evidence does not support that shifting towards presumed consent [which this Bill is doing] will solve organ shortage. But still today, this measure is seen as a magic solution that departs from conviction that low deceased donation rates result only from a negative public attitude.

The authors of the study go on to say that we should never blame the public. What came out through the committee hearing, which I will come back to, was the absolute need for infrastructure. There was some disagreement or variation in respect of the best way forward between the representatives of the different organisations. The representative from the Irish Kidney Association said we need both an opt-in and an opt-out. Other delegates said no, we just need an opt-out. Notwithstanding that they were all in agreement on the common denominator of infrastructure, dedicated staff teams and a nurse. There is no mention of that anywhere in the Bill. I come from Galway city and we have a hospital closed or open depending on staff out in Clifden. Staff is essential but there is not a mention of it, or costing for it or how we are going to do it.

I have some concerns that we are simply going for an opt-out. I share the concerns expressed by the Irish Kidney Association. It asked for both an opt-in and an opt-out. The ethics of consent are at the heart of all of this. They have been utterly ignored by the medical profes-

sion for a very long time in this country. Obviously it has changed in the last number of years. It seems to me that we need to keep it to the fore. I welcome the Bill. I welcome the opt-out register. However, the Bill would have benefitted from prelegislative scrutiny. I disagree with most of my colleagues here who say that prelegislative scrutiny was not necessary. I think it was absolutely necessary given the background to the Bill and the time it has taken to come this far. It would not have made a huge dent into this time if a few days had been taken to look at this Bill. It covers so much in its six Parts and 105 sections. It really needed proper discussion. I do not know why prelegislative scrutiny was put aside.

Part 2 provides for transplantation and brings in the concept of deemed consent, which we are told is in place in most countries in Europe. Part 3 provides for pathology practice and post mortems and the absolute need for consent from the family or the person before they die. Part 4 provides for a legislative structure for anatomical examination. Imagine that we are utterly dependent on an 1832 Act. Almost 200 years later we are taking pride that we have finally got around to changing legislation. Part 5 provides for public display of bodies and what is needed there.

There is also a section providing for giving tissues or cells to pharmaceutical companies. It sets out that the manager of the hospital makes the decision and then goes to the family and asks them. I would have thought that it would have benefitted from further scrutiny and analysis as to when and how we give tissue, cells and so on to a pharmaceutical company. Given the background to this, I would have thought so. That is not the Minister's fault but I think he agreed with the waiving of prelegislative scrutiny.

I want to thank the Library and Research Service for its very detailed Bill digest. I want to say that publicly and out loud. Very often it is left struggling with very little time. In this situation it had time, the Bill was published in time and it looked at it and produced a comprehensive report.

Let us go back to where this Bill is coming from. Nothing here was proactive. No member of a medical profession reflected and said we should do something about our medical paternalism, as Professor Madden has described. There was no self-reflection. This came from England, from Bristol and the other two hospitals where it was exposed that there were, I think, more than 30,000 bodies or organs kept. Finally here as a result of the inquiry in England, questions began to be asked and we got the Dunne inquiry. Does the Minister remember that? It was set up in 2000 and was supposed to take a couple of months. It was supposed to be a two-stage inquiry, a private inquiry by the senior counsel followed up by a committee inquiry. It did not happen. It cost €20 million. Parents for Justice withdrew from it. Eventually some type of report on three hospitals in Dublin was given to the former Minister, Mary Harney. Nothing came of that, though. Most importantly, there had been no redress or accountability for parents whose babies' organs had been sold off without their knowledge. This is the background to the Bill and happened in 2005, when the Government said that would be the end of it.

The Government asked Professor Deirdre Madden to look at all of the documents examined by Ms Anne Dunne SC as well as all of the information and how it was hidden from parents that organs were taken during post mortems and kept and various things were done with them. Professor Madden stated that communication was, at the very least, bad or non-existent due to paternalism. She made 50 recommendations. Someone in government - perhaps the Minister for Health - might tell us whether those 50 recommendations were ever implemented. Some of them relating to consent and the matters I have outlined are included in the Bill, which I wel-

come, but there were 50.

One might believe matters would change, but fast forward to the Willis report in 2009. It was an independent audit of 32 hospitals and there were calls for regulations concerning consent for the removal, retention, use, storage and disposal of organs. Fast forward again to “RTÉ Investigates” in 2021. Thanks be to God for “RTÉ Investigates”. Often, we in the Dáil follow on from what it does. It investigated the ongoing practice of the disposal of perinatal organs at Cork University Hospital, with 18 families identified and so on. I do not wish to dismiss this in any way, but it has already been outlined. I am simply raising it as the background to the Bill. There was an internal audit by the HSE in 2022 following revelations at the Cork hospital. According to the audit, a consent policy to cover all aspects of the post-mortem process was not in place. This was almost 23 years after questions were raised in 1999. Organs from two perinatal post mortems had been incinerated since 2019 in Limerick. It was the policy of Our Lady of Lourdes Hospital, Drogheda, to send retained organs for incineration and so on. At University Hospital Galway, organs from 28 babies were held for between 12 and 32 months. At Portiuncula, organs from two babies were kept for between 16 and 18 months. So on and so on, all because of a lack of staff, which has not been addressed.

There will be an opt-out register, but there will be a bureaucratic difficulty with it. When it comes time for the organ donation, who will be present to inform doctors as quickly as possible that someone has opted out? I do not see how that will work in practice. All of this should have been teased out at the pre-legislative scrutiny phase.

Deputy Joan Collins: I support and welcome the Bill. I believe it was 2018 when there was a coming together of the Irish Donor Network, IDN, with various groups making the case for the opt-out system and for a human tissue Bill to be introduced. It is important that all Bills undergo pre-legislative scrutiny. I share Deputy Connolly’s concerns in that regard.

The IDN has warmly welcomed the Bill and has stated that the Bill does not just bring the obvious benefits to the recipients, but also benefits recipients’ families and society in general, including the health service and the wider economy, by promoting transplantation and working towards the most effective organ donor system possible. I join and support the IDN in this view.

Ireland ranked 18th out of the EU’s member states in terms of our overall rate of organ transplants and donations in 2020. This was a slip from 14th in 2019. We saw decreases in lung, heart, liver and kidney transplants in 2020. Last year, 669 people were on our transplant lists. Transplant services were heavily disrupted by Covid-19, and the knock-on effect of this is continuing. We need to improve. There is no need for Ireland not to lead in transplantation rates and services. I hope that the Bill contributes to that.

I welcome the soft opt-out system. Wales has seen significant increases in donation rates since its adoption of such a system. The Kidney Wales Foundation has stated that this system has been a major positive in many ways and has persuaded England and Scotland to adopt similar policies. Mr. Philip Watt, chief executive of CFI and chair of the IDN, has stated that transplant and donor rates in Ireland have the significant potential to be improved by this legislation. A soft opt-out system has received support in the public consultation process, which I welcome.

While I welcome the Bill, I join the IDN in its calls for greater resources and improvements in the organ transplantation and donation system. It has called for an immediate organ donation and transplant revitalisation fund and a detailed plan for raising Ireland into the top ten countries

in the EU for transplantation and organ donation by 2025. The IDN states that we need beds for pre- and post-transplant care, more post-transplantation doctors and multidisciplinary teams, and better funding for assessment and organ retrieval. I call on the Government to implement these recommendations and ask the Minister to address them in his summation. We need an effective plan to raise public awareness and an education programme that explains the changes in organ donor consent. Proper and appropriate funding for this education programme around the soft opt-out will be needed to ensure the benefits and effectiveness of the new system.

I welcome and support the Bill as a positive step forward in improving our transplant and donation system. I congratulate everyone who has worked hard to get us this far. I reiterate the calls from the IDN for greater resources and ambitions for improving transplantation and donation and ensuring that the Bill is a success.

Transplantation is a welcome and life-saving operation for anyone receiving a transplant and is an emotional time for his or her loved ones. Putting in place resources in terms of nurses working with parents, families and so on will be important to the promotion of organ transplantation.

Minister for Health (Deputy Stephen Donnelly): I thank colleagues for their support for the Bill. It is great to see such a strong signal coming from Dáil Éireann and that there is cross-party support for the Bill. I thank Deputies for this constructive debate. Many good ideas have been raised, as have many reasonable questions, and I will try to cover some of them in the few minutes remaining.

I echo the comments of Deputy Joan Collins, in that we are focusing on the great benefits for many patients who are waiting for organs. However, it is important to acknowledge as we progress the Bill that this topic is a difficult one for many families whose loved ones - children or other relatives - have been donors through tragic circumstances. It is the most precious of gifts that any donor could give. Nonetheless, it is often done in the most unfortunate and difficult of circumstances.

Questions were raised about the treatment of organs, including incineration, abroad. I once again offer my sympathies to those families who, having experienced the tragedy of losing a child, then had to go through the distress of hearing that the organs of their children had been retained in ways they should not have been. Under the Bill, consent will be needed from families for arrangements relating to burial, cremation and the return of organs and tissue material relating to post-mortems. I wish to be clear - organs should never be incinerated. Those organs should not have been incinerated. What happened was unacceptable, and it is important that this was recognised in the HSE report into the incident. This legislation will ensure human organs, tissues and bodies will be treated with the respect they should, and that all arrangements will be in line with the wishes of family members. That is essential.

Colleagues have made various requests and issues have been raised by some of the advocacy groups. I am looking at all of those. I will consider them with my Department officials. Where there is an opportunity to make amendments that improve the situation, I am very open to doing so on Committee Stage. Questions have been raised around compiling detailed information on organ donations, donors and other information that can help us improve donation rates. I am happy to share with colleagues that I allocated funding in 2021 and work is under way on that. Further work has been ongoing that will inform the ongoing policy decisions and considerations.

Colleagues very understandably raised the issue of resourcing and capacity. Resourcing and capacity are not covered within legislation, as they rarely would be. However, I fully accept and agree with the point that this Bill is one piece of what is required to increase transplants in this country. It is a very important piece and it is being supported for that reason, but we do need the resources in place as well. It is my intention they will be. To that effect, a strategic review of services is under way to identify where the gaps, shortages and opportunities are. I am expecting a report back by the end of March. That review will inform where we allocate future resources. A sum of €7 million has been added in recent years to the service, which is important.

Colleagues referenced ICU and, quite rightly, the need for ICU capacity. We have just had the biggest increase in ICU capacity ever. There has been an increase of about 25% in ICU beds since the start of Covid, because of Covid. That is part of the first phase of the increase. There will be another very substantial increase in the number of ICU beds. It will help facilitate transplants and a lot of other critical care in the coming months and years.

Colleagues asked questions around offences and oversight. HIQA, as the regulator, will be responsible for ensuring standards are met across the hospital systems. On the question of whether a contravention of the legislation will constitute an offence, I can confirm it will be an offence. The Bill provides that the standards can be set out in regulations. Obviously, those regulations will be in line with best practice. For egregious breaches of the regulations, the Bill provides for prosecution of a criminal offence, with a sanction of a class A fine, €5,000, imprisonment for up to three months, or both. The sanctions are very serious. However, the aim of the legislation, of course, is to raise standards across the system. HIQA will be central to that.

I have covered most of the issues raised. If there are others, I ask Deputies to contact me. My officials have been taking detailed notes of the various questions raised. Once again, I thank my officials and the officials in the Department of Justice, who have been working very closely to put this legislation together. I thank colleagues for all of their input. I thank again the healthcare workers who are working in this field every day, who are doing incredible work and who I know are happy to see this legislation. Finally, I thank the advocacy groups who have been looking for this for a long time. It is a good day and it is great to see such a powerful and united statement going out from Dáil Éireann that we are going to back this and we are going to make sure this service gets better and better for all of those hundreds of men, women and children who are waiting for a transplant.

Question put and agreed to.

Human Tissue (Transplantation, Post-Mortem, Anatomical Examination and Public Display) Bill 2022: Referral to Select Committee

Minister for Health (Deputy Stephen Donnelly): I move:

That the Bill be referred to the Select Committee on Health pursuant to Standing Orders 95(3)(a) and 181(1).

Question put and agreed to.

**Oil Emergency Contingency and Transfer of Renewable Transport Fuels Functions
Bill 2023: Message from Select Committee**

An Ceann Comhairle: The Select Committee on Environment and Climate Action has completed its consideration of the Oil Emergency Contingency and Transfer of Renewable Transport Fuels Functions Bill 2023 and has made amendments thereto.

Forestry Sector: Motion [Private Members]

Deputy Matt Carthy: I move:

That Dáil Éireann:

recognises that:

— the Irish forestry sector supports an estimated 9,400 jobs directly and indirectly with economic value of over €2 billion per annum;

— the forestry sector and afforestation must play a crucial role under the Climate Action Plan 2023 in support of Ireland's climate objectives, and that the continued failure to achieve afforestation targets will have compounding implications for the ability to meet 2050 emission reduction obligations;

— forest area comprises of 808,848 hectares or 11.6 per cent of the total land area of the State (Ireland's National Forest Inventory 2022);

— of the total forest area, 397,364 hectares or 49.1 per cent is in public ownership, primarily through the semi-State company Coillte;

— despite improvements in recent years, a significant forestry licensing backlog remains within the Forestry Division of the Department of Agriculture, Food and the Marine;

— there has been widespread concern among environmentalists, farmers, the forestry sector and local communities with the announced joint venture between Coillte and the British investment management company, Gresham House; and

— Coillte is co-owned by the Minister for Public Expenditure and Reform and the Minister for Agriculture, Food and the Marine on behalf of the Irish people;

notes that:

— the Government's target is an annual afforestation rate of 8,000 hectares;

— the Government have failed to come close to achieving this target; the level of afforestation in 2020 was 2,435 hectares, in 2021 it was 2,016 hectares, and in 2022 it was 2,243 hectares (by week 50); this level of annual afforestation represents the lowest levels since the Second World War;

— while this crisis has been developing over a lengthy timeframe, with annual afforestation decreasing from 8,314 in 2010 to 3,550 in 2019, under the current Fianna Fáil Minister and Green Party Minister of State, forestry outputs have continued to worsen since this Government came to office;

— despite the extension of the Forestry Programme 2014 – 2020: Ireland by two years,

a new forestry strategy is still not currently in place and that the Department of Agriculture, Food and the Marine is not currently accepting or processing new afforestation licence applications;

— between 2015 and 2020 the number of farmers participating in new afforestation decreased by over 88 per cent, while between 1980 and 2019 81 per cent of private lands afforested in the State was carried out by farmers;

— delays remain in the issuing of licences, especially afforestation and private felling licences, with the Government failing to achieve its own targets in nearly two-thirds of weeks in 2022;

— the Minister of State with responsibility for forestry was aware since March 2021 of Coillte's intentions to use a private investment vehicle to acquire land;

— the proposed joint venture between Coillte and Gresham House has not resulted in increased Government targets for afforestation, and that any new planting could and should be undertaken by public bodies, farmers and farmer co-operatives; and

— there has been a severe lack of public consultation or engagement regarding the potential negative consequences of the large-purchase of lands arising from the Coillte-Gresham House joint venture on a social, economic and environmental basis; and

calls on the Government to:

— instruct Coillte to immediately halt their proposed joint venture with Gresham House;

— publish the new forestry strategy as a matter of urgency and ensure that the new strategy prioritises afforestation undertaken by local communities, farmers and landowners and public bodies above investment management ventures; and

— review their 2022 forestry licensing throughput, set in place an ambitious licensing target for 2023, and commit to meeting licencing targets for both Coillte and non-Coillte applicants.

A good strategy is one that delivers for the environment, for our economy and for local communities. Currently, none is being served. The Government has committed to annual targets of 8,000 ha of afforestation, but under the current Fianna Fáil Minister for Agriculture, Food and the Marine and a Green Party Minister of State at that Department, afforestation rates are less than a third of those targets and the crisis is getting worse. Since my election to this House, I have been astounded by the ignorance and cynicism of those Ministers on this issue. That ignorance and cynicism was best exemplified when the Minister of State, Senator Hackett, following her meeting with Coillte last week, said this is a hugely exciting time for Irish forestry. It appears, once again, that the Green Party is not only completely out of touch with local communities but also pursuing a course that will undermine our ability to reach our climate action targets.

I have rarely seen a proposal from a State agency that has garnered such widespread opposition as the proposed Coillte joint venture with Gresham House. Environmentalists, farmers, the forestry sector and local communities are all united in their calls for the deal to be stopped. Upon the official announcement of the proposed joint venture, the Government sought to present itself as some form of observer. The Tánaiste said he wanted alternatives to be explored

rather than selling land to a British investment fund. The Taoiseach said this was not the Government's preferred model. The implication was that the Government knew nothing about Coillte's intention and that it was caught on the hop. However, the Minister and the Minister of State know that is not the case. As far back as March 2021, the Minister of State, Senator Hackett, was informed by Coillte of plans to use such a private vehicle to acquire lands. Even if Ministers did not fully understand the importance of such a strategy at that point, in November last year during a Dáil debate, I and other Members of the Opposition referenced Gresham House specifically and raised concerns about its implications. If Ministers thought we were exaggerating, then the hearing of the Joint Committee on Agriculture, Food and the Marine with Coillte in December last surely removed all doubt that Coillte was ready to embark on a deal that would see the wholesale purchase of thousands of hectares of Irish farmland by a British investment fund, and that the Irish taxpayer would be expected to subsidise this land grab to the tune of tens of millions of euro. Throughout all of this, the Ministers cynically sat on their hands. It was only after the public outcry that Ministers sat down with Coillte to discuss its plans, but not to tell it to stop. The Minister for Agriculture, Food and the Marine said he was engaging with Coillte to discuss how we can support it to do its work.

This venture is not about climate. It is not even about tree planting. For Gresham House, this venture is simply about corporate profit. The funds delivered through the venture will simply drive up the cost of agricultural land that farmers could and would plant themselves if Government delivered a workable regulatory framework. Indeed, in the past we have seen Ireland actually reach its afforestation targets of more than 8,000 ha a year. Who planted those trees? Farmers did, because they were part of the programme. Rather than disenfranchising and alienating farmers and local communities further through this deal, Government should go back to a programme that actually works. The Ministers for Agriculture, Food and the Marine, and Public Expenditure and Reform are the shareholders of Coillte on behalf of the Irish people. They can and should instruct Coillte to stall this plan immediately.

Sinn Féin's motion gives Ministers a Dáil mandate to do just that. However, in perhaps the most cynical move of all, the Government is not opposing today's motion, even though it has no intention to adhering to it. Make no mistake, should this motion pass, the Minister will have an obligation to enact it. Just for the record, I will state again what it directs the Government to do. The motion calls on the Minister and Government to set in place an ambitious forestry licensing target for 2023 and all subsequent years, to commit to meeting licensing targets for both Coillte and non-Coillte applicants, to publish the new forestry strategy as a matter of urgency and ensure the new strategy prioritises afforestation undertaken by local communities, farmers and landowners and public bodies above investment management ventures such as Gresham House. Most importantly, it instructs the Minister of State to instruct Coillte to halt immediately its proposed joint venture with Gresham House. In the interests of climate action, our economy and our rural communities, it is time to do the right thing. The Government should pass this motion and enact it.

Deputy Pearse Doherty: I thank my colleague, Deputy Carthy, for introducing this motion on behalf of Sinn Féin. One of the greatest areas of potential for tackling climate change and biodiversity loss is through protecting and restoring our forests. A good forestry strategy can deliver for the environment, local communities and even for our economy.

Part of this could and should be encouraging farmers and farming communities to diversify; a community-centred, inclusive approach to management of our lands. A just transition was said to be an important pillar of the Government's climate action plan in which afforestation

plays an important role. However, we now know that the Government's plans are for large tracts of land not to be put to use by local and farming communities, but instead diverted to a British investment fund called Gresham House. That is scandalous and it is not a just transition.

Coillte, a State-owned body, will source the land and plant and manage the trees while international investors and shareholders will siphon the financial reward. That land could otherwise have been the basis of income and livelihood for farming and rural communities. Now, it will be just another asset in the investment portfolio of Gresham House courtesy of this Fianna Fáil, Fine Gael and Green Party Government. The risk of land price inflation will follow this deal. The risk is very real with some estimating that it could push land prices up by as much as 33% and right up to 80%.

No wonder the Irish Wildlife Trust described this deal as a scandal. It said it is bad for rural communities and that funding that could be invested in rural communities is going instead into the pockets of a British investment firm. Therefore, I ask the Minister for Agriculture, Food and the Marine and the Minister for Public Expenditure and Reform to stop this deal now on behalf of rural communities and on behalf of Irish agriculture.

We need to increase significantly the planting of forestry to meet our climate obligations and protect our biodiversity. That requires engagement and buy-in from local and rural communities. The Government must then address the issues that have led to farmers withdrawing from this crucial sector. It needs to publish a new forestry strategy and implement the recommendations of the Mackinnon and subsequent reports. Again, I call on the Dáil not only to support this motion but to act on it.

Deputy Martin Kenny: The proposal to allow Coillte to use an investment company to buy up land and plant vast quantities of farmland across the country is another surge to the right, which is where this Government is going. We have a whole lot of issues in farming across the country. We have serious problems in our sheep and suckler cow sectors. I do not see any investment funds coming in to save them. Yet, one of the only parts of agriculture where we have investment funds is the part that is tax free and highly subsidised by the State, which is forestry.

We are creating a situation where multinational corporations and investors will make vast profits on the back of taxpayers' money. That is what this is really about. It has very little to do with our targets or ensuring we have met climate action targets or, indeed, afforestation targets to produce timber. It is about creating a system in which the Government can move public money into the hands of private investors. It is absolutely scandalous that this Government would consider that an appropriate thing to do.

In the part of the country where I come from, we have very large areas of forestry. In County Leitrim, we have probably surpassed 20% of the available land that people are using. We cannot compete and nor can farmers. At the moment, when they want to buy a piece of land beside them, they find that forestry companies come in and buy that land. Now, we have a situation where Coillte, a State-funded agency, is going to do same thing, backed by a foreign investment company from England called Gresham House. It is preposterous that the Government would consider that this is appropriate.

I cannot for the life of me understand how the Minister of State met representatives from Coillte last week and came out of that meeting saying she was going to encourage and help them in this project. Where is the sense in this? Has the Minister of State no idea where the

vast majority of people rest on this issue? I have spoken to farmers and people in the forestry industry. In fact, I heard Ms Marina Conway from the Western Forestry Co-op on the radio last week talking about this very issue. Everybody who is involved in the industry is against it and yet the Government is continuing to go down this road. It simply strikes me that it is not really about forestry or climate change objectives. It is about corporate profits. I do not know who is pulling the strings and where but whoever is doing it, those strings need to be cut. If there is any courage left in this Government, it's Members need to stand up for the ordinary people and ensure that if taxpayers' money is going to be used for the benefit of anyone, it is for the benefit of the people of this country.

Deputy Claire Kerrane: If this Government had dealt with the forestry licensing crisis that has been ongoing for some time now and treated existing forestry owners, including those with ash dieback, fairly, more farmers and landowners would plant forestry. Targets set by the Government would actually be met and we would not be in a situation where there is now an attempt to sell off rural communities.

Coillte's plans will take over thousands of hectares of farmland in rural communities to line the pockets of a foreign investment fund. This will be of zero benefit to our rural communities. Such a deal will also see this investment fund competing with locals, including young farmers, when it comes to purchasing land. Locals will not have a hope, as if farmers were not under enough pressure already. We have seen this happen already in housing.

We already know forestry contributes more than €2.3 billion annually to our economy and in rural communities, that is the local economy, the local shop, butcher and co-operative. That is not where this money will go under this proposed deal. Not one red cent of forestry premiums or grants should be paid to investment funds. This is taxpayers' money.

Rural proofing has been spoken about in this House for decades. My party introduced legislation on this in 2016 and I re-introduced that legislation with colleagues in 2021. The Government decided to produce its own mechanism and we are still waiting. An issue like this is precisely why we need a rural proofing mechanism. We need to put a stop to this attitude of indifference to the impact that policy decisions will have on those of us who live in rural communities. Forestry is already a contentious issue in some rural communities and that is usually down to poor engagement or lack of consultation. That is another reason why we need a forestry strategy. It is important that the Government does not underestimate the level of anger that is out there with regard to this issue. This is a bad deal that should be stopped.

Deputy Martin Browne: Since the Coillte and Gresham House arrangement first emerged, it became clear that more was known by the Department than was being let on at the time. While the Project Woodland working group was convening, the arrangements with Gresham House were being put in place. The Minister of State, Senator Hackett, was aware of this as far back as March 2021. She and the Minister appeared before the Joint Committee on Agriculture, Food and the Marine on several occasions and totally disrespected us by not informing us or the working group about this arrangement.

Effectively, the stakeholder group that was being consulted on the way forward for the industry was being kept in the dark about an arrangement that will fundamentally affect its members' livelihoods. One such stakeholder told me, "This makes a farce of Project Woodland." I was also told by a forester that he developed suspicions about such an arrangement when landowners began telling him about being contacted by fund representatives who were interested in

buying them out.

Because of the way the forestry service has been mismanaged, the Department has no chance of achieving its afforestation targets through conventional means. This is the way the Government wants to get it done, by sidelining our foresters, contracting out the work to a private investment fund and handing over public money when all it has in mind is profiteering, not what is in our interest.

The Irish Farmers Association, IFA, expressed the concern that a large proportion of new forestry programme funding will be redirected from farmers in rural communities and instead paid out to investors, and it is absolutely right. The Government is using Coillte to try to keep this arrangement to redirect public funds at arm's length from the Department. However, it expects the benefit from it nonetheless while farmers take the hit. It is fooling no-one, however. One forester told me of his fears that he will be unable to compete for land given the deep pockets of funds. He referred me to the UK Forest Market Report 2022, which outlined the surge in land prices experienced in Scotland where, incidentally, funds are quite active. The Government is selling out foresters and rural communities.

Also concerning to me is a reply I received to a parliamentary question in which the Minister of State told me that while Coillte is providing management and land acquisition services to the company concerned, it may have procured these services other than from Coillte. Who else is the door being opened for here? Can the Minister of State please elaborate on that? How many more entities like Gresham House, which have no obligation to Ireland or its biodiversity targets, are waiting in the wings?

Instead of masking the Government's failings by selling out this sector, I demand that the Minister of State directs Coillte to halt this proposal. She should instead fulfill her brief by immediately publishing the new forestry strategy, clearing the remaining forestry licensing backlog while continuing to process new licences and implementing the Mackinnon and other reports that are gathering dust on the Department's shelves.

Deputy Seán Crowe: The forestry strategy in Ireland has always been geared in the wrong direction. A core weakness has been the failure to look after our national parks and native woodlands. Overgrazing by deer and sheep and infestation by invasive species like rhododendron are the norm in many of our native woodlands. While the forestry industry plays an important role in the economy, our forestry strategy cannot avoid the environmental impact of placing huge swathes of Sitka spruce on our hillsides.

Our lack of respect for our biodiversity is astonishing. The curlew is reckoned to be at risk of extinction in less than a decade and a quarter of all bird species in Ireland are disappearing. Anyone who walks in a spruce plantation will tell of the utter silence as you walk through the trees, the orange carpet of fallen leaves the only sight among bare trunks. There are no mosses on the ground, no plants and no birds. They are ecological death zones and there is more biodiversity and life on a motorway embankment. The volunteers and young people who take part in stepping stone forests in my constituency will tell the Minister why this is a flawed strategy. Biodiversity is the key and buy-in from communities is vital.

The Government's target is annual afforestation of 8,000 ha. When the Green Party was in opposition, it advocated 15,000 ha. Not that it matters, because the Government has failed to exceed a quarter of its pathetic targets. We are planting the lowest level of forestry of any time

in the past 80 years and the idea we can increase our forest cover from 11% to 18% by 2046 is laughable considering our poor performance and lack of ambition. The proposed joint venture between Coillte and Gresham House has resulted in increased Government targets for afforestation. There has also been a complete lack of public consultation and engagement regarding the potential negative consequences of large purchases of land arising from the venture on a social, economic and environmental basis. This is a time when we must be hypervigilant about what trees we plant and where we plant them. The Government must publish the new forestry strategy as a matter of urgency and that strategy must prioritise afforestation undertaken by local communities, farmers, landowners and public bodies. We need green corridors through our cities and villages.

Deputy Mairéad Farrell: The reason we are here is not because we oppose investment in the forest sector, which is badly needed, but because of the type of investment. The State through Coillte should not be incentivising or underwriting investments for vulture funds at the expense of family farm incomes or viability. There are also legitimate concerns that investment by such vulture funds will inflate the cost of land, as it has done in other sectors like housing. Local farmers in rural communities could be priced out, just as many renters have been priced out of living in the areas in which they grew up.

This is a bad deal that facilitates the sale of thousands of hectares of Irish land to a British vulture fund and the Government is again doing its all-too-familiar innocent bystander routine. It is remarkable that Coillte's annual reports make constant reference to the need for shareholder approval when it comes to big decisions like this one. Who are its shareholders? Where are they hiding? They sit on the Government benches of this Chamber. They are the Ministers, Deputies McConalogue and Donohoe. The former appoints the board and sets out its terms of office in writing. The board's responsibilities include the approval of contracts in excess of a value of €1.5 million, approval of disposal of assets in excess of €2 million, and managing investments in excess of €3 million. The current deal establishes a fund of more than €200 million. Will the Minister confirm that he vests his confidence in the board and the approval of this decision? It is a board the Minister appointed and which he has the power to remove. It seems to me this is a bad deal whatever way you look at it. It is curious that a public-spirited board would want to enter into such a deal.

This comes from a Government which recently produced a White Paper about how it wants to support indigenous businesses. What will Fine Gael and Fianna Fáil's next bright idea be? Will it be selling off our rivers and streams? The Ministers need to put a stop to this. The people are against it for valid, clear reasons. If the board will not listen to the Ministers, then they need to tell the board what is what.

Minister of State at the Department of Agriculture, Food and the Marine (Senator Pippa Hackett): Genuine concerns about forestry have been raised in recent weeks, particularly in relation to the Irish Strategic Forestry Fund. It is because of those concerns that I am happy to have this opportunity to speak about the upcoming forestry programme, the forest strategy, and the Irish Strategic Forestry Fund.

Government policy is to increase our forest estate from 11.6%, to 18% by 2050. To reach this target, we will have to create an additional 450,000 ha of new forests by 2050. Last November, the Government announced funding of €1.3 billion for the new forestry programme, subject to state aid approval. This is the biggest and most farmer-friendly forestry programme in the history of the State, and it will play a crucial role in meeting our forestry targets under

the climate action plan. Under the programme, farmers will receive 20 years of premium payments, compared with 15 years for non-farmers. In addition to receiving 33% more premium payments, farmers who plant new forests will receive their basic income support for sustainability, BISS, payment on land converted to forestry, whereas other private landowners will not receive that payment. Under the new programme, the incentives for native broadleaf forests, agroforestry and continuous cover forestry will be significantly increased, and there will be support for a new forest type, emergent woodland. A further example of our farmer- and biodiversity-friendly approach is that organic farmers will be able to receive organic farming payments and agroforestry premiums on the same plot of land.

Roughly two thirds of the landmass of Ireland is farmland. Therefore, if we are to meet our 2050 forestry targets, we will need to count on a massive effort from our farmers. They will be the primary drivers of our afforestation efforts and the primary beneficiaries of the €1.3 billion programme.

Last April, Coillte announced its strategic vision for 2050. Half of the new forests Coillte will enable by 2050 will be native woodlands. The other half will be forests for quality timber production, which will be used in large part to displace emissions-intensive building materials such as steel and cement. More timber for use in construction is a positive thing. I want to be clear that those new forests that are more focused on timber production will not be monoculture forests. The days of State-funded monoculture forests with inappropriate setback distances on the wrong soil types are over. Any forests planted under the new forestry programme for timber production will have a minimum 20% broadleaf content and a minimum 15% area for biodiversity enhancement.

The motion calls for immediate publication of the forest strategy, and we will be doing so in the coming weeks. The draft strategy was informed by extensive engagement with the public and with stakeholders, and that draft text went to public consultation last October until the end of November. Our officials are in the final stages of working through the submissions to that public consultation to finalise the strategy for publication. I think all Deputies will agree this is a critical step to get right to ensure our forest strategy is reflective of the views of the public. This strategy will deliver for climate, biodiversity, water quality, communities and rural economies.

In relation to licensing, let us be clear that the crisis is over. We have made substantial investment in licensing resources, especially in relation to ecology, and forestry licensing output performed excellently throughout 2022, with turnaround times significantly improved. In summary, last year we issued 4,713 licences, which is 1,154 more licences issued than applications received. The 6,700 licences we had on hand in total in August 2021 is now at just over 3,000, and this continues to reduce every week, even when new applications are factored in. Licences for timber felling and forest roads in 2022 were both at record levels for a single year. Finally, there are now more than 1,000 approved afforestation contracts with 7,343 ha ready for planting. It is clear the Government is serious about making progress in forestry, and it is clear from Sinn Féin's motion this evening that, unfortunately, as with many areas of climate action, that party is not serious about forestry.

Deputy Matt Carthy: Why is the Minister of State supporting the motion, then?

Deputy Brian Stanley: No pressure now.

An Ceann Comhairle: Deputies, please.

Minister of State at the Department of Agriculture, Food and the Marine (Senator Pippa Hackett): Deputy Carthy wrote today in the *Daily Mail* that this fund could receive up to €2 billion in subsidies from Irish taxpayers. This is utterly untrue. Deputy Carthy and his party know that this particular deal represents less than 1% of the Government's targets for new forests by 2050. Sinn Féin knows that the vast majority of the €1.3 billion forestry programme will go to farmers. Sinn Féin also knows that the Government does not interfere in contracts made by commercial semi-States such as Coillte and the Ireland Strategic Investment Fund, ISIF, nor should we be moving to a space whereby Ministers, or indeed Opposition politicians, can retrospectively interfere in contracts that semi-States have lawfully entered into.

Deputy Brian Stanley: Shareholders can intervene.

Minister of State at the Department of Agriculture, Food and the Marine (Senator Pippa Hackett): What I will say about this motion, however, is that I welcome that we are discussing forestry and the role of Coillte more generally here this evening. In the context of Coillte's further direction, it is important to mention first a key constraint on Coillte's ability to engage in afforestation without private involvement, namely, EU state aid rules.

A 2003 EU state aid decision ruled that Coillte, as a public authority, could not receive state aid in the form of annual forestry premium payments. Our officials in the Department of Agriculture, Food and the Marine are assessing the extent to which the State might be able to fund Coillte's afforestation efforts directly, either through capital funding or through grant and premium payments under the new forestry programme, without breaching new state aid guidelines adopted on 1 January this year.

More broadly, though, this is a timely debate. We are shortly moving to phase 2 of the land use review and among other things, this will look at how we can further streamline the forestry licensing process by adopting a plan-based approach. Among the bigger land use questions we have to tackle is the question of what we as a State want from Coillte and where its focus should lie. Coillte, under its existing commercial mandate, has committed to a 50:50 split between forests for nature and forests for wood and I believe this represents real progress from a place where Coillte traditionally had an 80:20 split in favour of forests for wood. Certainly, my own party was clear in its general election manifesto in 2020 that we should look at a broader mandate for Coillte, which would deliver multiple benefits, including environmental and community objectives, as well as the production of high-quality timber and this remains our position. I will continue to pursue this with my Government colleagues.

I have always wanted a broader mandate for Coillte and if this debate can bring that forward, it will be a good result. I note the Citizens' Assembly on Biodiversity Loss discussed Coillte over the weekend and made a similar draft recommendation. I look forward to examining the final recommendations of the citizens' assembly when they come to Government and to exploring the merits of those recommendations with my coalition colleagues. I understand that the citizens' assembly also expressed a concern that the Irish Strategic Forestry Fund should not result in the sale of any existing Coillte forests and I can categorically say that is not on the cards.

Deputy Brian Stanley: Yet.

Minister of State at the Department of Agriculture, Food and the Marine (Senator Pippa Hackett): The fund will not seek to purchase any public lands and any land purchased by the

fund, whether it is an existing forest or bare land, will already be in private ownership.

Despite Deputy Boyd Barrett again repeating inaccurately that the fund could plant up to 100,000 ha of new forests, I want to clarify that this fund will plant roughly 3,500 ha over a five-year period, meaning an average of approximately 700 ha per year. Deputy Boyd Barrett has consistently repeated a figure that is over 28 times the area that will actually be planted by this fund, and this level of misinformation really does not serve anyone.

As the Taoiseach said earlier today on the floor of this House, the fund is not the Government's preferred model to reach its afforestation targets. This is one small model of afforestation, representing less than 1% of our overall target for 2050. The Government's preferred model of afforestation is one where farmers plant trees on their land, which is why we have designed the new forestry programme in a way that will pay farmers 33% more in annual premium payments than any other landowner, on top of the basic income support for sustainability payment, which non-farmers will not receive.

That said, Coillte, as our State forester, has an important role to play in contributing to afforestation targets, alongside farmers. There is enormous potential for Coillte to establish new native woodlands for biodiversity on lands already in public ownership and suitable for forestry. Coillte is already working closely with local authorities and State bodies to identify such land. Coillte and Bord na Móna planting native woodlands on former industrial cutaway peatlands is a great example of this approach. Coillte is also planting new native woodlands through the not-for-profit Nature Trust. I know the Tánaiste has said we should examine the possibility of the State purchasing land for Coillte to plant further native woodlands. This is something I am open to, as well as a wider Government discussion over the coming months around what it is we want from Coillte, to ensure that it delivers for climate, nature, water quality, wood production, people, the wider economy and rural economies.

Deputy Darren O'Rourke: I welcome the opportunity to speak on this motion this evening and I thank Deputy Carthy for bringing it forward.

At the outset, I remind the Minister of State that she is actually supporting the motion she is criticising here tonight.

Deputy Mattie McGrath: Farcical.

Deputy Darren O'Rourke: That is classic of this Government's approach, and I have seen it many times.

Similarly, in relation to climate, let us talk about the Government's emissions reductions targets. How many of them has it met?

Deputy Matt Carthy: None.

Deputy Darren O'Rourke: Zero.

Deputy Charlie McConalogue: What is Deputy O'Rourke's target? The Deputy can tell us all about the climate-----

Deputy Darren O'Rourke: We have read in the reports at the weekend-----

Deputy Charlie McConalogue: What is the Sinn Féin policy?

Deputy Darren O'Rourke: -----the Government will exhaust the carbon budget-----

Deputy Charlie McConalogue: Has it got one yet?

Deputy Darren O'Rourke: -----whatever target it has, the Government will surpass it.

Deputy Charlie McConalogue: Does it have a policy yet?

Deputy Darren O'Rourke: The Government will surpass it. It has missed every climate target it sets.

Deputy Charlie McConalogue: Sinn Féin cannot make its own policies.

Deputy Darren O'Rourke: It has missed.

Deputy Matt Carthy: Wake up now Charlie.

Deputy Charlie McConalogue: It does not have a policy.

Deputy Darren O'Rourke: We have set them out and spelled out for the Government. We are debating them here tonight and we have debated them before.

Deputy Charlie McConalogue: You have to have a policy in order to debate it.

An Cathaoirleach Gníomhach Deputy Pádraig O'Sullivan: Through the Chair.

Deputy Matt Carthy: The Chair is looking in the wrong direction.

An Cathaoirleach Gníomhach Deputy Pádraig O'Sullivan: Deputy O'Rourke is to address the House through the Chair.

Deputy Darren O'Rourke: To be clear, this is a bad deal for Ireland. It is spelled out. It is a bad deal for Ireland because it will increase the price of land. More importantly, it reflects a complete lack of vision on behalf of the Government. There is no strategy. Forget about strategy; there is a lack of vision. There is an opportunity here to bring communities with us and what is the Government doing instead? It is isolating them and alienating them. It is completely unacceptable but it is no surprise at all, given there is a coalition of Fianna Fáil, Fine Gael and their ideological partners in the Green Party.

Communities are being isolated. Farmers are being isolated. The price of land is being driven up. There is a real opportunity in forestry, and the Government does not have to imagine where communities are, because there has been a Citizens' Assembly on Biodiversity Loss. The Department has consulted with communities. It has spelled it out in the public attitudes presented in the survey on forestry. Communities want to play their part. They want forestry in urban and rural areas. They want it to be alive. They want a richness in biodiversity. Instead, what are Fianna Fáil, Fine Gael and the Green Party doing? They are selling it off for corporate profit and shame on them all.

Deputy Thomas Gould: Hear, hear.

Deputy Brian Stanley: I say to the Minister and the Minister of State that the proposed deal between Gresham House and Coillte is nothing short of a land grab. This time, it is not English landlords with an army in front of them clearing off the peasants but the Government, which is facilitating the transfer of hundreds of millions of euro to a British company to snap up large

tracts of Irish land and to put it out of the reach of rural communities. See how this goes down in Camross and Clonaslee if the Minister of State thinks that people are behind her on this. The failure to meet targets to increase afforestation has been caused by the failure of the Government to put a proper framework in place and to sort out problems in the sector. The amount of land being planted has collapsed dramatically from 8,314 ha in 2010 to just 2,244 ha last year. We are way off target on climate and timber. Huge delays continue in obtaining felling licences and the Minister knows that. Some have been waiting for up to two years. We must do better. For commercial reasons, for the supply of commercial timber, for environmental reasons and to meet our climate targets, we need to plant a minimum of 8,000 ha per annum. We need to increase the variety of trees that are planted.

Coillte is a publicly-owned company. The Minister, the Minister of State and the Government are the sole shareholders acting on our behalf. As for the idea that the owners have no say, have their hands off the wheel, are asleep at the wheel and cannot stop this, it is a ludicrous suggestion. This Government and the deal with Gresham House follows a pattern of moves by conservative Governments that use investment funds to control social housing and health services to run a lottery. They tried it with water - that is what they were lining up next - and now they are trying it with forestry. This is straight out of the playbook of Margaret Thatcher and the British Tories, and Senator Hackett should be ashamed of herself, as a Green Party Minister of State, to be going along with this right-wing move.

People in rural Ireland and the midlands value semi-State companies. Alongside this, farmers want to be involved in sustainable and efficient farming programmes that deliver our needs in commercial timber and meet our climate targets. The Minister must stop this land grab, implement immediately the recommendations of the Mackinnon report and a new forestry strategy, and start clearing the backlog of licences for forestry in the system.

Deputy Thomas Gould: Once again, Fine Gael has shown its true colours. It is the party of privatisation, its political allies are rich investment funds and the only reason it cares about the environment relates to whether it can make a euro out of it. I am deeply concerned, as are many of my constituents. I recently dealt with Coillte in regard to a forest near Watergrasshill that has been sold to a private company, which will turn the forest into a site for agricultural composting. The locals who walk in and explore the forest with their families and children are very disappointed. Coillte told me there are non-native trees in this forest and that it has exceeded its carbon life span and will begin to do damage to the soil. It told me it will replant trees to replace the ones that were felled, but not in my constituency. We are talking about forests of which my constituents want to be part being lost to both them and future generations. Rewilding projects can have a significant impact, and while many of them are in their infancy, we can see their clear potential.

What the Minister and the Minister of State are doing is like what Fine Gael tried to do when it tried to privatise water and what Fine Gael and Fianna Fáil did when they tried to privatise housing. People cannot buy houses now because vulture funds and cuckoo funds are buying up entire developments of apartments and houses for profit, and that is on those parties' watch. If people who are watching this debate want to know what the difference between us and them is, it is that Fine Gael, supported by Fianna Fáil and the Green Party, will sell the future of the people to investment funds. Why? It does not make economic sense. This land belongs to the people and the Government is selling it and giving it away, in the way it tried to do with water and has done with housing.

To conclude, I say shame on the Green Party. It is supposed to stand up for ordinary people, but by supporting Fianna Fáil and Fine Gael it is selling out its true supporters and members. I ask the Minister of State to reconsider her party's position on this.

Deputy Pa Daly: Over the past week or so, dozens of people have contacted my office about this joint venture with Gresham House and about the subsidisation, collaboration and corporate takeover by this UK equity fund. Many people who contacted me raised the sell-off of telecoms, housing and bins, the attempted sell-off of water, the sale of the national lottery and now the sale of our forestry. Some of them had lived abroad, such as in Germany and England, and had seen what had happened there following similar sell-offs to vulture funds. A man from a hill farmers' organisation asked how people in his line of work, who are not wealthy people, were expected to compete with this type of investment fund. Throughout Kerry, people talk about Sitka spruce and the damage it has done. In Knocknagashel and Brosna, the rivers have, in effect, been poisoned. The brown trout that used to swim there, along with other signs of biodiversity, have gone. The same is true of Lickeen Wood and Glanteenassig. A man from Glencar told me it is similar to the way the Caragh river has been blocked off to locals, who cannot even swim in it without someone saying it has been taken into private hands.

The widespread demand of all the people who contacted me, comprising a coalition of farmers, forestry people and environmentalists, was for a forestry strategy that will deliver for the environment, local communities and the economy, but this subsidised, grubby joint venture will deliver none of that. The venture appears intended solely to circumvent the rules that prohibit Coillte from receiving its subsidies for afforestation and partnering with a company that will be motivated primarily by profit, and that is not good for the selfsame farmers' groups, forestry people and environmentalists. The Government should be upfront and it is not too late for that. It should try to halt this joint venture and publish its new forestry strategy as soon as possible.

Deputy Alan Kelly: I am sharing time with Deputy Sherlock.

I had a bit of *déjà vu* when I found out about this proposal. To be fair, I am not sure how, in a sleepwalking way, it just appeared in front of the Government. I appreciate Coillte is autonomous but it has to report to the Minister and the Minister of State. I predict this will not happen because I can sense a public outcry building up about it. I am surprised by the attitude of Fianna Fáil and the Green Party because I recall what happened when Fine Gael tried to sell Coillte. I am one of the few Deputies left in this House, along with my party colleague to my left and perhaps one or two more, who remembers that because the then Minister with responsibility, Pat Rabbitte, prevented it. He prevented a lot of privatisation efforts that had been proposed by Fine Gael leading up to 2011.

I understand, as does the Labour Party, that a new approach has to be taken to forestry. We are nowhere near meeting our targets and do not have a hope of doing so, but this is not the solution. It will be opposed. We can see already the concerns being expressed by the Taoiseach and the Tánaiste but also by many Government backbenchers and, dare I say it, other public representatives throughout the country. This concern is based on real issues. I have a lot of questions about Coillte's role here, which I do not have time to go through today, as to the origins of the proposal, the make-up of it, the role of the Secretary General and the assistant secretary who is responsible for it, and the manner in which it came about, all of which will have to be outlined, but in essence it is privatisation by the backdoor. It is a slide we do not want to go down and the Government is going to have to reverse it. It is going to have to call Coillte to heel.

I accept that Coillte has claimed it cannot meet the scale of investment required. That is a legitimate point for the agency to make and the Labour Party and I accept it, but the Government should support it directly through the Ireland Strategic Investment Fund, ISIF, or through the investment of new capital rather than outsource all the profits to the private sector. In a way, this is a siphoning-off of funds from the public purse into a small number of private hands. These funds would be used to far greater effect by both increasing our level of afforestation and supporting Irish farmers to develop their own forests on their own lands.

I have heard a great deal about why this could not happen and why Coillte is not partnering with Irish farmers despite it having such great expertise in this area, which I believe to be true. I have heard this would not be possible under EU law, but the Government is in government to help change that kind of thing. When I was an MEP working with a Government of whom my party was not a part, we were able to change state aid rules and a number of other rules because we thought they were unfair. How is it fair, proportionate or right that supposed EU rules such as this one can be used to justify such an approach when everybody can see that putting that money directly into afforestation and working with farmers and landowners would be the right thing to do? If the Government has to shame the EU in relation to bad policy, it should do so. We have done it before and achieved proper change.

On another remaining issue, it would be handy if the Minister of State, Senator Hackett, got off her phone but I do not accept that she will have control here of the pendulum which is financial considerations versus biodiversity and climate concerns. That control is lost once this is signed. Finally, an issue that has been lost is that in many parts of rural Ireland, like my own county of Tipperary, land values for communities, for small farmers and for developing farmers will be hugely affected as a consequence of this. Trust me, that will be an issue of concern particularly to those in Fianna Fáil and Fine Gael.

Deputy Sean Sherlock: I thank Deputy Kelly for sharing time.

The Coillte-Gresham House partnership seems wrong on many levels. It is an arrangement which, on the face of it, facilitates the expatriation of millions of euro from Irish taxpayers' pockets into the hands of fund managers and on that basis, let me state that we vehemently oppose this arrangement. The taxpayer will not benefit by one penny from this entity and the language used to describe how much land will be acquired has varied from anywhere between 3,000 ha, such as we have heard here tonight, to 100,000 ha when Mr. Carlin started talking about this two weeks ago. We do not know exactly how much land will be acquired. Moreover, as I understand it-----

Minister of State at the Department of Agriculture, Food and the Marine(Senator Pip-pa Hackett): For disposal.

Deputy Sean Sherlock: -----and I have the right to speak here through the Chair, the upper limit on how much land will be acquired has not been absolutely and definitely defined. Who knows how much land will be acquired and it will have the effect of displacing farmers from farming activity. It is on that basis that we absolutely oppose it. In other words, this entity is hell-bent on acquiring as much land as it can grab and right now, neither the Irish taxpayer nor the Government has any say or control whatsoever. The Government was asleep at the wheel on this one. It would not have happened on anybody else's watch within this House. The Government let it happen and did not put a halt to it and it now seems that it is signed, sealed and delivered. It is an awful travesty that we would facilitate in this country a situation where a

financial house from the UK could come in and acquire so much Irish land or have the potential to do so. It will walk away with the premia, let there no doubt about it. The foresters are the people I feel sorry for in all of this, because they will end up being price-takers even though we know they plant all of the forestry in this country at present. Once you start acquiring more land, you start acquiring control of the means of production and once you start controlling this, then you can set the price. Before we know it, private foresters will end up being price-takers and many of them will become enslaved to this new entity. That is the danger I fear around what is being created here. It is a beast over which there will be no control.

The dubious assertions of the Ministers, Deputies McConalogue and Eamon Ryan, and the Minister of State, Senator Hackett, that Coillte is needed to reach the 8,000 ha afforestation targets, may be true. I do not think anybody would argue against that but it is a fallacy to assert that the creation of this Gresham House-Coillte entity is the way forward to achieve the 8,000 ha afforestation targets. We know the national afforestation programme is carried out each year by the private forestry sector. Here you have a Labour Party Deputy standing up in defence of the private forestry sector because we see chapter and verse what it is doing on the ground in terms of putting plants into the ground and how they are trying to manage against the teeth of a forestry service that is, quite frankly, not fit for purpose. The metrics are proof of that because only 4,779 ha have been approved for planting but 44,766 ha have been approved for felling. We are cutting down more trees than we are planting in this country, and it pains me to say it, on the Green Party's watch. That is the sad reality of it. The facts speak for themselves. If you read the dashboard that everybody reads, which is the stated documentation that everybody agrees is the industry standard-----

Deputy Charlie McConalogue: Every hectare that-----

Deputy Sean Sherlock: ----their figures are there.

I will finish my speech uninterrupted, if I may, because I have only 25 seconds left. The Government fell asleep at the wheel on this one. They are out the gap on this one but there may be hope for the Government to politically use whatever might and main it can to pull this back from the brink because we do not want a situation where taxpayers' money by way of premia, ends up in London or wherever, on the backs and through the sweat of the Irish forestry sector. If the Government works with farmers and with the Irish forestry sector, it can deliver on its targets and within the means it has at its disposal but it must be looked at. I ask the Government to please revise this decision.

Deputy Charlie McConalogue: Every hectare that is felled has to be replanted legally. If a hectare of forestry is felled, there is a legal obligation to replant it.

An Cathaoirleach Gníomhach Deputy Pádraig O'Sullivan: We are not having a debate here.

Deputy Sean Sherlock: The metrics speak from themselves. The Minister is cutting down more trees than he is planting.

Minister of State at the Department of Agriculture, Food and the Marine (Senator Pippa Hackett): They are replanted. The trees that are cut down are replanted.

An Cathaoirleach Gníomhach Deputy Pádraig O'Sullivan: Will the Ministers please let us try to proceed?

Deputy Charlie McConalogue: That is all additional. You replant everything that is felled and what the Deputy is referring to is all additional.

An Cathaoirleach Gníomhach Deputy Pádraig O'Sullivan: The Minister will have time at the end to wind up.

Deputy Holly Cairns: The proposed partnership between Coillte and a UK-based investment fund is a bad deal for multiple reasons. It is also symptomatic of this and the previous Government's disastrous approach to forestry. The forestry sector has been in crisis for years. The Government is only reaching one quarter of its own afforestation targets and its agricultural policies are pushing farmers away from forestry. The planned Coillte deal has been opposed by the Irish Farmers' Association, called a scandal by the Irish Wildlife Trust, and the Irish Forest Owners have described it as being not in the best interest of rural Ireland. This begs the question in whose interest this deal is because it is not in the interests of the general public and rural communities. Why is the Government allowing this deal despite the wide-scale opposition? It is another worrying sign of increasing privatisation and the prioritisation of investment funds profit over the national interest. Every day we see how this trend plays out with disastrous consequences for ordinary families in housing and in healthcare. Forestry is now next. Some €25 million of public money is going into an investment fund's pocket when it should be given to rural communities. It is also a regressive step for our climate and biodiversity targets. It flies in the face of a fair transition. It will force land prices up impacting farmers and local communities. Coillte is co-owned by the Minister for Public Expenditure and Reform and the Minister for Agriculture, Food and the Marine, on behalf of the Irish people. This plan is opposed by the public and stakeholders. The Government has to use its position to immediately halt this incredibly bad deal. It is a misuse of public money, it is harmful to rural communities and to our biodiversity. It is a disgrace that the Government is supporting it and it is almost difficult to watch the Minister and the Minister of State in the House defending it.

The Minister of State, Senator Hackett, said there was not any publically-owned forests being sold and it reminded me of a local issue in Cork. Coillte are willing to sell off a massive section of Ballymartle Woods because a private party wanted it. There is no sense of the public duty to hold and develop our woodlands for the people. Unfortunately, none of this is surprising. The Government's forestry policy has been so disastrous that it is scrambling for any kind of project that will enable tree planting no matter the cost or the consequences for rural areas. The programme for Government sets out a target of 8,000 ha of new forests per year. Currently, it is reaching about one quarter of this. Afforestation rates have actually decreased further under this Government, even with a Green Party Minister directly responsible. Forestry should be area where Government can make considerable progress. It is in everyone's favour if done correctly. It has enumerates benefits but official mismanagement has threatened the viability of the sector and thousands of jobs involved as well as failing miserably to reach afforestation targets. This is simply a national disgrace. Presumably, in some sort of attempt to address its failing policies, the Government is content to let private investments funds boost the official figures of tree planting; never mind the cost to local communities and to the Irish forestry sector. The Government seems to have no appreciation of how bad this deal is and the message it sends to rural Ireland. There are glaring and well-established problems in the forestry sector.

First, the licensing system is still failing to facilitate the commercial sector and afforestation policy. While there have been improvements, the backlog and waiting times are a significant deterrent both for commercial activity and for farmers and rural landowners pursuing tree-planting.

Second, Government policy is disincentivising farmers from engaging in afforestation. The schemes and payments in this area are not competitive with other farm subsidies and schemes. Hard-pressed family farms make decisions on the basis of the Department of Agriculture, Food and the Marine's policies. If it makes more economic sense to go into dairy and beef, then obviously people will. The Government then acts surprised when these schemes are not taken up and we cannot reach our targets. Between 2015 and 2020, the number of farmers participating in new afforestation fell by 90%.

Under the Food Harvest 2020 plan from the Department of Agriculture, Food and the Marine, the ambitious milk target was met in 2017 and the beef target was met almost immediately. In contrast, the highest the forestry target reached was 50% in one year and it has been decreasing every year since.

For years forestry and farming organisations have highlighted the need for more incentives to assist farmers in planting while the 2019 Mackinnon review mentions delays, uncertainties and perceptions of excessive bureaucracy as disincentives to farmers.

When I raised this matter with the Tánaiste in the past week, he said that farmers will have to be the biggest drivers of our afforestation effort. Government policy completely contradicts this. Farmers are being pushed out and deterred from afforestation.

At a time when the Irish forestry sector has been screaming for years for reforms and a proper licensing system, and farmers are calling for more concrete and easily accessible support, this deal is just beyond belief. Not only does it ignore all of these legitimate and long-standing issues but it directs public money to this partnership rather than to the existing sector and to farmers. It shows that the Government has no idea how bad things are and no concept of the frustration out there. The Government seems clueless to the reality on the ground.

Millions of euro from the Ireland Strategic Investment Fund is being used to subsidise this partnership between Coillte and the UK-based investment firm. This investment fund will also be able to profit from grant aid in order to grab large amounts of land. Public money is basically being given away to this private interest rather than to the Irish forestry sector and to family farms. The chairperson of Irish Forest Owners body has made that exact point saying:

... instead of this money going to farmers and staying in the local economy, the forest premia and single farm payments associated with the land acquired for planting will leave the country and go to corporate investors.

Likewise, the Irish Farmers Association has highlighted that and stated that, "Any income (forestry premiums, carbon value, profit) will not be spent in the local community or the local economy, as it would be if farm families or local people afforested these lands." The Social Economic Environmental Forestry Association and other stakeholders have pointed out that this proposal is, "Giving investment funds an unfair advantage at the expense of existing farmers, new entrants, and young farmers, essentially pushing farmers off the land. Farmers could be competing with Coillte for one in every three acres." Not only is this deal greatly benefiting the profit margins of a private investment fund; it is blatantly damaging rural areas.

The glaring question still remains as to in whose interests is this deal? It harms the existing forestry sector, farmers and rural communities and is practically universally opposed. Why then is the Government insisting on this hands-off approach? The Minister for Agriculture, Food and Marine, together with the Minister for Public Expenditure and Reform own Coillte

on behalf of the Irish people. Now they need to fulfil their obligations to people and to rural families to halt this deal. We need a very significant increase in afforestation. It is clear that this Government is not capable of providing it. Timber is being imported to meet construction and other needs when we have the capacity for Irish companies and farmers to produce the required materials. This also means that we are missing out on current and future bio-based industries which will require additional harvested wood.

Most significantly, afforestation is very important for Ireland's climate goals. This sector has the potential to make a very significant difference to our emissions budgets, especially in offsetting agricultural emissions. Planting native broadleaf species must be a core pillar of this process. The agriculture committee's report on the forestry sector from March 2021 recognised that native broadleaf species provide greater social, cultural as well as enhanced environmental benefits than non-native species and the committee called on the Department to deliver a specific strategy to increase the proportion of native broadleaf afforestation.

A proper afforestation programme has multiple interconnected benefits which improves national economic resilience, local prospects in rural areas, and has climate and biodiversity benefits. Against these overwhelming advantages, it is disgraceful that the Government has consistently failed to promote and facilitate afforestation on the scales required. This deal between Coillte and the UK-based investment firm is bad in and of itself but it is symptomatic of the Government's larger very clueless approach to forestry. By any measure, this Government's forestry policy has been a failure, making sweetheart deals with private investment funds just further compounds that issue.

Existing forestry companies employing thousands of people and farming organisations are crying out for support but who gets the millions of euro of investment first? It is a private investment fund which is only interested in profits. Instead, the Government could invest in rural communities. Stopping this deal is the Government's chance to show the Irish people and the sector that it is serious about its reform and taking a new approach. I ask that it does not pass that opportunity up.

Deputy Paul Murphy: I thank Sinn Féin for bringing forward this motion opposing the disgraceful deal entered into between Coillte and Gresham House. It seems that there is no crisis where the Government does not think that equity funds is the solution. With housing and climate; who does it call? It calls equity funds. Its neoliberal mantra is that private capital and profit making are the solution rather than the problem in both of these areas.

The Government has claimed that the reason for this deal is to help reach the afforestation targets required under the Climate Action Plan of 18% of forest cover. As the motion points out, Ireland has among the lowest levels of forest cover in all of Europe, with only 11%, compared to a European average of 40%. One has to barely scratch the surface to realise that this deal is not motivated by the environment but by cold, hard profit. Coillte's press release on the deal tells us that, "The fund is designed to generate profits from the business of forestry and timber production."

Likewise, a spokesman for Gresham House said, "Our aim is simple, to produce a consistent supply of certified timber for the Irish processing sector." From neither the Government nor Coillte, nor, unfortunately, from Sinn Féin in this motion, is there any mention of the impact on biodiversity. That is left to environmental activists, including Friends of the Irish Environment, the Woodland League, Croí na Cré, Save Leitrim, Save Cavan, and others. They have all

condemned this deal and have pointed out that not all forests are the same. Trees alone do not a forest make. A real forest is a complex biodiverse ecosystem not a lifeless monoculture of Sitka spruce. In supporting this deal, the Government literally cannot see the wood for the trees.

Likewise the Citizens' Assembly on Biodiversity Loss reacted to the deal by calling for a fundamental reassessment of forestry legislation to ensure that biodiversity and positive ecosystem services are core objectives for Coillte. One could be forgiven for assuming that the public body responsible for managing our forests would already have biodiversity as a core objective. Unfortunately, successive governments have ensured that is not the case. Coillte was saved from privatisation in the past by a strong environmental campaign involving People Before Profit, and many others. I remember speaking at a major rally alongside Deputy Boyd Barrett and others at that time. However, Fianna Fáil, Fine Gael, the Labour Party and now the Green Party have made sure their main goal, like that of too many publicly owned companies, is simply to ape the private sector in turning a profit regardless of the public good. In the case of Coillte, this has meant planting vast monocultures of Sitka spruce to go with the vast monocultures of grass that make up most of the rest of this green country.

Gresham House is on the record as saying it intends to continue to do that by planting up to 80% Sitka spruce, continuing a form of ecocide that has turned our forests into graveyards of biodiversity rather than guardians of it. All genuine environmentalists should vehemently oppose the deal, yet the Minister of State and the Green Party are shamefully endorsing and greenwashing it.

I call on everyone to support the protest against this deal outside the Dáil on Thursday. I am sure this will be the first of many until this is stopped. We need to bring together genuine environmentalists, communities, small farmers and public bodies like Coillte, which should be acting in a very different way, to democratically develop a radically different model of forest and woodland management. This new model must be an ecocentric one, with biodiversity and rewilding, not profit making, at its heart. We must aim to restore and protect nature in a way that supports communities and small farmers, rather than box ticking carbon offsets and lining the pockets of international investors.

Deputy Mick Barry: I want to voice my strong opposition to the deal between Coillte and the UK-based asset management fund Gresham House. This is a deal which is bad for the environment, PAYE taxpayers and rural Ireland. Coillte will purchase and plant the land and manage the forest. Taxpayers' money will go into that. The asset management fund will put in cash, and will own all of the land and draw down millions in grants from the Government.

I am not at all surprised that Fianna Fáil is standing back and backing the deal, and has said there is nothing it can do and it will go ahead. Fine Gael does not surprise me either. I wish I could say that I was surprised at the Green Party in respect of this, but this is just another sell out on the Green Party's watch.

Reference has been made to the plantation of new forest. Can the Minister of State describe these as forests? It is not a million miles away from describing a golf course as a nature reserve. In the main, these will be the same type of forests that the Department of Agriculture, Food and Marine said in 2020 were net carbon emitters because of the massive bias towards monoculture, trees being cut down far too young and harvesting practices. From a climate and environmental point of view, this is far from a good deal. It is a backwards step and I support the campaign and protest that is due to take place tomorrow.

I refer to Coillte's record on planting new forest. In 2021, 50 ha were planted. In 2022, 200 ha were planted. Let us compare that to what needs to be done. There is a target of 450,000 ha to be planted by 2050, with Coillte directly responsible for 100,000 ha of that. That would give the State 18% cover - in other words less than half of what is currently the EU average of 40%. The targets are too low and Coillte and the State are not coming within a million miles of the targets.

EU law is a barrier. The Government needs to challenge and, if necessary, break that law on these issues. If we are to reach our climate targets, the idea that we are boxed in and Coillte cannot direct State investment on this needs to be challenged. This deal needs to be abandoned. The mandate of Coillte needs to be changed and there needs to be a new and sustainable forestry model which moves away from Sitka spruce monoculture.

Deputy Peter Fitzpatrick: In November, an investment of €1.3 billion in Irish forestry was announced for the next forestry programme. This represented the largest ever investment by a Government in tree planting which, as well as providing a valuable addition to farm income, promised to tackle climate change by contributing to improved biodiversity and water quality. I welcome these contributions, especially given the decline in water quality in the Dundalk water supply, with Irish Water admitting an incredible increase in manganese.

However, despite the extension of the forestry programme 2014-20 by two years, a new forestry strategy is still not in place and the Department of Agriculture, Food and the Marine is not currently accepting or progressing new afforestation licence applications. Furthermore, while the investment comes at an appropriate time and reflects the seriousness with which we view the climate change and biodiversity challenges, concerns are now being raised as to why the Department was adamant to keep the non-farm rate of premium at such a high level.

In correspondence received from the Social, Economic and Environmental Forestry Association, SEEFA, and the IFA, concerns have been voiced about a new €200 million Irish forestry fund which has been launched by a UK listed asset management company, Gresham House, backed by Coillte. They have claimed that for years the Department of Agriculture, Food and the Marine has deprived farmers and private forestry companies of afforestation licences to plant trees, resulting in low levels of afforestation of only 2000 ha per annum. However, instead of addressing the ongoing forestry licensing scandal or supporting farmers with ash dieback, which are obvious ways to increase confidence in the sector, the path of choice was to facilitate a joint venture between Coillte and Gresham House.

Replacing farmers and private foresters with a UK investment company is a kick in the face and, quite frankly, morally wrong. We would advance foreign and national investment funds to transition 100,000 ha of Irish farmland out of local farm ownership for afforestation by funds. We are selling rural Ireland to investment funds, which will disadvantage existing local, new entrant and young farmers. When foreign investors come in and buy land for forestry, the land market is distorted and it makes it incredibly difficult for local farmers, particularly young farmers, to compete.

Although Irish and international investors will be able to access direct financial support via the new €1.3 billion forestry programme 2023 to 2027, the focus of our planning programme and Exchequer spending should be on farmers planting, which will have the greatest positive impact on our economy. The majority of the money generated from forest premiums and timber sales by farmers planting is spent locally, fuelling economic growth and supporting jobs and

businesses in towns across Ireland.

In contrast, the economic benefits when an investor plants or buys existing forest is significantly less as a majority of the money leaves the local economy. More important, the proposed joint venture has not resulted in increased Government targets for afforestation. This cements the fact that any new planting could and should be undertaken by public bodies, farmers and farmer co-operatives.

When questioned in October 2022 on the projected loss in financial output to private forestry companies who cannot engage in business due to the next forestry programme not being marketable, the Minister reiterated his commitment to support the sector. He acknowledges that the draft forest strategy and the forest strategy implementation plans were published on Tuesday, 18 October, and were then subject to a six-week consultation process. With one week left in January, we are still waiting.

I am not prepared to turn my back on rural Ireland. Coillte needs to immediately halt its proposed joint venture with Gresham House and seriously consider the social, economic and environmental consequences of a large purchase of land. More important, the new 2023-2027 forestry strategy needs to be published urgently and ensure the prioritisation of afforestation undertaken by local communities, farmers, landowners and public bodies.

Deputy Peadar Tóibín: The history of forestry in Ireland is wrapped up in many ways with the history of the Irish people. We were heavily deforested by the British as part of centuries of colonial asset stripping and now, as a result, we are one of the least forested countries in Europe. This has obviously damaged Ireland immeasurably and we are a poorer country as a result. It is quite ironic, therefore, that what we are seeing 100 years after independence is an Irish Government, unable to replace those forests, outsourcing the job to a British vulture fund. Many times in this House I have found it very hard to understand the complex solutions the Government comes up with for what should be simple projects and this is one such example. The Government's intention is to sell State-owned property and Ireland's carbon credits to a British vulture fund is one example of a Gordian knot. Why do Government solutions always have to include a vulture fund? Vulture funds are, in many ways, an invasive species in Ireland. They distort markets for both suppliers and customers and they put those markets out of kilter. They have grossly negatively affected the housing sector, have turned many communities against the building of wind farms and solar farms, and they repatriate billions of euro of profits from this country. The fact that this Government sought to introduce vulture funds into this area of Irish society and to try to sneak it in under the radar is incredible. It will do enormous damage to land ownership in this State. It will also do enormous damage to the farmers in our communities. That is before one makes the point that this is the people's land. It is our land that is being sold.

Minister of State at the Department of Agriculture, Food and the Marine (Deputy Senator Pippa Hackett): No, it is not.

Deputy Peadar Tóibín: Irish farmers are the primary stakeholders of Irish land. Rural Ireland does not have a future without the family farm and Irish farmers should have been the vehicle to deliver solutions in relation to Irish land. Farmers have the best record in terms of afforestation in this country. Given that the incomes of farmers have been reduced so significantly for so long in this country, it is shocking that the Government did not seek to roll out this particular project through farmers in order to ensure that the income generated accrued to them. Irish farmers must be the vehicle of afforestation here. It is also vital that carbon credits accrued

from planting should be for the benefit of farmers as well.

Another important issue is that when this land is purchased, the amount of land available to farmers is reduced. Obviously, the price of land could increase. Furthermore, if that land is taken out of food production it will have a negative effect on farmers' ability to function. Afforestation, especially with native trees, should have a significant positive effect on biodiversity and I welcome the fact that the Minister of State indicated in her speech that the Government will seek to ensure a 50:50 breakdown between native trees and trees for industry and timber production. That is positive but in terms of this particular vehicle, that is not going to be the mix *vis-à-vis* the types of trees planted.

Farmers should be the guardians of the biodiversity that exists within this country. We need farmers and the health of our land to be in a symbiotic relationship. Biodiversity can also have an economic benefit to society. In my own county of Meath, the Dunsany estate has done a significant job in increasing the biodiversity on the estate which has attracted a lot of interest from people. It is visited regularly by people who want to see what can be done to reverse biodiversity loss.

The fact that the Government uses the excuse that Coillte is a semi-State body is deeply frustrating. There is an instinct in this Government to outsource decision-making to other organisations. Coillte is a semi-State body but the Government sets the parameters by which it functions and can change those parameters at any stage. It reminds me of the situation with regard to the ESB. Before Christmas people were rightly giving out about the fact that the ESB was making super-normal profits at a time when people were suffering in a cost-of-living crisis but the Government shrugged and said that the ESB is a semi-State body and that it could do nothing about the situation. Blame is also often outsourced to the EU and I heard the Minister of State do that on this occasion. We must put the self-determination of this country first, especially in the context of vehicles that do good in our society, such as the planting of trees and the building of houses. For too long, this State has sought to be the best boy in the class when it comes to the EU and the disastrous effect this had on our sugar industry is just one example of many. Think of the ethanol that would have been available right now to replace carbon fuels if sugar was still grown here. The Government must remember that it is our representative in the EU and not the EU's representative here.

Deputy Mattie McGrath: I stood in Soloheadbeg last Sunday, the place where Tadhg Crowe and Seán Treacy, among others, fired the first shots in the War of Independence. The Government is going around the country commemorating our independence, as is the Sinn Féin Party, and reading the Proclamation. What a neck to come in here then and bring this forward. The Minister of State, Senator Hackett, is not even elected to this House. She has the privilege of sitting at Cabinet but she has been an utter disgrace in relation to afforestation. The licence figures she gave tonight are totally inaccurate and misleading.

Minister of State at the Department of Agriculture, Food and the Marine (Deputy Senator Pippa Hackett): No, they are not.

Deputy Mattie McGrath: The Government is blackguarding every individual farmer with regard to licences. Sin scéal eile. Sugar beet was mentioned previously. What about our fishing industry? Are we going to sell out everything that we have? It is nothing short of a sell out. It is a scandal and it cannot be accepted. The Irish people are growing sick and tired of this, particularly when they see our Taoiseach and former Taoiseach heading out to the World

Economic Forum, WEF, a secret body that is dictating policy here. The Minister for Public Expenditure and Reform, Deputy Donohoe, was here earlier today talking about his own issues but he has been batting for the banks, bankers and all of the big finance houses and the so-called funds all of the time.

Before the Minister of State does another thing on this issue she must address the fact that hundreds of farmers have public private partnerships with Coillte. They entered into contracts with Coillte 25 or 30 years ago and they are being blackguarded. They were wronged with regard to those contracts. They were misled and they are not being paid. Some are going to arbitration but the arbitration process is being frustrated. It is nothing short of a disgrace. One poor woman in Kilkenny called Alice went to her death cutting a tree, she was so distracted. I met many such farmers over the weekend and my goodness, they are so angry and cross because they have been double crossed by a Government that is supposed to represent them. The Government would sell out the very clothes we are wearing and every last vessel that we have. I cannot believe the Government will not accept this motion tonight, or that Sinn Féin will accept that. We will not accept it. We will be calling a vote on behalf of the people we represent.

Deputy Michael Collins: Ireland has experienced a major crisis in its forestry licensing system in recent years. The crisis has been caused by a number of factors but is mainly driven by a lack of support at Government level, including a lack of funding for the regulatory agency responsible for managing the country's forests. A shortage of skilled staff and a backlog of applications for forestry licences has led to long delays in the processing of applications. Many people have been left in limbo as they wait for their licences to be approved.

The recent revelation that the State forestry body, Coillte, has formed a partnership with a British investment fund, Gresham House, which will entail the transfer of the ownership of Irish land to that entity has rightly attracted quite a deal of criticism. We now understand that the first transfer of 12,000 ha has already occurred. I am totally opposed to the proposed sell off of 123,000 acres of Irish land to Gresham House, an investment fund based in the UK. The proposal to sell Irish agricultural land equivalent to the size of over 1,500 average farms or 50,000 football pitches could see the average price of an acre of land for forestry rise from €5,000 to €9,000. This will price many Irish farmers out of the market. Furthermore, this land will most likely be used to plant profitable monocultures of Sitka spruce instead of native Irish broadleaves which are vital for biodiversity and carbon sequestration. Once this land is gone, it is gone forever. It is wrong to sell off large tracts of land to international corporates and vulture funds which are only interested in making fast profits from destroying nature and our beautiful countryside. Ireland needs more native woodlands and sustainable forestry, not more mass plantations. Rural Ireland needs balanced afforestation that protects communities, farmers and biodiversity. Large-scale corporate-owned plantations will accelerate the destruction of liveable communities and nature.

9 o'clock

Deputy Michael Healy-Rae: I thank Deputy Carthy and Sinn Féin for tabling this important motion. I was up in my office listening to the debate. It was ironic to hear the Minister of State criticising the motion her Government is going to support. If Deputy Carthy is going to accept that and not call a vote, the Rural Independent Group will call a vote on the motion on behalf of the people of Ireland, who are totally outraged. This potential deal with Gresham House, a private British investment firm listed on the London Stock Exchange, to privatise Irish woodland managed by Coillte has been the cause of outrage and genuine concern among people across the country.

To be fair, it must be difficult for the Minister to sit alongside the Minister of State, knowing that she is the biggest failure as a Minister with responsibility for forestry since 1946. I told her that before. There has never been a Minister in charge of forestry who has failed so much, done so little and driven forestry into the ground. She should ask the people the length and breadth of the country who own or are involved in forestry -those who sought permits to make roads, thin forests or clear fell - what they got from her. The answer is nothing.

The Minister of State held a briefing session recently in the audiovisual room. I was very much looking forward to asking her a couple of questions that I had written down. What did she do when I had no more than sat down? She got up, walked out and did not take any more questions. She was the one who invited us there.

Minister of State at the Department of Agriculture, Food and the Marine (Deputy Senator Pippa Hackett): If the Deputy had been on time, there would have been plenty of time for questions. He turned up late.

Deputy Michael Healy-Rae: Wherever she went, she certainly did not answer the questions that day; just like she will not answer them here tonight. The Minister of State should not think she will shout me down. I have a couple of minutes to ask her a few questions. I remind her that in 1946 we had a person who was worse than her. It was that long ago. She is a failed Minister. God help the Green Party, God help her and God help forestry. It is a disgrace.

Deputy Richard O'Donoghue: Instead of trying to solve the problems encountered in forestry, the Government has run to the UK. We saw what the UK did to us. I refer to the investment in firms to solve the issues. Coillte, a semi-State company, owns 7% of Irish land. It has already transferred 12,000 ha to private ownership. To put it in context, that is equivalent to 50,000 hurling fields.

Where is the circular economy? The Government is giving grants to investors instead of supporting the farmers who will spend 100% of the funding in their local communities. Does the Minister understand what a circular economy is? It is when any investment made goes back into the community, but the Government has no interest in that. It has an appalling record of dealing with private individual. Coillte has several confidential agreements signed but how many of its deals are in front of the courts at the moment?

Now the Ministers want to go to ash dieback. They sold out the people who set land for ash dieback. They put nothing in place for them but a pittance. They threw those people to the wolves and left them alone. There is nothing in this for the people with ash dieback either, but the Government wants them to reinvest in forestry, does it not? Does it have any integrity at all when it comes to farmers?

Deputy Michael Healy-Rae: No.

Deputy Richard O'Donoghue: No, it tells them to reinvest in forestry. There is a beetle in Germany that is wiping out spruce trees but, like ash dieback, the Government will sit on its hands until that beetle arrives here to wipe out forestry. At that point, it will throw the farmers to the wolves once again. That is its circular economy.

Deputy Carol Nolan: I am completely opposed to this deal between Gresham House and Coillte. It is nothing other than a sell-out and a further erosion of our sovereignty. It is an absolute disgrace to see political parties in this House supporting such a deal. They are letting down

their own people, farmers included. I share the concerns of Macra na Feirme, which knows that young farmers are going to be locked out in terms of land access. Generational renewal is a real issue, but the Government does not care. It does not seem to worry about that.

The problems that continue to plague the forestry sector, particularly the private forestry sector, are so embedded within the system as to almost make a person despair of any kind of improvements being made. I wish to highlight not only the double standard but the hypocrisy that plagues the Government's response to this crisis within the forestry sector. As I pointed out last week, SEEFA, one of the main forestry representative bodies in the country, was left begging for a response to its request for immediate consultation on the Gresham House deal and the delays that are happening in the context of the new forestry plan. The Minister of State can come in here and waffle all she likes about how things are improving. They are not improving. She can waffle about how she recognises that licences need to be dealt with faster and more efficiently but where is she to be found when SEEFA, as one of the main stakeholders in this entire process, calls for consultation? This Government's commitment to the forestry sector is the political equivalent of ash dieback. It is rotten to the core and it is highly damaging.

Deputy Michael Collins: Hear, hear.

Deputy Carol Nolan: It is time to put this Government out of its misery before it puts the forestry sector out of business. It has destroyed the country and it has absolutely sold out our sovereignty yet again.

Deputy Danny Healy-Rae: The people of Ireland are paying a high price for this conglomeration of a Government. I blame Fianna Fáil and Fine Gael for taking the Green Party on board and doing this to the people of Ireland. It is all right for them to say they know nothing about it. We know the Minister of State knew about this as far back as March 2021. She knew about Coillte plans to use such a private vehicle to acquire lands. That is why the Government is not granting licences for anything and confidence in the forestry sector is lower than it ever was before.

The Minister presided over the fishing debacle that will wipe out coastal communities and now confidence in farming is going out the window because farmers are being told they must buy more land to have the same amount of stock. How can they buy it now that they are competing with London? The Government is handing profits, money and land over to London after people fighting for 800 years to own land here. What has the Government done? It has let them in again, helped them with state aid and EU grants and told them to come back over to Ireland. Farmers will not be able to increase their holdings.

I remember the poor Coillte workers coming to work at 8 o'clock in the morning. I was there with them and I saw that when they were five minutes late they had to stand back until 9 o'clock. They worked hard and put Coillte in the picture. They did a pile of work but the Government has ensured that confidence in forestry is at its lowest ebb.

As Deputy Michael Healy-Rae stated, you would have to go back 60 or 70 years to find Ministers worse than those we have now. This is shameful. The Ministers are saying they did not know about it. Just like the finance Ministers knew about the plan to make banks cashless in the summer, the agriculture and forestry Ministers knew about this deal. They cannot deny that. They were involved in it and they did not care about granting of licences to anyone in any part of forestry.

Deputy Catherine Connolly: I welcome the opportunity to speak on the motion. I thank Deputy Carthy and Sinn Féin for tabling it. I wish it was the Government that was giving us the opportunity to speak on this matter in a proactive manner. Words fail me when I try to describe how important climate change and forestry are. If this is such a wonderful deal, one would imagine the Government would have brought it before the House and pointed to its advantages. Instead, we are reliant on press releases. There was a joint press release from the IFA, the Western Forestry Co-Op and so on, which joined forces to say not to go ahead with this. We eventually got a questions and answers document from Coillte to tell us it is not selling off Coillte land. That suggestion was allowed to fester for a while and then we were told it is not selling off that land but the firm does intend to buy up to 12,000 ha as a start.

In case we are in any doubt about that, let us look to what Gresham House has told us. It stated it had established “an Irish fund for ... attracting a key Irish investor base to underpin growth and access to the Irish forestry market”. Company records show that a firm called the Gresham House Forestry General Partnership (Ireland) Limited was established in April of last year. It is interesting and significant that the company has also joined the Irish Association of Investment Managers, a lobbying vehicle, which, I understand, is headed up by a former Fine Gael Minister. That is a little bit of the background on this. Tonight, I desperately want to work with the Green Party because climate change is an existential threat. We absolutely must have climate change considerations apply to everything because everything is interlinked. Were the Minister and Minister of State aware of Coillte’s plans at the time the motion states they were? Could they confirm that? If they were aware, how were they made aware? It has already been mentioned that one cannot see the forest for the trees in the way they are progressing. It is ironic that after colonisation led to the deforestation of Ireland over 400 years ago, after which we had very few trees left, it took almost 200 years to increase the proportion from 1% to 11%, and we are now relying on our former colonisers to reforest our country, for profit and with the help of the Irish Government and public money. I am referring to afforestation for profit and the setting up of all the difficulties. I am out of time so I will stop.

Deputy Marian Harkin: I thank Sinn Féin for this motion. I thank my colleague Deputy Fitzmaurice especially for opening this can of worms at the agriculture committee meeting before Christmas. At that meeting, he questioned representatives from Coillte. I have read and reread the transcript of that meeting and noted it is completely at odds with much of what has been said by members of the Government here this evening and in recent days. The speed of the backtracking on what Coillte representatives said before Christmas is breathtaking, but it is most welcome because I was appalled by the Coillte proposals, which I described at the time as a land grab. Right now, this whole thing is about as clear as mud. Ms Hurley, CEO of Coillte, stated the following at the committee meeting:

When we launched our vision, we were very clear on the ambition of 100,000 ha. We were also very clear in our engagements that there is substantial capital required in order to achieve the 100,000 ha. It will be up to €2 billion in terms of cost between now and 2050. In our engagements, we have been clear that we will need to access capital to do this. That will require two forms of funds. The first fund has already been set up, namely, the Nature Trust ... The second fund is more focused on what we would call traditional, long-term investors-----

This implies Gresham House. Ms Hurley later stated:

We have said that we would enable the creation of 100,000 ha of new forests. The way

we will do that, as we have outlined, is through the traditional investor and the impact investor.

She referred to 10,000 ha and two funds but no farmers, yet we are now told it is just 12,000 ha that will be managed by the fund, with 8,500 ha of existing forestry and 3,500 ha of clean land. As an aside, can somebody please tell me why buying 8,500 ha of standing forestry will contribute to lowering our carbon dioxide emissions by one cubic metre? How is taxpayers' money, State aid, going to support this kind of investment? I cannot understand it. An article in this evening's *Irish Examiner* quotes the Minister, Deputy McConalogue, as saying: "Gresham House has absolutely nothing to do with the purchase or management of land. This will all be done by Coillte." Despite this, Mr. Mark Carlin, managing director of Coillte, stated the following to the committee members before Christmas: "The fund owns the land and, therefore, it draws the grant." What is happening here? Did Coillte go on a solo run behind the backs of our Ministers? All it spoke about was 100,000 ha and two investment funds. No wonder the Tánaiste called for a review, and no wonder every single farming organisation and rural Deputy was shocked that a Green Party Minister and Fianna Fáil Minister could oversee this debacle. No wonder we now read that Coillte is going to engage with farmers. It is late but I am glad to see it. Still, talk is cheap and deflection is sometimes the name of the game. Let us see what plans Coillte has to engage with farmers. Let us see the detail, specifics and funds in place when it addresses the agriculture committee tomorrow. Let us see whether it still talks about 100,000 ha and two investment funds.

Deputy Michael Fitzmaurice: I welcome the motion. I understand there will not be a vote on it. Does that mean the whole deal will be stopped and the motion will not stand at all? Are we here talking, as we do most Wednesday nights, while thinking along with the public that something is happening when it is not happening at all? There is something that stinks about this whole scenario from beginning to end, for the simple reason that we are getting different stories all the time. Mr. Carlin referred to clean land on the basis that he was so concerned about Ireland's climate targets. Now we see that 8,500 ha are being bought. We know land was bought in Tipperary and the name in which it is registered. Newspapers have quoted the Minister this evening as having stated Coillte is now buying the land. First of all, Coillte told us it was buying no land.

Deputy Marian Harkin: That is right.

Deputy Michael Fitzmaurice: Second, he said it is going to manage it. The Minister is right about the management part. Someone is telling us porkies somewhere. I believe we were misled at our committee meeting when all its members, including Deputy Carthy, were present. We were totally misled because the boat had sailed and we were playing catch-up. We were told – the Minister of State, Senator Hackett, can confirm this – that the Minister was made aware last year of what was occurring, but now we have minutes of meetings that state he was made aware the year before. His name is mentioned in all the minutes of the meetings in respect of what was going on between Coillte and his Department. If farmers had faith in his Department, we would solve all the problems concerning its targets in a matter of a few years, provided it had the money to do so. Farmers are sick to the teeth of putting in requests to plant. Applications are left there for two, three or four years and the farmer moves on. Time moves on and farmers move on; they do not wait for a Department that is incompetent to issue planting licences.

We need to know the truth regarding what is going on. Is the deal finished? The Minister

can say we are getting €25 million here in Ireland but it is a €200 million fund. I have done the figures. With regard to the hectares referred to, those concerned are on about €7,200 or €7,300 per acre. It is fairly simple to calculate. The figure of €25 million was basically put in as a cornerstone investment. The words used related to bringing in national and international investors. The Minister implied this evening that international does not relate to the UK or anyone else. The money is money from other investors; those interested in investing could be from anywhere around the world. The grants can be drawn down by the investors, for a pension fund or other investment down the road. We also need to know what the deal is and its intricacies. What is Coillte getting out of this? Who is getting the total figure when the timber is ultimately processed? What is the percentage they are on? We know about the Coillte partnership with farmers. We know what went on in that regard and what advertising alone cost; however, we do not know the details of what I am referring to. The Minister and Minister of State will be attending the committee meeting tomorrow, which I welcome, but their Department should be on notice that, by God, we will need answers on this whole matter. We are sick and tired of following our tails on this, and hearing different stories day in, day out. First, the figure was 12,000 ha, with Gresham House owning it, but now the Minister is saying the total opposite. We do not know where in the middle the whole truth lies but we need to find out for the simple reason that, in our opinion, Irish land is not up for sale. The farmers of Ireland deserve to be farming it. They will look after planting if there is a scheme to help them. I ask the Tánaiste to rethink what he said, namely that the State needs to start buying land. Is Deputy McConalogue, as Minister for Agriculture, Food and the Marine, saying to me that we should have fewer farmers and that the State will own more land? I will tell you one thing: this country has gone wrong.

Minister for Agriculture, Food and the Marine (Deputy Charlie McConalogue): I thank An Cathaoirleach Gníomhach, Deputy Pádraig O’Sullivan, and the Deputies for the debate here this evening. It is very clear across the floor of the Dáil the strong support there is for afforestation and for growing the area we have in the country under forestry. It is not often we have debates on forestry in the Dáil but it is welcome to see that strong level of support for afforestation and for growing forestry.

Deputy Mattie McGrath: Yes, we can see all the Minister’s backbenchers there behind him.

Deputy Charlie McConalogue: I will pick up on a couple of points at the start that came from the contributions. I just want to correct Deputy Sherlock on a point he made once or twice, just so it is clear what the situation is. The Deputy was referring to new licences and the level of new licences over the past two, three and four years. He said that the level of new licences is not matching the level of felling and that we were, therefore, not planting as much as we were felling. He said this once or twice. It is very important to get this correct. The level of new licences are entirely new licences, not for those granted before. It is additional to what was there before. If one has land in forestry, whenever it is felled, that felling licence is also a planting licence and one is actually legally obliged to replant it. Every hectare of ground in the country that is under forestry and is felled is automatically replanted. All of the new afforestation licences that we issue - and we need to issue more - are in addition to that. It is extra forestry. One holds what one has but one grows more. For example, back in 2006 we had 697,000 ha under forestry. Just last year that had grown to 808,000 ha under forestry. It has been growing.

Deputy Michael Fitzmaurice: What about 2012?

Deputy Charlie McConalogue: Now we are planning targets to grow that further by an-

other 400,000 ha by the year 2050. I just wanted to be clear about that. It is important that people understand that piece.

Deputy Michael Healy-Rae made the point that the Minister of State, Senator Pippa Hackett, was the most failed or the worst forestry Minister since 1946.

Deputy Michael Healy-Rae: That is correct. That is a fact. Ask the people who are involved in forestry.

Deputy Charlie McConalogue: No, listen, let us deal with the facts.

Deputy Michael Healy-Rae: They are the ones who are involved. If the Minister is not-----

Deputy Charlie McConalogue: Let us deal with the facts and let us be proportionate.

Deputy Richard O'Donoghue: What about 2012?

Deputy Charlie McConalogue: We will deal with that too, but let us deal with the facts-----

An Cathaoirleach Gníomhach (Deputy Pádraig O'Sullivan): Through the Chair please. The Minister has the floor.

Deputy Charlie McConalogue: Let us deal with the facts and let us be proportionate. When both of us came into office, I was a month or two after the Minister of State, Senator Hackett, we both came to the Department of Agriculture, Food and the Marine. There was a crisis in forestry. It was on the floor. We had a massive backlog, which had evolved from a change in a court case back in 2017 that meant every licence application took a hell of a lot more time and effort, including staff time, to-----

Deputy Michael Fitzmaurice: We are well aware of that in 2012.

Deputy Charlie McConalogue: There was a backlog of some 6,000 licences at that stage. This was 6,000 licences waiting for more than 120 days. That is what we faced when we came in three years ago. I remember back to Christmas 2020 when sawmills across the State were running out of wood. They could not get it. I remember the crisis meetings we were having-----

Deputy Michael Healy-Rae: We told the Minister about this-----

(Interruptions).

Deputy Charlie McConalogue: We will always hear from you after the fact. I am dealing with the reference to the Minister of State being the worst Minister since 1946.

Deputy Carol Nolan: Lemass would be turning in his grave. You are a disgrace.

An Cathaoirleach Gníomhach (Deputy Pádraig O'Sullivan): Can we have the Minister please without any interruption.

Deputy Michael Fitzmaurice: Can we deal with the motion? We do not need to know the history of forestry.

Deputy Charlie McConalogue: Let us deal with facts. There was a massive backlog. Over the last two years, by addressing the backlog that was there waiting for us when we came in, we took it from a situation where back in August 2021 it had built up to 6,000 licences wait-

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ing more than 120 days to be decided. We now have that down to 1,983 waiting more than 120 days. It is coming down every week.

Deputy Michael Fitzmaurice: What percentage are we planting every year?

Deputy Charlie McConalogue: Let us also look at-----

Deputy Michael Fitzmaurice: What percentage-----

An Cathaoirleach Gníomhach (Deputy Pádraig O'Sullivan): Let the Minister finish. This is not a question-and-answer session. Some of the Deputies had six minutes, to be fair.

Deputy Michael Fitzmaurice: We are not going to be talking about football with the Minister. It is not a soccer match either.

An Cathaoirleach Gníomhach (Deputy Pádraig O'Sullivan): Please. The Minister has the floor.

Deputy Mattie McGrath: It is not a history lesson either.

Deputy Charlie McConalogue: Before Christmas we published the biggest forestry policy premiums ever in the history of the State.

Deputy Michael Fitzmaurice: There is nowhere to apply for it.

Deputy Charlie McConalogue: Listen. The Deputies do not want to hear the facts.

Deputy Michael Fitzmaurice: Where to apply-----

Deputy Charlie McConalogue: There are 60% increases in premiums. The Minister of State, Senator Hackett, has done this. In the outgoing programmes there are premiums for only 15 years if one is a farmer or a non-farmer. We have increased it for farmers from 15 years to 20 years.

Deputy Michael Fitzmaurice: Subject to-----

Deputy Charlie McConalogue: Farmers now will get a one third extra premium than a non-farmer and can claim their basic payment scheme entitlements under that land too, which a non-farmer cannot do. This is what we have run out. The annual premium per hectare for native trees is €1,137 under the Minister of State, Senator Hackett, and the Government's programme.

Deputy Michael Fitzmaurice: That is for broadleaf.

Deputy Charlie McConalogue: This is €1,137 for 20 years.

Deputy Michael Fitzmaurice: That is for broadleaf.

Deputy Charlie McConalogue: It is unprecedented.

(Interruptions).

Deputy Mattie McGrath: It is for broadleaf.

Deputy Charlie McConalogue: Our message to the farmers across the country is that we

want farmers to consider----

Deputy Richard O'Donoghue: To look after your mistakes.

Deputy Charlie McConalogue: -----whether they can incorporate some forestry into their land and whether they can make income from that. Deputy Healy-Rae is shrewd and has a good eye for enterprise whenever he sees it. I hold out that whenever that forestry programme was announced the Deputy would have been looking at it in good detail to see if there was an opportunity in there with regard to where-----

Deputy Michael Healy-Rae: I planted forestry 25 years ago. I did not need the Government to tell me.

Deputy Richard O'Donoghue: Thank God the Deputy did not plant ash.

Deputy Charlie McConalogue: Fair play that it was 25 years ago. If it made sense 25 years ago then I am sure that Deputy Healy-Rae knows better than anyone that it makes even more sense now and that it pays even better now. For every farmer that income will be tax free.

Deputy Michael Fitzmaurice: What of the Gresham House deal?

Deputy Charlie McConalogue: Our whole message to farmers is-----

(Interruptions).

Deputy Charlie McConalogue: Our whole message to farmers is that we are backing them and we are providing options. We are providing really good income. If a farmer has an acre or two, or a hectare or two, on the farm, what a farmer could bring in through forestry makes a hell of a lot of sense.

(Interruptions).

An Cathaoirleach Gníomhach (Deputy Pádraig O'Sullivan): Could we please go through the Chair.

Deputy Charlie McConalogue: It is all about backing farmers. That forestry programme is the best that has been introduced in the State. It will really see a significant change. We have now moved out of the crisis situation and are now getting into an equilibrium. We are driving down that backlog. It is about driving that along and backing farmers to do it, while putting farmers at the centre.

Coillte also has a strong role to play. That agency used to do a lot of afforestation, but has not been doing it since 2004. Coillte's ten-year strategic plan outlines how it wants to contribute to that again by doing 100,000 ha of the 400,000 ha we plan to do nationally by 2050. Coillte was looking at options, which is within its semi-State commercial remit. It was looking at options for how it would get into doing that. It has explored an investment option as part of that. It has signed up to a five-year contract, which it is now contractually obliged to do. We have engaged with it on this because we want to look at how we can get Coillte to work. It is not our preferred option as to how this would happen, but it has signed up to a five-year contract, which is well within its remit. Operating as a commercial semi-State agency it is absolutely getting on with its job. We have sat down to see how we can enable Coillte to help it work with farmers and also how it can work more closely with the State around actually helping the agency get back

into the afforestation space again, as it has been in the past. This is something we will explore with it further. Coillte has signed up to the five-year contract which, in its totality of 4,000 ha of new afforestation, would amount to 1% of our overall national target for new afforestation between now and 2050. It is a small part of our overall target, but we will need to enable Coillte to do it further. We are looking at how we can work with it so it can partner with farmers. We are also looking at how we can work with it on how the State can work more closely with it as well.

There has been the Sinn Féin motion this evening and we will have a really good engagement and discussion at the committee tomorrow, where there will be a lot more opportunity for over and back and discussion. That will be very good. Looking at the Sinn Féin motion it asks for three things. First of all it asks that the Gresham House deal would be done away with. That is contractually already signed up to and it is a five-year contract that Coillte has signed up to. We are looking at how we can enable Coillte to move forward from that to work closely with the State and more closely with farmers. That is the first part. The second part is that we publish our new forest strategy as soon as possible, and an ambitious one. This is what we will be doing. We are working on finalising that at the moment and it will be a really good forestry strategy to go with the unprecedented high premium rate that we already announced just before Christmas.

Deputy Michael Healy-Rae: Scrap the deal. No-one wants it.

Deputy Charlie McConalogue: The third part of the motion is that we need to have good, strong licensing ambition in this current year of 2023 to back up the industry and-----

Deputy Michael Healy-Rae: It is a sell-out.

Deputy Charlie McConalogue: -----that is what we are doing. Last year we licensed twice as much felling as was harvested the year before. We are doing everything we can to back farmers to do forestry. We are backing the country to help meet its climate emissions plans through forestry-----

Deputy Michael Healy-Rae: It is a sell-out.

Deputy Mattie McGrath: The Government is like Seán Treacy and Dan Breen and the rest of them.

Deputy Charlie McConalogue: -----putting farmers very much at the centre of it and giving farmers the 20-year premiums versus the 15 years, which was there for others, giving them a one third advantage for premiums over anybody else, which had not been there before. I welcome the strong sentiment from many Deputies across the floor tonight in respect of trying to improve our afforestation in the years ahead. I look forward to working with them and hearing any ideas they have as to how we can try to do that further, not that I will hold my breath.

An Ceann Comhairle: We are running badly over time.

Deputy Rose Conway-Walsh: I am sharing time with Deputies Tully and Carthy. The farmers will make the assessment as to whether the Minister is listening to them or what he is doing for them. I thank my colleague, Deputy Carthy, for bringing this motion to the floor of the House. The Minister is not listening. People in rural Ireland, including Mayo, are completely perplexed and alarmed by what he is trying to do in facilitating this disastrous anti-rural initiative. I am alarmed when he says there is nothing we can do about this, that the deal is already

done with Gresham House. It is a major mistake on the part of the Minister, the Minister of State and the Government. It reminds me of when the then Fine Gael Minister for Finance told us we needed the vulture funds to be here because we could not build our own houses. Now the Minister is telling us we need the investment funds here because we cannot grow our own trees. We have thousands of farmers all over the country who are willing and able to do that.

We fought long and hard enough and made too many sacrifices to be in control of our own lands. The Minister is telling us that up to 123,000 acres of that land is going to be given over to investment funds and that somehow they are coming in here to help us out with our climate challenges and climate change initiatives. They are here to make money. At least be honest with the farmers and communities around the country. These funds are driven by profit maximisation and greed. At least be straight with people.

The afforestation target of 8,000 ha per year is very modest. We reached those levels in 2010 and since then the system has been grinding to a halt. In the last two years, we have barely broken 2,000 ha per annum. We need Coillte to have the ability to contribute to and deliver on our environmental targets. The British investment company, Gresham House, has seen an opportunity not only to invest in the land and forestry sector but also to access the public funding for the grant aid intended to compensate farmers for the low income that comes from non-productive land until newly planted trees are mature. They see an opportunity to buy up large swathes of land and to benefit from public money of up to €1,100 per hectare over 20 years. Farmers and local communities are being abandoned and they rightly feel let down by this Government.

Deputy Pauline Tully: I welcome the motion and commend my party and constituency colleague, Deputy Carthy, on his work on this issue and on bringing this motion to the Dáil. The motion aims to put a halt to Coillte's proposed joint venture with Gresham House. I am dismayed by the Minister's answer that the deal has been done. This deal will see millions of euro in public funds used to subsidise the purchase of huge swathes of Irish land by a British investment company. The deal was not transparent and it has rightly been criticised by a broad cross-section of interested parties. Despite what the Minister is saying, it must and should still be stopped. The Government owns Coillte. It must instruct it to stop the deal with Gresham House. Ireland needs to plant significant levels of forestry to meet our climate obligations. It cannot be done without engagement and buy-in from local communities and farmers. Forestry policy should deliver for communities, local economies and the environment. However, Governments and particularly this Government have overseen the disengagement of those stakeholders from forestry, and this proposal will make a bad situation worse.

Over the last decade, the purchase of land by large corporates and the blanket planting and subsequent clear-felling of Sitka spruce and the lack of genuine consultation have meant that many communities, particularly in west Cavan and County Leitrim, have become hostile to forestry. In November, it emerged that Coillte was planning to enter into a joint venture with British investment fund, Gresham House. The Green Party Minister of State with responsibility for forestry knew as far back as March 2021 of Coillte's proposed approach. The primary purpose of this investment is that it would allow Coillte access to state aid via forestry premiums once again, which it had previously lost due to a state aid ruling by the European Court of Justice. It is the wrong approach and will discourage farmers and local communities from engaging in forestry programmes. The climate action plan suggests we need to plant 8,000 ha of new forestry each year. Some suggest the figure should be even higher. It simply will not happen if farmers are not central to the forestry programmes. The Coillte deal with Gresham House will drive

them even further away. Instead, the Government should focus on addressing the problems that have caused farmers to flee the sector. It should immediately publish the new forestry strategy, clear the remaining forestry licensing backlog, continue to process new licence applications within a reasonable timeframe on a consistent basis for both Coillte and non-Coillte applicants, and implement the Mackinnon and subsequent reports.

Deputy Matt Carthy: The Minister and Minister of State tonight tell us a narrative that a deal engaged in by Coillte with a British investment fund is essentially something they can do nothing about. They say they cannot instruct Coillte to stop the deal even though they do not like it or, to use their term, it is not their preferred option. That is not true. The suggestion that the Government as the owner of Coillte cannot tell that company to disengage from a multimillion euro contract would be laughable if it were not so serious. Then to go further to suggest that while they cannot instruct Coillte in respect of the Gresham House deal, they have told it to examine other options for the future is cynicism of the highest order. If the Government cannot stop the Gresham House deal, how on earth does it expect us to believe that Coillte will adhere to its directions on anything else in the future?

Both Ministers know the truth. Not only was the Government aware of Coillte's plans but those plans were devised in collusion with the Government. I will put on the record of the Dáil the small text in a reply to a parliamentary question that I received from the Minister today but that he did not repeat tonight. It states, and it is the first time I was aware of this, that a shareholder letter of expectation issued to Coillte on 2 June 2022 which included a direction to Coillte to develop initiatives to support and realise the planting of such forests to a meaningful scale in the years ahead, whether as part of its core business or as a participant in a subsidiary or partnership enterprise. It is clear that the Minister was aware of what Coillte was planning to do and that letter of expectation was the go-ahead and mandate that Coillte needed to approach Gresham House and make the deal.

Deputy Michael Fitzmaurice: Hear, hear.

Deputy Matt Carthy: This is not something the Minister was unaware of. He was absolutely aware of it throughout the process but he kept this House, the agriculture committee, the sector and the farmers of Ireland completely in the dark. Then he comes before us and tells us there is nothing he can do and the deal is already made. It is absolute cynicism. It is the reason we have a crisis in forestry. It is the reason we are failing to reach our targets. What we have now is a deal that will see a venture owned by a British investment fund purchase thousands of hectares of Irish land. Most of that land, as the Minister of State said in defence of it, is already forested. Only 3,500 out of 12,000 ha is new afforestation. Where does that fit in to any climate action plan? This will see prices inflated beyond the reach of most family farmers. This deal will see Irish taxpayers' money, tens of millions of euro, being used to subsidise the purchase of land by a British investment company. The Ministers have cited this notion, this laughable figure that it is only 1% of the overall target. Having faced the challenges we are facing on the first 1%, what hope do we have that this Government has any prospect of reaching the further 99% that is required for us to reach our climate action targets?

Anybody looking at these investment funds and thinking this is stopping at 12,000 ha needs to have their head examined. At the moment across Britain, Gresham House owns 140,000 ha of afforestation land worth €1.8 billion. To suggest it would even contemplate coming into the Irish market for what is in the grand scheme of its operations a pittance is again laughable and does not stack up. The Ministers still not have answered the question. There has been lots

of rhetoric around state aid. The Department, as the Minister acknowledged last Thursday at a briefing, has for most of the past year been in discussions with the European Commission around state aid rules. Has the Minister even once put to the Commission the question as to what he needs to do to ensure that Coillte can draw down state aid and not have to rely on a British investment firm? My belief is that the question was not even put. Has the Minister looked at the afforestation programme to see whether he can prevent millions of euro being siphoned out of the country and devise a forestry programme that goes to farmers, landowners, local communities and public bodies but not to British-held investment companies? That would be a solution. We know how to reach the afforestation rates we need because we did it previously. In 2010, long after 2004 when Coillte was impacted by state aid rules, we matched the 8,000 ha of land being afforested. The people who did this were the farmers of Ireland. We were on the right trajectory, but due to incompetence primarily, bureaucracy-----

Minister of State at the Department of Agriculture, Food and the Marine (Deputy Senator Pippa Hackett): That is not true.

Deputy Matt Carthy: -----and a lack of vision on the part of the Department, we have seen the situation grow worse every year since to the point where we now have the lowest rate of afforestation since the Second World War.

Minister of State at the Department of Agriculture, Food and the Marine (Deputy Senator Pippa Hackett): The Deputy knows full well why that is the case.

Deputy Matt Carthy: I know why. It is because we have incompetent Ministers, an incompetent forestry section and an incompetent-----

Minister of State at the Department of Agriculture, Food and the Marine (Deputy Senator Pippa Hackett): The Deputy is being disingenuous.

Deputy Matt Carthy: Now we have the cynicism-----

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

Deputy Matt Carthy: -----of the Minister of State speaking against a motion she intends to vote in favour of. That is cynicism of the highest order.

Deputy Pearse Doherty: Hear, hear.

Minister of State at the Department of Agriculture, Food and the Marine (Deputy Senator Pippa Hackett): That is disingenuous.

Deputy Matt Carthy: That is the reason communities, farmers and landowners across the country have disengaged from the forestry programme.

An Ceann Comhairle: That concludes our rather heated debate. Is the motion agreed?

Deputy Michael Healy-Rae: Not agreed.

An Ceann Comhairle: Is Sinn Féin in favour of its own motion?

Deputy Mattie McGrath: The Government is voting against it.

Deputy Pearse Doherty: We are waiting for the Government to announce its position.

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Deputy Matt Carthy: I thought the Minister was going to be enthusiastically in favour of the motion.

An Ceann Comhairle: The Rural Independent Group is against the motion.

Deputy Mattie McGrath: Vótáil.

Question put.

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

Deputy Mattie McGrath: It is hypocrisy of the highest order.

An Ceann Comhairle: I thank Members for that interesting engagement.

Ceisteanna ar Sonraíodh Uain Dóibh - Priority Questions

Tax Reliefs

62. **Deputy Pearse Doherty** asked the Minister for Finance if he will consider the introduction of timely, targeted and temporary mortgage interest relief in the context of rising interest costs for mortgage borrowers; and if he will make a statement on the matter. [3328/23]

Deputy Pearse Doherty: I welcome the Minister for Finance and the Minister of State to their first oral questions and wish them good luck in their new roles.

This question is about the reaction required to the European Central Bank, ECB's interest rate hikes. Interest rates have increased by 2.5%, with a further increase of approximately 1% unfortunately expected by the end of the year. These increases are taking time to work through the Irish system, but it is widely expected that they will do so in the coming months. Cohorts of borrowers have already been impacted by them and, therefore, I am asking the Minister to consider options for introducing a timely, targeted and temporary mortgage relief to support hard-pressed borrowers.

Minister for Finance (Deputy Michael McGrath): I thank the Deputy for his good wishes and I look forward to working with him over the period ahead.

As the Deputy will be aware, the position is that the formulation and implementation of monetary policy in the eurozone and the setting of official interest rates is an independent matter for the ECB. The Government has no role in setting official interest rates, nor in setting the retail interest rates that lenders may charge on their loans, including mortgages. That is a business and commercial matter for individual lenders.

Regarding mortgage interest relief, and as the Deputy will be aware, the relief for principal private residences was phased out on a gradual basis over the period 2009 to 2020. The decision to abolish it was taken in the wake of the financial crisis, with the cost of the relief being one of the influencing factors. It cost more than €700 million in 2008. It should be noted that,

prior to its curtailment and eventual abolition, the top two income deciles in 2005 accounted for close to half of the tax forgone through tax relief. This issue was highlighted in the findings of the 2009 Commission on Taxation report. The relief cost approximately €280 million in 2005.

While I am aware that there have been increases in certain mortgage rates by some lenders, it is important to point out that mortgage interest rates, in particular fixed interest rates, have fallen over the past number of years. For example, in December 2014, the average level of fixed interest rates for new lending was 4.11% compared with 2.48% in November 2022. The Irish average interest rate on new mortgages is now below the eurozone average. In November, Ireland had the third lowest mortgage rates in the eurozone. The differential between the Irish and average eurozone interest rates for new mortgages declined from 1.40% at the end 2021 to -0.27% in November.

I do not intend at this point to introduce mortgage interest relief, but we can have a back and forth on the substance of the issue.

Additional information not given on the floor of the House

The data also indicate that a significant portion of new mortgages - more than 93% in November - are now fixed rate mortgages and this will protect borrowers in the event of a rise in official and market interest rates at least for the period that the interest rate is fixed.

The introduction or reintroduction of mortgage interest relief for principal private residences may not be the best course of action to assist homeowners with rising interest rates. For example, there is additional scope for many borrowers, in particular variable rate mortgage borrowers who have built up equity in their homes, to look at alternative mortgage options and to reduce their mortgage costs. In addition, the reintroduction of the relief is likely to be costly. For example, if it was reintroduced and granted at the standard rate of income tax, my Department estimates that it could cost in the region of €560 million per annum. This tentative costing is based on the latest Central Bank data on primary dwelling mortgage accounts and the average interest rate. As the Deputy will appreciate, even the reintroduction of a more tailored or selective form of mortgage interest relief is likely to involve significant costs.

Finally, as he will be aware, the summer economic statement set out the fiscal parameters for budget 2023. A tax package of in excess of €1.1 billion was announced in budget 2023, which included a substantial income tax component. The budget also included a substantial cost of living package and a large range of one-off measures to assist households with cost-of-living pressures. I have no plans, therefore, to reintroduce mortgage interest relief at this time. It should also be noted that the recent report of the Commission on Taxation and Welfare put forward no case or recommendation for the reintroduction of relief for mortgage interest.

Deputy Pearse Doherty: It is disappointing that the Minister is ruling it out at this point because the full impact of interest rate hikes is yet to be felt, with retail banks still to pass them on fully through fixed and variable rates. Bank of Ireland has made announcements about its fixed rates.

It is widely expected that this position will change in the coming months. The picture is mixed. Nearly 250,000 borrowers are on tracker mortgages and are directly exposed to the ECB rate hikes. The average tracker rate stands at 4.63% compared with 1.15% last June and many tracker rate borrowers will see their mortgage repayments increase by thousands of euro this year. Some 44% of outstanding mortgages are on variable rates and are likely to see an

immediate increase in mortgage interest costs when rates rise. For fixed rate mortgages, the fixation periods are relatively short, with borrowers refinancing at higher rates after a shorter period.

We have worked with the Parliamentary Budget Office.

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

Deputy Pearse Doherty: I will finish on this point. There is a tailored-----

An Ceann Comhairle: No. Time is up, I am afraid.

Deputy Pearse Doherty: I was just finishing my sentence.

An Ceann Comhairle: No.

Deputy Pearse Doherty: It was just one sentence.

An Ceann Comhairle: No. The Deputy's time is up. I call the Minister.

Deputy Pearse Doherty: Jesus Christ. It was just one more sentence.

An Ceann Comhairle: I am sorry, but you do not have to use unparliamentary language. The time-----

Deputy Pearse Doherty: It was-----

An Ceann Comhairle: If you do not like the time that is allowed,-----

Deputy Pearse Doherty: It is fine.

An Ceann Comhairle: -----change the time.

Deputy Pearse Doherty: I was in the middle of a sentence.

Deputy Michael McGrath: The Deputy is correct to highlight the impact of changes in monetary policy on mortgage holders. They also have an impact on businesses and the sovereign. We have to consider all of these issues in the round. For example, we have to consider in the coming weeks a number of various taxation measures that are due to expire. I have no doubt that the Deputy will have certain views on those as well. He will raise at least one specific issue in that respect in one of his upcoming questions.

It must be acknowledged that, in Ireland, the trend for a long time has been for the level of mortgage arrears to fall consistently. This is welcome progress and is a reflection of the strength of the economy. It is also a reflection of the fact that interest rates have fallen. Rising interest rates have an immediate impact on tracker customers and many variable rate borrowers, but it should also be acknowledged-----

An Ceann Comhairle: I thank the Minister, but the time is up.

Deputy Michael McGrath: -----that more than 90% of the new mortgages being issued are fixed rate in nature, so many of those who took up mortgages recently are protected.

An Ceann Comhairle: Deputy Doherty, please.

Deputy Pearse Doherty: I was just waiting for the Minister to finish, a Cheann Comhairle.

The Minister needs to acknowledge something about that last point. People on tracker mortgages were on a low rate for quite a sustained period, but they are now seeing their interest repayments increasing by thousands of euro. In some cases, they are increasing by €3,000 per annum. It is a significant increase. It would not matter if it were an electricity, gas or food bill; it is a bill that many families cannot meet. Approximately 100,000 who have had their mortgages sold on to vulture funds despite the Government's commitment that nothing would change are now paying interest rates of 7%.

What I was trying to say earlier was that we would like to submit a proposal on a tailored and time-based mortgage interest relief. It could use a reference rate of last June and a portion of the increase would be absorbed by the State. Mortgage interest hikes are a cost-of-living expense on individuals and, therefore, I encourage the Minister to consider our proposal.

Deputy Michael McGrath: I have not seen Sinn Féin's proposal. I am sure it will be published, if it has not been already. If the Deputy wants to send it to me, I will take a look at it.

Targeting through mortgage interest relief is difficult. In my initial remarks, I referenced the way in which the distribution of the benefit of mortgage interest relief in the past was heavily skewed in favour of the highest income deciles. It was just the nature of how that relief worked. Of course, one could build in caps, limitations and so on, but the wider issue is that we have to deal with the cost-of-living crisis in the round. This means introducing a range of exceptional measures on the expenditure and taxation sides, as we did in the budget. The Government has imminent decisions to make in that regard.

All of these issues involve very large sums of public money, which we have to guard very carefully. We must consider all of the relevant facts and make decisions with the full information at our disposal.

Tax Collection

63. **Deputy Ged Nash** asked the Minister for Finance if he will consider extending the 9% reduced VAT rate on electricity and gas bills to 31 December 2023; if he will provide costings for extension of the measure; and if he will make a statement on the matter. [3084/23]

Deputy Ged Nash: I congratulate the Minister on his appointment and look forward to engaging with him in his position as Minister for Finance. I also extend my congratulations to the Minister of State, Deputy Carroll MacNeill, on her appointment and look forward to working with her.

I want to establish with the Minister the cost to the Exchequer of extending the reduced 9% VAT rate on electricity and gas bills, and indeed to establish if this is something the Minister is considering in continuing to support those who are finding it very difficult to make ends meet at the moment. We know that many of the once-off measures announced last September are coming to an end. The extension of the 9% VAT rate on electricity and gas bills will assist families over the next period of time.

Deputy Michael McGrath: I thank Deputy Nash for his good wishes. I look forward to working with him in a constructive spirit insofar as we possibly can. I am sure all of us across

the floor will have certain clashes and disputes, but hopefully we can conduct our business in good spirits.

As the Deputy will be aware, the temporary reduction in the rate of VAT from 13.5% to 9% for gas and electricity was first introduced on 1 May 2022. In recognition of the ongoing difficulties experienced by households and businesses with the increasing cost of energy, it was extended on budget day for an additional four months, from 1 November to 28 February 2023. The estimated cost of the initial reduction was €46 million and the estimated cost of the extension was €45 million. As I have said on a number of occasions, in the coming weeks the Government will examine the full suite of taxation and other measures that are due to expire at the end of February. This will include consideration of the VAT rate on gas and electricity. While it is not possible to provide exact costings for an extension to the end of 2023, I am advised that the estimate for this measure is approximately €150 million.

Deputy Ged Nash: I believe that because of the arguably short-term thinking of the Government, once the €4 billion in once-off measures melted away in January, families started to feel the pinch. We know that the families who are most exposed to energy poverty are those on low incomes, lone parents, older people living alone and people who are living in rural areas. The final electricity credit will be paid out in March. We need to think quickly and in a very holistic fashion about how those families are going to be supported beyond February and March because we know that inflation will remain high for the foreseeable future. That will have an extreme impact on those who are less well off and in the bottom income deciles. For the sake of €150 million in the context of a budget surplus, I think the extension of the reduced VAT rate on electricity and gas bills would go some way towards assisting low-income families.

Deputy Michael McGrath: At the outset, as Minister I acknowledge the reality that many individuals and families are genuinely struggling at this point in time. Of course, I accept and recognise that point. I meet people in the course of my constituency work all the time and I know the lived reality of many. That is why we brought forward a budget with an overall package of new measures of €11 billion, of which €4 billion were once-off in nature and around €7 billion were permanent measures. I have to make the point that many of those measures, particularly on the permanent side, have only just kicked in recently, including the reduction in income tax of over €1 billion, the permanent increases in social welfare and the reduction in childcare costs, which has been warmly welcomed. Today we dealt with a memo on the elimination of hospital inpatient charges. There will be a further reduction in education costs later this year. Other measures will be implemented across the year in respect of the announcements we have made. I have to be consistent and say that there are a number of measures to be decided. They will be decided in the coming weeks. I will come back to the Deputy in a moment.

Deputy Ged Nash: We have a cost-of-living crisis and inflation is high. One of the perverse things is that when inflation is high and goods and services are more expensive, the Exchequer is laughing all the way to the bank with increased VAT returns. It is important to reflect on that and to pass back as much as possible of that increase, or bonanza, to those who need it most by way of an extension of measures like those that were originally introduced in April, such as the VAT reduction on energy bills, and further extended in the budget.

I would like to ask the Minister a related question. Where stands the windfall tax on energy companies? What is the position on that at the moment and what is the expectation in terms of the introduction of what we might describe as a windfall tax which we are now permitted to introduce? It is something we should have done quite some time ago. What is the expected

gain for the Exchequer?

Deputy Michael McGrath: First of all, I remind people that the next round of the electricity credit is being applied this month. A further round of that €200 credit will be applied to domestic accounts in March. Again, that is part of the measures that we announced in late September which are still working their way through. Because of the way in which we scheduled and staggered them, the benefits of those measures are being spread. I accept that in the month of January, many people are facing big energy bills, and that the consumption and use of energy has been higher over the last couple of months. Of course, that has coincided with the increase in the per unit cost. We acknowledge that point. Like others in the Government, I have made the point that not all of the measures will, in their entirety, end at the end of February. There will not be a cliff edge in that respect. However, we have decisions to make on a number of the measures that are currently due to expire in law. Those decisions will be made shortly. I will come back to the Deputy on the other matter he raised.

Tax Collection

64. **Deputy Pearse Doherty** asked the Minister for Finance his views on extending the reduced 9% rate of VAT for the hospitality and tourism sector; its estimated cost, including and excluding hotel accommodation; and if he will make a statement on the matter. [3329/23]

Deputy Pearse Doherty: The reduced VAT rate for the hospitality and tourism sectors is due to end at the end of February. As we know, these sectors face a number of headwinds this year, including the economic downturn, reduced disposable income and higher travel costs; together with a number of tailwinds, including pent-up demand to travel as a result of the Covid restrictions being eased, risk subsiding and the reopening of the market. Taking these factors together, can the Minister outline his views on extending the reduced VAT for the hospitality and tourism sectors beyond February of this year?

Deputy Michael McGrath: As the Deputy is aware, at present the 9% rate applies on a temporary basis to the hospitality and tourism sectors until the end of February. The 9% rate was introduced in recognition of the fact that the tourism and hospitality sectors were among those most impacted by the public health restrictions put in place throughout the pandemic. Through no fault of their own, bars, hotels and restaurants among others had to close on multiple occasions in response to the public health crisis. The measure initially ran from 1 November 2020 to 31 December 2021 at a cost of €401 million. It was then extended to 31 August 2022 at a cost of an additional €251 million, and a further extension was announced in budget 2023, bringing the total cost to over €900 million to the end of February 2023. This represents very substantial support by the Government to the hospitality and tourism-related sector.

As set out in budget 2023, from 1 March 2023 these sectors are due to return to the 13.5% rate. The budgetary position for 2023 is constructed on this basis. The estimated cost for extending the current measure to the end of the year is €427 million. This can be broken down into estimated figures of €326 million for hospitality and €101 million for accommodation. As I have said on a number of occasions, the Government will, in the coming weeks, examine the full suite of taxation and other measures that are due to expire at the end of February. In making any decision, the Government will balance the costs of the measures in question against their impact and the overall budgetary framework. It should be noted that other supports have been put in place which are also of assistance to the sector, including the new temporary business en-

ergy support scheme. This scheme is aimed at businesses whose average unit gas or electricity price has risen by over 50% compared with their average unit gas or electricity price in 2021.

Deputy Pearse Doherty: Although it is noted on the Register of Members' Interests, I wish to declare that I am a director of a music festival that benefited from the 9% VAT rate. It is a not-for-profit organisation. The reduced rate of VAT was introduced in November 2020 during the pandemic more to support the cash margins of struggling businesses than to incentivise a reduction in prices. The total cost of the measure to the end of February will be €902 million. Has the Department undertaken analysis of the economic impact in 2023 if the rate reverts back to 13.5%? It is important that if such an increase happens, we are absolutely assured that the benefits outweigh the costs to the taxpayer, the sectors concerned and employment. There are reports of price-gouging in the hotel sector, particularly in Dublin.

10 o'clock

That also needs to be weighed against excluding the accommodation sector because obviously Dublin is not Donegal, Kerry or Galway. There are differences in different regions.

Deputy Michael McGrath: To answer the Deputy's question directly, I have asked my Department to carry out an assessment of all the measures that are currently due in law to expire at the end of February. I will shortly meet my officials to go through that and consider their assessment of all those measures, the economic impact, the current economic circumstances and so on.

The key issue for me is to make sure we make the best use of taxpayers' money, which is limited by its very nature. We hear every day in this House more and more calls for additional expenditure, in some cases for tax reductions or tax supports in different areas. We must make difficult decisions. This is one of a number of measures that are due to expire. It was introduced as a Covid-19 measure to support the sector in very difficult times. We are now in a situation where the labour market is very strong. In fact, there are labour shortages across a whole range of sectors. We will do a full analysis and make a considered decision taking into account all of the factors.

Deputy Pearse Doherty: I will be interested to see if that economic analysis and impact assessment on whether this rate will go back up will be published before a decision is taken. The Taoiseach remarked this month that it would be possible to extend the reduction while excluding hotels. Is that on the cards? Is there potential for that? It would also have to exclude all holiday accommodation such as bed and breakfast accommodation, guest houses and campsites. Does the Minister believe that is fair, particularly given the impact it would have on more rural and less lucrative markets? Is this option under consideration?

As I said, there are swings and roundabouts with regard to this. The cost-of-living crisis is dampening demand and higher energy costs are impacting on the sector. We also have staffing issues and so forth. There are, however, other positives in terms of restrictions being lifted. Can I get an understanding from the Minister regarding the cost or economic impact assessment for 2023, which he said is under way? Will such an assessment be published by the Department? Will he answer the question about the exclusion of hotel accommodation?

Deputy Michael McGrath: As the Deputy knows, the costing that has been put on the overall measure being extended to the end of the year is €427 million, which is a very large sum of money by any yardstick. The Deputy asked verbally and in writing about excluding

hotel accommodation. I am advised by Revenue, as I set out last week in written replies to parliamentary questions, that there would be significant practical operational concerns in having different VAT rates applying to hotel accommodation and meals given how the sector operates, with various packages ranging from bed and breakfast accommodation through to all-inclusive board and lodging packages. This could lead to the underpayment of VAT because the charge for accommodation and meals would have to be apportioned. In the view of Revenue, it would undoubtedly provide opportunities for tax planning, which would be difficult to police. This would give rise to administrative and operational complexity as well as increased risk of avoidance and scope for manipulation of the VAT system. This is the view of Revenue and those are the points it made to me. I must also take account of those points when we are making a decision.

Public Services Provision

65. Deputy Róisín Shortall asked the Minister for Finance the additional revenue raising measures he is considering to ensure sustainable funding of public services, following the Parliamentary Budget Office and the Irish Fiscal Advisory Council calculation that an extra €7 billion per year is needed; and if he will make a statement on the matter. [3331/23]

Deputy Róisín Shortall: I join with others in congratulating the Minister on his new role. I wish him well and look forward to working with him. I also extend best wishes to the Minister of State, Deputy Carroll MacNeill, in her promotion. I hope she has a fruitful career in the Department of Finance.

My question relates to choices that were made at budget time whereby a very substantial tax package benefited a small minority of taxpayers. A huge number of taxpayers did not get any benefit from it. That was a political choice the Government made and with which I disagreed strongly at the time. I made the case, as the Social Democrats always do, for greater investment in and better access to public services as a better way to spend money.

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

Deputy Róisín Shortall: I wish to ask the Minister about the repercussions of that.

Deputy Michael McGrath: I thank Deputy Shortall very much. I look forward to working with her over the period ahead.

In the summer economic statement 2021, the Government adopted a medium-term budgetary strategy that would ensure continued investment in public services and progressive reductions in personal taxation while maintaining our public finances on a sustainable path. This strategy was operationalised through ceilings on growth in public expenditure. Core current public expenditure growth will be capped at 5% per annum, broadly in line with the estimated trend growth rate of the economy over the medium term.

As the Deputy knows, last year, in recognition of the far less benign inflationary environment, this strategy was adapted on a once-off, temporary basis to provide for an increased budget 2023 package of €11 billion of new measures to continue to fund public services and provide relief for households and businesses struggling with the cost-of-living challenge. Crucially, however, it is planned that future budgets will return to the sensible and sustainable fiscal

parameters set out in the medium-term budgetary framework.

In formulating budgetary policy in a context of inflation running at multi-decade highs, Government must strike the appropriate balance between continuing to support public services while avoiding poorly crafted fiscal policy. Inappropriate policy measures exacerbate the problem, contributing to a severely damaging inflationary spiral and becoming part of the very problem it was intended to address. As a result, the Government's response to inflation has focused on measures that are temporary, timely and targeted and aimed at those most in need. This is the most economically appropriate response to an inflationary shock driven primarily by global pressures where Government cannot fully absorb the impact. The Irish Fiscal Advisory Council, IFAC, also assessed that the Government's approach in the budget struck the appropriate balance between supporting vulnerable households and avoiding adding to inflationary pressures.

Structural fiscal headwinds in the coming years will involve major challenges. Perhaps I can elaborate further in relation to population, the impact of the international tax agreement and also climate action measures.

Deputy Róisín Shortall: At the time of the budget, the Parliamentary Budget Office in the Oireachtas and the Irish Fiscal Advisory Council both calculated that an additional €7 billion per year is needed to meet inflationary costs and allow public services just to stand still. They calculated that the bottom line with regard to the budget was that just €2.2 billion was allocated for that purpose. That obviously leaves a huge shortfall. The implications are that as the year goes on, we will see inevitable cutbacks in key public services. Does the Minister accept the figures of both of those bodies? Does he have proposals for revenue raising to at least make up that shortfall so those services can stand still, although they will arguably need more?

Deputy Michael McGrath: I am not anticipating any cutbacks in public services arising from the budget for 2023. I am very well aware of the projections the Irish Fiscal Advisory Council made about the costs the State will be incurring over the years ahead in respect of a whole range of areas, including demographic costs, the cost of Sláintecare and the cost of climate action measures. That will involve the Government making choices. As the new Minister for Finance, I have, as the Deputy knows, inherited the Commission on Taxation and Welfare report, which makes for very interesting reading and sets out a whole series of recommendations. There will be choices to be made regarding both expenditure and taxation over the coming years to ensure our fiscal position is sustainable. While we had a very strong headline surplus in 2022, the underlying position is different because we had buoyant corporate tax receipts. My Department and Revenue have estimated that approximately €10.5 billion of those receipts are potentially windfall in nature and cannot be relied upon into the future.

Deputy Róisín Shortall: That is fine except the Minister's partners in Government have signalled a direction of travel with regard to further tax cuts and the substantial costs those will entail. Does the Minister accept the figure from the Irish Fiscal Advisory Council and Parliamentary Budget Office that the Government needs €7 billion in the current year for public services to stand still? What does the Minister expect the shortfall will be? Is he again going to rely on being bailed out with corporate taxes? My principal question, however, is whether the Minister accepts that €7 billion figure and the shortfall in his calculations. If so, how does he intend to make up that shortfall?

Deputy Michael McGrath: I do not accept that there is a shortfall in 2023. We believe we

have made adequate provision across all of the expenditure Votes in 2023 to meet the Government priorities. Within that there will be a lot of choices and decisions to be made but from our perspective, there is certainly not any shortfall in the budgetary position across Departments for 2023.

The Deputy made a point about income tax reductions. I make the point to her that if you have a static tax system and, at a time of rising incomes, you make no change to bands or credits, that is an increase by stealth. That is an issue the Government believes needs to be addressed. There is a programme for Government commitment to increase bands and credits. We have, thankfully, made progress on that in the last number of budgets. Coming up to every budget, we will assess the budgetary position and economic circumstances and make the best decisions we can.

Insurance Industry

66. **Deputy Pearse Doherty** asked the Minister for Finance if he will introduce measures to ensure that recent reforms in the insurance sector will result in proportional reductions in premiums for consumers; and if he will make a statement on the matter. [3330/23]

Deputy Pearse Doherty: The personal injury guidelines have been in effect since April 2021. Despite the sharp reductions in personal injury awards and claims through the High Court, there is growing frustration that the benefits of the reforms are not being passed on in full to customers, businesses, community groups, sporting organisations, etc. The money is being pocketed by the industry. Will the Minister of State introduce measures to ensure transparency and apply pressure to the industry to pass on the savings they are making, euro for euro, to their customers? Will she support the Bill that is before the finance committee?

Minister of State at the Department of Finance (Deputy Jennifer Carroll MacNeill): I thank the Deputy for his question and good wishes. I look forward to working with him. He raises an important point in which every Deputy has an interest.

Government recognises the concerns felt by individuals, businesses and community groups regarding the cost and availability of insurance, and as such, has prioritised the delivery of targeted, multifaceted reform to this key sector. The Government has consistently emphasised its clear expectation that insurers should pass on any savings arising from those reforms through reduced premiums but also - this is important - increase their risk appetite to provide cover to lesser-served, pinch-point sectors. Domestic policy action has been clearly targeted at delivering real and sustainable change benefiting policyholders, but the Deputy is aware that the impacts of the ongoing reform programme will take time to transmit to price levels for a variety of reasons. Those can variously include uncertainty arising from ongoing legal challenges, the inherent complexity of the insurance sector's operating environment, or even dynamic external developments, which can determine price or supply in a small market such as Ireland.

The insurance industry's response to the Government's reform agenda continues to be monitored closely. As Minister of State with responsibility for insurance, I will be meeting with the CEOs of the main insurers in the Irish market next month in order to further assess their response to the action plan reforms and to stress the importance of reflecting lower claims through reduced premiums.

There are some positive developments. Central Statistics Office, CSO, consumer price data show that motor insurance prices have fallen by 16.1% since the introduction of the personal injury guidelines in April 2021. This benefits an estimated 2.2 million policyholders and is a notable outcome in the current inflationary environment, with motor insurance being a compulsory requirement and, as such, having been cited as a price barometer by all sides in this House.

Deputy Pearse Doherty: I wish the Minister of State well. Most of what she said could have been written by the insurance industry. That is disappointing. We really need to work on this. It does not take much time. Industry profits are already being boosted. Personal injury awards are down by 38% in the book of quantum. It has already happened. The number of cases that went through the courts in the first nine months of last year averaged 223 per month, about one third of the monthly average in 2019. What are going up are profits. Some €176 million was made by the insurance industry, a 13% return, in 2021. They are taking us for fools. Talking about the Minister of State's expectation is not good enough. We need action.

When the British introduced reduced awards, they said companies would have to show how this is passed on, euro for euro. We have produced similar legislation for the Irish sector. It is before the finance committee. I encourage the Minister of State to support that legislation.

Deputy Jennifer Carroll MacNeill: I appreciate the importance of what the Deputy is saying and he is correct in his analysis of reduced awards but it takes time for that to be passed on in every respect to policyholders. There are other positive indications that the substantial reform programme is having a marked effect and the market is responding to it. It has been recently reported that new insurance firms are seeking to enter the Irish market, which would help provide more competition. That is an important market dynamic in reducing costs generally for consumers. Providers are also moving into areas that had previously proved problematic and been highlighted many times in this House, such as equestrian activities, childcare, non-standard buildings and inflatable hires, bouncy castles and so on. There is no doubt that issues remain and reform legislation is before this House to rebalance the duty of care, through amendments to the Occupiers' Liability Act 1995. That is an important pinch-point that has to be addressed. There is work to do on that, as the Deputy is aware.

Deputy Pearse Doherty: I agree, and I will work with the Minister of State on other legislation, particularly on the duty of care and some other needed reforms. However, we passed legislation. I supported that legislation but not to deepen the pockets of the insurance industry. Awards have been slashed and the numbers going through the courts have dropped dramatically. The profits of the industry have increased. We need to take out the big stick and say the industry has not passed it on. Indeed, businesses are likely to have seen increased costs.

I will take issue with another point. The Minister of State referenced the CSO but that is not a credible source. That is not to cast any aspersion on the CSO but data is available to us on the price of motor insurance. The CSO will show motor insurance decreased by 21% in 2021. That is a basket survey that is done. The national claims information database contains every motor insurance policy issued in the country in that year and shows that it only dropped by 2%. The industry would like to use CSO data but the accurate figure from every policy shows it has only dropped 2%.

There is legislation before the Dáil. I would like to sit down and work with the Department on it.

Deputy Jennifer Carroll MacNeill: My attitude to all matters in this House is to sit down and discuss them constructively and I am always available to do that. As Minister of State with responsibility for insurance, I am not here to support or provide excess or extra profits to the industry but to make sure a reform programme is delivered across Government that will increase competitiveness, draw new entrants into the market, where possible, and increase the risk appetite of existing market participants in order to create a more competitive insurance environment for the people of Ireland in motor and home insurance, as well as for business, which the Deputy rightly highlighted and regarding which there is much to do. That is the focus of the reform agenda in the Departments of finance, enterprise and justice with outstanding work to do. The focus is firmly on delivering for the people of Ireland to make sure insurance is available, competitive and reliable at every turn.

Tax Code

67. **Deputy Róisín Shortall** asked the Minister for Finance if he will waive the 23% VAT rate on antigen tests; and if he will make a statement on the matter. [3332/23]

Deputy Róisín Shortall: This question has been overtaken by events. I welcome the announcement last Saturday by the Minister that he intends to waive the 23% VAT on antigen tests. I would like more detail on that from the Minister in respect of the timeline for the legislation. I note he has introduced it on an administrative basis. For what length of time does he expect the waiver to be in place?

Deputy Michael McGrath: I thank the Deputy. I will put the initial reply on the record because it deals with some of the issues.

As the Deputy will be aware, VAT on supplies of Covid-19 testing kits were subject to a temporary zero rate until 31 December 2022 as the result of an EU Commission derogation. While recognising the success of the Government's vaccination programme, I have decided that Covid-19 test kits should be subject to a zero rate of VAT on an ongoing basis. This is because there are still significant levels of this virus in general circulation. My decision is reinforced by the public health guidelines which continue to advise caution, in particular recommending self-isolation if one has symptoms of Covid-19 and recommending Covid testing for certain vulnerable groups.

I propose that the zero rating of Covid-19 testing kits will be put on a legislative basis at the first available legislative opportunity; in the meantime, the Revenue Commissioners have agreed to operate it with effect from 1 January 2023 on an administrative basis. To answer the Deputy's question, I will legislate for it with the agreement of the House at the first opportunity in the coming weeks or short number of months, whenever that opportunity arises, to make sure it is properly underpinned legislatively. I will not put an end date on it, so the zero rate is effective and will continue until we decide otherwise but I do not anticipate that will be the case.

Deputy Róisín Shortall: Does the Minister expect to legislate in a stand-alone Bill or is he waiting for another finance Bill of some description?

Deputy Michael McGrath: We will add it to another Bill at the first opportunity.

Ceisteanna Eile - Other Questions

Inflation Rate

68. **Deputy Alan Farrell** asked the Minister for Finance what consideration his Department is giving to further anti-inflationary measures; and if he will make a statement on the matter. [3135/23]

110. **Deputy Jennifer Murnane O'Connor** asked the Minister for Finance if he anticipates further measures being taken in relation to cost-of-living pressures; and if he will make a statement on the matter. [2980/23]

157. **Deputy Peter Fitzpatrick** asked the Minister for Finance if he plans to extend the cost-of-living measures introduced in budget 2023; and if he will make a statement on the matter. [2932/23]

237. **Deputy Fergus O'Dowd** asked the Minister for Finance what further measures his Department is considering in dealing with rising inflation in the year 2023; and if he will make a statement on the matter. [56473/22]

Deputy Alan Farrell: I congratulate the Minister and the Minister of State on their moves and in particular the Minister of State, Deputy Carroll MacNeill, on her promotion. I look forward to working with both of them and I pay them every good wish.

My question relates to the plethora of measures the Government has introduced but looking to the future and to the fact that this inflationary cycle does not seem to be moving particularly fast. Is the Government considering further anti-inflationary measures?

Deputy Michael McGrath: I propose to take Questions Nos. 68, 110, 157 and 237 together.

I thank the Deputy for his good wishes, and I look forward to working with him. It is important to note that from the outset the Government has acted forcefully and decisively to help ease the burden of inflation on households and businesses across the country. Budget 2023 was a cost-of-living budget, incorporating a total package of €11 billion with the focus on protecting the most vulnerable from rising costs. This built on some €3 billion in measures introduced by the Government over the past year. It would be premature to take a decision on further policy measures before a full evaluation can be made of the performance of the measures currently in place, the outlook for inflation this year and, indeed, the prospects for the public finances.

I would caution that excessive or poorly designed fiscal policies could backfire. In this regard, it is crucial that budgetary policy itself does not become part of the problem by contributing to an inflationary spiral that would have severe consequences. I also emphasise that the majority of the cost-of-living measures introduced as part of the budget will continue to support households and firms over the coming months. For example, the two remaining electricity credits, which are worth €200 per household and which amount to €800 million in spending, will continue to be issued in the coming period, assisting households with their energy bills.

The temporary business energy support scheme, TBESS, which provides relief to businesses struggling with rising energy costs, will remain open for claims until the middle of this year. The €1.1 billion package of reductions in personal tax as well as increases in social welfare

payments provided for in the budget took effect earlier this month and are permanent. In our response to the cost-of-living challenge, the Government has struck the right balance between providing necessary support without adding to inflationary pressures. Moreover, there is compelling evidence to suggest that inflation has peaked, while it is notable that energy prices, at the wholesale level at least, have fallen significantly from their highs last autumn. Hopefully, we will see those being transmitted to the end consumers. Any policy decisions must take into account these developments.

Deputy Alan Farrell: I understand the matter of the measurement of the response. Measurement of the success of some of the measures that have been introduced will of course take time. The TBESS, for instance, is only in its infancy and it will take time. The energy credit has had obvious beneficial effects on households up and down the country but as we move towards the latter end of the year, we will be at the end of autumn and into winter. We may then be in the same scenario we find ourselves in now. While I fully appreciate that the Minister is not going to announce Government policy or budgetary policy for 2024 on the floor of the House in January, the understanding that there is an acceptance that further measures may have to be taken will probably be sufficient for the public and that there are certain financial constraints that we as a Government will have to adhere to. However, that flexibility is built into the budget and that is one of the points I would like to get across.

Deputy Fergus O'Dowd: While I welcome the significant increased supports in the budget, including the reduction in taxation, the increase in social welfare payments and expanding the fuel allowance and making it easier for people to access, there is a significant problem for what we call the “working poor”, such as people who are on tracker mortgages. I have a constituent whose mortgage has gone up by €60 per week, which he cannot pay. Even though he is a single earner, he has three young children. He is benefiting in many ways from the budget and I fully respect and support that. We need to do more to help the working poor, as well as people whose mortgages have been moved to Pepper Mortgages. They are being crucified with interest rates they cannot pay. They envisage the likes of the vulture funds taking possession of their homes in the future. I fully support all the Minister is doing. I welcome all the changes, but he needs to do more to help the working poor particularly those who have difficulties with their tracker mortgages and Pepper Mortgages.

Deputy Michael McGrath: I thank both Deputies for raising these issues and I want to take the opportunity to thank all our public servants who were involved in administering the exceptional payments issued between budget day and early December. Payments of the order of €1 billion outside of normal payments were made through our social protection system, including some universal payments such as child benefit and so on. I know from talking to people on the ground of the benefit that was derived from those particular payments. It was welcome and badly needed at that time. It is worth reiterating that many of the budget measures have only just kicked in respect of permanent changes to income tax and social welfare, widening eligibility to the fuel allowance, significant reductions in childcare costs, which I know have been so warmly welcomed by many families, and we are continuing to administer the system of electricity credits as well.

That said, I acknowledge that inflation hurts people. Inflation affects people's living standards and it makes the cost of doing business much higher. While we believe inflation has peaked in Ireland and it is coming back, it is still at in excess of 8%, which is a level the like of which we have not seen for approximately 40 years. Therefore, we will have to keep all of this under review. Saying that the rate of inflation is falling is not the same as saying that prices are

falling.

At the end of the day, what matters to people is how much they are paying at the forecourt for their fuel, how much they are paying at the supermarket till for their groceries and how much they are paying for other essential day-to-day expenses. The Government understands that. Most people acknowledge that we have done a lot of work to help and address the challenges they are facing. I am not committing to any new specific measures here tonight except to say that we will be keeping it under active review, in particular, monitoring inflation and the real-world costs that people are facing in their day-to-day lives.

Questions No. 69 taken with Written Answers.

Tax Rebates

70. **Deputy Aindrias Moynihan** asked the Minister for Finance the amount his Department received in overpaid PAYE taxes in 2021 and 2022; the measures that are in place to make individuals aware of any overpayments; and if he will make a statement on the matter. [3140/23]

Deputy Aindrias Moynihan: For various reasons, a large number of PAYE workers end up with overpayments of tax, whether this is because they change jobs, credits that they may not have claimed, emergency tax or a range of different reasons. This year more than ever, people are under phenomenal pressure to pay bills. Various supports are in place, but there is still huge pressure on people in paying for food, energy and so on. What measures are being taken to ensure that their earned money is in their pockets and not with Revenue?

Deputy Michael McGrath: I am advised by Revenue that, to date, it has refunded €554 million to PAYE taxpayers in respect of 2021 and €193 million in respect of 2022. In 2022, Revenue wrote to over 400,000 individuals who, based on the information available to Revenue, may have overpaid or underpaid tax in some or all of the years 2019 to 2021, inclusive. These letters provide a preliminary tax position, advising the recipients to submit a tax return to claim any additional tax credits or reliefs that they may be due and-or to declare any additional income they may have received.

As of 23 January this year, more than 1.1 million PAYE employees have submitted tax returns in respect of 2021 and more than 370,000 PAYE employees have submitted their returns in respect of 2022. Any overpayments due to PAYE taxpayers can only be quantified when they submit their tax returns at the end of the year and claim any additional credits or reliefs that may be due and declare any additional income received.

At the end of every year, Revenue makes a preliminary end-of-year statement available to all employees. The statement sets out a provisional tax position, based on information available on Revenue records. It will show whether an employee has paid the correct income tax and universal social charge for the year. If a taxpayer wishes to claim additional credits, reliefs, or expenses, such as health expenses, or declare other incomes, they must complete an income tax return for the year. Revenue will then generate a statement of liability confirming their final tax position.

Revenue encourages taxpayers to submit their returns to ensure that they are paying the correct tax and to receive any refunds that they may be due. For the remaining PAYE taxpayer

units, where jointly assessed spouses or civil partners are counted as one unit, with a preliminary end-of-year statement for 2022 and who are yet to file an income tax return the following is the case: about 1.4 million, or 62%, are potentially balanced; about 563,300, or 25%, have potentially overpaid tax of up to €400 million; and 287,000, or 13%, have potentially underpaid tax of up to €118 million.

The moral of the story is that everyone should make a return. Many people are entitled to refunds but they will have to go online and engage with the system, where the refunds are issued quickly, in my experience.

Deputy Aindrias Moynihan: I thank the Minister. Those figures are quite helpful. Phenomenal sums are available for many people. I understand that in previous years, several hundred thousand people have got back anywhere up to €1,000 each. Will the Minister indicate how many people the figures apply to for the two years in question? He gave the euro value, which is helpful, but he might also indicate how many people it applies to.

People are under severe pressure to pay ordinary, everyday bills and having that money back in their pocket would be invaluable to them. Are efforts being made to make people aware of these refunds? In fairness, people generally expect that their payslip should be correct and that Revenue will not take anything more than it should. They expect not to find themselves having overpaid tax. Are efforts being made to make people aware of this issue and to promote the claiming back of funds?

Deputy Michael McGrath: The figures are significant and it is important we all take every opportunity to highlight this and to remind people of their rights. As I outlined, for the remaining PAYE taxpayer units with a preliminary end-of-year statement for 2022 who are yet to file an income tax return, some 25%, or 563,300 people, have potentially overpaid tax of up to €400 million, although there are others who have underpaid tax, to an overall value of about €118 million. If we look back at the equivalent figures for 2021, for which we would expect most people at this stage to have claimed additional reliefs or submitted health expenses and so on, the estimate is that about 325,100 people, or about 20% of the remaining taxpayer cases, have potentially overpaid tax of up to €182 million. In total, therefore, between 2021 and 2022, Revenue believes taxpayers have overpaid more than €580 million, although, again, there are underpaid sums for the two years, at significantly less, totalling about €230 million.

The message to people is to check how they are fixed. It is simple to go online and make a claim.

Deputy Aindrias Moynihan: I thank the Minister for the details. Clearly, the message has to be put out loud and clear that it is quite possible to have overpaid and that people should check to see whether they can claim back on their funds. That is needed now more than ever, even if just to pay ordinary household bills. It is very possible to be eligible to claim back anywhere between €500 to €1,000, and maybe more, for many people.

I understand that tax can be claimed back for up to four years after it has been paid when returns are being made. What happens after those four years? Revenue sets aside funds each year for people to claim back and it knows those funds are their money. At the end of the four years, what becomes of the funds? Everybody knows they are not Revenue's funds or anybody else's other than the individual taxpayer's. Are they held in some kind of dormant account whereby people can at some point claim back their own funds or what has become of them? It

should be accessible to people.

Deputy Michael McGrath: On the question of awareness, we are all familiar with websites that are available and we will have seen advertisements of bodies that provide services in this regard. In addition, the Revenue Commissioners make a lot of information available regarding how people can make such claims. We have a role in this House and the Government certainly has a role to make people aware where they may well be in a position to claim back tax they have overpaid. That is an important point to make.

As for what happens after the four years, the Deputy is correct regarding the current legal position. For the four previous tax years, overpaid tax can be claimed back, but beyond that period the legal right is lost and those sums become part of the Central Fund. The legal right to claim lapses at the end of the four-year period.

Small and Medium Enterprises

71. **Deputy Alan Dillon** asked the Minister for Finance the measures being considered to support small and medium enterprises; and if he will make a statement on the matter. [3058/23]

Deputy Alan Dillon: I wish the Minister the very best in the finance Ministry and congratulate my party colleague, the Minister of State, Deputy Carroll MacNeill. I look forward to working with them both.

Over the weekend, the Minister stated that the economy would experience a “short and shallow downturn” in the coming months that will, inevitably, impact on small and medium enterprises. What considerations is the Government making to support our SME sector in response to the choppy waters ahead?

Deputy Michael McGrath: I thank the Deputy for his good wishes. SMEs are the foundation of the economy, accounting for 99.8% of all enterprises and the majority of employment in the State. Their importance to our economy is reflected in our programme for Government commitments. The Minister for Enterprise, Trade and Employment and I, as Minister for Finance, jointly chair the SME State bodies group, bringing together SME representative bodies and other stakeholders including State agencies to identify and understand current challenges businesses face. My Department also conducts the SME credit demand survey to gain insight into the experience of SMEs in the economy accessing credit.

While the responsibility for enterprise policy rests with the Minister for Enterprise, Trade and Employment, one of my responsibilities as Minister for Finance is to ensure viable businesses that wish to access credit from bank and non-bank sources can do so. The credit review office and the Strategic Banking Corporation of Ireland, SBCI, were established as bodies under the aegis of my Department for this purpose. The credit review office assists SMEs and farm borrowers that have had credit applications of up to €3 million refused or, indeed, an existing credit facility withdrawn or amended by the participating bank.

The SBCI provides and promotes the provision of credit to SMEs and increases the availability of appropriately priced, flexible funding to viable SMEs. It has supported lending of €3.2 billion to more than 50,000 SMEs since 2015, from all sectors of the economy and across a wide geographical spread, using a mix of low-cost liquidity and guarantees. The SBCI has

a number of schemes launched and in development to support SMEs to access credit. These include the growth and sustainability loan scheme, the energy efficiency loan scheme and the Ukraine credit guarantee scheme.

In addition to the schemes launched and in development by the SBCI, a range of direct and indirect measures were introduced to support SMEs in response to the challenges posed by Covid-19 and the invasion of Ukraine, including the tax debt warehousing scheme and the temporary business energy support scheme, the latter of which is supporting a broad range of businesses that have experienced a significant increase in natural gas and electricity prices.

Deputy Alan Dillon: I thank the Minister. I think we are all in agreement that the supportive measures and schemes that were introduced earlier during the pandemic and within budget 2023 were a massive lifeline of vital importance to the survival of many SMEs. Nevertheless, businesses are still struggling to cope with the soaring energy costs, the rising interest rates and the broader inflationary pressures across our economy. The mood among some companies that operate in the domestic economy is not great. Revenue sheriffs will soon begin seeking up to €500 million in quarter 1 of this year and that will compound the problems of some SMEs that are struggling to cope with high fuel costs and the cost-of-living crisis. The number of insolvencies in the hospitality sector almost doubled in 2022 compared with previous years.

We face a perfect storm in the months ahead. Careful consideration must be given to prevent companies from collapsing, which would have a negative impact on our employment rate. I ask that the Department consider these matters.

Deputy Michael McGrath: I thank Deputy Dillon and assure him that we will take on board the points he made and ensure that we carefully consider the current business environment when we examine all of these issues. I acknowledge the cost of doing business has increased because of the nature and level of inflation currently being experienced. Our response in the budget in part was the introduction of the temporary business energy support scheme, TBESS. I encourage businesses that have yet to register and submit a claim to now examine their eligibility to do so because, at the end of this month, people who have not applied will lose the benefit for September, as one can go back to the beginning of September until the end of January. It is important that there is an awareness of that issue and that the claims are made. As the Deputy knows, the Revenue Commissioners publish a data bank every week with the latest information on that issue. I wish to make that call here this evening as well.

Deputy Rose Conway-Walsh: I wish both of the Deputies well in the future and congratulate them on their new roles. I wish to bring to the Minister's attention, under the section of small businesses, that agriculture and farming probably make up most of the small businesses in rural Ireland. I wish to bring to the Minister's attention, in terms of the transfer of bank accounts from Ulster Bank and from banks that are closing, to Permanent TSB and other banks where overdraft facilities are not being acknowledged. Farmers are running into real difficulties with banks that do not understand the nature of farming and in terms of payments that come in at certain times of the year. Farmers are now finding they are completely without overdraft facilities. When the Minister speaks about credit and credit flows being available to small businesses, absolutely and certainly, that is needed to sustain those businesses.

An Cathaoirleach Gníomhach Deputy Bernard J. Durkan: Are we still on Question No. 71?

Deputy Rose Conway-Walsh: Yes. Will the Minister intervene with the banks and make them aware that they were supposed to do everything possible to make that transition as smooth as possible, but farmers are now finding that they do not have the overdraft facilities they had before. They are in real difficulty around that issue.

Deputy Alan Dillon: I thank the Minister for his response and for raising the TBESS scheme. From listening to some constituents regarding its expansion, there are many sectors which have been excluded from it, one being those which do not use a main gas supply and use imported liquefied petroleum gas, LPG. They can measure their consumption and the cost. There is a certain cohort which has been excluded which should be included. Many rural pubs have also been excluded which also use kerosene and LPG to run their businesses. There are, I think, over 1,500 rural pubs which were excluded from the TBESS. I ask that the Minister look at this again in the round.

I wish also to raise the issue around the 9% VAT rate. It is of vital importance for counties such as my own, County Mayo, which heavily rely on the tourism and hospitality sector, taking into account the escalating business costs and ongoing energy crisis. I ask that we be pro-active with support measures to possibly avoid potential insolvencies going forward.

Deputy Michael McGrath: I thank An Cathaoirleach Gníomhach and Deputy Conway-Walsh for her good wishes and for raising this specific issue, which I will follow up on. The most important thing is that the departure of Ulster Bank and KBC is done in an orderly manner and the interests of their customers are protected. The fact that these two banks are leaving the Irish retail market is deeply regrettable and will have implications in terms of competition and consumer choice. That said, it is beyond our control. They have made their commercial decision to leave the Irish market and we now have to make sure it is done in a way that minimises disruption and the fallout the Deputy highlighted for individual customers, including farmers. It is the subject of close scrutiny by the regulator. The Central Bank and its team are on an ongoing basis reminding both Ulster Bank and KBC of their obligations. The Deputy raised the specific issue regarding overdraft availability. I will ask that that be looked at.

Regarding Deputy Dillon's points, I am of course aware of the exclusion of certain sources of energy from the TBESS. My understanding is that it is because of concerns raised by the Revenue Commissioners at the time regarding oil, LPG and kerosene. As things stand, the scheme is due to end at the end of February. In the course of my examination of all of the issues due to arise before the end of next month, I will be looking at the operation of the TBESS scheme. Earlier this evening there was an exchange across the House on the 9% VAT rate. I was asked to put on record the costings of extending it. Extending it to the end of this year would cost €427 million.

Banking Sector

72. **Deputy Rose Conway-Walsh** asked the Minister for Finance the assessments that have and will be undertaken with regards to the Code of Conduct on Mortgage Arrears, CCMA, including the suite of alternative repayment arrangements; his plans to give the code full legal effect; and if he will make a statement on the matter. [3100/23]

Deputy Rose Conway-Walsh: Will the Minister outline the assessments that have and will be undertaken with regard to the code of conduct on mortgage arrears, including the suite of

alternative repayment arrangements? What are the Minister's plans to give the code full legal effect?

Deputy Michael McGrath: The Central Bank code of conduct on mortgage arrears, CCMA, is the key consumer protection measure for borrowers experiencing difficulty with a mortgage secured on a primary residence. This statutory-based code, which is issued by the Central Bank under section 117 of the Central Bank Act 1989, sets out how regulated mortgage creditors must treat borrowers in or facing mortgage arrears. Regulated entities are required to comply with all aspects of the CCMA as a matter of law and as such it has full legal effect.

The objective of the CCMA is to ensure that regulated entities have fair and transparent processes in place to deal with their borrowers who are facing mortgage arrears. Due regard must be given to the fact that each mortgage case is unique and needs to be considered on its own merits. All cases must be handled sympathetically and positively by the regulated entity, with the objective at all times of assisting the borrower to meet his or her mortgage obligations.

In particular, the CCMA provides that, in order to determine which options for alternative repayment arrangements are viable for each particular case, the regulated mortgage creditor must explore all options for alternative repayment arrangements offered by that creditor. Furthermore, if a borrower is not satisfied with the decision of the regulated entity regarding this matter, such as if he or she is not happy with the particular alternative repayment arrangement offered by the mortgage creditor to address the particular mortgage repayment difficulty or if the mortgage creditor declines to offer an alternative repayment arrangement, the CCMA provides that an appeals process must be in place to allow for the matter to be reconsidered. That appeals procedure must also inform the borrower of his or her right to refer the matter to the Financial Services and Pensions Ombudsman.

The Central Bank carried out a review of the CCMA in 2018 to ensure it remains as effective as possible. The review found at that time that, for borrowers who engage with the process, it was working effectively and as intended. The Central Bank keeps its consumer protection framework under review and, as the Deputy will be aware, the Central Bank is currently reviewing its consumer protection code and a discussion paper on this is now open for public consultation.

Deputy Rose Conway-Walsh: I thank the Minister. There are serious problems in how what the Minister's spoke about is being adhered to and how it is being enforced. The issues are well-documented in the Free Legal Advice Centres, FLAC, From Pillar to Post series published in the last number of years. As the Minister said, it is crucial to ensure that the CCMA is fit for purpose, especially in the context of the rising interest rates, which we are seeing more of today. For those who are having repayment difficulties, this is becoming more and more prevalent. There is limited data on the type of restructures that take place between the lender and borrower. The data shows that the longer a mortgage is in arrears, the more difficult it is to get a restructure, with the minority of mortgages in arrears having received a restructure. There is also concern regarding the premature classification of borrowers as non-co-operating which immediately removes the borrower from the protection of a mortgage arrears resolution process. We have to ask if there is a need for greater supervision by the Central Bank of lenders prematurely classifying borrowers as non-co-operating, given its stark and immediate consequences for them.

Deputy Michael McGrath: I thank the Deputy, who has raised very important issues. I

know that the Central Bank takes them very seriously. The review of the consumer protection code is a very important body of work which is currently under way. I encourage all Members of the House to engage in the process and to share the real-life experience of constituents, which has been conveyed to us, so that the Central Bank is fully aware of what is happening on the ground and in reality.

It is worth putting on the record that the level of mortgage arrears in Ireland has fallen very significantly. For the quarter ending September 2022, slightly over 45,700 primary dwelling mortgages were in arrears and, when those mortgages which were in very short-term arrears were excluded, some 30,800 were in arrears of more than 90 days. That is approximately 4.3% of principal dwelling house mortgages. Back in 2013, that was almost 13%. That said, there is no room for complacency. We know that interest rates have risen and are likely to rise further and that, of course, has an impact on the affordability of mortgage repayments for customers. We do not want to see the progress that has been made in respect of mortgage arrears going into reverse. The types of issues that the Deputy has raised are very important. I know that they will be considered very carefully by the Central Bank in respect of its regulatory function.

Deputy Rose Conway-Walsh: We need this to work for homeowners. There is clear evidence, as the Central Bank has warned on many occasions, that the waterfall of alternative repayment arrangements has not been sufficiently worked through by lenders. The easy reflex option of sale to third parties and vulture funds has been used, rather than finding sustainable solutions for borrowers. There is a cohort of borrowers whose loans were sold and are now owned by the vulture funds, with increasing interest rates suddenly rising sharply. They are refusing to engage with the borrowers, offer fixed rates or consider sustainable solutions. There is a real problem here for those who are caught in the trap of mortgage arrears.

Deputy Pearse Doherty: Can I clarify something with the Minister? The programme for Government committed to assess the CCMA, including the available suite of alternative repayment arrangements, and to ensure it has full legal effect. Is the Government going to do that or is it just saying that the Central Bank is carrying out a piece of work that will take us up to 2025? This is a far wider consumer protection piece of work and is very important. Is the Government going to fulfil its commitment under the programme for Government? There is an issue in respect of the alternative repayment arrangements and the suite which is available. As I said earlier when we were talking about mortgage interest relief, tracker mortgage customers who were paying 3.5% in June are now being forced to pay a 7% interest rate. There is no option for them to fix. The Minister says that the CCMA has full legal effect but when a vulture fund only offers a customer to pay his or her interest or mortgage, where does a borrower go in those circumstances?

Deputy Michael McGrath: I am aware that not all loan owners - non-bank lenders, in particular - offer a fixed rate option, which can be a very attractive one for many borrowers. We have seen the run rate recently. Approximately 92% to 93% of new mortgages being issued in Ireland are fixed-rate in nature because it gives certainty to the borrower about the nature and the level of their repayment for a period of time. It is the case under the CCMA that the mortgage creditor has to explore all of the options for an alternative repayment arrangement offered by that lender, that the Central Bank has to ensure that such an assessment has been properly done, that every possible repayment arrangement is being explored, and that the most appropriate one is being offered to a borrower in these circumstances. There is an appeals process in place also to address that issue.

Tax Code

74. **Deputy Pearse Doherty** asked the Minister for Finance his views on introducing additional tax measures for developers and investors in the residential property market; if he agrees with a previously commissioned report (details supplied) that such incentives would represent a clear waste of scarce public resources and would lead to an increase in site and property prices; and if he will make a statement on the matter. [3149/23]

78. **Deputy Darren O'Rourke** asked the Minister for Finance his position on introducing additional tax measures for developers and investors in the residential property market; and if he will make a statement on the matter. [3098/23]

247. **Deputy Martin Kenny** asked the Minister for Finance his position on introducing additional tax measures for developers and investors in the residential property market; and if he will make a statement on the matter. [3182/23]

Deputy Pearse Doherty: In November of last year, the Taoiseach made plain his desire to introduce tax breaks for private developers. That sums up the approach of the Government in housing policy and the cul-de-sac which the Taoiseach's thinking has entered. Unfortunately, he is taking struggling renters and prospective owners down that cul-de-sac with him and stunting their life plans and hopes for the future. Is the Minister for Finance considering the introduction of tax breaks for developers, as the Taoiseach has suggested? What is his view on the fact that the Taoiseach wants him to do this?

Deputy Michael McGrath: I propose to take Questions Nos. 74, 78 and 247 together.

The Government is acutely aware of the difficulties in the housing market. As I have said on many occasions, the key problem is a lack of supply. This is why the Government is committed to increasing the supply of all types of homes: social, affordable, rental and owner-occupier. Under Housing for All, the Government has provided over €4 billion this year to accelerate the delivery of new homes. The Government has also intervened in other areas, including legislating for a residential zoned land tax and a vacant homes tax. These measures are working and in the past year around 28,000 houses were built, the highest number since 2008. However, over the past year we have experienced very high levels of inflation. Data released by the Central Statistics Office, CSO, show that annual inflation in the wholesale price of construction materials was over 16% in November 2022. The increase in costs is adversely impacting the viability of housing projects, which may make it difficult to meet our housing targets this year and beyond. To combat this, all options will be considered to boost the supply of housing.

On tax measures, our recent history suggests that an extremely cautious approach is necessary. In the past such measures were too broadly based and inefficient. They created distortions in the construction sector and proved very difficult to end. For these reasons and more, public expenditure measures continue to be the preferred method of State support. We must also recognise that money alone cannot solve the housing shortage. The viability challenge must be met using all the various tools available to the Government, including regulatory and legal means. In this respect, I welcome recent initiatives by the Department of Housing, Local Government and Heritage on planning reform and the forthcoming report on lowering the cost

of construction. I will continue to work with my Cabinet colleagues to ensure that any further interventions in the housing market are appropriately calibrated, represent the best use of scarce public resources and boost the supply of housing in both the public and private sectors.

Deputy Pearse Doherty: With respect, I have asked the Minister a direct question here. The Taoiseach is upfront about it - he wants tax breaks for developers. That is the cul-de-sac which he wants us to go down, which underlines the abject failure of the housing policy of this Government and indeed the Taoiseach. Can the Minister for Finance tell the House if he is willing to consider tax breaks for developers? The Taoiseach, who is the Minister's boss, wants him to do it. Is he willing to consider that? Does he side with the Economic and Social Research Institute, ESRI, which in 2015 studied the issue of tax breaks to stimulate construction in the housing market and concluded: "Tax breaks will have limited impact on supply if supply has been constrained by [other factors] ... tax breaks in these circumstances can simply lead to a transfer of tax revenue from the state to developers with no effect on supply." Does the Minister support the view of the Commission on Taxation and Welfare? It reached similar conclusions to the effect that such tax breaks "can lead to further price growth in areas where supply is particularly constrained, the beneficiaries of which are the land owners and developers at the expense of forgone revenues".

11 o'clock Does the Minister support the view of his own Department which said in the past year that tax reductions resulting in transfers from the State to developers without any significant effect on supply have a very significant cost to the taxpayer? The ESRI, the Commission on Taxation and Welfare and the Department have all come out against tax breaks for developers - they have said that all such tax breaks will do is benefit developers, and they will have no impact on supply - but the Taoiseach still wants them because his policies are pro-developer and pro-funds. I will put the question plainly. Is the Minister for Finance willing to contemplate tax breaks for developers, as the Taoiseach wants?

Deputy Michael McGrath: I thank the Deputy for his comments. As I said in my initial response, public expenditure measures are the preferred method of State support. The Deputy asked a very direct question, which he put to me here in writing and has repeated verbally, in respect of introducing additional tax measures for developers and investors in the residential property sector.

I have no such plans. We will, as always, keep all taxation matters under review.

When it comes to stimulating supply and the State playing a greater role in that regard, we have the Croí Cónaithe cities initiative and we need to see the full work-through of that in terms of delivery, in particular of high-density development in our cities. We have the Land Development Agency, LDA, with Project Tosaigh. It is engaging with the private sector at this point to see what that can deliver in terms of high-density developments in our city centres, which we will all agree need to be built at the most affordable rates possible.

Deputy Pearse Doherty: Will the Minister take the Taoiseach aside and explain to him that his Department, the ESRI and other experts, including the Commission on Taxation and Welfare, whose members were the experts appointed by the Government, are all of the view that taxpayers funding developers will only deepen the pockets of those developers without actually increasing supply? Will the Minister have that conversation with the Taoiseach? He continues to argue for these types of support which are not going to cut it.

The Minister mentioned that money is not the only issue. However, is it not the case that in the ministerial brief prepared for the Minister for Public Expenditure and Reform, the seat occupied by the Minister, Deputy McGrath, until a couple of weeks ago, pointed out that there was a €1 billion underspend under his watch in the Department of Housing, Local Government and Heritage? The fact is that social housing targets were missed last year by a figure of 2,500 homes. Is the Government going to focus on delivering the amount of money that it committed to spend? In a housing crisis, where people are homeless, 4,000 children are in emergency accommodation tonight and many people are locked out of the market, the pitiful amount of money the Government is putting on the table leaves €1 billion unspent. That is unforgivable.

McGrath; Michael: As Minister for Finance, I will of course be part of all of the discussions on what we are doing and what more we need to do in Government to tackle the housing crisis. I am a member of the Cabinet committee on housing and contribute to that on an ongoing basis. I also did so in my previous role. It is true that it is not all about money. The planning reforms the Minister for Housing, Local Government and Heritage, Deputy Darragh O'Brien, is bringing forward are vitally important and I hope the House and relevant Oireachtas committee will co-operate and provide their support and input into them. There are capacity constraints across the industry and also labour shortages across different specialisms that we are well aware of.

The Deputy mentioned tax. We have used tax in a different way, through the residential zoned land tax and the vacant property tax. We are using the taxation system, where we deem it appropriate, to help bring vacant stock back into use or make land available that is intended or earmarked for residential development.

Question No. 75 taken with Written Answers.

Disability Services

76. **Deputy Pauline Tully** asked the Minister for Finance the progress to date on replacing the Disabled Drivers Medical Board of Appeal; and if he will make a statement on the matter. [3023/23]

115. **Deputy Michael Moynihan** asked the Minister for Finance the number of primary medical certificate appeals currently outstanding; and if he will make a statement on the matter. [2824/23]

129. **Deputy David Cullinane** asked the Minister for Finance the current status of the review of the disabled drivers and disabled passengers scheme; when the Disabled Drivers Medical Board of Appeal will be in operation; the number of outstanding appeals before the board; and if he will make a statement on the matter. [3094/23]

150. **Deputy Catherine Connolly** asked the Minister for Finance further to Parliamentary Question No. 155 of 10 November 2022, the timeline for the publication of the review of the disabled drivers and disabled passengers scheme; and if he will make a statement on the matter. [3092/23]

240. **Deputy Catherine Connolly** asked the Minister for Finance the status of the Disabled Drivers Medical Board of Appeal; and if he will make a statement on the matter. [3132/23]

24 January 2023

Deputy Pauline Tully: I congratulate the Minister and Minister of State on their appointments. I wish them luck in their roles. What progress has been made to date on replacing the Disabled Drivers Medical Board of Appeal, DDMBA?

Deputy Michael McGrath: I propose to take Questions Nos. 76, 115, 129, 150 and 240 together.

The disabled drivers and disabled passengers scheme provides relief from vehicle registration tax, VRT, and VAT on an adapted car, as well as an exemption from motor tax and an annual fuel grant. The scheme is open to severely and permanently disabled persons as a driver or passenger and also to certain charitable organisations. In order to qualify for relief, the applicant must hold a primary medical certificate issued by the relevant senior area medical officer, SAMO, or a board medical certificate issued by the Disabled Drivers Medical Board of Appeal. To qualify for a primary medical certificate, an applicant must be permanently and severely disabled and satisfy at least one of six medical criteria.

It is expected that the board of appeal will be established shortly. The background is that following the resignation of all members of the previous board, effective from 30 November 2021, two expression of interest campaigns have been held, seeking suitable candidates for the board. The Department of Health has led on all actions and tasks with respect to the expression of interest campaigns. Officials from my Department have provided support to the Department of Health in this matter.

The first campaign closed on 29 April. As there were insufficient suitable candidates arising from the first campaign, a second round was issued with a closing date of 5 July 2022. From these, three suitable candidates have successfully completed Garda vetting. Five members are legislatively required for a functional board, with a quorum of three needed for any appeal hearing. Two other candidates have recently been deemed suitable and are in the process of being Garda vetted. All five candidates have been nominated by the Minister for Health, pending successful completion of Garda vetting.

I am hopeful that the new board will be up and running in the next few weeks. In my next reply, I will outline the details of the review of the scheme which is under way.

Deputy Pauline Tully: I thank the Minister. We do not have a definite date for the establishment of the medical board of appeal. I asked the Minister's predecessor, the current Minister for Public Expenditure and Reform, Deputy Donohoe, this question a number of times. I have also linked it to the proposed review of the disabled drivers and disabled passengers scheme because the criteria to apply for a primary medical certificate to access the scheme are extremely stringent. That is why the board resigned at the end of November 2021. It was promised a review of the scheme some months prior to that, and when that did not happen the board resigned in total frustration.

Many people who apply for a primary medical certificate do not qualify because the criteria are so stringent. When they are refused the certificate, they appeal the decision. An appeal is only upheld if a person's condition has deteriorated significantly, which is generally as a result of a progressive condition.

Many people apply to the scheme because they do not have any other options open to them. The mobility allowance and the motorised transport grant were suspended in 2013, with a promise that a new scheme would be introduced shortly thereafter. Ten years on, we still do

not have a new scheme. The system is inequitable because some people who applied and were approved for the scheme prior to 2013 and are still in receipt of the mobility allowance, while others, who should be able to avail of the scheme, are being denied access to it.

Deputy Michael McGrath: I thank the Deputy. I reassure her that the Minister for Health has made the appointment of the five members of the board of appeal. Garda vetting is being completed and that is why I am hopeful. I understand the board will be up and running in the next few weeks.

Assessments for the primary medical certificate by the HSE are continuing to take place. I acknowledge that there are a lot of appeals awaiting processing. There are currently 759 people awaiting an appeal hearing, with 382 of those dating to 2021. I am anxious that we make progress on this issue. I recognise the value of the scheme and what it means to people.

As the Deputy is aware, my predecessor, the Minister, Deputy Donohoe, committed to a comprehensive review of the scheme under the auspices of a broader review of mobility support. In order to achieve this, the Minister for Children, Equality, Disability, Integration and Youth, Deputy O’Gorman, agreed in September 2021 that the review of the scheme should be incorporated into the work of the national disability inclusion strategy transport working group. The working group, under the chairpersonship of the Minister of State, Deputy Rabbitte, held a number of meetings last year. A draft report was considered at its final meeting on 8 December 2022. It is being finalised and it is expected that it will be published soon. I assure the Deputy that I will give this matter my personal attention to try to move it on.

Deputy Pauline Tully: I thank the Minister. People’s rights are being infringed. The State ratified the United Nations Convention on the Rights of Persons with Disabilities, UNCRPD, in 2018 and nearly five years later there is no transport scheme in place for disabled people. The disabled drivers and disabled passengers scheme is extremely limited and only applies to a small number of very disabled people. We need more schemes. I was going to ask the Minister for an update on the publication of the report of the transport working group, and he has said it will be published shortly. I hope it will be.

As the Minister said, there are over 700 people waiting for appeals. I am constantly contacted by people asking when their appeal will be heard and I have to tell them there is no board in place to hear appeals. What resources is the Minister going to put into the scheme to help deal with the backlog of cases?

This issue affects people living in rural Ireland in particular because there is very little public transport as it is, never mind accessible transport. Local Link services are sporadic in terms of where and how often they operate. While people in urban areas may have choices regarding public transport in terms of buses and trains, people in rural areas definitely do not and they need schemes in place to assist them.

Deputy Michael McGrath: I hear what the Deputy is saying. I have had quite an amount of experience as a Deputy over recent years dealing with this scheme. I have been dealing with people who qualify for the scheme and with others who have been waiting for their appeal to be heard. It is very frustrating for people who have very severe disabilities, in many instances, to be waiting so long to have their appeal heard and to get the benefits of this scheme. It is a good scheme, broadly but there is a need for reform and changes to it. The way that was agreed to progress that was through the working group that the Minister for Children, Equality, Dis-

ability, Integration and Youth, Deputy O’Gorman set up and which the Minister of State at the Department of Health, Deputy Rabbite, chaired. The draft report, as I said, was considered on 8 December 2022 and is currently being finalised. I have not seen that report but I hope to receive it at an early date. I look forward to considering it and to acting on its recommendations in so far as they fall within my remit.

I wish to point out Chairman that Deputy Devlin’s question was grouped with the previous one which was skipped. Perhaps we could respond to that now.

Acting Chairman (Deputy Bernard J. Durkan): Yes, we can take that question now.

Tax Code

75. **Deputy Joe Flaherty** asked the Minister for Finance the proposals he will be bringing forward in relation to income tax over the medium term; and if he will make a statement on the matter. [2994/23]

79. **Deputy Cormac Devlin** asked the Minister for Finance his plans to undertake a review of the income tax system; and if he will make a statement on the matter. [3082/23]

Deputy Cormac Devlin: I want to start by congratulating and wishing my colleague, Deputy McGrath, well in his new role and thanking him for all of the work he did in the Department of Public Expenditure and Reform. I also want to formally congratulate my constituency colleague, Deputy Carroll MacNeill, and wish her well in her new role.

Turning to the question, I would like the Minister to outline his plans to undertake a review of the income tax system here, as committed to in the programme for Government. A Commission on Taxation and Welfare report was published in September of last year, entitled Foundations for the Future, taking a medium-term to long-term view of taxation in this country and I am interested in hearing the Minister’s views on same.

Deputy Michael McGrath: I thank Deputy Devlin for his good wishes. The position is that the programme for Government, Our Shared Future, contains a number of specific commitments relating to income tax. These include the commitment that from budget 2022 onwards, in the event that incomes are again rising as the economy recovers, credits and bands will be index linked to earnings. This will be done to prevent an increase in the real burden of income tax, to prevent more low income workers being taken into the tax net because of no changes to the tax system and to ensure there is no increase in the number of people having to pay higher income tax and USC rates. In addition, the programme states that the earned income tax credit will be equalised with the employee tax credit. It also includes a commitment to increase the home carer tax credit to support stay-at-home parents and those with caring responsibilities.

Significant progress has been made in achieving these commitments. For example, over the last two budgets the Government increased the standard rate cut-off point for single persons by 13.3% from €35,300 to €40,000, with commensurate increases for persons who are married or in civil partnerships. In addition, the main tax credits, namely the personal tax credit, employee tax credit and earned income credit, were increased by around 7.6% or €125 each from €1,650 to €1,775. It is also worth pointing out that the earned income tax credit was equalised with the employee tax credit in 2021. The home carer tax credit was also increased by €100 from €1,600

to €1,700, a 6.3 % increase, in budget 2023.

My Department has begun initial work on developing a medium-term roadmap for personal tax reform, taking account of the recent report of the Commission on Taxation and Welfare, and considering a range of measures across income tax, USC and PRSI, together with other related personal taxation issues. This exercise was signalled in the budget last autumn. I expect that when completed, the work will help inform deliberations relating to a number of aspects of the income tax system in the context of future budgets.

Deputy Cormac Devlin: I thank the Minister and commend him in particular on the work done in relation to the tax credits and the tax bands. The programme for Government commits specifically to developing a circular economy and legislation in that area is being progressed, as the Minister knows. The structural shift to a circular economy should be supported with taxation changes to support labour intensive sectors that underpin the repair of goods, particularly consumer goods, and retrofitting, in addition to the traditional labour intensive sectors such as tourism, hairdressing, and personal services such as home care, which will be needed to support an ageing population. Conversely, VAT and other taxes on IT and automated services should be reviewed to ensure that they are fit for purpose and effective in the modern era. I look forward to hearing the Minister's views on this.

Deputy Michael McGrath: I thank Deputy Devlin who has raised issues that are very important to the future of our income tax code, including the recognition of the ambition to move to a circular economy and the importance of schemes and supports for retrofitting. He also mentioned specific sectors of our economy.

It is worth highlighting the specific income tax and USC recommendations that were made by the Commission on Taxation and Welfare. This was an enormous body of work and the report is one that we should all take seriously. We must very closely examine the recommendations that the commission made. It recommended that the Government should focus on maintaining the progressivity of the existing personal taxes system. Without further erosion of the income tax or USC, future base-broadening reforms should focus on PRSI and on addressing horizontal equity concerns. To promote equity and sustainability, preferential income tax or USC treatment based on factors such as age or personal characteristics should be phased out, according to the commission. As far as possible, and with limited exceptions, income tax and PRSI charges should be based on income only and different types of income should be treated equally. The commission made a number of other recommendations in relation to cliff edges, the USC, individualisation and other issues as well.

Deputy Cormac Devlin: I appreciate the Minister's response and look forward to working with him and his officials over the coming months, particularly in relation to the base reform, PRSI, the tax credit system, USC and the income bands. I am sure we will flesh all of that out over the coming months.

Mortgage Resolution Processes

77. **Deputy Matt Carthy** asked the Minister for Finance his views on the requirements of third parties and funds in possession of mortgage contracts with regards to the code of conduct on mortgage arrears; and his views regarding the refusal of third parties and funds to engage with borrowers, including with respect to alternative repayment arrangements under the mort-

gage arrears resolution process. [3095/23]

Deputy Pearse Doherty: We have touched on this issue previously. The question relates to the cohort of around 114,000 individuals who have mortgages with the vulture funds. The issue is the code of conduct on mortgage arrears. The Minister gave me an answer last week suggesting that they could look at alternatives or could move to a different mortgage provider but these people have no alternative. These vulture funds do not offer fixed rates or split mortgages or go through the waterfall of restructuring options, which means these people only have one option. When they get a letter from the funds - and many have received four letters over the past six months - they have nobody to talk to. The code of conduct on mortgage arrears is useless to these people. We cannot allow this situation to fester. We are talking about 114,000 people and I am asking for Government intervention to support them.

Deputy Michael McGrath: I thank the Deputy. Many of these individuals have been in touch with me directly as well and a number of Oireachtas colleagues have raised this issue with me. It is an issue of which I am very conscious. I recognise that the rate that many of these mortgage holders would have been on prior to the changes in the ECB interest rate would have been 4% or 4.5% but all of the ECB increases have been passed on in full. That has brought many of them to rates that are at, approaching, or above 7%. That has made life really difficult for many of these people.

I had my first meeting today with the Governor of the Central Bank and I raised this issue with him directly. My Department has also written to the Central Bank in relation to its supervisory and consumer protection functions, drawing its attention to this issue and the impact that interest rates of this kind will potentially have on many of these people. I understand that the Governor will appear before the Oireachtas Joint Committee on Finance tomorrow and I am sure Deputy Doherty and other colleagues will be raising this specific issue with him.

Many of these customers cannot switch their mortgage provider. That said, the point should be made that there may well be some people whose mortgages are no longer classified as non-performing exposure mortgages and who potentially could go back to the mainstream bank lenders. That may be an option for some of these people but I acknowledge that it is not an option for all of them. It is an issue of concern which is why I raised it directly with the Governor of the Central Bank and why my Department wrote to the Central Bank bringing this matter to its attention and asking it to consider what can be done within the suite of supervisory and consumer protection powers of the bank.

Deputy Pearse Doherty: A person of whom I am aware is paying €400 a month more. That is €4,800 to the vulture fund. The code of conduct states that where a borrower is experiencing repayment difficulty, a regulated entity must explore all the options for alternative repayment arrangements offered by the entity. There are no options in this case. The vulture fund offers no options. The Government committed to review the CCMA but, two years on, it has not done so. It is not acceptable to leave these people high and dry. We need action. On this side of the House, I am willing to work with the Minister in whatever way is needed to ensure adequate protections are in place for these mortgage holders.

Deputy Michael McGrath: I have put on the record my concern for these customers. I recognise that interest rates at that level can cause real problems for these borrowers, some of whom are already in arrears, while others have cleared and come out of arrears. It is very challenging for them. I acknowledge that point. That is why, as a new Minister for Finance, I have

raised it directly with the Central Bank to examine what can be done within the suite of powers it has. I look forward to engaging further with it on the matter.

Ábhair Shaincheisteanna Tráthúla - Topical Issue Matters

An Cathaoirleach Gníomhach Deputy Bernard J. Durkan: 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:

Deputy Joan Collins - To discuss a delay by the HSE in completing three-month and ten-month child health development assessments at Old County Road primary care centre in Crumlin.

Deputy Pauline Tully - To discuss pensions for long-term family carers.

Deputy Jennifer Murnane O'Connor - To discuss the publication of the report into mishandling of abuse at St. John's Ambulance; the timeline for publication of said report; and when survivors will be given a copy of the report.

Deputies Mark Ward and Mick Barry - To discuss the Mental Health Commission's interim report on child and adolescent mental health services.

Deputy Brian Leddin - To discuss the challenges in the provision of healthcare services in Limerick and the mid west, and the need to support the development of a 150-bed facility at St. John's Hospital.

Deputy Maurice Quinlivan - To discuss the steps being taken to address overcrowding and capacity issues at University Hospital Limerick.

Deputy Christopher O'Sullivan - To discuss the provision of home care services in Cork.

Deputy Mattie McGrath - To discuss the closure of the Corman Miloko plant in Carrick-on-Suir, and the need to bring alternative employment to Carrick-on-Suir.

Deputy Darren O'Rourke - To discuss the delay in opening a new autism spectrum disorder unit at Ratoath Junior National School, County Meath.

Deputy Thomas Gould - To discuss social housing maintenance in Cork city and county councils.

Deputy Martin Browne - To discuss the status of plans to develop a 60-bed residential care centre at St. Patrick's Hospital, Cashel.

Deputy Marian Harkin - To discuss the NowDoc Service in the Sligo-Leitrim area and the provision of after hours service from Carrick-on-Shannon to Sligo.

Deputy Pat Buckley - To discuss using the retained fire services as first responders in east Cork, particularly in Cobh.

Deputies Mairéad Farrell, Martin Kenny and Rose Conway-Walsh - To discuss businesses that use liquid petroleum gas and oil and are unable to avail of the temporary business energy support scheme.

24 January 2023

The matters raised by Deputies Mairéad Farrell, Martin Kenny and Rose Conway-Walsh, Joan Collins, Brian Leddin and Christopher O'Sullivan have been selected for discussion.

Saincheisteanna Tráthúla - Topical Issue Debate

Primary Care Services

Deputy Joan Collins: A constituent contacted me recently regarding local parents whose babies and children are registered with the Old County Road primary care clinic. The clinic is no longer doing baby and child developmental checks. Several local mothers have reported being told by the clinic that these checks cannot be carried out on their babies or small children due to staff shortages. They are being sent postal questionnaires in the place of physical checks, including, in some cases, the crucial three-month and ten-month checks. These parents are very concerned that issues unknown to them may go undetected in their children, with potentially serious consequences. These developmental checks are essential. The HSE states on its website:

Make sure you bring your child to their developmental checks. It can help identify any health or developmental problems. Early diagnosis and treatment can help to improve issues your child may have.

I tabled a parliamentary question to the Minister for the attention of the HSE. It confirmed that this is the case. It confirmed that it will try to have the children on the waiting list seen in 2023. It stated that every effort is being made to recruit new public health nurses and a recruitment campaign will get underway in January 2023. There is a bit of a contradiction there. I do not know how it is going to catch up on the backlog when it does not even have the public health nurses required.

This is a basic healthcare provision that is required for newborn babies and children. Parents have been let down. Does the Minister of State, Deputy Butler, agree that this situation is intolerable? The Old County Road clinic is another area of the health service that is in crisis, just like home care packages, the trolley crisis, consultants, mental health, access to dental services and services for disabled children and adults. Other areas, such as the Armagh Road clinic, have not been affected in this way.

I am raising this issue because it is very concerning and I want to find out exactly what the HSE is doing to resolve it. Maybe the Minister of State will provide the number of children on the waiting lists in this regard. I have not yet been given that information.

Minister of State at the Department of Health (Deputy Mary Butler): I thank the Deputy for raising this matter and for the opportunity to update the Dáil on it.

Public health nurses play an extremely valuable role within the community healthcare system and provide an extensive range of services, including the provision of child health screening and supports for parents. It is vital that the local community in Crumlin, and all communities across the country, have access to public health nurses when they need them.

Their valuable role was highlighted when public health nurses, along with other front-line staff, were redeployed to assist and lead the Covid-19 response. This redeployment, in turn, had an impact on the capacity of the public health nurse service to deliver day-to-day services, including child development checks. During this period of redeployment, a prioritisation framework for child development checks was put in place by the HSE to enable public health nursing staff to identify and support those at greatest need in the community. Public health nursing staff have since returned to core duties. However, in some local health areas, the public health nursing service continues to be challenged by staff shortages, mainly due to reductions in the availability of staff due to retirement, internal movement, leave and challenges in replacing staff. Where these shortfalls are occurring, the prioritisation framework continues to be utilised to ensure those with the greatest need in the community continue to be prioritised and supported. It is important to note that this framework also ensures the safe delivery of services.

Data to August 2022, the latest published data, shows that, nationally, 83.8% of children reaching 12 months within the reporting period had their child health development assessment on time or before reaching 12 months. This represents a significant improvement from the 59.8% of 12-month checks that had taken place on time at year-end 2021, when many staff were redeployed to assist in the response to Covid-19. We sometimes forget that at this time 12 months ago, we were in the throes of the Covid pandemic. Thankfully, that is no longer the case.

Specifically with regard to child development checks at Old County Road primary care centre, the HSE has advised there has been a delay in completing checks due to staffing shortages. However, it has advised that a plan has now been put in place by the services in Crumlin to address the backlog. This plan commenced last week and children have been invited to attend developmental appointments. I know the Deputy will welcome that. The HSE has advised that it is exploring every avenue to fill outstanding staff vacancies and recruitment is ongoing.

Of course, the Department recognises the stress and frustration caused by the delay in the delivery of development checks. The Department and HSE would encourage any parents with a concern about their child's development to contact their GP or local public health nursing service directly. Any of us who had the support of a public health nurse when we had a very young baby recognise the importance of ensuring parents, especially first-time mothers, can get those supports.

In addition, in response to the broader challenges of recruitment and retention of public health nurses, the HSE recently established a community nursing national oversight group. The group is tasked with developing proposals and recommendations that will aim to address issues in the recruitment and retention of public health nurses and community registered general nurses. The Department of Health recognises the need to improve access to the wide range of services provided by public health nurses and it will continue to engage with and support the HSE to address these existing challenges.

Deputy Joan Collins: I thank the Minister of State for her reply. What is happening in the area in question? I understand there was a lot of restructuring and that public health nurses were redeployed to deal with the Covid crisis but this issue relating to developmental checks has been going on for a year. The Covid crisis lifted in April last year and one would have expected that staff would have moved back into their roles at that stage. The Minister of State pointed to retirement and so on and stated that parents who are concerned about their child's development should contact their GP - GPs are also under severe pressure at the moment - or

the local public health nursing service directly.

I am not satisfied with the response of the Minister of State. She stated that 83.8% of children reaching 12 months within the reporting period had their child health development assessment on time or before reaching 12 months, which is better than the 59% that pertained previously, but this is a crucial area of health for children and babies. They need these checks, which are very important for their long-term future. In the first 12 months, there is vitamin D, tests for babies, the BCG vaccine, pneumococcal conjugate vaccination, meningitis C vaccination, hearing tests and heel prick tests. There are so many tests done in that period to assess the future development of the child.

There are certain areas into which the HSE should be putting its staff and resources. This is one of the main such areas. It should have contacted and put in place either a GP visit or another measure to respond to the situation. I would like more feedback on that because I am still concerned about the situation at Old County Road. We do not know what is happening in many other clinics.

Deputy Mary Butler: To reiterate, I am pleased to confirm that the return of public health nurses to their core duties has now enabled the resumption of child development checks across the country. Last year, for example, 84% of children had the check before they reached 12 months, whereas in the previous year, in the height of Covid, the rate was sitting at 59.8%. There has been a huge increase but we want to get it to 100%. We want to make sure every child receives these vital checks, as the Deputy suggested. The role of the public health nurse cannot be underestimated, whether it pertains to very young babies and children or older individuals.

Specifically on the child development projects at Old County Road primary care centre, which I know the Deputy addressed in her question, the HSE has advised that there has been a delay in completing checks due to staffing shortages. However, it has also advised that a plan has now been put in place by the service in Crumlin to address the backlog. This plan commenced last week and children have already been invited to attend developmental appointments. The HSE has advised that it is exploring every avenue to fill outstanding staff vacancies, and recruitment is ongoing. I hope all those invited will take up positions and that the backlog can be addressed as soon as possible.

Hospital Services

Deputy Brian Leddin: The challenging situation at University Hospital Limerick, UHL, has been well reported over the past few weeks. Just last weekend, thousands of citizens from across the mid-west region marched in Limerick city to demand that the situation be resolved. One of the demands is that the accident and emergency departments at Ennis, Nenagh and St John's hospitals be reopened. I acknowledge that there are competing points of view as to whether this is the correct course of action but I know the Minister, Deputy Stephen Donnelly, will take the loud call seriously. Whatever decisions are made must be in the best long-term interests of the mid-west.

It is with the medium- to long-term challenge in mind that I raise this matter. This evening, I want to discuss the potential role of St. John's Hospital's in the provision of healthcare in a city and region that is expecting and targeting steep population growth in the coming years. Indeed, I believe that kind of growth can happen only if infrastructure projects such as that proposed for

St John's are developed. After all, we will struggle to attract people and jobs to Limerick if we do not have adequate healthcare infrastructure.

The national planning framework targets a 50% population increase for Limerick city in less than two decades. State policy is to grow the city population at twice the Dublin rate. The State also has a firm policy of compact growth, meaning we should build up our cities and reverse the pattern of development of the past 70 years. In those decades, before we realised how misguided an approach it was, we allowed and even encouraged our cities to sprawl outwards year by year, with them creeping farther by farther in all directions through a process of enabling and planning development on greenfield sites. We have seen this in every city in Ireland, but Ireland is far from unique in this regard.

The consequences of the misguided approach have been car dependency and the decline of town and city centres. In fact, UHL was one of the first outward pushes of the city in the 1950s. The suburb of Dooradoyle sprung up around it. It was because of this and a series of other major suburban developments that the city centre fell into decline. St John's, of course, is very much the heart of old Limerick, which suffered so badly over the decades in question due directly to the policies of unfettered greenfield development. Now we are bringing the old city back to life in many Limerick are involved in this effort. Those of us in government are helping by scrapping the policies of sprawl. In the coming years, through the development of multiple sites, tens of thousands of new citizens will live near St John's Hospital.

When we plan any infrastructure, we do so first by trying to assess future needs, but our thinking has to go beyond just considering this because any infrastructure development has powerful impacts. These can be good and bad. Supporting the St. John's proposal to develop a 150-bed block would have a powerfully positive impact on a city that can and should have bold ambitions. It would make Limerick city stronger, and stronger Limerick city would deliver a stronger mid-west region and fulfil our national aspiration to rebalance growth away from Dublin, as laid out in the national planning framework.

From a healthcare point of view, I believe it is the right decision. The Minister, Deputy Donnelly, and I have spoken in private about this on a few occasions. I have always appreciated those engagements. Most recently, he indicated there had been no decision on whether a fourth public elective hospital would get the go-ahead. I do not believe that the rationale that Cork and Galway, being within a 90-minute drive of Limerick, can meet Limerick's needs is sound given how development policy has been turned on its head recent years. I ask that the Minister support the development of St. John's Hospital in Limerick city.

Deputy Mary Butler: I thank the Deputy for raising this important issue and welcome the opportunity to address the House.

While acknowledging that there are significant challenges in the provision of healthcare services in Limerick and the mid-west region, there has been and continues to be substantial investment in UL Hospitals Group. For example, in October 2022 the Minister for Health broke ground on a new 96-bed inpatient block project at UHL. This capital project will deliver a four-storey, 96-single-bed acute inpatient ward block and will go some way toward addressing capacity issues in the region.

In 2021, a new 60-bed modular ward block opened at UHL, and prior to that an extra 38 inpatient beds were provided at the hospital through two rapid-build projects, constructed in re-

sponse to the Covid-19 emergency. There has also been investment across UL Hospitals Group, including the new injury unit at Ennis hospital, which opened last April, as well as a modern state-of-the-art ward complex, which opened at Croom orthopaedic hospital in 2021.

Separate from these initiatives, the Government approved in December 2022 the next stage of the enhanced provision of elective care programme. New national elective hospitals will be delivered in Cork, Dublin and Galway. No other locations are under consideration at this time. The locations were chosen to allow for new facilities of a size and scale to implement a national elective care programme that will tackle waiting times nationally.

These hospitals will provide significant additional capacity, enabling the separation of scheduled and unscheduled care. This will change how day cases, scheduled procedures, surgeries, scans and outpatient services are arranged across the country. These hospitals will ensure greater capacity in the future and help to address waiting times. This new delivery capability into the public healthcare system will benefit the whole population, including those who do not fall within the immediate traditional geographical catchment.

It is envisaged that the new Cork and Galway facilities combined will cater for up to 350,000 patients or procedures annually, which would include patients from the mid-west.

Complementary to the development of the new elective hospitals, the HSE also plans to develop surgical hubs in Cork, Galway, Limerick, Waterford and Dublin to provide a narrower scope of procedures. The HSE will work with hospital groups and forthcoming regional health areas to progress these proposals in the shorter term. An advantage of the surgical hubs is that they will be developed much quicker than the elective hospitals. This intervention will also support efforts to consider the necessary reforms and enablers needed to separate unscheduled and scheduled care pathways that will be required in the longer-term provision of the elective care programme.

A capital submission for the development of a 150-bed facility at St. John's Hospital has not been received. However, I assure the Deputy that the Department of Health continues to work closely with the HSE to ensure that UL Hospitals Group and, indeed, the mid-west are fully supported.

Deputy Brian Leddin: I thank the Minister of State for the reply. I acknowledge her final remark that the HSE and Department will continue to work with UL Hospitals Group. I want to make the case strongly for St. John's and believe I have done so, notwithstanding that the capital submission has not been progressed.

The thinking around development in this country has completely changed. It is not acceptable that the St. John's project is not being actively considered at this time. I believe this is a misalignment with the national planning framework. I will speak about it again to the Minister for Health, Deputy Donnelly. I acknowledge absolutely the substantial efforts that have been made to address the challenges in health in the mid-west region. I acknowledge the efforts of the University Hospitals Limerick Group, and to point out and agree that we are in a very unprecedented situation given the viruses that have gripped the world at this time. There is, however, a whole lot we can do. When we are thinking about healthcare we must think about the medium and long term. It is in that context I bring this matter this evening. We need to think to 2030, 2035, and 2040. I ask that the Minister of State, Deputy Butler, would say to the senior minister in the Department, the Minister Deputy Donnelly, that St. John's Hospital

makes absolute sense in the context of the provision of healthcare in the mid-west region. It will not be acceptable to the people of Limerick or to the people of the mid-west region that Cork and Galway are the cities they must travel to. It is not acceptable that we are planning infrastructure on the rationale of these hospitals being within a 90 minute drive. The Minister of State, Deputy Butler, coming from Waterford, will sympathise with this sentiment. I will engage further with the Minister and with the Minister of State, Deputy Butler. I hope that in time we will develop an excellent care facility at St. John's.

Deputy Mary Butler: The Minister, Deputy Donnelly, the Government, along with the Department of Health, remain fully committed to improving services in Limerick, the mid-west region and across the entire country. I believe that only recently the Minister, Deputy Donnelly, and the Taoiseach, met with the elected representatives in that area.

It is very clear that after what has been a very difficult couple of years for the University Limerick Hospitals Group significant efforts are being made to ensure that issues such as delays to elective care are being addressed as matters of priority.

Deputy Leddin referred to the situation in the past few weeks and the perfect storm we had of three viruses: we had Covid, flu and RSV. We saw unprecedented overcrowding, and especially in University Hospital Limerick. As I have said, there has been, and there continues to be, substantial investment in the University Limerick Hospitals Group, of which the Deputy is very much aware.

To conclude, a capital submission for the development of a 150-bed facility at St. John's Hospital has not been received. I am not sure if that is going to be progressed. The Department has not received it as yet. I will certainly bring the Deputy's comments on what he has said. The Deputy has spoken about Limerick so eloquently, and the fact that it had the sprawl and now it is moving back in. I will certainly bring the Deputy's concerns to the Minister for Health, Deputy Donnelly. I thank the Deputy.

Home Care Packages

Deputy Christopher O'Sullivan: I will speak about some of the difficulties that people are having in accessing home care supports in west Cork, but in doing that I must first acknowledge the incredible work being done in this whole area by the Minister of State, Deputy Butler, since she became the Minister of State. Year on year the Minister of State, Deputy Butler, has secured and allocated more funding for home care supports, and has done more than any other Minister previously in securing that level of support. The Minister of State began the process and has revolutionised nursing home care and I know she will do the same for home care. That said, the Minister of State has also acknowledged the unprecedented level of demand for home care support services in the State. The Minister of State has acknowledged this and it is what I want to speak about today.

It is surely time that the HSE becomes accountable for this and that it starts showing some results and some value for money for the money and the funding that the Minister of State has secured for the sector. This applies right throughout the healthcare sector. The HSE and the management structures within the HSE need to start showing that value for money and return for taxpayers' funding that goes into that service. For example, in 2019 the funding for the HSE was some €16 billion. This has increased to €23 billion. It is about a 40% increase yet we are

not seeing that value for money and we are not seeing the return in increased services. This has certainly played out in previous weeks. I am aware that we have had unprecedented levels of viruses, which has also been the situation throughout Europe but we have seen situations here where we have had record numbers of people on trolleys and people awaiting care.

The whole point of home help, home support and home care is to take people, elderly people, and dependent patients, out of those acute services. It underlines the importance of a functioning home support service. Far too often, unfortunately, and certainly in my area in west Cork, that is not the case. There are numerous examples I could give to the Minister of State but I will focus on one example. I thank the family that has given me permission to give it as an example. I will not use the names. The man has dementia, stage IV cancer, and Parkinson's disease. A good few months ago back in September he fell and broke his hip. He went to the hospital and was operated on. He was ready to be discharged from hospital a number of weeks later but he could not be discharged because the level of required home support services was not there to assist him. The requirement was that he would have two home carers in the morning, two in the afternoon, and two in the evening. The best that he could be offered at the time when the HSE went out to tender for it, was 2 a.m. or 1 p.m. This was very quickly withdrawn because one of the home care workers was no longer available. The HSE, of course, gave the response that there were issues with recruitment and issues with securing staff. While this may very well be the case, the upshot is that a family wanted to bring their father and family member home and spend time with him - however long that gentleman has left - and they wanted to spend as much time with him at home as possible. They could not do it because the appropriate level of home care and home supports services was not there. We need to see that change. The Minister of State has put the funding in place. She has resourced it and the HSE now needs to step up to the mark to ensure that this level of support is provided for families who desperately, desperately need it.

Deputy Mary Butler: I thank Deputy O'Sullivan for raising this very important issue, and for giving me an opportunity to address it.

Since budget 2021, I have secured an additional €207 million in funding for home support. This year, the overall home support budget will be more than €700 million. I am probably the first Minister of State that has ever stood here who has the capacity to provide every home care hour that is needed in the country, but I do not have the staff to deliver it. This funding will enable the HSE to progress the development of a reformed model of service delivery to underpin the statutory scheme for the financing and regulation of home support services. This will fund nearly 24 million hours.

The dementia-specific proportion of the new home support hours increased from 5% in 2021, 11% last year, and this year in 2023 I will have 15% that is dementia specific. The delivery of home support hours in communities is increasing, in line with enhanced investment. Older people want to age well at home. There are three things that can mean an older person can age well at home: home care supports; access to day-care centres; and meals on wheels. These three are the triangle that means people can age well at home.

As of November 2022, 56,429 people were in receipt of the service. At the moment we have approximately 56,500 people who receive home care every day. There were 3,240 new applicants funded and waiting for supports, and 2,819 people were already receiving supports but not the maximum hours advised, such as the gentleman the Deputy spoke about. Seven people were assessed and waiting on funding. Whereas previously people were waiting on funding,

that is not the case anymore. Last year, up until the end of November, we delivered 19 million hours of home supports. I expect this to land some place in and around 21 million hours. Specifically in the context of Cork and Kerry CHO 4, we have seen an increase in those waiting in that area. Between January and November last year, preliminary data show that more than two million hours had been provided in Cork to more than 7,000 clients. At the end of November the waiting list in Cork stood at 429 people waiting on additional hours - so they had some form of supports but not the full package that was recommended - and 589 were new applicants. We have seen unprecedented demand for new home care supports. As I have said, 589 were new applicants.

Last year, I established a strategic workforce advisory group which came back to me with 16 recommendations. I accepted all these recommendations as quickly as I could. As of 1 January 2023, and working with my colleague, the former Minister of State, Deputy English, I have secured 1,000 employment permits which will allow home care workers from non-EU-EEA countries the opportunity to work in Ireland. This is an immediate intervention to support the sector. We did that previously for the nursing home sector and at the last count we had 2,500 people who came in on permits. I would be very hopeful that in the next month or two, we will see people who would be prepared to come in here. The average person provides interventions to about six people a day. If we could get 500 or 600 people in, it would almost clear the waiting list. In conjunction with wider sectoral reforms which are in train, implementation of the group's recommendations will have a real and lasting impact on addressing our workforce challenges.

Deputy Christopher O'Sullivan: The Minister of State quoted a lot of the facts and figures. She has secured €700 million in funding this year for home care. There is an unprecedented provision of hours. She also mentioned the statutory scheme of 24 million hours. I spoke about her revolutionising the sector and I think that will happen. Of course, we have to give this time to settle in. We have to look at the circumstances now. I appreciate the efforts that are being made in recruiting non-EU workers to take up those positions and clear the backlogs. That is very welcome. We have to look at workers within Ireland as well and consider why we are struggling to recruit staff and fill those positions. Do we need to look at the working conditions? These are incredible people in our community who love their work. They love doing what they do. They love the help and support they give people but clearly we do not seem to be doing enough to recruit people into that profession. It is certainly something that needs to be looked at. I am very heartened to hear of the efforts being made in recruiting non-EU workers into Ireland to clear that backlog. It is a very important step and something I hope will make a difference.

However, that is not to lose sight of the main reason I am raising this issue. As with the example I have given, it is for the family who want to be reunited with their loved one. They want to see him discharged from hospital for what they thought would have been a routine procedure but he has been in there since September. This is all about ensuring that those families are reunited and can be together in the home. I want the Minister of State to take that example and hopefully we can see a difference made for that family.

Deputy Mary Butler: I am committed to supporting people to age in place at home in their communities with the wrap-around supports, including the dementia-specific day care services, meals on wheels and home care. In order to bolster staff resources and reduce waiting times for allocation of service, Cork-Kerry community healthcare advertises on an ongoing basis for healthcare support assistants throughout the region. It has a rolling campaign ongoing at

the moment. The rates of pay are quite attractive. The HSE rates start at €16.49 an hour, plus mileage. I have to say that we have been challenged to try to sell home care as a viable career opportunity. The private providers are also actively endeavouring to recruit additional staff resources. Given the nature of this role, this recruitment is normally conducted at a very local level, which is important, across the region. One of the recommendations of the strategic workforce advisory group is also that those private providers would have to pay a minimum of the living wage and they would also have to include mileage. That new tender is being worked out at the moment.

I understand the point the Deputy makes about the gentleman in question whose family wanted to bring him home but did not have sufficient home care. Many of the Deputies in the House will be able to relate to that case. From Monday to Friday, we are okay but a lot of the challenges are at the weekends and in rural areas. That is why it is important that, if we can at all, trying to recruit people at a local level is vital. In addition, patients regularly discharge directly home from the acute setting with home support. Where patients are on the delayed transfer of care list because it is proving difficult to secure appropriate home supports, they can be offered a transitional care bed in a residential care facility. Last December just gone, we used that facility 1,000 times and in the first week of this year it was used 289 times. Home care is one of the issues I am trying hard to resolve. When I was appointed, there were over 9,000 people waiting for home care. Today, there are 3,200 people waiting and 2,800 with a partial home care package. I am hopeful that we will see some new people coming into the country who might be able to provide some support for us.

Business Supports

Deputy Mairéad Farrell: I am sharing time with Deputy Conway-Walsh.

Gabhaim buíochas leis an Aire Staít as an gceist seo a thógáil. An fáth go bhfuilimid á hardú inniu ná gur chas mise le gnólacht i gConnemara agus dúirt sé liom go bhfuil sé ag úsáid an gháis peitríliam leachtaithe seo. Mar gheall air sin, níl sé in ann an scéim chun cabhrú i dtéarmaí fuinnimh a úsáid, rud a chiallaíonn go bhfuil sé an-deacair dó na doirse a choinneáil ar oscailt, rud a chiallaíonn go bhfuil sé an-deacair dó daoine a choinneáil fostaithe. Is féidir linn breathnú air seo agus oibriú lena chéile chun féachaint cén bhealach gur féidir linn cabhrú leis na gnólachtaí seo. Is léir nach an gnólacht seo amháin atá i gceist ach go bhfuil an deacracht seo ag gnólachtaí timpeall na tíre.

I want to raise this issue. I met with a business in Connemara which uses this liquefied petroleum gas, LPG, and as a result it was unable to access the temporary business energy support scheme, TBESS. It has been struggling badly over the last number of years between Covid and now the huge rise in energy costs. As a result, the business cannot be kept open all the time. It is a hotel. In a small, rural area that has a serious impact on employment in the village. It is having a big knock-on effect. It is important to raise this issue. We can work on it together to see if there is a way to help these businesses in the west that are impacted to try to keep the doors open.

Deputy Rose Conway-Walsh: The Government has made a big mistake by not including LPG in the TBESS, which is designed to help viable businesses to survive in the current spike in energy prices. This has excluded many rural businesses unfairly from the support scheme. The Minister of State must appreciate the fear and anger caused in rural Ireland when busi-

nesses were informed by Revenue that the TBESS will only apply to those metered in the supply of gas and electricity. As people in Mayo are all too aware, mains natural gas is simply not available in that part of the country. This does not make sense. It was a mistake, an unintended consequence. It means that businesses in rural Ireland that rely on bulk gas purchase of LPG are denied access to the scheme. These businesses, like many others, have seen unsustainable increases in their energy costs. Rural Ireland and Mayo seem to be an afterthought for the Government.

I want to get this right. I hoped it was an oversight that would be addressed but, disappointingly, when I raised it with the previous Minister of State, he said he would not review the scheme until after it had closed at the end of February, when it is too late for businesses to access the support. This is wholly unacceptable and it risks doing irreparable damage to our rural economies. The Government must see reason and allow all businesses to access the support. Businesses in Mayo and across rural Ireland cannot afford to be treated in this unfair manner. This has to be put right. We have all the auditing done by Revenue so the Government can tell how much energy is being used this year, how much it cost, how many units have been used and what was used last year. The differential can be quantified in order for these businesses to be included in the support scheme. There is no reason whatsoever they cannot be included. These businesses are employing people in places like Achill, Ballina, Belmullet and similar areas across the county. They deserve much better than this. I am asking the Minister of State to please reverse this and right the wrong.

12 o'clock

Minister of State at the Department of Finance (Deputy Jennifer Carroll MacNeill): I thank both Deputies for raising this important question. Deputy Conway-Walsh will be aware I have a strong interest in Mayo, with significant family connections and family businesses there. I have a good understanding of the pressures faced right across Mayo and other parts of rural Ireland. Indeed, her constituency colleague, Deputy Dillon, also raised this with the Minister, Deputy Michael McGrath, on Question Time earlier.

I will cut to the chase on the reasons for it because that is what the Deputies specifically raised, and we can provide further detail. The difficulty with this is that many of these businesses would have received broad supports through the employment wage subsidy scheme, EWSS, and a range of different supports during Covid. As a result, there is no intention whatsoever to exclude businesses of any particular geographical position or type.

On the issue of oil and LPG being excluded from the scheme, this was because they were not supplied by way of a meter. Revenue and the Department of Finance pointed out at the time the scheme was devised that it would be difficult to accurately determine the actual usage for each claim period, the relevant unit price for each claim period, and the actual increase in that unit price and usage over the same time frame in the reference period.

As her party's spokesperson on public expenditure, Deputy Mairéad Farrell will be particularly concerned about how schemes are structured and making sure they can be captured in a way that Revenue can accurately assess what is being done. As she knows, the scheme opened generally for registration at the end of November and for claims on 5 December. There are €12 million worth of claims of which close to €11 million have been paid out. It is still early days in the taking up of the scheme but that does not address the Deputy's point about businesses using oil and LPG as energy sources.

TBESS is available to all tax-compliant businesses carrying on trade, the profits of which

are chargeable to tax under case I or case II of Schedule D. It also applies to sporting bodies and charities that carry out trading activities. There is no intention to exclude businesses or services; it is simply a matter of how that is recorded. The Minister stated earlier that the scheme is due to end at the end of February 2023. There is provision under sections 100 to 102 of the Finance Act to extend it to the end of April and to consider the caps. The Minister indicated that he would look at the operation of TBESS for the first three months, as the Department of Finance and the Government did in respect of other schemes that were designed to provide supports through difficult periods.

I will set out the facts for the House more broadly. To be eligible to make a claim under TBESS a business must demonstrate that the average unit price for electricity or gas, as the case may be, on the relevant bill has increased by 50% or more compared to the average unit price in the reference period. It is tightly analysed and assessed in order to make that comparison. In broad terms, it is the average unit price in the month that is 12 months prior to the month in which the relevant bill arises. That is the energy cost threshold.

I hear what both Deputies are saying with regard to whether we can do something more, or if we can we work on this. I urge them to contribute to the review and provide specific ideas, during the revision or the devising of any new scheme, on the specific problem of measuring the use, the actual cost and the change over time in circumstances where one is dealing with something that is not metered in the course of ordinary business.

Deputy Mairéad Farrell: Is í an fhadhb a atá agam i ndáiríre ná má bhíonn ar ghnólachtaí áirithe fanacht roinnt míonna go dtí go mbeidh an chabhair sin acu, ciallaíonn sé sin go mbeidh ar chuid acu a gcuid doirse a dhúnadh. Mar gheall ar sin, dóibh siúd atá i gceantair níos iargúlta, táimid ag admháil faoi sin mar gheall go bhfuil siad ag brath ar ola agus an LPG seo agus nach féidir leo an chabhair a fháil ón Rialtas. Caithfimid breathnú air sin.

I take the Minister of State's point that we need to bring ideas into the review, but I would make the point that a number of months in a small business's life, in a small rural isolated area, can have a serious impact in terms of them having to close their doors. We do need to look at any kind of way we can assist those businesses to remain open, for the viability of small villages across the west.

Deputy Rose Conway-Walsh: The crux of matter seems to be the auditing, showing the exact usage and the measurement issue. If we can prove to the Minister of State or Revenue, which I believe we can beyond any doubt whatsoever, the exact usage, the number of units and the exact costs and do absolute comparisons in the same way that is done elsewhere, can this scheme be applied retrospectively to those who have missed out on this scheme in recent months? That is where we need to hone in. I can 100% provide that evidence to the Minister of State or Revenue, or I can get the businesses to supply it. Nobody is looking to avail of something that they are not entitled to or to abuse the system in any way. Everything is upfront and can be audited.

Deputy Jennifer Carroll MacNeill: I completely appreciate the point made by both Deputies, particularly on auditing. This scheme is devised under a European framework and is also subject to state aid rules so it is not simply me, the Department or a lack of desire. It is constructed under the state aid rules as a particular intervention measure, all of which we must comply with. Therefore, please do not let me go further than I can in any of that. The Minister has said he will look at the operation of the scheme, in broad terms, to see if there are ways in

which it can be adapted for in the future.

The Deputy is correct to point out the impact weeks or months of difficulties can have on the viability of any business. I refer, in particular, to many tourism interests that find it difficult to attract business over the winter period. When one looks at the scheme and how it has operated versus expectations, one must also consider energy prices and where they are relative to expectations. Despite them having been extraordinarily high, energy prices are much lower than we had expected at this time of year both because of changes in energy price in respect of oil and gas generally on the wholesale market, and the considerably warmer than expected weather for the period. This has meant that bills, while they were exceptionally high during the August-September period - which I saw in my own constituency - have not been as high as might have been expected. By way of additional detail, wholesale gas prices are expected to be 57% lower in the first quarter of this year than they would have been expected to be last October. Of course, the winter period is not over and gas and oil prices remain considerably high, but it is worth making the point that they are lower.

We continue to urge eligible businesses to make claims under the scheme. The window for making claims is important. Revenue has endeavoured to make it as easy as possible. I appreciate that this speaks to the application of the scheme more broadly and not to the specific points raised by the Deputies in respect of the exclusions from that part of the scheme.

Cuireadh an Dáil ar athló ar 12.08 a.m. go dtí 9.12 p.m., Dé Céadaoin, an 25 Eanáir 2023.

The Dáil adjourned at 12.08 a.m. until 9.12 p.m. on Wednesday, 25 January 2023.