



DÍOSPÓIREACHTAÍ PARLAIMINTE
PARLIAMENTARY DEBATES

DÁIL ÉIREANN

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

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DÁIL ÉIREANN

Dé Céadaoin, 21 Meitheamh 2023

Wednesday, 21 June 2023

Chuaigh an Leas-Cheann Comhairle i gceannas ar 9.12 a.m.

***Paidir agus Machnamh.
Prayer and Reflection.***

Ábhair Shaincheisteanna Tráthúla - Topical Issue Matters

An Leas-Cheann Comhairle: I wish to advise the House of the following matters in respect of which notice has been given under Standing Order 37 and the name of the Member in each case:

Deputy Jennifer Whitmore - to discuss urgent temporary accommodation needs for Blessington Community College and Temple Carrig School, Greystones.

Deputy Pádraig Mac Lochlainn - to discuss the allocation of funding to schools with a large intake of students from refugee or asylum-seeking families post September.

Deputy Bernard J. Durkan - to discuss the activities of investment fund managers and the impact this might have on vulnerable borrowers.

Deputy Alan Dillon - to discuss policy and delivery of modular school accommodation.

Deputy Jennifer Murnane O'Connor - to discuss the provision of an injury clinic in Carlow.

Deputy Pa Daly - to discuss accessibility issues with the new assisted decision-making process and the changes it has made to power of attorney.

Deputy Donnchadh Ó Laoghaire - to discuss the current crime prevention resources available in Mahon, Cork.

Deputy David Stanton - to discuss the need to adjust the cost-rental tenant *in situ* scheme.

Deputy Thomas Gould - to discuss the process of the resource allocation group in filling prescriptions for vital medical equipment for children in community healthcare organisation, CHO, 4.

Deputy Pat Buckley - to discuss the European Ombudsman response to the proposed closure of Owenacurra Centre in Midleton, County Cork.

The matters raised by Deputies Jennifer Whitmore, Pádraig Mac Lochlainn, Bernard J. Dur-

kan and Thomas Gould have been selected for discussion.

Saincheisteanna Tráthúla - Topical Issue Debate

School Accommodation

Deputy Jennifer Whitmore: I want to raise the issue of the need for temporary accommodation for both Temple Carrig School in Greystones, and Blessington Community College in Blessington. It is nine weeks until students will return to secondary school for the 2023-24 academic year, and neither Temple Carrig School nor Blessington Community College has sufficient accommodation to house the intake that is due this August and September. Both schools have been searching and asking the Department for information as to when the promised and committed temporary accommodation will be made available to them. As the Minister of State can imagine, the schools, the parents and the students are getting very concerned about this delay.

Temple Carrig School has agreed to take extra students in since 2020. It has increased its capacity significantly and, as a result, the Department committed to it that it would provide it with four temporary classrooms to accommodate those students. The school ran two procurement processes that were requested by the Department in order to obtain that accommodation and those classrooms, and each time the school was told the Department had either changed the goalposts or did not agree with the procurement process. The school has therefore spent a year doing what the Department has asked it to do, and each time the Department has changed the process and changed its opinion on it. As a result, the school now does not have accommodation for September because of difficulties, flaws and delays within the Department's process. This has nothing to do with the school; no fault at all is attached to it. It did everything correctly and did everything the Department asked it to do, but the Department changed its mind as to what it wanted in that procurement.

The Department has said subsequently that it would obtain accommodation from another school in Donabate and move it to Temple Carrig School but it still cannot say when that will happen. All it is saying is that it will probably be after the first mid-term break. That is not acceptable. It is not acceptable for the Department to work with a school, to ask it to take in extra students, to make a commitment that accommodation will be provided for them, to request that the school put a huge amount of effort into running procurement processes, to change the goalposts and now, when the school is left without sufficient accommodation, not even to tell the school when the temporary accommodation will be put in. What is even more remarkable is that there is temporary accommodation in a neighbouring school that one could spend literally half a day moving up to Temple Carrig School, yet the Department wants these prefabs to come from Donabate, which will take a number of months for some reason.

The Minister of State's Department has had three weeks to prepare the response to this Topical Issue because it has been three weeks since I first raised this. I really hope the Minister of State has come to me today with dates as to when both these schools will have their temporary accommodation because parents and schools need certainty on that.

Minister of State at the Department of Education (Deputy Thomas Byrne): Gabhaim buíochas leis an Teachta as an ábhar seo a chur mar shaincheist sa Dáil. It provides me with an opportunity, on behalf of the Minister, Deputy Foley, who cannot be here this morning, to outline the current position in respect of capital projects to deliver replacement and additional accommodation for Blessington Community College and Temple Carrig School under the re-configuration and modular accommodation programme.

With respect to Blessington Community College, the school authority, which is Kildare and Wicklow Education and Training Board, KWETB, applied to the Department for additional accommodation under the additional school accommodation scheme to cater for increased enrolment pending delivery of its major capital project to cater for an agreed long-term projected enrolment of 1,000 pupils. Approval was granted to the school authority for the replacement of four existing prefabricated units, which were in poor condition and unused, and for a further two general classrooms, which will provide Blessington Community College with a total of six additional general classrooms. The project as outlined is being delivered under the Department of Education's devolved reconfiguration and modular accommodation programme. That programme is a new stream under the additional school accommodation scheme, which provides the services of a project manager to help the school authority with delivery. That approach supports accelerated delivery of the accommodation and maximises help for the school authority for the delivery of the brief.

The project for Blessington Community College will be delivered from the Department's procurement frameworks, which offer schools the option to provide and deliver a turnkey project with efficiency in terms of timelines, experience and tried and tested service with professional design teams and contractors. Projects delivered under this scheme are devolved to school authorities under the terms and conditions of the scheme, and it is a matter for schools to progress these projects on that basis, subject to departmental review at various points in the process. I wish to point out that under this programme the number of stages has been minimised to ensure efficiency of delivery while maintaining the necessary governance structure. The process for this programme is that the project manager visits the school site and, in consultation with the school authority, prepares a viability report to identify the best accommodation solution for submission to the Department for consideration and approval. On approval, the Department notifies the school authority that it may proceed to the next stage subject to its agreement of the final project brief, which is confirmed by signing a form of acceptance. On receipt of the form of acceptance, the Department issues the first tranche of three stages of funding. The school authority, in conjunction with its project manager, can then appoint contractors and works can commence.

I am pleased to confirm that significant progress has been made to date on the urgent provision of school accommodation for Blessington Community College. The assigned project manager has carried out a site visit and has held a number of meetings with the school authority. A suitable site location has been identified for the new accommodation. While the school authority, KWETB, has overall responsibility for delivery of the project, officials from the Department of Education hold weekly meetings with the assigned project managers to ensure this project remains on track for delivery in the next academic year.

With regard to Temple Carrig School, the school authority made an application for additional accommodation under the additional school accommodation scheme to cater for increased enrolment, pending delivery of its capital budget. This project is approved and is being delivered under the Department's devolved reconfiguration and modular accommodation programme.

The brief for the modular accommodation project is to provide four general classrooms to cater for the school's increased enrolment for September 2023. The Department has identified suitable modular accommodation to be relocated to Temple Carrig School, as the Deputy has outlined. The delivery of this project has also been devolved to the school authority, which has overall responsibility for the delivery of the project, and it will be helped by an assigned project manager. The project is currently at detailed design stage and preparation of statutory applications with an estimated completion date for the 2023-24 school year.

Deputy Jennifer Whitmore: Given that the Minister of State knew this question was going to be put to him, I cannot believe he has not come in here to tell me that both of these schools will have the accommodation they need in place for September this year. No dates and no firm commitments have been given. What is plan B? What happens if that accommodation is not provided? Schools are talking about putting in remote learning solutions and dropping back to four-day weeks. Is that what the Department expects schools to do to cater for the number of children enrolled? It is completely unacceptable.

The Minister of State said that the KWETB project in Blessington is on track for delivery in the next academic year. Does that mean it is not on track for September? Does it mean that the Department has now stated it will not be in place in September?

The Minister of State said of the Temple Carrig School project that the overall responsibility is with the school. Is it up to Temple Carrig School to go to Donabate and move that temporary accommodation to County Wicklow? Is that now the role of schools? Are they movers for the Department of Education?

This response is unacceptable. It indicates to me that the level of bureaucracy means an enormous amount of time and energy is being spent going through all these processes and steps. All the schools are looking for is the simple provision of four classrooms each. That is all they are looking for. Surely the Department should be in a position to say it will ensure the accommodation, which it has asked the schools to provide for students, will be in place when the students start at the school. Surely that is all that is needed.

Will the Minister of State please give me a commitment that both of these schools will have the temporary accommodation they need in place for September? If he cannot give that commitment, will he please outline what he expects schools to do, what is plan B and how will schools accommodate the students who are enrolled for September?

Deputy Thomas Byrne: I thank the Deputy for raising these issues. On behalf of the Minister, Deputy Foley, I reassure the House that her Department is committed to the accelerated provision of the urgent school accommodation the Deputy has talked about for Blessington Community College and Temple Carrig School.

In the wider context, the Department of Education is conscious of the urgency in providing accelerated delivery of school accommodation at both schools. Officials in the Department are working closely with both school authorities and the assigned project managers to ensure timely delivery of the accommodation. The provision of school accommodation to meet the need for school places, both mainstream and for students with special educational needs, is a priority for the Department.

I know the Deputy has suggested that perhaps there is too much bureaucracy or too many processes. I outlined earlier that we have tried to reduce these processes but the Deputy will

know that these processes, some of which are statutory, are absolutely necessary to be complied with. If the Department did not comply, there would be issues. To be clear, the provision of accommodation to meet the need for school places is an absolute priority for the Department.

Department officials will continue to work with both schools and the project managers who have been assigned to deliver the required accommodation we know is needed in those schools.

Deputy Jennifer Whitmore: To be fully clear, will the accommodation be in place for both schools for September?

An Leas-Cheann Comhairle: Go raibh maith agat, a Theachta.

School Funding

Deputy Pádraig Mac Lochlainn: The issue I am raising with the Minister of State is astonishing in its injustice. There is a situation whereby schools across the country have welcomed children from refugee and asylum-seeking families with a good heart. They are nurturing and educating those children, and have welcomed them into their schools. I want to give an example from one school in Donegal but there are many other examples I could give across the county and the country. I have one example on my desk. Sessiaghoneill National School had 152 children enrolled on 30 September, which is the date on which enrolment is reported. Within weeks, it had an extra 52 children from asylum-seeker and refugee families. That is an increase of one third in the school population. However, it has not received any additional financial support per child in the school, as would be normal. This school has nurtured, cared for and educated these children with a good heart. It estimates the situation has cost it over €30,000. It has nothing left in its bank account. Apparently, officials from the Department of Education advised the school to consider going to the Society of St. Vincent de Paul or the Red Cross.

That is a school that was looking to care for and nurture children. It has been left in considerable financial difficulty and nobody will resolve the issue for it. Everybody says they are sorry but if the kids in question are not registered on 30 September, nothing can be done. That is crazy bureaucracy. People are looking at this situation whereby the resources of the school have run dry. There are also people who are organising accommodation across the country and making a hell of a lot of money from this crisis. Some of them are very good at providing accommodation and some of them are not so good but are still making a hell of a lot of money from this crisis. This is a small school and we are leaving it €30,000 in the red while we are enriching some people across the State. People see that. They are intelligent and see that. I am sure the Minister of State will agree that this is wrong. There will be schools across the country with tremendous people who are nurturers, educators and carers, providing wonderful environments for these kids who are coming from all sorts of situations. The lives of those kids have been turned upside down and they have experienced enormous trauma. These are exactly the types of environments we want them to be in. The people who make provision for them should be compensated, at the very least. Children from the parish in question and children who have come here from another country should both attract the same level of financial assistance from the Department. This situation is wrong. It is bureaucracy.

I know the Minister of State is going to read a statement on behalf of the Department of Education which will lay out some formulaic policy. He, like me, is a public representative. I

think he knows that what I am describing is absolutely wrong on every single level. I ask him to please engage with the Department officials and the Minister to find some practical solution. We cannot have a situation where schools are being impoverished while people who are speculative developers are making a huge amount of money from this crisis.

Deputy Thomas Byrne: I am responding on the behalf of the Minister for Education, who I know is conscious of the need to ensure that schools are supported, enabling them to maximise teaching and learning outcomes for all students. It is vitally important that the education system is one where all children and young people feel equally supported. All migrant children, including children of international protection applicants, refugees, migrant workers and unaccompanied minors can access preschool, primary and post-primary education in a manner similar to Irish nationals until they are 18. My Department provides funding to all recognised schools in the free education scheme by way of *per capita* grants. These grants are based on recognised enrolments in the September of the relevant school year. The Department provided more than €660 million in capitation grants to schools in 2022.

School staffing arrangements at primary and post-primary levels are primarily determined by the staffing schedule for the relevant school year and pupil enrolments on 30 September. The special education teaching, SET, allocation model provides all schools with a baseline teaching allocation based on enrolments to help pupils who have learning and literacy difficulties, including those arising from English additional language needs. In addition to the normal staffing allocation to schools I have outlined, which are based on the previous September's enrolment figures, additional English-language support teachers and mainstream class teachers have been made available to schools on an ongoing basis through the school year to support pupil enrolments arising from the war in Ukraine and the rising number of families seeking asylum. Additional SET hours were also provided in 2022-23 to deal with the increased enrolments of these pupils in our schools. A similar scheme will be in place for the 2023-24 school year. In the case of special needs assistants, the support is allocated based on the advice of the National Council for Special Education.

For the 2023-24 school year, the Minister has introduced a landmark new scheme that signifies a new chapter in Irish primary education to provide free school books for all primary and special school pupils. In March last year the Minister was glad to be able to announce a major expansion of the DEIS programme, benefiting 361 schools, which has taken the total expenditure on DEIS in 2023 to over €180 million. We have also recently announced a new pilot programme to start in September to provide significant counselling and mental health supports to children in primary schools. As part of the cost-of-living measures introduced in budget 2023, some €90 million issued at the end of 2022 in once-off additional capitation funding to support increased running costs for recognised schools in the free education scheme.

I will bring the Deputy's points and what he has said back to the Department. I want to hear more from the Deputy afterwards about the statement that somebody from the Department told a school to go to the Society of St. Vincent de Paul. If that is the case, we need to know about it because that is certainly not the policy of the Department of Education.

Deputy Pádraig Mac Lochlainn: As I have said, what I have here in front of me is a brief that was sent from the school to the Deputies in Donegal. I quote directly from this brief where it says: "In fact we were advised by Department representatives to contact our local Red Cross or St. Vincent de Paul." That is their testimony, so somebody has done that.

The report also shows that they have 52 additional children. Normally a school would get capitation rates per child. Covid cleaning comes from that along with minor works, free school books grants, ancillary services grants, once-off cost-of-living grants, standardised testing grants and digital strategy grants. That is the level of grants *per capita*. It is €30,000. If these children had been registered two weeks previously, the school would have had €30,000. It is not defensible. The school is telling me that there is nothing left in the accounts. The school has been wonderful. They have created a safe, educating and nurturing environment for these children and they are happy to do it. They believe that these children add to their school. They are more than happy to do it but they are being punished and impoverished for doing the right thing. That cannot stand. I have raised this through a parliamentary question with the Minister and today I am nearly begging that this would be resolved. The Minister of State, Deputy Byrne, is aware that there are people who have made a hell of a lot of money from this crisis, who have just turned around buildings and made accommodation available. They have made a lot of money and they are doing really well, thank you very much, in this crisis. We cannot have this happening and yet a school that has done right by our people and tries to support these children from refugee and asylum seeker families, including traumatised children, would be financially impoverished. This must be sorted out. Surely somebody in the Department can intervene and sort this out.

Deputy Thomas Byrne: I will certainly take all of that back to the Department and to my senior Minister. I understand the need for increased capitation funding. Capitation rates have increased by 7.5% in recent years and all schools have benefited from that. The Minister intends to seek funding for further capitation increases in future budgets. In addition, the scope of the regional education and language teams has expanded beyond serving Ukrainian families. It now encompasses the educational needs of all international protection asylum seeker arrivals. I reiterate the Department's commitment to supporting children from refugee and asylum seeker families so they are enabled to continue their education in the State. The Department and the Minister will work to ensure that the funding and resources in place are appropriate to meet the needs of this cohort of children and young people. The bottom line for the Government in all of this is to ensure that all of our obligations and the humanitarian needs of refugees and people under the temporary protection directive are met, that our legal obligations are met, and that the humanitarian rights are protected. It is not about who is making money or not making money; it is about making sure everybody gets what they need. We absolutely accept that the schools need the resources. The Department is committed to providing the resources, as I have outlined in my statements.

Fiscal Policy

Deputy Bernard J. Durkan: I seek to bring to the attention of the House the activities in recent times of some lending institutions, fund managers and their successors. This mainly relates to funds that were sold over from the pillar banks in a package to the investment fund managers. Some of them are being sold on again to third parties. I am not too certain whether they are fully regulated, but I am sure they are. I am concerned at the tendency - I observe a new urgency now - on the part of asset managers who, with a renewed vigour, seem to have the attitude of pursuing the borrowers in a way that was not evident in the past.

This also relates to cases where the lending institutions concerned, or their forebears, had ample opportunity to enter into an arrangement with the borrowers but they always rejected

whatever offer was put forward on the basis that it was unsustainable. It was unsustainable from their point of view but readily sustainable from the point of view of the borrower in reducing the debt. In many cases that offer was refused and as a result the debt remains and has increased. Obviously it has increased with interest rates and so on. Notwithstanding all of the help that has been made available by various ways and means, I also observe a tendency to cut corners, for instance by getting an updated repossession order for a property after the property was repossessed and sold. I do not mind people pretending that they can do these things and get away with it but I do not believe we should allow any institution get away with that kind of nonsense because it is establishing a precedent that gives them huge power over the borrower. Do not let us forget that the borrowers in many of these cases are people who over the last ten years or so were subjected to continuous harassment from the lender. In one case that I am aware of, the lending institution representative appeared on the doorstep of a widow on a nightly basis or until such time as he forced her out of the house and forced the sale of the house in order to keep his books balanced.

All of this occurred as a result of the lending institutions of this country lending unwisely. They will say that the borrower had a hand in this as well. Yes, we know that but the lending institutions were primarily responsible for lending to the extent way beyond the collateral available, and which they knew was not there. They had always in their minds the intention of ensuring they did not lose. I suggest that we examine what is going on at present to look at the tendency to put people into receivership in much quicker order than previously, and the forcing of the issue to a conclusion in a way that is not to the advantage of the borrower. These unfortunate people have suffered a great deal over the past number of years not as a result of what they did themselves but because of what the banks did to the country in general when they put the country in hock to themselves. It was nobody else. They held all of the cards. I ask the Minister of State this morning to ensure we look at them very carefully, and examine their activities with a view to finding out if they are cutting corners and, if so, where they are doing so and to what extent.

Minister of State at the Department of Rural and Community Development (Deputy Joe O'Brien): I thank Deputy Durkan for raising this issue. The Central Bank has put in place a range of measures to protect customers who take out a mortgage or have another loan. This consumer protection framework seeks to ensure that all Central Bank regulated entities are transparent and fair in all their dealings with borrowers and that borrowers are protected from the beginning to the end of the mortgage life cycle. This includes, for example, through protections at the initial marketing and advertising stage and assessing the affordability and suitability of the mortgage at a time when borrowers might find themselves in financial difficulties.

This consumer protection framework applies to all Central Bank regulated entities that provide credit to consumers. Also, following the enactment of the Consumer Protection (Regulation of Credit Servicing Firms) Acts of 2015 and 2018, the Central Bank consumer protection framework equally applies to any entity that services or holds the legal title to the rights of a creditor under a mortgage or other credit agreement. Therefore, any entity which purchases a loan or acquires the legal rights of a creditor under a consumer credit agreement will, unless it already has an appropriate authorisation from the Central Bank, be required to be authorised by the Central Bank as a credit servicing firm or retail credit firm. These regulated entities must act in accordance with Irish financial services law and the consumer protection regulatory framework that applies to all Central Bank regulated firms. This means that where a creditor sells or assigns its legal rights under a credit agreement to another creditor, the consumer protections

that were available to borrowers prior to such a transaction remain in place. Therefore, the new creditor that acquires the contractual rights and benefits of the creditor will do so based on the terms of the existing loan agreement and the regulatory protections available to consumers. Accordingly, any new creditor will only be able to enforce a credit agreement in accordance with the relevant terms of the particular agreement and the relevant consumer protection framework.

This consumer protection framework is strong and it includes the various Central Bank statutory codes of conduct, such as the consumer protection code and the code of conduct on mortgage arrears, CCMA. In particular, the CCMA provides specific protections to borrowers in arrears or facing a prospect of arrears on a loan secured on a primary residence. Under the CCMA, all relevant regulated entities, such as a bank, retail credit firm or credit servicing firm, must proactively encourage borrowers to engage with it about financial difficulties that may prevent the borrower from meeting his or her mortgage repayments. Also, where a borrower is experiencing repayment difficulty, a regulated entity must explore all of the options for an alternative repayment arrangement, ARA, offered by the entity to determine if a more suitable and sustainable repayment option is available based on the borrower's individual circumstances. If a borrower is not satisfied with the options proposed, or if the regulated entity declines to offer an ARA, an appeals mechanism is provided for in the CCMA. In addition, a regulated entity must review an ARA at intervals that are appropriate to the type and duration of the arrangement, including at least 30 calendar days in advance of an ARA coming to an end.

The Central Bank has advised that it expects that all regulated entities, including retail credit and credit servicing firms, to take a consumer-focused approach in respect of any decision that affects their customers, both existing and new, and to communicate clearly, effectively and in a timely manner with all customers. In particular, it indicates that the protection of mortgage loan borrowers, including those in arrears, is a key priority and that it will continue to supervise compliance by all regulated entities with the CCMA and consumer protection code and other relevant financial services legislation.

While there has recently been an increase in short-term arrears, it should also be noted that progress is still being made on reducing long-term arrears. As the Deputy will be aware, last week the Central Bank produced its mortgage arrears statistics for the first quarter of 2023. They showed that non-banks hold 76% of all primary dwelling home mortgage accounts in arrears over one year. They also showed that the number of accounts in long-term arrears continues to decline and now stands at a little over 22,000, having been 26,000 in March 2022. This is the lowest level of long-term arrears since the Central Bank started to collect its data on mortgage arrears.

Deputy Bernard J. Durkan: I thank the Minister of State for his comprehensive reply. What he says is accurate. That is the way this is supposed to work but it is not the way it is working. To what extent can this House ensure that what the Minister of State has just intoned to the House actually happens and that every borrower gets the same chance to recover, regardless of whether he or she is in arrears? There is no sense in saying we will continue as we were and pay back as we should have at the beginning. That option has been gone for a long time. We have a different regime and we have to accommodate the needs of the customer to a far greater extent. I suggest that something be done, as a matter of urgency through the Central Bank or the regulator, to ensure that exactly that which the Minister of State indicated happens. We must ensure consumers get a fair chance to do a variety of things and do not find themselves painted into a corner whereby the response is the same whenever an offer is put forward. Incidentally, like everybody else in this House, I have put forward scores of these offers and invari-

ably the answer has been that these are not sustainable and cannot be accepted. The lending institutions are the arbiters of what is right and wrong, which is not what is supposed to happen.

I thank the Minister of State for his reply. It would be helpful if a review were conducted by one of the bodies I have suggested to identify where there are deviations from the regulations in favour of the lending institutions.

Deputy Joe O'Brien: I thank Deputy Durkan for the opportunity to speak to the House on this issue. All regulated entities, including banks, other regulated mortgage lenders, loan owners and services are required, as a matter of law, to follow the statutory Central Bank codes of conduct, including the code of conduct on mortgage arrears and the consumer protection codes. These codes are not voluntary and there can be no question of the regulated owners not following them. Failure to do so can result in the Central Bank using its range of powers to ensure adherence to the codes, including employing its administrative sanctions procedures or legal action, where appropriate. If the Deputy has information to indicate that a regulated firm is not complying with the Central Bank's consumer protection framework, I ask that he submit it to the Central Bank, which is the independent regulator of these financial institutions.

In addition to the protections available to consumers under financial legislation and regulatory framework, a consumer also has recourse to the Financial Services and Pensions Ombudsman, FSPO. If a consumer is not satisfied with how a regulated firm is dealing with him or her in the handling of his or her mortgage or believes the regulated firm is not following the requirements of the Central Bank's codes and regulations or other financial services law, he or she should make a complaint directly to the regulated firm. If the consumer is still not satisfied with the response from the regulated firm, he or she can refer the complaint to the FSPO, which is the independent statutory office provided for in law to adjudicate on complaints a consumer has with a regulated financial services provider.

I also encourage any person who is experiencing a repayment difficulty, or who has any other genuine concern regarding a mortgage, to contact, in the first instance, his or her mortgage creditor to discuss the matter. It is also essential that, in turn, these Central Bank regulated entities, irrespective of whether it is a bank, retail credit or credit servicing firm, constructively engage with their borrowers to address any legitimate concern raised and to act fairly in the interest of their customers. That is what they are required to do under the Central Bank consumer protection framework and it is the minimum standard Central Bank-regulated firms are expected to comply with.

Medical Aids and Appliances

Deputy Thomas Gould: I will raise the case of Michael Barry with the Minister of State. Michael, who is ten years old, has been prescribed a new wheelchair by the HSE. He desperately needs it, particularly coming into the summer months when he should be able to get out and about with his family and friends and enjoy the good weather. I have seen a letter that was sent to Michael's mother. Michael was given a prescription on 5 May. The HSE advised that the resource allocation group only funds a certain number of prescriptions every time it meets and there was no timeline given for when Michael would get his wheelchair. How is this acceptable? A prescription should be funded. It is given on the basis of a person's need. There is no reason given for this decision. Once his prescription is funded, Michael will get his wheelchair but it will need to be ordered, which will take time. Michael deserves to enjoy the summer

with his family and to live in comfort. He needs to get his new wheelchair.

I am disappointed that the Minister of State with responsibility for disability, Deputy Rabbitte, is not here to take this Topical Issue debate. She comes into the House an awful lot talking about how funding is not an issue and telling us what she wants to do. That sounds great and ambitious but she is failing Michael. I ask the Minister of State, Deputy Joe O'Brien, to ask her to instruct the funding allocation group to fund all prescriptions that come before it at every meeting. The Government is saying money is not the problem. In fact, it is the problem because these prescriptions are not being funded when they are needed.

Every summer since I became a Deputy, families have contacted me about issues with their children accessing equipment. Last year, there was a situation in which a child who was waiting for a wheelchair could not go on a school trip because there was no wheelchair available that was suitable and big enough for the child. No child should miss trips away with his or her school or family in such circumstances. It is a scandal that children and families are being left in this position. The Taoiseach, the Tánaiste and the Minister of State, Deputy Rabbitte, come in here and say funding is not an issue when it comes to providing services and equipment to people with disabilities. Here we have a child who has a prescription to get a new wheelchair because he is too big for his existing one. The provision of the equipment is being dictated by budgets, not by medical need.

Surely the Minister of State, Deputy Joe O'Brien, agrees with me that a child should not have to wait for an essential piece of equipment. That is what a wheelchair is. Michael should not be expected to crush himself into a wheelchair that is too small. This is a child with serious health issues and a serious disability. The State is failing Michael. I met and spoke to him and his mother and father at the weekend. Why should they be in this position? Will the Minister of State go back to the Minister of State, Deputy Rabbitte, and ask her to instruct the HSE that funding be given for Michael and for any child or person with a disability who has a prescription for equipment that is urgently needed, whether it is a wheelchair or anything else, and they will not be left waiting for weeks and months? Will he give that commitment today?

Deputy Joe O'Brien: On behalf of the Minister for Health, I thank Deputy Gould for raising this matter with reference to the situation of Michael Barry. It is an issue that is of importance to many children and their families in community healthcare organisation, CHO, 4. The HSE provides an extensive range of medical aids and appliances to individuals living with a wide variety of different medical conditions. These aids and appliances support individuals to continue living within their communities and enjoy a greater quality of life than would otherwise be the case.

The community-funded schemes, CFS, is the collective name for the provision of these products and services. The HSE spends in excess of €300 million per annum on their provision nationally. The medical aids and appliances are prescribed on the basis of an identified clinical need. The HSE advises that current vacancies in children's disability network teams, CDNTs, can cause delays in these assessments being carried out. However, this is not a matter in which the local resource allocation group is involved. The role of the local resource allocation group is to make a determination regarding funding approval for each application within the CHO. This determination is based on the clinical priority and the funding available. In this regard, the HSE notes that it is important the applicant's requirements are assessed appropriately before prescribing any device.

At times, due to the demand for resources exceeding the available capacity, waiting lists may apply for some categories of items. However, a range of initiatives is undertaken to ensure optimum use of resources, including recycling of appropriate items. Waiting times for approved items also vary depending on the priority rating. In addition, they may be affected by the following factors: the time required for the appropriate clinical assessment to be undertaken; the time taken for the approval process, which can be impacted by the value of the equipment being requested and the available budget; the time for the manufacturing process, if it is not a stock item; and the time for shipping and delivery, depending on the particular item being requested. The HSE advises that clinical demands on local budgets remain high.

The provision of wheelchairs by the HSE to eligible people is based on several criteria, the most important of which is assessed clinical need. A priority rating that assesses the impact of the particular equipment on the individual's quality of life, the length of time waiting for the equipment and the available budget are other factors that form part of the decision-making process. At present, the wait time from clinical assessment and approval for standard wheelchairs that are kept as stock items is normally no more than one to two weeks. For bespoke and powered wheelchairs, which need to be manufactured and delivered by the supplier, the wait time is longer and can be up to 12 weeks.

The HSE established a national service improvement programme to develop national prescribing guidelines with the aim of improving the value for money and equality of access of the CFS. In respect of aids and appliances, the category lists are completed and category-specific information for prescribers is now published on the HSE website. The work to improve services is ongoing and further milestones will be reached in the pursuit of the aim to improve the quality of the services the HSE provides to assist people with different medical conditions to live within their communities. I promise the Deputy I will address the specifics of the issue he raised to the Minister of State, Deputy Rabbitte, this evening.

Deputy Thomas Gould: I received a similar response from the HSE to the one Michael's mother received. It acknowledges that while a wheelchair might be considered essential by families, the resource allocation group has to make priority-based decisions. Wheelchairs are not just essential for families; they are essential for the lives and well-being of children. It is shocking that an appropriately sized wheelchair cannot be sourced for a child and no timeframe has been given for when it will be available.

I listened to the response from the HSE the Minister of State read out. What I take from it are the references to value for money, local budgets and timelines. We are talking about children with special needs, additional needs and disabilities. We are talking about health-based decisions to improve their quality of life. The Minister of State mentioned quality of life. Where is the quality of life for Michael and all the other children who are waiting for equipment? The Minister of State also mentioned assessments. Michael has a prescription. It has been prescribed that this child needs this equipment. Reference was made to budgets being under pressure. How can the Minister of State say in response to a child who needs a new wheelchair because he has grown that budgets are under pressure? Does he know who is under pressure? That child and his family are under pressure. Parents of children with disabilities have had to fight the State at every turn and corner for provision for their children. It is not good enough. Medical equipment should be given on the basis of need and health, not on the basis of local budgets being under pressure.

Deputy Joe O'Brien: I again thank the Deputy, on behalf of the Minister, for raising this

matter of great importance to children and their families in CHO 4. The aids and appliances provided by the HSE under the community-funded schemes support individuals to continue living within their communities. They are prescribed on the basis of an identified clinical need and provided in line with established criteria. The HSE advises that age is not a factor when a clinical need is identified. However, vacancies in the children's disability network teams can cause delays in clinical assessments being carried out. This may delay the prescription of appropriate products but is not a matter on which the resource allocation group could have an impact.

Once approved for funding by the resource allocation group, waiting times for items vary, depending on the priority rating. Priority is given to individuals with the greatest level of clinical need. The waiting time for approval of stock items is generally no more than two weeks. For bespoke items such as powered wheelchairs, which need to be designed, manufactured and delivered by the supplier, the waiting time is longer. The HSE reports that the national service improvement programme for aids and appliances has resulted in completed category lists. Category-specific information for prescribers is now published on the HSE website. The work to improve services is ongoing.

When I read the response from the Department, I asked about timelines, considering that the assessment is already done in the case of the child to whom the Deputy referred. I was informed that the resource allocation groups meet once a month to make decisions. It might be helpful to look at how that is done. I will raise the issue of budgets with the Minister of State, Deputy Rabbitte, this evening. I urge the Deputy to do the same.

Deputy Thomas Gould: I will forward the details to both Ministers of State.

Home Care and Support Services: Motion [Private Members]

Deputy Noel Grealish: I move:

That Dáil Éireann:

acknowledges that:

— the Programme for Government: Our Shared Future includes a commitment to introduce a statutory scheme to support people to live in their own homes by providing them with access to high-quality regulated home care, but this is not happening;

— the Health Service Executive (HSE) Home Support Service (formerly called the Home Help Service or Home Care Package Scheme) aims to support older people to remain in their own homes for as long as possible, and to support informal carers;

— the HSE Home Support Service aims to also support people with a disability who need home help;

— the Home Support Service is available to people aged 65 or over who may need support to continue living at home or to return home following a hospital stay;

21 June 2023

— according to the Central Statistics Office (CSO) estimates, the current population of people aged 65 years and older will have increased by more than 30 per cent by the year 2031, and will have doubled by the year 2051;

— according to the CSO forecasts, the Old Age Dependency Ratio, the population aged 65 years and over as a percentage of the population aged 15-64 years, will continue to rise steadily in the coming years, from 23 per cent now to 41 per cent in 2051;

— more than a quarter of all people aged 65 years and older live alone;

— “Tender 2023” needs to be finalised as quickly as possible to help improve care for older people who want to remain living in their own homes; and

— reforms to social welfare means assessment could facilitate an older person having company in their home by renting out a room with a maximum income disregard of €269.23 a week (€14,000 per year) if the medical card means assessment reflected this change;

recognises that:

— the chronic shortage of home help hours means that there is a delay in discharging people from hospital, especially vulnerable older people, with the lack of home help support adding to the chaos in some hospitals in provincial locations;

— a shortage of people to work in the sector is at least in part due to poorer pay and conditions in the private sector, coupled with the fact that they do not have access to a supplementary pension; and the number of staff moving to jobs within the HSE is exacerbating the situation;

— almost 300,000 people currently provide unpaid care to others, 86,000 of whom provide such care for 43 hours or more each week according to Census statistics;

— there were 6,432 people on the waiting list for home support care at the end of March 2023, including new clients approved to receive home support care and existing clients for whom additional home support hours have been sanctioned;

— carers need regular breaks from their duties through respite care to protect their own physical and mental health; and

— the Government, through the Minister of State at the Department of Health, has endorsed the 16 recommendations contained in the cross-departmental Report of the Strategic Workforce Advisory Group to address the challenges in front-line carer roles in the home support and long-term residential care sectors; however, only one of these recommendations has been implemented to date; and

calls on the Government to:

— place home support on a statutory footing so that it is enshrined in legislation as a sector;

— provide an update on the recent tender process for home care providers;

- develop a nationwide cluster housing model for older people, with security of tenure and rent fixed to increases in the State pension;

- support not-for-profit home share initiatives that assist with the pairing of older people to suitable younger tenants;

- establish the delivery of “meals on wheels” on a national basis to enhance the health of older people, especially those living alone;

- take steps to increase the use of new technologies to assist with the care of older people, such as voice recognition software, remote health monitoring etc;

- amend the rules governing eligibility for Jobseeker’s Allowance so that the total amount of paid work in hours is taken into account, rather than days, as the current system disincentivises engagement in part-time employment;

- increase the means test limits for the Carer’s Allowance and establish a high-level group to scope out and develop a roadmap for the delivery of a non-means tested participation income for family carers;

- increase the financial threshold for people on State benefits so that they can work and earn more money working in the homecare sector, and this helps with staff shortages, while at the same time helping people earn more and have a better standard of living without being penalised by the State;

- allow families access to direct funding to source help/care outside regular hours rather than being restricted to private providers;

- ensure that all training for people engaging in the care industry is paid for by the Department of Further and Higher Education, Research, Innovation and Science to assist private providers in replacing staff who have moved to jobs within the HSE;

- establish on a statutory footing the principle of every family carer being entitled to a minimum number of days respite care in the year;

- ensure that remuneration for time spent travelling, motor travel expenses and pay when clients are in hospital is standardised for all healthcare employees; and

- ensure that industry and public sector travel expenses be made available for home care providers who provide home care for older and vulnerable people in rural areas, to help create a balance between rural and urban travel services.

There is a growing crisis in Ireland today that is affecting families the length and breadth of the country.

10 o’clock

The difficulty in accessing home support for older people is, after housing, one of the biggest issues coming into my constituency office every week. It is a problem that is causing enormous stress for families. This is the basis for the motion that I and my colleagues in the Regional Group have put before the House.

There are huge waiting lists for home care packages. The most recent information available

from the HSE shows that at the end of March 2023, more than 6,400 people were on the waiting list for new or additional home support care. These are often extremely vulnerable people whose need for home care has been proven, and accepted by the HSE. All Members have come across cases where older people have had a spell in hospital and are ready for discharge but cannot leave because supports are not in place for their subsequent care. Late last month, 84 people on the HSE national delayed transfer of care list had their home as their discharge destination. A further 240 people were being kept in hospital while waiting for residential care to be put in place. That is 240 people in hospital, taking up beds.

Unless matters change, the whole situation regarding care of older people will continue to worsen. The census last year found there were 776,000 people aged 65 or older, an increase of more than one fifth on the position in 2016. The number of elderly people aged 80 or older will quadruple in the next three decades, to more than 500,000.

Today, there is a challenge facing thousands of families across the country which needs to be addressed with urgency. The number of officially recorded unpaid carers increased by 53% between the two most recent censuses, rising to almost 300,000 last year. Almost 87,000 of them were providing at least 43 hours of care a week, more than double the figure in 2016.

Last year, a cross-party advisory group was established to figure out how to tackle the shortage of care workers for home support services in the nursing home sector. The group came up with 16 key recommendations it believed could at least alleviate some of the problems but, so far, only one of those recommendations has been implemented. It involved allowing non-EU home support workers to be employed in home support services. Of the 1,000 work permits permitted, however, only 84 have taken up the opportunity. The reason there is so little interest needs to be further examined.

Many of the other recommendations of that strategic workforce advisory group are included in the motion which I and my colleagues in the Regional Group have put before the House. We strongly believe several steps need to be urgently taken to tackle the problem of a shortage of staff to provide the home care that thousands of people on the waiting list need if they are to continue to live in their homes and communities. Among the actions we are proposing is that home support workers be paid for time travelling between clients and that other expenses be refunded.

The motion also calls for an increase in the means-test limits for carer's allowance and a review of the rules governing the payment of jobseeker's benefit for people caring for loved ones in their family. Currently, any number of hours worked outside the home while not on caring duties is counted as a full day worked. The rules as they stand state that a person is paid jobseeker's benefit for the days not worked but if the person works more than three days, he or she gets nothing. If the rules were changed, at least for those in caring roles, to allow a certain number of hours' work per week, it would facilitate carers supplementing their incomes.

Too many people caring for members of their families rarely get a break. The motion provides for the laying down in law of the principle that every carer is entitled to a minimum number of weeks of respite care each year.

I call on the Government to support the motion. I thank Maria Burke, Teresa Delaney and Brendan Carroll in my office for their research on this issue and Cáit Nic Amhlaoibh, our party administrator, for putting the motion together.

Deputy Michael Lowry: Old age is something that we hope lies ahead for us all. While many are denied the privilege of growing old, sadly, there are also many who are in fear of becoming old and view it with worry and unease. One of the most common reasons for this is that they do not wish to lose their independence. They do not want to become a nuisance or a burden on their families. They may worry about being able to cope if they live alone or with an elderly spouse. Old age can create an increase in needs and an unfamiliar level of dependency on others to help with even the most basic tasks. None are more aware of the issues and fears associated with old age than those who are facing it.

In today's world, elderly people are encouraged to remain in their homes for as long as possible. This is often their wish but they know they may not be able to do so without help. This can leave elderly people plagued by fears and worries. Those who feel their independence slipping away may fret over what the future holds for them. As the years pass by, their worries become more intense and they can no longer dispel their need for help and support.

On the other side of the coin, caring for an elderly parent or relative in the person's home can be challenging for adult children. They can be torn between the needs of their own families or holding down a job or may be unable to travel daily to the older person's home. There may also be fears of inadequacy in their ability to meet the older person's growing needs. They have not been trained to do so. Some people simply cannot take on such a role.

These are just some of the many reasons a complete and fully functioning home help and home care system for elderly people in Tipperary and across the country should be a fundamental part of the overall healthcare provision. At present, more than 25% of people over the age of 65 live alone. Life expectancy has increased. As the motion states, the number of elderly people will increase exponentially in the coming years. The need for the provision of a properly funded and fully functioning home care and home help service across the county is growing more urgent with every passing year. The urgency of this cannot be ignored. The issue has spent far too much time on the long finger.

I recently spoke to a community nurse and home care manager. This lady works for a private company contracted to provide home care for elderly and ill HSE patients. She co-ordinates a large team of home carers and nurses in County Tipperary. The professional services they provide make it possible for elderly and sometimes even terminally ill people to remain in their homes rather than becoming hospital or nursing home patients. These community-based healthcare workers carry out their work alone. Not only do they care for the needs of the patient, but they also provide support and guidance to family members. Their work is invaluable. The lady to whom I spoke stated that it is impossible to retain staff. Despite their dedication to their work and the importance of what they do, they are paid a pittance. They cannot survive on the money they earn.

I also spoke to the family of a recently deceased 95-year-old lady. This woman had a number of serious health conditions and was totally immobile. Her four adult children have jobs. Nevertheless, they took turns staying with her every night. If they had not done so, her one and only wish, namely, to stay in her home, could not have been realised. During the day, this lady was entitled to a so-called home care package. The time allocated to her was just one hour a day. A 95-year-old woman living alone was entitled to just seven hours a week of home care. In the course of the time she had this home care package, the family lost count of the number of different carers who came into their mother's home. The staff turnover was huge.

The present system is letting down both the patient and the carer. The points raised in this Regional Group motion may not provide all the answers but the motion provides a valuable insight into how to improve the system. The home care system for the elderly is in crisis and that means, to our shame, that elderly people are suffering. Addressing this should be a priority.

Deputy Seán Canney: I commend my colleagues in the Regional Group on tabling this important motion. I compliment and thank Cáit Nic Amhlaoibh, who prepared the content of it for us. The most important thing is that we are throwing a light on something that all present know is wrong. The system of home care is not working. Home care hours are being allocated to people who have been medically assessed and deemed to be in need of home care but unfortunately, the hours are not being fulfilled. As a result, there is greater pressure on families who are trying to care for their loved ones at home. Sláintecare suggests that we should be keeping people at home for longer and that people should only go into long-term care as a last resort. However, the system we have at the moment is not just at breaking point but has moved way beyond that. The situation is very serious.

More than 300,000 people are currently providing unpaid care in homes across this country. There is no recognition for them. They are doing it by juggling their lives around their loved ones. It is important that we acknowledge the fact that we have so many people who are providing this care. Over 86,000 individuals are dedicating 43 hours or more per week to care giving. Regular breaks are essential but carers are not getting them. As respite services are not available, people are denied the opportunity to have a decent quality of life. We are at risk of putting a further burden on this State by creating health issues for the carers themselves who are striving to care for their elderly relatives. They are trying to juggle their lives, rear their own families and do many things, including trying to work as well. At a time when we have cost inflation and many other pressures, we have a silent group of people who are weighed down by the burden being placed on them.

While it is important that we debate this motion today, we cannot just talk about it; we must see a plan coming into place. We have made many recommendations here and as Deputy Lowry said, not all of them will solve the problem. There might be other things that need to be done but at the end of the day, what we need to have is a coherent and effective home care service. I want to speak briefly about the private home carers who are also providing care. We have a ridiculous situation whereby there is a tiered rating for people providing home care services. Some of them are getting paid less per hour than what the HSE is paying. It is important that this new tender process, which has been ongoing forever, actually addresses this issue so that every care provider gets the same rate. We cannot have differential rates depending on where staff or located or on whether they are working for a small organisation or a major multinational company. We have created tiers of providers and given them different rates. This must be changed. There must be a flat rate and that rate must be such that people can live on it in order that we can attract more people into the industry.

It is very important that we do not just talk about all of this. There is a lot of engagement going on but at the end of the day, our elderly people and people with disabilities need care at home. If we cannot support the families who are doing all of this work for nothing, we are doing a disservice to the State as well because in the long term, it will mean that there are more people being kept in hospital, blocking beds. This will have a negative impact across the board. The people who deserve home care should be getting it and the people who are providing that care should be recognised and get respite care as well.

I do not know if the Minister of State intends to accept the motion but even if she does accept it, that is not really what we want. What we want is for action to be taken now, so that by the time the next budget comes around we will have a care plan for everybody who needs home care. I rest my case at that.

Deputy Peadar Tóibín: Gabhaim míle buíochas leis an Leas-Cheann Comhairle. Ba mhaith liom buíochas a ghabháil freisin leis an nGrúpa Réigiúnach agus le Cáit Nic Amhlaoibh as an rún seo a atheagrú inniu. I want to briefly discuss a related issue, namely, the nursing homes cases of which the Minister of State will be very aware. I welcome to the Public Gallery some of the families who have travelled from Cork today to protest the inaction by the Government in relation the cost of nursing home care in the Cork area and the massive danger that their loved ones will be evicted from their homes. This is a shocking emergency within the nursing home care sector.

The sector has experienced a 36% increase in costs since 2013. One third of nursing homes are losing money at the moment and approximately 900 nursing home beds have been lost in the system in the last three years. The Economic and Social Research Institute, ESRI, has stated that we will need 40,000 nursing home beds by 2030, which is double what we have now. It is incredible that we are in reverse in terms of capacity when we need to be putting more capacity in at a serious rate.

A report published in recent weeks by Nursing Homes Ireland, NHI, found that 33% of nursing homes that were surveyed in 2022 had an operating loss, up from 19% in 2021. On average, HSE homes are paid €730 more per resident per week than private nursing homes. We all remember how appallingly people in nursing homes were treated during the Covid crisis and it is astounding that we have a situation where the State is again letting down people in nursing homes. All private nursing homes, including Beaumont Residential Care in Cork, need €183 per resident per week to match the increase that public nursing homes received just to remain viable. Why are nursing homes in Cork getting €200 less per resident than nursing homes in Dublin under the fair deal scheme? That seems absolutely ludicrous given that the cost base is the same.

Aperee, which is currently operating in receivership, supplies 200 nursing home beds in Cork while Care Choice provides over 300 beds in Cork, including 56 beds at Beaumont Residential Care which operate under the fair deal scheme. Cork could be an absolute disaster zone in the next few months in terms of nursing home beds if Aperee closes its 200 beds and Care Choice shuts down its 500 beds, we would have a total of 700 beds at risk. Where are the residents going to go? This is a really important question. How are families going to be able to afford the alternatives for their loved ones? I heard the Minister say on radio that the Government will put in place State nursing home spaces but that will cost far more than the cost of the care that these nursing homes are already providing which does not make sense.

It has also been reported that eight nursing homes in Cork have a full-time fire warden now which is not normal within the nursing home sector. Two of these homes are so unsafe that they are no longer allowed to admit residents. There is no registered provider representative for any of the Aperee nursing homes at the moment. These are the people who built this country, the people who through their blood, sweat and tears raised a generation, paid their taxes and invested their lives in this country and here we are, so soon after the Covid crisis, and this is how we are treating them. It is absolutely disgraceful.

I do not think the Minister of State understands how serious the situation is currently. I received an email recently, as I am sure did the Minister of State, the subject line of which reads: “My 90 year old mother will be made homeless in three weeks”. The Government’s inaction is leading to the eviction of people in the last years of their lives. We had massive debates in here about the eviction ban in recent times and here we are potentially seeing people in their 90s being evicted from the homes in which they live. This is potentially a humanitarian crisis of epic proportions. The Government needs to immediately and urgently engage with the group protesting outside the Dáil today, many of whom are older people who got up early this morning to travel to be here. The Government also needs to provide €183 per resident per week to avert this disaster.

A total of 31 nursing homes have closed in the last 28 months with a loss of 980 beds. Approximately 80% of those beds were in privately owned care homes. The fair deal rate that the six Care Choice homes in Cork, including Beaumont Residential Care, require to be sustainable is €1,270 per resident per week but they are currently receiving €1,085 from the National Treatment Purchase Fund, NTPF. Just to add to the confusion, the NTPF is unwilling to agree that sustainable rate with those homes, while at the same time it is paying a rate of €1,365 for another private nursing home in Cork, St. Luke’s Home. The NTPF is talking about budgetary constraints but we are hearing from the Government that there is plenty of money available, to the tune of billions of euro. I have raised this issue before. I have raised the issue of people with dementia being thrown out of nursing homes, people who are 99 years old being put out of nursing homes, all for a small amount of funding. I urge the Ministers of State to engage with the families who are under such pressure.

Minister of State at the Department of Health (Deputy Anne Rabbitte): I welcome the opportunity to discuss home support services and I thank the Deputies for tabling this Private Members’ motion. As Minister of State with responsibility for disability, the issue of home care is very relevant to my brief.

We know that most people prefer being cared for at home. The home support service is therefore essential for thousands of people across the country. As I stand here today, 56,000 individuals are receiving that home care support. It is highly valued by service users and their families because it enables older people to live independently and with dignity in their own homes for longer. It also enables many older people to return home following acute hospital admission. Otherwise, they may remain there or would be admitted to long-term residential care. For these reasons, improving access to this service is a Government priority.

Home support hours in communities are increasing in line with enhanced investment. We currently provide more hours of home support to more people than ever before. There are over 56,000 people receiving home support services, with almost 75,000 benefiting from the service over the course of 2022. We, as a nation, are investing €723 million into home care in 2023, representing a €228 million increase from 2020. In 2022, we provided 20.78 million hours, an increase of 3.29 million hours on 2020. As of 30 April 2023, preliminary data show that almost 7 million hours have been provided this year to date. This represents an increase of about 300,000 hours compared with the same period in 2022.

In terms of waiting lists the latest figures show there are a total of 3,310 new applicants who were approved for funding and waiting for supports. These are people who currently do not have a home support service and are awaiting a carer to be assigned. In addition, there are 2,884 people who are already receiving supports but are not yet receiving the maximum hours ad-

vised. That figure is down from a high of 9,000 on a waiting list. I wish to take this opportunity to recognise the hard work of carers up and down the country in delivering this unprecedented amount of care, and thank them for their commitment and for the care that they deliver in the homes of older people every single day.

In the programme for Government, we committed to introduce a statutory scheme for home care. A key step in this process is to regulate home support services in order that no matter where or how care is provided, service users can be assured that their provider meets minimum standards of quality, safeguarding and governance. I am pleased to say that significant progress has been made on this front. A new regulatory framework is currently being developed to provide for the licensing of home support service providers with the aim of safeguarding individuals. The new system of regulation for home support will ensure that the public can be confident that the services provided are of a high standard and will bring Ireland in line with best international practice. In addition, the Department of Health is currently preparing primary legislation to accompany the regulations. The Bill will be brought to the Oireachtas in quarter 4 of this year by the Minister of State, Deputy Butler.

There are still challenges in the sector, and in particular on the workforce side, and the Government is committed to improving recruitment and retention in the sector. In March 2022, the Minister of State, Deputy Butler, established the cross-departmental strategic workforce advisory group on home carers and nursing home healthcare assistants. It set out to examine and, most importantly, propose solutions to the challenges in front-line carer roles in the home support and long-term residential care sectors. The group is chaired by the Department of Health and comprised of representatives from seven Departments, the HSE, HIQA and SOLAS.

The report of the strategic workforce advisory group on home carers and nursing home healthcare assistants was published on 15 October 2022. It presents 16 recommendations spanning the areas of recruitment, pay and conditions of employment, barriers to employment, training and professional development, sectoral reform and monitoring and implementation. The Minister of State, Deputy Butler, endorsed the recommendations and full implementation. The statutory instrument authorising the issuance of 1,000 employment permits for home care workers was signed in December 2022. These permits will be for full-time positions with a minimum salary of €27,000 per year. Some 129 permits have been availed of to date, not 79 as set out by colleagues opposite. A group has been established to drive the timely implementation of the remaining recommendations. The first meeting of the implementation group is scheduled for 29 June 2023. Regular updates will be published. When I talk about the living wage, it is important also to state that the Minister of State, Deputy Butler, awards the HSE €28.50 per hour. That is what the HSE paid to the private providers.

Deputy Noel Grealish: What do the workers get?

Deputy Anne Rabbitte: I am just putting this information on the floor of the Dáil. I am not the operational manager nor am I the head of any of those private companies.

Deputy Peadar Tóibín: The Minister of State is responsible for the process, surely.

Deputy Anne Rabbitte: It is possible to say that €28.50 is what is provided to the private providers. It is anticipated that the implementation of the 16 recommendations will have a lasting, positive impact on the waiting lists and recruitment and retention in the sector.

I am pleased to say the HSE has progressed the tender for home support services with the

new authorisation scheme anticipated to commence this summer. The authorisation model is open-ended, therefore new entrants to the market may apply to join at any stage, periodically. The authorisation scheme will ensure that home support workers are paid appropriately and will help address some of the key issues impacting the waiting lists and the recruitment and retention issues identified by the strategic workforce advisory group. The scheme will advance sectoral reform and incorporate travel time for home support workers and will address the living wage and reform legacy rates, as recommended by the strategic workforce advisory group. The Government's policy goal is to deliver a new model of integrated, older persons' health and social care services across the care continuum, supporting older people to remain living independently in their homes and communities for longer.

The Government is committed to supporting healthy and positive ageing throughout the life course. Acknowledging the disproportionately negative impact of the Covid-19 pandemic on older people, the programme for Government commits to the establishment of a commission on care that will assess how we care for older people and will examine alternatives to meet the diverse needs of our older citizens, learning the lessons from Covid-19. An initial scoping exercise for the commission on care has been undertaken. It is envisaged that the commission on care will support a whole-of-government and whole-of-society approach to examining existing policies and strategies that support positive ageing. It will effectively address the gaps which currently exist in the policy landscape. The Minister of State, Deputy Butler, announced in budget 2023 that funding of €5.2 million has been allocated to roll out the initiative nationally. This programme is delivering meaningful outcomes for older people, including hospital avoidance. In addition, under Housing for All: A new Housing Plan for Ireland, a review of the housing adaptation grants for older people and people with a disability scheme is currently under way. Grant limits and income thresholds are being considered as part of this process.

I would like to also mention some of the developments taking place in the disability sector that relate to this motion and more widely to home support. Specialist disability home support services are provided to both children and adults with a wide range of disabilities from physical and sensory disabilities to intellectual disabilities and autism. Over 3 million home support hours are delivered to almost 7,200 people annually. Home support is entirely different from personal assistance support. In this context, services are discretionary, and the number of hours granted is determined in the context of other support services already provided to the person or family.

The programme for Government commits to the introduction of personalised budgets, improving the provision of services for people with disabilities through a range of options including service brokers, and empowering people to choose the supports that most meet their needs. A personalised budget is an amount of funding allocated by the HSE to an eligible person with a disability to enable the individual to make his or her own arrangements to meet specified support needs. The funding qualifies individuals to access a wide range of HSE-funded services, including residential, rehabilitative training, personal assistance and day services. The personalised budget pilot is open to adults with a disability who are currently in receipt of HSE services, including appropriate school leavers. The 2023 HSE service plan aims to deliver the national personalised budgets demonstrator project to 180 participants. I have granted an extension to the personalised budget pilot until the third quarter of 2023 with the accompanying evaluation process to be completed in the second quarter of 2024. I am aware that officials in the Department of Children, Equality, Disability, Integration and Youth are eager to learn from this pilot in the disability sector to see if it would be appropriate to have a similar initiative in

general home support services.

I thank the Deputies for raising this important issue. I propose that the motion not be opposed. We are accepting it.

Deputy Peter Fitzpatrick: I welcome the opportunity to speak on this important topic and thank my colleagues in the Regional Group for raising this motion. We have learned many lessons during the pandemic. One is that concentrated care of our older people is far from ideal. These issues are predominant and are only going to get worse. Ireland has an ageing population. The number of people over 65 years of age increased in both urban and rural areas between 2011 and 2016 and such people now account for 15% of the population in rural areas. The Health Information and Quality Authority has called for an overhaul of the unregulated sector, including the introduction of oversight and standards for home care services, as most older people would prefer to age and receive care at home but require more complex care.

To be fair to the Minister of State, she has increased the funding and cut the waiting list for new home care packages. However, the 2023 tender urgently needs to be finalised to improve care for older people who want to remain living in their own homes. At present, the HSE home support service supports people with a disability who need home help, as well as supporting people aged 65 or over to continue living at home or to return home following a hospital stay. More than 40,000 people receive care through these organisations, care that was charged to the HSE at an hourly rate of €26.50. However, while demand increases and with 6,432 people on the waiting list for home support care at the end of March 2023, an acute labour shortage of home care workers in the State is evident.

Home care is often seen as an unattractive career path due to the failure to provide guaranteed hours of work and the lack of travel and subsistence payments. Reform within the 2023 tender is essential to provide a predictable income for carers. Despite this, while the pay increase agreed last week was a long-awaited step in the right direction, several issues, including the issue of paid travel time for care providers, remain unresolved in the agreement and reform to provide a predictable income for carers has been taken off the table by the HSE. According to the chief executive of Home and Community Care Ireland, Joseph Musgrave, the HSE has refused to state what it means by a “living wage” and has refused to engage with the sector to calculate travel time. All of us here today can agree that home care workers need a predictable income, to be paid the living wage and to receive payment for travel time and mileage, as well as access to career development opportunities. Essentially, they should be respected and valued for the crucial work they do day in, day out. We need to step in and ensure that compensation for time spent travelling, motor travel expenses and pay when clients are in hospital is standardised for all healthcare and home care providers, especially those providing care in rural Ireland.

Carers do a fantastic job and, in fairness, they save the State a fortune. Almost 300,000 people currently provide unpaid care to others and 86,000 of these provide such care for 43 hours or more each week, according to census statistics. We need to increase the means test limits for the carer’s allowance for family carers while also reviewing the financial threshold for people in receipt of State benefits in order that they can work and earn more money working in the home care sector. This would help with staff shortages while at the same time helping people to earn more and to have a better standard of living without being penalised by the State. It is a win-win.

The current system is not sustainable and is not meeting our needs. Our failure to provide improved pathways of home care is pushing older people into already overcrowded hospitals and nursing homes. Some 1,000 patients approved for home support had their discharge from hospital delayed last year due to a shortage of carers and the lack of community care alternatives, while the lack of regulation meant that quality and safety were not ensured.

The Government must advance vital regulation for the home care sector and should make this legislation a priority. The acute shortage of care workers against a background of rising demand is the most urgent problem in home care. The Government must liaise with carers and the HSE and take measures that will make the home care sector more attractive and a more viable career option, with the national living wage, travel time and legacy rates all being addressed, while also considering the aforementioned reforms.

Delivering proper home care would reduce the length of hospital stays, reduce the risk of hospitalisation, reduce pressures on our emergency departments and reduce the number of delayed discharges. We must deliver a high-standard and fully public model of care for older people, incorporating the use of digital technologies, especially in rural areas, for the provision of digital services such as healthcare. We need to place home support on a statutory footing in order that it is enshrined in legislation as a sector.

Deputy Matt Shanahan: I welcome the presence of the two Ministers of State at the Department of Health here this morning to debate this motion. I thank Deputy Grealish for proposing the motion, which is very important. I also thank Cáit Nic Amhlaoibh in our office. The Ministers of State will be well aware that, in the Programme for Government: Our Shared Future, there is a plan to introduce a statutory scheme to support people to live in their own homes by providing them with access to high-quality and regulated home care. Unfortunately, this has not happened to date. The home support service, formerly called the home help service or home care package scheme, aims to support people to remain in their own homes for as long as possible and, most importantly, to support informal carers. It also aims to support people with a disability who need home help. The Ministers of State will be well aware that we have a significant demographic bulge coming through in our population. We can be thankful that more people are going to live longer although this means that more people are going to need home help. At present, more than a quarter of all people aged 65 years or older in our country live alone.

As other Members have outlined, and as the Ministers of State are well aware, we have a chronic shortage of home help capacity and home help hours. This is leading to two very significant pressures. It is resulting in delayed discharges from hospital and putting pressure on our residential care homes, thereby reducing the ability of our people to live at home, which is what we want to achieve. We also have a second problem, the shortage of people who are available to work in the sector. Our economy is now at full employment and, unfortunately, this sector is not seen as attractive for many, particularly in the private sector. As has been highlighted, there is also no access to a supplementary pension. That is very important to people who are working. We also have to acknowledge that the HSE has been very quick to target those in the private sector. This is a big problem for private companies that are trying to hang onto their staff. This also applies to section 39 organisations.

There were 6,432 people on the waiting list for home support at the end of March. Notwithstanding the significant additional funding the Minister of State, Deputy Butler, has outlined, we still have a tremendous waiting list. In our motion, we propose 14 recommendations but

I will concentrate on five, if I may. One relates to the idea of developing a nationwide cluster model for older people with security of tenure and rent fixed to increases in the State pension. This is very important, particularly as we now have a larger number of people who, unfortunately, will not own their own homes and who will be in rented accommodation for all of their lives. We need to put something on a statutory footing in that regard.

A second recommendation is that steps be taken to increase the use of new technologies to assist in the care of older people, such as voice recognition software, remote health monitoring and so on. The age bracket for this needs to be reduced. There are a lot of people who could avail of monitoring technologies in their homes and who need assistance but who are younger than 65 years of age. I know of a number of people who cannot access that funding because they are under 65. It is a significant impediment to them staying at home. These are people with mobility issues and so on. They should be given wearable dongles and all of that without having to pay for it. I ask the Ministers of State to look seriously at that.

Another recommendation is to increase the means test limit for the carer's allowance and establish a high-level group to scope out and develop a roadmap for the delivery of a non-means tested participation income for family carers. This is very important. I know the Ministers of State have acknowledged this but we need to see further action. I hope the commission can look at the matter.

The financial threshold for people on State benefits should be increased in order that they can work and earn more money working in the home care sector. This is the quickest remedy that could be applied to get staff into the home care sector. We have a lot of informal carers who are available and potentially are in receipt of State benefits at present. We need to find a way to activate them. They would increase the working population. They will also take pressure off the system. I ask the Ministers of State to speak to the Minister for Finance about it.

Finally, we must ensure that industry and public sector travel expenses are made available to home care providers who provide home care for older and vulnerable people in rural areas to help to create a balance between rural and urban travel services. Travel expenditure is one of the significant problems in rural home care, as the Ministers of State are well aware. The allotment of time between when a carer arrives into a house and when they have to leave to go to the next house is also an issue. Even though people are being told that they have an hour or an hour and a half of care, they do not, because the travel time is eating into that. Certainly, remuneration and adequate travel expenses would do a lot to support people, particularly in our rural communities. I know people who are working in the sector, as I am sure the Ministers of State do too, and travel expenditure is the issue that comes up the most. I am glad that the Government has accepted our motion. I hope we will see the main recommendations that we have made in it being accepted and enacted by the Government.

Deputy Pauline Tully: Home care support plays a very important role in supporting older people, as well as disabled people, to live as independently as possible. While not all disabled people need or want home care support, many do require the service, including many children as well as older people. There has been a growing crisis in home care support over the past number of years. The demand for home care has grown considerably. We see an increase, year on year, in the number of people being approved for hours and being allocated home care. I suppose that is down to the growing population. The disability capacity review shows that the growth and ageing of the disability population is likely to drive increased demand for home care services much further. The failure in home care provision is compounding further the pressure

on our hospitals, because the lack of alternatives in community care has left thousands of people in hospital longer than they should be. Many people cannot return home because there is not a carer in place to provide the care that they need once they return home from hospital.

The issues confronting home care services come down to a failure of planning by the Government. Home support workers will not simply appear out of thin air. We need a proactive strategic approach to workforce planning across health and social care services. We need to see a pay agreement for the sector. We need to see public investment in the future regarding home care. We need a proper career pathway for carers with advanced skill sets, and perhaps a greater role for nurses and other health and social care professionals in delivering care in the home. What I am seeing is that there is an over-reliance on the part of the HSE on private companies or agencies to provide care. While it is paying them a substantial amount of money, the money is not being passed on to the carer. It is very difficult to get carers to work for that amount of money. When they do, they go into a house to provide care to a client and they are constantly what clock-watching because they need to be at the next house. This is putting immense pressure on them and it is also unfair on the person who is receiving the care, because they are not getting the care that they desire and require.

There are several examples of this. I have come across a 101-year-old man who has been allocated hours, but cannot get anyone to fill the middle part of the day when he requires care. His own children are in their 70s and they are not able to provide the care he requires anymore. The man is living in his own home and is relatively healthy. He just requires a little bit of extra support. I have come across two families who have children with autism who have been granted home care supports but cannot get anyone to work for the money that is being offered. The HSE has said that they can have home care support, but the families must act as the employer. They have been told that they must register as the employer, must pay the PRSI and the PAYE, and must change their home insurance policies as well. I do not know whether this is just peculiar to community healthcare organisation, CHO, 1, but I have come across it on many occasions. The pressure and strain of that on either a parent or a spouse is too much and they do not want to take it on. It is a lot of responsibility and it is just not something they want to do. While they appreciate the money that has been granted to them to provide the support, it is not something they actually can do.

Deputy Patricia Ryan: As Sinn Féin spokesperson for older people, I see at first hand the effects of the failure of this Government and previous governments to properly plan for home care and home help for the elderly. There are people in hospital now who could be at home, but because there are no staff for their fully approved home care packages they remain in hospital, putting further pressure on already-stretched hospital resources. We have heard the phrase “bed blocker” on many occasions. I hate anybody who uses that term.

Deputy Mary Butler: So do I.

Deputy Patricia Ryan: It is an absolute disgrace. These are people who need to be in hospital and need to be brought home to get proper care. We cannot, and should never, use the term, but that is what is happening. These people need dignity and need to be approved further care. When will we see the implementation plan to enact the cross-departmental strategic workforce report? Can we see some urgency on this, given the chronic recruitment crisis? When can we expect delivery of the enhanced community care programme? I heard the Minister of State say that there will be a meeting around 29 June. I very much appreciate that, but I am not asking when the meeting will take place; I am asking when we are going to have the delivery of the

implementation of the programme.

Waiting lists for carers are 25% longer in rural areas, so I am delighted both Ministers of State are here. In my constituency, there is an 89-year-old lady who is caring for her 59-year-old son who has profound special needs. She cannot get home care. She depends on her daughter to drive 35 km to help her with him when the daughter comes home from work in the evenings. How can we ever justify leaving an 89-year-old woman with her 52-year-old son with intellectual difficulties who needs specialist care? She cannot get the care. I think it is an absolute disgrace. It is a pure failure of this system.

The Minister of State spoke about a personalised budget. A personalised budget is not going to help here. Home carers deserve a living wage and mileage allowances in rural areas, given weekly incomes, especially if they are losing income when a client is hospitalised and funding is stopped. We need reforms to social welfare rules to calculate hours worked, not days worked, to protect social welfare entitlements. It is vital that this happens.

It is past time the Government acted to resolve the crisis in home care. We are asking it to prevent our elderly from suffering now. It is vital that it is done to prevent the crisis from escalating. I have met the Minister of State on several occasions. She has always been very approachable and has always answered anything I asked, but I am absolutely asking that something is done around this. We cannot have people without care.

Deputy Claire Kerrane: I welcome this motion and commend the Regional Group on bringing it forward. There is an awful lot in it, and a lot that needs to be done in relation to home care and the care of our most vulnerable citizens overall. I want to speak first on those who remain on waiting lists in Roscommon and Galway and across the board, both for home care in the first instance and for additional home care where the need is there. It has been said - I think it is something we all agree on - that people want to be cared for at home and want to remain at home. It is the job of government to ensure that everything possible that can be done is done to ensure we facilitate this. Of course, being on a waiting list causes worry and anxiety both for the person in need of care or additional care and for their families. It is huge pressure.

In fairness to the Minister, the budget is there and the hours are there. That is all in order. The issue is home care workers and their pay, terms and conditions. The report from the advisory group is really important and we need to see those recommendations implemented as quickly as possible.

I have raised the issue of home care services in Roscommon in this House many times. I think they really are the blueprint in relation to the living wage, and how they calculate and allow for mileage. I ask the Minister of State to look at that in relation to the new package, which we hope will be put on the table right across the board. Qualifications in home care, including the training and the course, need to be looked at as well. We should also look at the possibility of intertwining that with some of the schemes, such as the community employment scheme, as a way to get people through, train them properly to a high standard and ensure they are in place and able to do the job.

The HIQA report published in December 2021 is one that I have raised in this House. It said that home care services were in dire need of regulation. I welcome the fact that legislation is coming. It is a long time awaited and it is really needed.

To close, I want to reference two points in relation to the motion and what it calls for. The

nationwide housing model for older people is something that we really need to look at. The housing with supports project that is ongoing in Inchicore at the moment needs to be rolled out. We need to have a safe space and a community for older people where they can live together but retain their independence.

Lastly, I understand that the meals on wheels delivery service is under review at the moment. Ballinasloe social services provide a meals on wheels service, like many others. They are under significant financial pressure to keep this service going. If we all acknowledge that a service such as meals on wheels is important and does good work, we need to make sure we fund it adequately to make sure it can continue. This is so important. I hope there has been engagement on jobseekers with the Department of Social Protection and the Minister. Work is ongoing on jobseeker's benefit and it is a perfect opportunity to look at jobseeker's payments in terms of working and moving to the model of hours rather than days. I hope this is being looked at.

Deputy Rose Conway-Walsh: I thank the Regional Group for tabling the motion. We are here week after week discussing the very same issue and we need to see more progress in this area. This is why the Government must advance the vital regulation for the home care sector and make the legislation a priority. It has to be a priority. We know what is happening in the constituencies. It must establish the promised commission on care to modernise social care arrangements. Too many people are unable to access the funded home care packages they desperately require. The waiting lists for home care at the end of March reached an alarming 6,432 individuals.

Will the Minister of State look at home care? People tell me how restrictive it is. I completely understand risk assessments but home help workers are restricted in what they can do. I know of a recent case where a woman asked for a piece of toast, but was told the home help could not make the toast because she might choke on it. I can understand this in certain cases but we need to be careful not to get to a situation where the risks narrow down what home help workers are able to do to very little. Perhaps we need to review the risk assessments on an ongoing basis with regard to what can be done to ensure people are comfortable in their own homes. Otherwise it defeats the purpose.

One of the biggest problems we have in Mayo is with regard to people who are kept in hospital longer than they need to be. We have great pressures on Mayo University Hospital and other hospitals. We do not have home care support packages in place. Has there been a proper audit on the cost of not having home care at the right time? I am not sure whether a financial figure has been put on it but that should be done. Sometimes all that is listened to is information on the money lost. We have wasted so much money and put people's lives at risk. Hospitals are backed up. People desperately need an acute bed but cannot get one because the home help is not there. Mayo University Hospital is overcrowded because of delayed discharges. Every month patients who do not have to be there are in acute beds. This means hundreds of bed days are lost each month.

Other people live at home in real hardship. We are dealing with an elderly lady in Mayo who has a disability. She had an agency doing her visits but she was being put to bed at 5.30 p.m. Being put to bed at 5.30 p.m. on a nice summer day is not acceptable. It was done because staff were not available to call on her in the evenings. None of us would like to be told we have to go to bed at 5.30 p.m. and wait there until the next morning in this heat. It is not the quality of living we should be giving to older people in their own homes.

I want to speak about respite, not only for elderly people but also for families who are in desperate situations. Family carers do wonderful a job in the home but they need a break. Siblings also need a break where there are children with disabilities. There was a story in the *Mayo News* last week about a severely autistic eight-year-old boy in Westport. His parents are at the end of their tether. They have had no break whatsoever. They love their children and care deeply for them. They do everything for their children at home but they cannot get respite. Will the Minister of State ensure that all respite services for the families of people with disabilities and young people with disabilities are reopened so they can get the respite they desperately need to be able to have some quality of life themselves?

Deputy Ruairí Ó Murchú: It is not the first time we have dealt with home support and home care packages. I thank the Regional Group for putting this vital issue front and centre. It is a pity we are still talking about this. We all speak about how we want to facilitate people to be able to live in their own homes. The problem is that we are not very good at putting in place those pieces that allow this to happen.

I will throw out, and not for the first time, that housing adaptation grants could facilitate people to leave step-down hospitals or hospital beds. I do not like the term “bed blocking” but these people are being forced into these circumstances. Louth County Council has made a request to the Government for €570,000. At present it is not taking applications for housing adaptation grants. I have spoken to the Ministers of State, Deputies Rabbitte and O'Donnell, and others about the fact that we need a review of the entire system. Even where people get the money and are able to wait a long time for very necessary adaptations that relate to severe mobility issues for older people and disabled people, in some cases the grants are not sufficient to deal with the need. I have been dealing with the Minister of State Deputy Rabbitte on the particular issue of a child coming of age with severe disabilities. We are speaking about hoists. Louth County Council has done what it can but it is insufficient. The Minister has managed a workaround but we need to be able to deliver it. The longer this goes on, the more difficulties it creates for individual families.

To come back to the particular issue of home care, the problem in north Louth is that there are significant difficulties getting full home care packages for those who need them. They may get partial packages. There are families who will get part-time packages when full-time packages are required. CHO 8 states it is difficult to get home care assistants to travel to north Louth. At times the RCSI Hospital Group, in order to free up its beds, has put on its own services. This is a lot easier to do for people who live in the vicinity of Beaumont than for those who live in north County Louth. It is a particular issue. Communication is never particularly great with CHO 8. I do not know how many times I have raised the added issue of these adaptation grants. We really need to get real about all of this.

I will raise the particular issue of a 15-year-old girl who was diagnosed with autism at the age of seven and has also been diagnosed with neurofibromatosis type 1. This is a terrible genetic condition that causes tumours to grow on the nerve endings. People can imagine the difficulties it causes. She is regularly hospitalised for high blood pressure. She is awaiting a home care package to assist her mother who has three other children with disabilities. They are also waiting for a profiling bed and other additional equipment. We have been in communication with the HSE on this. It is an issue that needs to be escalated. I will speak to the Minister of State and whoever else I need to on this. It is a real pity we have people in these circumstances. The problem is that it is never just one but many. We cannot even put ourselves in their shoes with regard to the life they need to lead. We are constantly speaking about facilitating families

and making sure people can live in their own homes. Unless we put these parts into play, it will not happen.

We know about the tender of €31 per hour of care and that there are still some issues that need to be ironed out. There is still instability in the sector.

11 o'clock

There is a request to look at all the terms and conditions of the sector. How long have we been talking about this cross-departmental strategic workforce advisory group, or CDSWAG, which is a hell of a lot easier to say? We really need these recommendations to be put in play. We have all talked about the issues, particularly with regard to travel expenses. We just need to make sure we can bring it to a place where people have a liveable wage, we have something that is attractive, and the people who want to do it are in a position to do so.

Some of my colleagues have already spoken on the necessity of social welfare reform. We know we need to make sure we have workforce planning and throughput coming through. Beyond that, we will have to incentivise people. The Minister of State, Deputy Butler, spoke about how we need to look at tax implications and whatever else for people who work in the health sector who may be willing to provide home care for the weekend if it is financially worth their while. We know we need to look at the hours for those on social welfare payments. We have many other things that need to be dealt with. At this point in time, we have a system that is not fit for purpose and we are failing people.

Deputy Sean Sherlock: I want to start with the report on “Morning Ireland” this morning about the Emily case. I refer to Ailbhe Conneely’s reporting on RTÉ. The report was clear that the national independent review panel stated that none of the very distressing incidents in that case were followed up in accordance with HSE safeguarding policy. I do not want to go too much into the detail of it, for obvious reasons, because it is so distressing. It speaks to the lack of legislation for safeguarding policy for older people. In her reply, could the Minister refer specifically to that case if she is able to? We acknowledge the fact that Bernard Gloster has been front and centre on this. I imagine that Bernard Gloster has spoken with the Minister in respect of this case. It points to the overdue, dire need for safeguarding legislation to protect older people. This motion is effectively about older people. Could the Minister give us some reassurance that there would be legislation underpinning the safeguarding of older people in the way that we have robust legislation that underpins the safeguarding of children? That would be a good day’s work.

There is a report on this from 2019 by the Law Reform Commission. Our own party proposed legislation on this in the Seanad in 2017. I welcome this motion. It is a good motion because it captures the issue of care for older people in Ireland today, what their needs are, and some solutions.

Looking at the census figures, we see that the population aged 65 and older will continue to rise steadily and will increase by more than 50% by 2051. That presents all of us with a clear challenge with regard to what care for older people will look like today and in the future. We have to continue to engage with organisations like, for instance, Family Carers Ireland. We have to engage with reports that they issue because they are at the coalface now and are in tune with the challenges that face older people.

I refer to the State of Caring report and its detail on participation income. There are some

stark findings based on interactions with people who avail of State services relating to care. They speak to the issue of those people who are carers. I want to speak for carers today. They want home support to be put on a statutory footing. That argument has been going around for a long time now. We wait to hear the timeline for that from the Minister. The report states that 24% of carers experienced a delay or a reduction in the delivery of home care support hours or packages due to the shortage of home care workers. I know the Minister of State, Deputy Rabbitte, has already quoted to us the number of home care hours that are delivered in a given year. The hours are significant and are increasing.

We have still not solved the problem. It is a question of how we solve that problem in a society where we want people to be cared for in their home. How do we fast forward to a point where, when somebody is given an allocation, that allocation is made immediately, with the package being tailored in accordance with the particulars of a household or a person's needs? The Minister of State has heard chapter and verse on individual cases from all of us today. There are particular circumstances and restrictions on how the package is tailored for the individuals' needs. That is needed.

We also have to tackle some shibboleths relating to the means test for the carer's allowance. I know it is not necessarily the line Department of the Minister of State, Deputy Butler. Family Carers Ireland does surveys and research. Some 47% of carers who participated in the 2022 State of Caring survey live in households with a gross income of less than €30,000 per year. Almost one in four live in households with a total income of less than €20,000. By comparison, 18% of the general population live in households with a gross income of less than €20,000. When asked about their ability to cope financially, more than two in three, or 68%, of carers said they find it hard to make ends meet. More than one in ten carers, or 13%, are in arrears with their rent or mortgage. Some 16% are in arrears with utility bills. By comparison, 7% of the general population in Ireland were in arrears with their rent or mortgage payments and 8% were in arrears with utility bills in 2020.

I know the carer's allowance is a matter for the Minister, Deputy Humphreys, but the Minister of State, Deputy Butler, will have an interest in it. Carer's allowance was introduced in 1990. It is outmoded, outdated and anachronistic. When we look at the Central Statistics Office figures for the projections arising from the census in respect of where the population or demographic growth is now, particularly the number of over-65s who will be living in Irish society in 2051, and at the number of people who will require care in the home, we see that there needs to be a fundamental overhaul of payments like the carer's allowance to reflect the realities of Irish society today. We need to dispense with these anachronistic payments. Not everybody can benefit from them.

In my experience as a typical constituency Deputy who does the ground-turning and hard cases for people, I see that more often than not, people are kicked out of a system if there is an increase in income in the household. The means test, income regards and all of that need to be overhauled. If we truly value care and caring for people in their home, and if we value a system of payment like the carer's allowance, it needs to be overhauled. If the Minister could respond to that, I would be grateful.

Deputy Róisín Shortall: I thank the Regional Group for tabling this motion. The Social Democrats will support it. In 2018, a statutory right to home care was first promised, with 2021 being the target date for its introduction. Now, five years on, this Government still has not delivered it despite numerous promises from the Minister of State, Deputy Butler, and other

Ministers. What is the problem? Why is the Minister of State not delivering on what she said she would do and what is so desperately needed? The Covid pandemic is usually blamed for any delays in progressing Sláintecare reforms. In some instances, that is a reasonable defence. However, when it comes to home care, the pandemic should have acted as a catalyst for reform and not a barrier. Lessons have to be learned from the experience of the pandemic as regards elder care. One only has to look at what happened in the nursing home sector to understand why that is the case. Instead, this Government has dragged its heels rather than accelerate reform of a sector marked by increasing privatisation, poor pay and the continued dominance of institutional care. Even the new home support tender, which was supposed to herald improved pay and conditions for home care workers, falls entirely short. Not only was the process mishandled by the Minister, it has not even delivered on the recommendations of the strategic workforce advisory group. For a start, workers will not receive the living wage, currently set at €13.85 per hour. Instead, the Government is doubling down on its own version of the living wage, which, of course, is not a living wage at all. This shows a complete disregard for home care workers.

Care work should be valued and regarded as a viable career. We cannot continue to expect this workforce, 87% of whom are female, to deliver high-quality, person-centred care in the absence of adequate pay, terms and conditions, and opportunities for career development. While significant progress has been made on pay and conditions for carers working directly for the HSE, staff within the private sector, who provide more than 60% of HSE-funded home care, still face serious challenges and disincentives. These workers are not covered by any collective negotiating agreements and face resistance to trade union membership and attempts to organise. This is just another reason the State must expand direct provision of home care and reduce our overreliance on outside providers.

On travel, the new tender also disappoints. Home care workers should receive mileage but instead only travel time at a rate of €2.99 per hour will be covered. This is again another broken promise. This is a completely inadequate response to the costs incurred by these workers, given the distances travelled by many of them, particularly in rural areas, and the considerable expense of running and fuelling a car.

Another recommendation of the advisory group that remains unaddressed is the review of social welfare eligibility rules. The current three-day rule is extremely restrictive and in need of reform. A new system, based on cumulative hours worked, would free up capacity in the sector and help reduce our stubbornly high waiting lists. I raised this with the Minister for Social Protection last February, but she showed no sense of urgency. The Minister for Health and the Minister of State with responsibility for older people need to urgently engage with her to move forward on this important issue. The point is the manner in which there is a demand for home care means it is spread over the whole week, sometimes six days in the week, and the three-day requirement is just not relevant to people working in the sector, which is why we need it to be addressed urgently. We simply cannot allow this situation to continue deteriorating.

At the end of March, more than 6,000 people were on a home care waiting list. They had been approved but the staff were not there. In addition, from the acute hospital perspective, there are regularly 600 delayed discharges. In the short term, these unacceptably long waiting lists could be addressed by better pay and conditions. While in the medium term we need to seriously examine the model of home care provision in this country, this must be part of the commission on care.

We know what is happening, driven by the Government in particular, is a drive towards incentivising nursing home care, and the use of a large tax-based model that is entirely inappropriate. The Government is driving outsourcing and privatisation and losing all sight of what is in older people's best interests. We have to change approach on this. We cannot continue with this. We cannot have older people being warehoused and this kind of creeping privatisation we have seen right across elder care. It is simply not good enough. The starting point has to be an immediate statutory right to home care.

Deputy Violet-Anne Wynne: I thank the Regional Group for bringing forward this very important motion and the Social Democrats for lending me time to speak on this issue on behalf of the people of County Clare.

Bluebird Care provides approximately 91,000 hours of home care support to 173 clients in Clare every year. Its representative body, Home and Community Care Ireland, has made several representations to the HSE, the Minister of State and even to her Government colleagues regarding the delays with the 2023 tender. Not only does Bluebird feel devalued by being messed around so much, it also feels its hardworking care staff are not being treated fairly. It has been unable to update staff on a potentially increased package that offers a pay rise and properly remunerates them for travel time and mileage, which is very helpful at a time of high inflation, especially for those living in rural areas.

Between the 2023 tender and the proposed statutory right to home care, there is a unique opportunity to redefine services and invest in a flourishing sector, but the opposite is happening with a race to the bottom unfolding. Clare public participation network, PPN, reported that only 4.4% of home care hours in Clare are delivered directly by the HSE. That is compared with 49.6% in Limerick and 56% in north Tipperary-east Limerick. Clare has the highest number of people on waiting lists in community healthcare organisation, CHO, 3 due to staff shortages.

I recently spoke to Martin from Inagh. His brother, Michael, is due to be discharged from hospital but this is not possible as his home care hours have been slashed from 28 hours a week to just 14. The nature of Michael's condition means it will not be possible for him to return home, with half the home care support he was previously getting. Unless the Minister of State takes action, Michael will join the thousands of people throughout the country who are forced to live in nursing homes against their wishes because the State cannot provide the adequate care he deserves. For Michael and everyone in this situation, I urge the Government to support this motion.

Deputy Gino Kenny: I, too, welcome the motion. We have discussed the issue of home care many times over the past number of years. It is an extremely important part of the health-care system. It is vital that somebody in his or her own home is given the proper intervention and vital care at that time. We have moved towards the model where people want to stay in their homes, if it is medically feasible, because that is obviously where they feel more relaxed and more at home - excuse the pun. It is a better environment, both physically and mentally. All the evidence indicates that where a person gets a proper intervention, the outcomes are very good. The State has funded home care but it still lags behind the need, especially for people in a hospital setting who cannot leave that setting to come home. The home care approach and model is better. As I said, the evidence indicates people are happier and so forth.

We are not only talking about those people who need home care but also the workers. Speaking as a former home care worker, it is a brilliant, rewarding job in more ways than one.

You do not do it for the money. Nobody does it to get rich. You do it for the passion, the altruistic need, and wanting to give back to your fellow human beings. However, there is a major issue around pay. There is no doubt about that. The proliferation of privatisation of home care is a huge worry. A tendering process is under way. These companies are doing very well but their workers are struggling. It is to be hoped some of this can be addressed through the tendering process, including travel expenses. A home care worker who has ten clients will sometimes have to travel wide distances to get from one client to another. That takes up a lot of time. It has to be addressed because if we do not keep workers, we will have this situation all the time. A huge number of people want to give but cannot do so if they are not paid properly or recognised. That is important.

The proliferation of privatisation has been a huge worry and has denigrated the service the State is obliged to provide. It is important to address that imbalance in home care work and to recognise home care. We live in a society possessed by financial rewards but we need to become a society that cares about its individual members. We are a caring society but there are things in place which do not help people who want to give. The main issues are more home care hours for people who need home care and proper pay and conditions. There are people in our society who earn hundreds of thousands of euro and sometimes you have to ask yourself what social good they do. The social good of a carer who is meeting the most basic needs of a fellow human being is vital. Sometimes we do not recognise that in a capitalist society. I hope the tendering process will give a living wage to those who want to give back and make people's lives better. That is vital.

Deputy Danny Healy-Rae: I thank the Regional Group for this timely motion. Home help is something every public representative is dealing with. On an hourly basis, there is someone ringing about home help. When people get elderly and have little problems, they want to stay in their own homes for as long as possible. We should be doing a lot more to help these people stay in their homes and give them the home help they need.

There are desperate anomalies. In Kerry, there are people granted home help and being notified they will get it, yet the home help does not arrive because there are no home helps available to do the physical work. We must address that issue.

When we debated this issue previously, I ask about Ukrainian refugees, women and men, who should be trained up, especially those who speak English and have a car. I am sure they would want to work and could help.

We should be doing more to recruit people. Sadly, last year, people were recruited and trained but were not being called. People will not stay hanging around like that when they are looking for work after training and everything. It takes too long. I do not know where the knots are.

We have a situation where people are in hospitals and the hospital wants to get them out and get the bed free but there is no one to come at that moment to do the home help. It is a fierce worry for elderly people. The one thing they want is to stay in their homes for as long as they can. We are not doing enough to help them.

Deputy Michael Healy-Rae: I thank the people of Kerry who already provide home help and keep people in their homes by their work and efforts. I want to remember the time they worked during Covid. I know many of them personally. Many of them walked the byroads and

high roads with me during election campaigns. The message I want to send to them is to thank them from the bottom of my heart. I know the Minister of State also does so and will, during her address at the end of this debate, thank them.

I thank the Regional Group for bringing this important motion before the Dáil. It is important to acknowledge where we are, what we have been doing and the fallings and failings in that. I will give an example. Everybody knows the ever-increasing cost of running a motor car but the unusual thing about home helps is that when they leave their house in the morning and go to take care of their first and second people, they have to move all the time. They are burning petrol, breaking their cars on bad roads and wearing and tearing tyres. Cars deteriorate with use and they use them a lot. Predominantly they are in rural areas. It is important we recognise the need to increase the money home helps are being given. What it costs to keep a person at home is minuscule in comparison with not having a home help call to a person. If the person at home fell and broke a hip, can the Minister of State imagine what it would cost to keep him or her in an acute bed? It would cost €2,000, €3,000 or €4,000 per week. Even if the person were to go into a district hospital, it would cost multiple thousands every week. The amount of money the Minister of State is giving to home helps is small in comparison with what we would pay if we were keeping people in State care. Let us look after the home helps we have, try to encourage more people into the service and make sure people are allocated hours.

I thank the management and home help organisers. We often have debates on services but I thank them for their work in County Kerry. I am talking about the Kerry people and I thank them.

Deputy Mattie McGrath: I too support the motion. It is important we have a debate on this issue because this is an important service involving important people, as Deputy Healy-Rae and many others said, who deliver these services to our elderly and vulnerable and those who need supports.

We have been on about this so many times. There is a dichotomy in many areas. A couple of years ago, people were all the time trying to get supports and could not get them. Now we talk to the Departments and the Ministers and are told there are heaps of money and we can get approval but we cannot get personnel to do the job. That is an issue and will be an issue going forward. We have to value, respect and support home helps. Many of them travel long distances to spend a short time, maybe half an hour, here or there. That is onerous on them and it is expensive for them to travel.

I also support the management and people in charge but common sense does not always prevail. I raised a case recently with the Minister of State in her constituency. An elderly gentleman - he is 92 years old - had home help from a private service contracted through the HSE. He decided, and rightly so, he wanted to join the HSE and then he was taken away from the family when he qualified.

Deputy Mary Butler: He is back now.

Deputy Mattie McGrath: Why are these things made so cumbersome? That family was put through enormous stress, as are many other families, waiting for a week or ten days with nobody. Thankfully, the case is somewhat resolved. There are many issues that need to be addressed but do not seem to be getting addressed.

We have seen cases where home helps have been moved from the families they had or the

people they were caring for. I also have cases where if the home helps say a word or make any complaint, they are punished, not directly but indirectly, by being moved, given more awkward hours or whatever. That kind of pettiness should not be allowed. We must value the people who provide the service, the role they play and the fact they give their time, their service and much more.

Deputy Catherine Connolly: I thank the Regional Group and welcome the opportunity to focus on this. The only thing absent in the motion, perhaps, is what led us to this point, which is the ideology promulgated by many parties to the effect that private was best. We privatised the system. It was the ideology of a particular party but I will not go into party politics. It is important to say, however, that it is neoliberal ideology that has left us with this mess on our hands. If we are getting sense at this late stage, or mar a deir said i nGaeilge, “ciall cheannaithe”, meaning “bought sense”, that is good.

This is a theme we return to all the time, like climate change, housing and domestic violence. We have statements *ad nauseam* about it but what we really want is action. I welcome the fact that the Minister of State has taken action. She did so back in 2021 when she listened to the various debates and set up in March 2022 the workforce advisory group on home carers. I have read its report. The Minister of State received it in September of last year and it was published in October. I give her full marks for that and the work that was done. It is a very interesting read and it really encapsulates how we got to here. We have a mess on our hands. I pay tribute, as always, to the carers, without whom this economy could not function, not to mention thrive.

I always say when speaking here that I wish economists would examine the value to our economy of care and carers’ work, without which it could not function. Of course, the profession is 90-something percent female, which is another indicator of why the pay is so low and no value has been put on it.

What is the mess we have? We have a health service executive providing good money per hour. That same executive is providing good money to the private and not-for-profit sectors but it is not being passed on. The Minister of State said the rate was €28.50 per hour. I can tell her that there are many carers in Galway who would love €28.50 per hour. What has happened under the neoliberal ideology is that we are now helping private companies, however big or small, to make a profit. That is exactly what Government policy is. The Minister of State has inherited that. I realise she is on record as saying she would like change so as to have more direct provision. I welcome that.

The findings of the review are absolutely stark. I have only a minute and a half left, so I will not be able to go through them. Pay and conditions are referred to. The pay is way too low. We should ensure a national living wage. Currently, there is no mechanism for care workers employed by for-profit or non-profit organisations to engage in collective bargaining. The hourly rate paid by the HSE to providers from which it commissions home support and that provide care at a profit is significantly higher than the rate paid by those providers to their care workers. There is something seriously wrong with this.

The report makes 16 recommendations. They are good and include putting measures on a statutory footing. Of the 16 recommendations, only one, on overseas workers, has been implemented. I welcome its implementation. Although all the recommendations caught my eye, No. 11 did so in particular. There should be a significant increase in the proportion of home support

hours directly provided by the HSE. We are talking around in a circle in that we were providing direct home support through whatever entity is now the HSE but then changed things to ensure the companies would make a profit and not provide a proper service. The care was commodified. Professor Kathleen Lynch has clearly outlined the commodification of care services. That is what we are doing. If the Minister of State is going to lead us back to where we were, I will fully support her.

On the ideology, it is often important to identify that we did modify care services. It used to be a matter of getting somebody assessed for home care but it is now a matter of getting the carer. There are geographical differences in that carers cannot be got in rural Connemara, for example. On top of that, there is terrible language, such as “a person entitled to care”. Such a person is not entitled to continue with the same carer, so he or she could have up to three or four different carers in the day, provided by different institutions or entities. All this is based on a neoliberal philosophy or ideology that has made a product out of care rather than an essential service. My colleague from Galway, Deputy Grealish, is nodding his head in agreement. I would welcome a change to the ideology on what are the essential ingredients of a democracy. The most basic one is to provide carers directly through the HSE and give them a living wage.

Deputy Michael McNamara: I very much endorse much of what the previous speaker has said. I thank the Regional Group for tabling the motion and giving us the opportunity to discuss this very important issue.

I acknowledge the Minister of State’s bona fides on this issue in that she has very much sought to introduce reforms. I look forward to hearing in her closing remarks how those reforms are advancing, because the reality, notwithstanding the Minister of State’s efforts, which I acknowledge, is that difficulties remain. Deputy Connolly pointed out that the difficulty before now was getting people assessed. Now it is quite easy to get people assessed. I know many families across Clare who have been assessed and told they are entitled to hours, but there is simply nobody available to offer them. That raises many questions. Obviously, we have full employment, which is part of the issue, but the fact that a fundamental service for a person, family and community is regarded as unattractive or that other fields of employment are regarded as more attractive raises questions. We must acknowledge that most people look for care early in the morning and late in the evening and that this poses difficulties in terms of the attractiveness of employment because many carers deal with their own families, including children, parents and dependent relatives, at these times. People like to work an eight-hour shift. It makes it difficult to provide a service on two occasions per day, 12 hours apart, if people are being sought to do eight-hour shifts.

As Deputy Connolly and other speakers have pointed out, there are issues with the margins being taken by some of the service providers, including not only the for-profit ones but also the not-for-profit ones. The latter also take a fairly handsome margin, and that needs to be looked into. Admittedly, there are administrative and insurance costs and the care has to be provided, but we must ensure the carers providing the service are paid an amount of money commensurate with the great service they provide.

We must examine what occurs if somebody goes to hospital or does not require care for a week or two, meaning that the person’s carer is not paid for that period. What is happening in that regard? What is the position on payment for travelling time? Cities are one thing but in rural areas such as Clare or the area the Minister of State represents, carers inevitably spend much time travelling. For the job to be in any way attractive, carers need to be paid for their

travel time, and also for fuel because they are driving around in their own cars.

Minister of State at the Department of Health (Deputy Mary Butler): I thank Deputy Grealish and the other members of the Regional Group for the opportunity to discuss home care. When I was informed last Thursday or Friday morning that there would be a Private Members' motion on home care, I was absolutely delighted because we do not often get two hours to discuss what is a really important feature for so many older people living in the country. I thank the Deputies for tabling the motion and for the work they have done.

I read over the weekend what the Deputies have in their motion and believed it was very fair and balanced. Much of what is in it, especially what Deputy Shanahan referred to, is already in train. I will go through some of the things we are doing and also speak about where the challenges lie. I will speak about what we are doing more generally regarding the extensive reforms occurring in home support.

It is crucial to acknowledge the outstanding efforts of front-line carers and all those who work right across our health and social services. They have stepped up and demonstrated their outstanding commitment to meeting the needs of service users in communities right across the country.

I was struck by the comments of the last speaker, Deputy McNamara, who said home care is a difficult job. It is predominantly female led. A home carer does a split shift in many cases, working early in the morning and late in the evening. It is a seven-days-per-week job. It is very difficult at weekends in rural areas, especially if somebody needs two carers or if the person being cared for has to be hoisted or has special care needs. If they are looking for a male carer, that is challenging as well. There are a lot of challenges there, but it is a priority for the Government. Our population is growing and it is also ageing and this means that demand for home support services is projected to increase substantially.

Older people want to age well at home and it is important that the supports are in place. I call this the triangle of supports that I deal with every day as Minister of State for Health with responsibility for older people: home care, day care and meals on wheels. We have 330 day care services back up and running. We have 46 specific dementia day care services up and running. That is nearly 380 in total. Meals on wheels provides meals to 250,000 people every month and is hugely important. It is so much more than just a knock on the door with the meal; there is a social connection. Then we have home care. I am pleased to say that regarding home care, funding has kept pace with demand. The Government delivered unprecedented funding amounting to an additional €228 million over the last three budgets. My budget this year is €723 million specifically for home care to support older people to age in place.

There should be no doubt that this investment in social care and home support is a priority for me. It is a priority for the Government and for the Minister for Health, Deputy Donnelly. When I listened to all of the contributions, some really good contributions that I will take on board, there was one person who said the system is not fit-for-purpose. I do not agree. As we all sit here this morning and debate, 56,865 people will get a knock on the door and somebody will come in and help them to get up and get dressed and deliver the care they need, more from a medical model now. We have moved away a little bit from the fact that originally, home carers, or home helps as we used to call them, helped with cleaning out the fire and maybe going for the shopping or helping with it. We have moved to a different type of model. We had no choice, because the demand was there. Almost 7 million hours have been provided so far this year. This

represents an increase of about 300,000 hours on the same period last year, notwithstanding the challenges we have. We have witnessed a significant increase in the number of home support hours being delivered, but also a significant increase in the demand. That has not been spoken about at all today. There is much more of a demand, especially post-Covid-19.

Last year, around 75,000 people in total benefited from home support services. The service is highly valued by service users and by their families, because it enables older people to age in place and live with dignity in their own houses without compromising on standards. Somebody spoke earlier about standards. I will not compromise on the level 5 HIQA standard that is needed to deliver home care. One cannot do so. People have to be Garda vetted. People have to have the correct verification to go into somebody's house and offer them personal care. I will not ever apologise with regard to standards.

I also want to say something which has not been said. Ireland has the highest life expectancy in the whole of the EU, as deemed by the World Health Organization, which is almost 83 years for women, and 82 years for men. That is something that we have to acknowledge as well. We are doing a lot of work to support older people to remain at home.

On the waiting lists we have currently, and this is something that I follow on a weekly basis, there are 3,310 new applicants. They are approved for funding and they are waiting for supports. There are a further 2,884 people who are already receiving supports. I know people cobble it together and say that there are 6,000 waiting. Technically there are not. There are 3,310 waiting, which is 3,310 too many, I will add. There are 2,884 people who are receiving a package, more than likely Monday to Friday, and challenged at the weekend. We are challenged at the weekend in rural areas and where we need two providers and one cannot ask any home carer to work seven days a week. It is as simple as that, so we are challenged there.

Work is ongoing to address the waiting lists and the HSE is endeavouring to prioritise service for clients with the highest care needs. That is what we have to do when we have a waiting list. The waiting list is predominantly made up of people who have been approved for support. I have to be crystal clear here: this is not a funding issue. There are not too many Ministers who can stand up and say that. It is not a funding issue, it is a workforce one at the moment.

I will move to the strategic workforce advisory group, SWAG, and the recommendations. We put that in place last year. I compliment my Department, which did phenomenal work on it. What I want to say is that while only one of the recommendations has been put in train, there are another four in train at the moment as well. The first recommendation involved working with the former Minister of State, Deputy Damien English, in pushing it through to get 1,000 permits outside the EU, and 129 have come in so far. I think it will work, because 2,600 people have come in on permits to the nursing home sector under the same pay and conditions. It is early days yet and I think the permit will work as the year rolls on.

On legacy rates, which were a huge issue for the private providers, travel time and the living wage, that is all being worked out in the tender at the moment. I do not want to say too much about the tender, because it is at a delicate stage and negotiations are ongoing. However, those three issues are being dealt with.

Another of the recommendations is rolling recruitment within the HSE. The HSE is paying €16.50 per hour plus mileage to home carers and it is still struggling to get them. As it recruits, what is happening is that we have a lot of home carers who are retiring. They stay on even

until they are over 65 or 66 and they are retiring because it is a tough job which involves lifting people. If one is doing it all of one's life, it is time to be taking it a little bit easier. The rates we are paying are €16.50 an hour from the HSE, plus mileage, and we are struggling to recruit. There is a rolling recruitment campaign across the country. That is another one of the recommendations and I look forward to the meeting on 29 June which will set out very clearly how many of the recommendations are under way.

I really want to make progress in working with the Minister for Social Protection, Deputy Heather Humphreys. I take on board 100% that there are lots of people who would do home care if they did not have the challenges with their medical card, or if the amounts they receive in social welfare were not affected. There are a lot of people who have told me that when their child goes to school in the morning, they would be able to give three or four hours. They might be able to give 20 hours a week. That is an area that we really have to progress, and we will, but these things take a little bit of time.

On reform of home care, the programme for Government commits to introducing a statutory scheme. I will have that in before the Dáil before Christmas and I look forward to the support of Members on that. I thank Members for the pragmatic approach they have taken on this. That was one of the main reasons why I wanted to accept what Members have set out. We all want the same thing. We all want older people to age in place.

I do not have much time left, so I want to turn another area. Deputy Shanahan will be aware of this, because he was with us last Friday when we had the Minister for Housing, Local Government and Heritage, Deputy Darragh O'Brien, in Waterford. A new age-friendly premises was opened in the heart of Waterford city. It was formerly St. Joseph's nursing home. There are 71 homes there for older people under repair and lease and the local authority is going to provide a dedicated person there to support people when they move in and help them with social care, for example, meals on wheels, whether they need help filling out forms, or need help in getting home care. Age Friendly Ireland will also work with them in delivering supports. We need to see one of these in every community, giving older people the options to age in place with the correct wraparound supports. I thank Members for bringing forward this motion and I am happy to support it.

An Cathaoirleach Gníomhach (Deputy Pauline Tully): I thank the Minister of State. We will now go to the Regional Group to conclude, with Deputies Cathal Berry and Denis Naughten sharing five minutes each.

Deputy Cathal Berry: I am very grateful to be in the Chamber this morning to speak on this very important motion and I acknowledge Deputy Noel Grealish and Maria in his constituency office and her team who did all the heavy lifting to put this together.

To start, I want to double on what the Minister of State said about demographics. People talk about this demographic bulge as though it is a time bomb. I think it is a good thing to. It means that about 40 years ago there was a baby boom, because people had great confidence in the future of this country. There are also the high life expectancy rates at the moment, which are top-of-the-class from an EU point of view. That has not happened by chance. Our healthcare system, for all of its imperfections, is doing great work. Outcomes are improving, people are living longer with chronic diseases and we should acknowledge that from a healthcare perspective, and our wonderful doctors, nurses and healthcare professionals.

There has been a lot of talk about childcare and with good reason. It has been said that the State should provide childcare, and that is absolutely true, but to me elderly care is just as important. It is an integral part of the social contract and societal covenant and we have to make sure that elderly care is looked after as well. With regard to other recipients of home care, I would mention the disability sector. I contend that people with disabilities are even more deserving of State support than the able-bodied, because of the particular hand that the lottery of life has dealt them.

The second point I would like to raise is on what I would call the unseen health service, which is so important. We are all familiar with the seen health service. We have hospitals and lovely primary care centres now, which I welcome. We also have ambulances flying around with blue lights but the unseen health service is just as important, if not more so. That is what goes on in people's homes every single day of the week, and that is why carers are so important. The unseen health service takes huge pressure off the actual health service, at both ends, as Deputy Shanahan has mentioned. It reduces the risk of unnecessary admissions to accident and emergency units but it also facilitates the other end as well, in that it reduces the risk and the likelihood of delayed discharges, because there is a step-down option thereafter. Therefore, it is really important.

I think most people here would agree that the most efficient healthcare bed in this country is the patient's own bedroom, and the most efficient healthcare worker is the one who facilitates the patient to stay in his or her own bedroom. That is really important. Even the most heartless and cruellest bean counter accountant can see the economic benefit and advantage of that. That is before we include the autonomy, independence and dignity of the patient as well.

This is my last point. We have 14 recommendations and I endorse every single one of them, but I will focus on three in particular. The Minister of State rightly mentioned the remuneration package. I thank her for sharing the information on the €28.50 per hour rate. I was not aware of that figure and I think it is intriguing. There is a lot of work we can do there.

The obvious question is whether there is any caveat or conditionality associated with that money before it is handed over. That money is really needed on the front line. It is needed in the bearna bhaoil. I do not want to be pejorative. We do not engage in that kind of emotive language but we do not want it siphoned off by various layers of management. We do not want the CEO of a company to get a brand new company car. We need the money to be spent where it is needed most. That is what the taxpayer wants as well. We could do a bit of work on that, because it will not cost the taxpayer any more money, but we would make sure that the cash gets where it is needed most.

The second point relates to permits for non-EU staff. I presume the Minister of State will agree that there is a wonderful community out there. I know most of my colleagues certainly will. I refer to the Filipino community. They are running our health service. They are in every ward and in every nursing home. They are also disproportionately positively represented among carers. They remind me a lot of Irish immigrants in the past. We went to the US and Australia and we sent remittances home, which is precisely what the Filipino community is doing as well. Not only are they caring for Irish people; they are caring for their own people back in their country of origin as well. I want to put that on the record.

My final point is on carer burnout, which is a huge issue. The Dáil is going into recess next month and while it is not an analogous comparison, there is no recess for carers. We can call it

what we like, but it is a 24-7 or a 25-8 situation and they need to get respite. I would be very grateful if the Minister of State could look at increasing the number of facilities providing two weeks or three weeks a year that are so crucially important, both for the patient and for the carer at home.

In summary, before I hand over to Deputy Naughten, I will wrap up by saying that I am grateful for the opportunity to speak. I thank the Minister of State for accepting this motion. The one takeaway for me is the €28.50. We need to get that money where it is needed most; on the front line.

Deputy Denis Naughten: At the outset, I thank my colleagues for bringing forward this motion. I thank Deputy Grealish, Maria Burke, and Teresa Delaney in particular for drafting the motion. I thank the Minister of State for taking this motion on board wholeheartedly. We all know her commitment in relation to this. That is clearly reflected in the significant increase that we have seen in the home help and home care budget, which has gone up by 58% since 2019, up to €700 million this year. There is no doubt but that the money is there; the difficulty is that the hours that are being committed to are not being allocated. In fact, in 2023 there are just 59 additional hours a day being delivered across this country. That is 37 minutes of additional home help support per day in each primary care network for a population of 50,000. It is a case of the loaves and fishes. That is why we are in a situation where we have 6,500 individuals on waiting lists, trying to access support, including some people that are in hospital at the moment. The reality is that the number of people in the population aged over 65 is increasing and it will continue to increase over the years. In fact, the Central Statistics Office census statistics have shown us that today, there are more than 1 million people over the age of 60, and close to one in four of those are living on their own. We have a severe shortage of carers, leaving vulnerable individuals without the necessary support. This is support that the HSE has independently assessed as being required for these people to continue to live with dignity in their own homes. I refer to people with disabilities and older people. This is down to a chronic shortage of home help hours, which is causing delays in discharging patients from hospital, particularly vulnerable older individuals and that is exacerbating the chaos we have within those health facilities.

I accept that this is a complex challenge and that it is not easy to solve. However, in the interim, at least where we have allocated those hours and where the money is available, could we not provide it to the families to use it to buy in those services, where they themselves can support carers? This has been done in the past for children with profound disabilities. Why are we denying it now to older people with disabilities? Why are we denying it to families with older people? I will give the Minister of State one example. It is a case that I have spoken about to her previously regarding John and Mary. They are a vulnerable older couple living on their own. John's wife requires full-time care. While they have been allocated hours in the evenings and on weekends, they cannot get access to it whatsoever, and they are being denied those supports even though the money is there.

We could also take the case of Brigid, which the other Aire Stáit, Deputy Rabbitte, knows very well. She is a middle-aged woman confined to a wheelchair after spinal trauma. She has been told that she has to go into a public nursing home during the day, seven days a week, because home help is not available. Her husband will have to bring her in the morning and collect her from the public nursing home in the evening, which is going against stated Government policy. It is also going against the Ombudsman's report and the commitments that have been given by the Minister of State, Deputy Rabbitte, not to put people with a disability into nursing homes, yet that is the solution that has been proposed to that family this week.

In addition, we need to give family carers a break. We have 86,000 individuals across this country providing at least 43 hours of caregiving every single week. These people are effectively trapped in their own homes. They need respite. They need a break. We are asking that the respite would be put on a legal footing, in order that every single full-time family carer in this country has a minimum number of days of respite available to them. That is vitally important.

I welcome the fact that this tender process is going on. I also welcome the reassurances the Minister of State has given us on what will be covered in that process. Could she provide assurances to us that in the tender process the whole issue of travel, in particular in rural areas, will be addressed? As we all know, the cost of living has gone up dramatically, as has the cost of transport, in recent years, yet these people are being denied the basic level of cost to cover their transport to and from the work they are carrying out. I want an assurance from the Minister of State that this matter will be addressed.

The Minister of State is correct in that quite a number of people have retired out of the system. Some of those people are prepared to go back and to do work, but they have been told by the HSE that their pension will be deducted if they do so under the pension abatement rules. Recently, Bernard Gloster reiterated that before the committee. The reality is that the pension abatement rules were brought in for super well-paid, high-level civil servants; they were not brought in to control the income of home helps. I want the Minister of State to take a leaf out of the book of the Minister for Education, Deputy Foley. As an exceptional measure, she got pension abatement introduced for teachers where there is a recruitment crisis in relation to teaching. Surely to God, if there is a recruitment crisis in relation to teaching, there is a recruitment crisis in relation to home help.

An Leas-Cheann Comhairle: I thank Deputy Naughten.

Deputy Denis Naughten: I think I have one minute remaining.

An Leas-Cheann Comhairle: No, Deputy Naughten is one minute over time.

Deputy Denis Naughten: No. The standing order is for two hours until 12 noon.

An Leas-Cheann Comhairle: I am not going to argue with Deputy Naughten but he is over time. I have been lenient with him. He should draw to a close.

Deputy Denis Naughten: With all due respect, a Leas-Cheann Comhairle, the Minister is not here yet. Could I not finish my point?

An Leas-Cheann Comhairle: I am only asking Deputy Naughten to draw to a close.

Deputy Denis Naughten: So we are going to suspend the House.

An Leas-Cheann Comhairle: No, I am asking Deputy Naughten to draw to a close.

12 o'clock

That is what I asked the Deputy.

Deputy Denis Naughten: Pardon?

An Leas-Cheann Comhairle: I asked the Deputy to draw the matter to a close.

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Deputy Denis Naughten: I am bringing it to a close.

An Leas-Cheann Comhairle: I thank the Deputy for his co-operation.

Deputy Denis Naughten: My point is that pension abatement rules exist in this respect and I ask the Minister to examine flexibility with regard to it.

The final point I wish to make is that Family Carers Ireland has come forward with an innovative proposal to introduce a non-means-tested participation income for family carers, to move away from the carer's allowance altogether. It has put a very detailed proposal together. I ask the Minister to engage with it on that matter and get a commitment from the Government to establish a high-level interdepartmental group of senior civil servants to investigate how this could be implemented on a phased basis. I commend the motion to the House.

Question put and agreed to.

Message from Select Committee

An Leas-Cheann Comhairle: The Select Committee on Health has completed its consideration of the Human Tissue (Transplantation, Post-Mortem, Anatomical Examination and Public Display) Bill 2022 and has made amendments thereto.

Ceisteanna ó Cheannairí - Leaders' Questions

Deputy Mary Lou McDonald: I wish to raise the governance review into allegations of sexual assault at a HSE-run nursing home, which was published today. It outlines harrowing failures to protect vulnerable people and is a very distressing story for us all. It reflects, again, that there is much work to be done to protect and safeguard vulnerable people. In 2020, a health-care assistant who worked at the home was jailed for 11 years for rape. The victim, known by the pseudonym "Emily", was a resident at the home. The review into the handling of this case uncovered that other residents had made allegations against the same healthcare assistant in the past. However, their serious allegations were not followed up with a safeguarding report and some were dismissed as residents being confused or hallucinating. None were followed up, as should have been the case in line with HSE safeguarding policy. This is a devastating incident that will cause unimaginable distress and trauma for the victims, their families and all of the residents at the home; and my thoughts are with them today. Emily and the other residents who came forward to report attacks have been let down in the most horrific way. The review is damning but it is not the first damning report. The Taoiseach will recall the "Brandon" report in County Donegal, another case in which one person stepping forward exposed similar issues around safeguarding. Today's report must be a watershed moment. The chief executive of the HSE, Bernard Gloster, said the HSE will do all it can to ensure that safeguarding for all people in care homes is at the highest level of priority. I welcome that because we all must ensure that vulnerable adults are never failed in this way again. Victims must be treated with the dignity they deserve.

Tá an t-athbhreithniú ar fhoréigean gnéis i dteach altranais an HSE millteanach. Éilíonn sé gníomh práinneach chun daoine atá i gcontúirt a chosaint. Tá dualgas ar an Rialtas a chinntiú go bhfuil cosaintí i bhfeidhm.

The National Independent Review Panel, NIRP, issued nine recommendations in its report, which must now be implemented without delay; I am sure the Taoiseach will agree. They include the establishment of a working group to examine and reform how residential facilities for older people operate to ensure they are in line with international best practice. It also includes putting in place a staff awareness campaign to ensure that older people who are victims of sexual abuse are believed and that safeguarding allegations are always taken seriously. It also recommends better management of patients' notes to ensure that concerns or signs of abuse are recorded and identified early.

There are a number of steps the Government can take to improve protections for vulnerable adults. Adult safeguarding legislation is needed to put legal obligations on service providers to prevent such violence being committed and to hold organisations and individuals to account for failing to protect people at risk. The legislation has been pending for some years but the need for it is now critical; indeed, I heard the Minister for Justice speaking about it again this morning. I call on the Government to commit to the urgent delivery of this legislation. Can we all work together to ensure that vulnerable adults have the support and protections they need and that this review and its nine recommendations are taken seriously and prioritised? Can we work across the House to ensure that all of this is acted upon in order that such a harrowing incident is not repeated?

The Taoiseach: I thank Deputy McDonald for raising this important issue. I think we can all agree that it is a hugely distressing and shocking affair that strikes terror into the heart of anyone living in a nursing home or anyone who has a loved one in a nursing home. These are supposed to be safe places and they almost always are, but in this instance, that clearly was not the case. It is important to say that the man who committed these assaults is now in prison and is serving an 11-year sentence. He is in prison because of the cognitive clarity and emotional strength of "Emily", who testified against him. She has since passed on. The review by the NIRP was carried out to establish if there were warning signs, signals and complaints that were missed, which there were. There were other allegations, which were not followed up by staff, as they should have been in line with existing HSE safeguarding policies. All incidents were subsequently referred to the Garda and all of the families affected have been informed. I can only echo the words of HSE CEO Bernard Gloster in his statement today, in saying that our concern has to be with the family of Emily and the other families affected, who have been engaged with to date. We intended to engage with them further on wider safeguarding issues in this particular care facility.

We can only at this time unreservedly apologise, condemn what happened and do all we can to ensure that safeguarding for all people in alternative care is at the highest level possible. Neither the CEO of the HSE nor I are satisfied that we fully understand all of the issues in this facility or those arising in the wider care context. For that reason, in the coming days, a safeguarding expert from overseas will be appointed to assist us. Today, it is important, as custodians of care services for older people, that we say, unequivocally, that we failed Emily, regardless of how much we were deceived by any one individual employee. We are anxious to ensure that we also respect the wishes of Emily's family for privacy. Given that this was such a serious incident, we are obliged to look closely at the context, the safeguarding practices at the time and whether there are other issues of concern. Two examinations have taken place to

date, which can be broadly described as the review by the NIRP, to which Deputy McDonald referred, and a local safeguarding team review, which was also carried out. There was also a safeguarding report to the Garda and, in this instance, both of the reports identified a number of issues of concern.

The draft national policy on adult safeguarding in health and disability sectors will build on existing policies and structures and will apply to all relevant public, voluntary and private settings and agencies in these sectors. It will be subject to public consultation in the coming months, but we should not lose sight of the fact that there were safeguarding policies in place, which were not followed. Subject to Government approval of the new sectoral policy, legislation will be required to underpin the policy, which will be prepared. Separately, the Law Reform Commission is preparing a report on a regulatory framework for adult safeguarding and this is expected to inform future legislation across all these sectors.

The policies and laws are in place, therefore, and more work is under way to update and improve those policies and to strengthen those laws. I do not, though, think that laws are enough. Many of the things the Deputy mentioned will also have to be done, particularly the training of staff to ensure that where there are symptoms, signs and complaints, they are taken more seriously than they were in this case.

Deputy Mary Lou McDonald: Go raibh maith agat. We again thank and salute Emily, which is her pseudonymous name, and send our regards to her family and to all the families and all those affected by this. It strikes me that this is one of those issues where the House is of one mind. The clear objective is to keep people safe and to ensure we have the appropriate policies, practices, training and development in place. Equally, however, these must be underpinned in law. There must be a statutory basis upon which all of this is built.

My question to the Taoiseach is on the timing. I appreciate that work has been done and that there is more work to be done in respect of regulatory frameworks, but there is also an urgency around this. People who are currently in the care of the State and the HSE, along with their families and communities, need to know that the Government and all of us in political life are serious about this issue-----

An Leas-Cheann Comhairle: Go raibh maith agat.

Deputy Mary Lou McDonald: -----and that we will now put pace into the delivery of this legislation. I ask the Taoiseach to give us a sense of a timeframe for delivery on the recommendations and the law.

The Taoiseach: I thank the Deputy. At this point, we will do this as soon as possible. I do not want to give a firm timeline here in the Dáil and then not be able to honour it because of factors outside our control, but there is no time to waste here. We have existing patient safety and safeguarding legislation, but clearly it should be strengthened and updated. We will get this done as soon as possible.

I should put on the record of the House that the HSE's adult safeguarding policy includes a zero-tolerance approach that requires staff to report all abuse concerns, criminal or otherwise. Nursing homes are required today to have in place policies and procedures to ensure residents are protected from abuse. They are also required to provide training for staff to ensure they can recognise, respond to and report any suspected abuse allegations. If immediate risks to the safety of residents are identified, they are expected to take action and prevent a recurrence. This

can also include, where required, a referral to An Garda Síochána. They are also required to notify the chief inspector of HIQA of any suspected or alleged actual abuse within three days. It is clear that did not happen in these cases. We must ask ourselves why and then take any actions we can to ensure there is no recurrence.

Deputy Louise O'Reilly: Excuse me, before we move on, will the Leas-Cheann Comhairle please remind Members to turn off their mobile phones in the Chamber? It is disrespectful-----

An Leas-Cheann Comhairle: No, Deputy-----

Deputy Louise O'Reilly: -----and disruptive.

An Leas-Cheann Comhairle: -----that is unnecessary. I was about to do a gentle reminder at this point in respect of phones for all-----

Deputy Maurice Quinlivan: We have mobile phones going off-----

An Leas-Cheann Comhairle: Please, let us have a little respect during Leaders' Questions. We have all been caught with phones. Could we now please just double-check that all the phones are off? Go raibh míle maith agat. Táimid ag bogadh ar aghaidh go dtí an Teachta Cian O'Callaghan.

Deputy Cian O'Callaghan: Go raibh míle maith agat. Yesterday, the Taoiseach said something quite extraordinary. He said the reason there is a struggle to spend the housing budget is because it is so large. He then said that the large budget, much of which is unspent, is evidence of a commitment to addressing the housing crisis. Therefore, the Government's failure to spend the housing budget is now being used as evidence of its dedication to resolving the housing crisis. How much longer can the Taoiseach keep trying to dress up failure as success? Does he really think anyone is buying this? This kind of bizarre and self-serving spin actually explains quite a lot about the Government's inability to deal with the housing disaster.

The Taoiseach is not alone in this. Pretty much every senior Minister in his Government repeatedly tells us that a record housing budget means the Government is serious about solving the housing crisis. We know that a whopping 25% of that budget, €1 billion, went unspent last year. Much of this underspend was in the capital allocation which was supposed to be spent on affordable housing. The failure to spend this budget is especially unforgivable when we know that a chronic lack of affordable supply is at the very heart of the housing disaster.

People on average incomes, many of whom are trapped in insecure tenancies and are paying extortionate rents, simply cannot afford to buy their own homes. The Threshold report, as published today, provides more evidence of this. Nearly 60% of renters are renting because they cannot afford to buy their own homes. After 12 years of Fine Gael in government, these people are increasingly losing hope that they will ever be able to afford a place of their own. They are relying on the Taoiseach's Government to meet its affordable housing targets but it is failing them. This is because those targets are not worth the paper they are written on and are being missed by a huge margin.

Last year, the Taoiseach's Government said that it would deliver 4,100 affordable homes but just 323 affordable purchase homes were actually delivered, in the midst of the worst housing disaster in the history of the State. This is pathetic. We know this Government is not short on money, so allocating large sums to housing is not difficult. What the Government is short on

is a housing plan that will actually deliver for those at the coalface of the housing disaster. Is the Taoiseach worried about the failure to spend 25% of the housing budget last year? Is any analysis of the failure to spend such a large proportion of the budget being carried out? Does he expect the full housing budget to be spent this year?

The Taoiseach: I thank the Deputy for his questions. Context is important. The public want to know the full facts. It is fair enough to criticise the Government for the housing budget not having been spent fully last year. I do not think it is fair, though, not put this into context by saying the budget for housing was the largest ever last year and will be the largest ever again this year. The budget for housing has more than doubled in the last couple of years. This is an important contextual aspect and an important fact that should be acknowledged by anyone discussing this matter. I hope the Deputy agrees with this. It would be a very different scenario if the budget had been cut and we had been able to spend it all. Facts and context, therefore, are important. To talk about the budget being unspent without putting this into the context of the fact that it has increased massively does not give the full facts to the public. I think the public deserve the full facts.

If this were solely a matter of money, political will or care and compassion, the housing crisis would have been solved a long time ago because there is no lack of money, political will or care, concern and understanding from the Government. There are very real constraints to building new homes in Ireland. These range from planning objections to planning permissions to the availability of labour to the supply of materials. Notwithstanding these aspects, we built 30,000 new homes in Ireland last year and more new social housing than in any period since the 1970s. We will do as well, if not better, again this year.

We do not expect there to be an underspend this year and we are taking actions to ensure this will not be the case. For example, we are waiving development levies to bring down the cost of construction and the cost of building new housing. The tenant *in situ* scheme has funding for 1,500 homes to be bought from landlords to prevent people falling into homelessness. This initiative is going extremely well now. The Deputy will know that 250 purchases are in process in our county of Fingal alone. This means we will be able to increase the budget for this scheme and purchase more than the 1,500 homes we have funding for now. There has been a really strong take-up of grants to bring derelict buildings back into use and breathe life into them for new housing, particularly across rural housing, so we will provide more money for this scheme to ensure more homes can be brought back into use if needed. We can also provide money for the purchase of land because local authorities should be purchasing land for future social and affordable housing developments.

These are the actions we are taking. If we drill down into the underspend, we will see that it occurred for several reasons, but it was particularly down to local authorities not performing. Local authorities were provided with funding to build social and affordable housing but were unable to do so. This is precisely why we need to use a whole different set of actors when it comes to building housing. I refer to the local authorities, the Land Development Agency, affordable housing bodies and the private sector. If we adopt the approach the Opposition advocates and rely entirely on the State and local authorities, fewer houses, not more, will be built.

Deputy Cian O’Callaghan: The housing disaster is taking a wrecking ball to the lives of tens of thousands of people across the country. The Taoiseach’s responsibility is not simply to stand up in the Dáil and announce notional billions in spending on housing and then blame local authorities for a lack of delivery. His responsibility is to make sure the budget is spent in order

to deliver the homes people desperately need.

I will give the Taoiseach some context. After more than a decade of Fine Gael being in office, homelessness and rents are at record levels. The number of people in their 20s and 30s stuck in their childhood bedrooms is at record levels. Homeownership rates have fallen to their lowest level in more than 50 years, yet somehow the Government is incapable of spending the housing budget in the middle of this housing disaster. Instead, it is coming up with more and more schemes to ensure the housing budget is allocated in the forms of subsidies and handouts for developers. I again ask the Taoiseach how, in the middle of a housing disaster, he can possibly justify leaving so much money unspent in the housing budget. Has a proper analysis been carried out as to why this has happened?

The Taoiseach: I do not seek to justify it. I explained to the Deputy what the major cause was and what we are doing to make sure there is not a recurrence of it this year. I do not dispute any of the facts the Deputy put across, but they are not the full facts. As a party, the Social Democrats preach honest politics, but that requires context and the full facts.

Last year, 30,000 new homes were built, more than any year for a very long time. When my party came into office, only 7,000 new homes were being built. There has been a more than fourfold increase in new home building since my party came into office. Under this Government, more social housing was built last year than any year since the 1970s. The number of families in social housing today is 40,000 higher than it was when my party entered office. The percentage of households benefiting from social housing is higher than it was ten years ago. That totally demolishes the false claim that the Deputy and people like him often make, namely, that my party is opposed to social housing. In percentage terms or raw numbers - however one wants to look at it - it has gone up in the past ten years, not down.

Deputy Noel Grealish: I have a number of issues that I want to raise with the Taoiseach today. Over the last number of weeks I have met businesses across a range of sectors in Galway, from developers to healthcare providers. One of the main concerns they all have in common is a difficulty in trying to recruit staff. A lot of businesses, in particular those in the hospitality sector, which includes small restaurants and coffee shops, are very worried about their future and the viability of their business. A significant number have told me that they cannot operate at full capacity as they do not have the required number of staff to do so.

The issues they raised are the restrictions in employment permits and accommodation for their workers. One businessperson told me the only way he could secure staff was to provide accommodation for them. He was in the lucky position whereby he was able to provide accommodation for six staff members. People who are applying for jobs are now asking potential employers if they can secure accommodation for them, but most of them are not in a position to do that. The accommodation crisis is compounded by the staff shortage problem.

I have met a number of contractors who cannot get qualified staff such as blocklayers, plasterers and carpenters. As a result, they are not in a position to build which, in turn, has a huge knock-on effect on the housing supply. This situation is likely to get worse.

In response to a recent parliamentary question I tabled to the Minister for Health, I was informed of over 800 job vacancies in Galway's main public hospitals, including more than 170 nursing and medical professionals. A recent survey by the Manpower Group showed that four in five Irish companies are struggling to attract talent as Ireland endures its worst skills shortage

for 17 years. These staff and skills shortages are across all sectors of society, not just the ones I have referenced today. This has a knock-on effect on many parts of our society, for example by limiting economic growth, causing delays in dealing with our housing crisis and increasing waiting lists in our health service.

There is a major problem in the work permit system. It needs to be simplified to enable qualified people from abroad to apply for work permits and fill the much-needed positions in all sectors of our society as quickly as possible. Homecare workers were mentioned in this morning's Private Members' debate. My colleague Deputy Berry mentioned that those who come here from the Philippines are brilliant workers in the health and homecare sectors. The permit system for them should be simplified. I ask the Taoiseach to look at the whole process, make it a lot simpler and try to get much-needed workers into this country for the hospitality, construction and health services.

The Taoiseach: I thank the Deputy. The fact is that we are now experiencing full employment in Ireland. Some economists say that we are beyond full employment and that there are more vacancies than there are people available and qualified to fill them. This is only the second time in our history that we have achieved that. While that creates real problems, some of which the Deputy has touched on, in the round it is something to be celebrated. There are 2.6 million people at work in Ireland. Unemployment is almost at an all-time low. Female participation in the workforce is at an all-time high. Youth unemployment is also close to an all-time low. That has some negative consequences. There is a cloud to that silver lining, namely the fact that recruitment and retention is a real problem in the public and private sectors, in urban and rural Ireland, in well-paid jobs and poorly paid jobs and in large and small firms. Almost nobody is not facing some challenges around recruitment and retention at the moment, and the Government needs to act on that.

The kinds of things we are doing include increasing the number of places in our universities and the number of apprenticeships so that more skilled people come through. We will have about 9,000 apprenticeships this year and will hit our target of 10,000 ahead of 2025. We are also investing more in upskilling and doing the best we can to enable people who are currently on welfare and are remote from the labour market to join it. Many people currently in receipt of social welfare payments could, with a little more support, enter the labour market. We are working on that through activation mechanisms, led by the Minister, Deputy Humphreys.

Another solution is work permits and work visas for people coming from outside the European Union. Those from the European Union do not even need a work permit or work visa; they can just come here. People from outside the European Economic Area need a work permit and a work visa. We issued 40,000 such permits last year, which is a very high number. The turnaround time for a work permit or work visa is now two or three weeks.

We have also relaxed the rules around who can come here. Pretty much anybody with construction skills can qualify for a work permit because we need them desperately in order to build more housing. For the first time, we allow people to come here for the purposes of working in home care. Those are the kinds of changes we have made. The list of eligible professions and occupations is currently being updated. That should be done by the summer. We are also trying to bring in a new category of work permit around seasonal work, which is particularly important in the agrifood sector as well as in tourism and hospitality. Action is being taken at every level to try to increase the number of people who are in the country already and have skills and are able to work, as well as opening pathways for legal migration into the country

where people have skills we need.

Deputy Noel Grealish: I thank the Taoiseach for his reply. In connection with the housing crisis, another issue which has come up a number of times in my discussions with business-people and developers is the length of time it takes to get planning permission. Developers who want to build houses have told me it can take up to three or four years to get planning permission, which is far too long.

The delays begin when working with local authorities to design suitable sites. When applications are granted, they are then more than likely appealed to An Bord Pleanála for approval. One person told me recently that his planning application for over 40 houses has been with An Bord Pleanála for over two years, with no definitive date for decision. With the related issues of a housing crisis and a crisis in companies trying to secure staff, can a time limit be set for An Bord Pleanála to make a decision on large-scale housing developments, similar to the one put in place for local authorities? Local authorities have to make a decision on a planning application within eight weeks of it being lodged. I believe this would speed up the delivery of housing.

The Taoiseach: I thank the Deputy. The answer to his question is “Yes”. We intend to do that. As he will know, local authorities have to make a decision - I cannot remember if it is within four or five weeks.

Deputy Noel Grealish: Eight weeks.

The Taoiseach: There is no statutory limit for An Bord Pleanála. Under the Planning and Development Act, we intend to introduce statutory time limits during which An Bord Pleanála has to make a decision on an appeal. That also means staffing up An Bord Pleanála to ensure it can actually achieve that because we do not want the refusal rate to go up as a means of satisfying the timeline. That can happen sometimes. We are staffing up An Bord Pleanála, bringing in the extra skills it needs, appointing new board members and getting ready for the introduction of those statutory deadlines contained in the Planning and Development Act. We also need to ensure judicial reviews happen less frequently and when they do happen, happen more quickly. The Deputy will be aware of the additional judges we are appointing to the courts. In particular, the additional judges we are appointing to the courts will allow some judges to be asked to specialise in family law cases and planning cases so those cases can be dealt with more quickly and dealt with by judges who have built up a level of skill and familiarity with cases of that nature.

Deputy Michael McNamara: I wish to raise the ongoing need for consultation with communities which are hosting persons with temporary protection and international protection applicants. I want to give an example, which is the area where I come from and where I live, east Clare. Soon after the outbreak of the war in Ukraine last year, 40 Ukrainians arrived in Flagmount. Earlier this year, the east Clare holiday village was repurposed and 220 arrived. Very recently, the former hotel in Scarriff was repurposed and is taking up to 75 asylum seekers. Throughout that time the medical centre in Scarriff that serves all of those areas has received no communication whatsoever from either International Protection Accommodation Services, IPAS, or the HSE, with regard to this. The Taoiseach will know that medical centres across Ireland generally, and particularly in rural Ireland, are under pressure. There are more GPs retiring than coming through for rural practice. There are difficulties around that. They obviously want to provide a service to everybody in their community, both people who have been there for a long time and people who have recently arrived. We simply cannot pretend that new people arriving does not create additional pressures in a community. It does. If people do not speak

English fluently, or at all in some instances, it will create additional difficulties in that consultation periods are longer. I am not saying that IPAS can arrive with a new GP because people are being housed. I am not expecting the impossible but communities are entitled to know what the plan to develop services is because nobody is expecting the war to end tomorrow. Nobody is expecting immigration to end tomorrow. What is the plan or is there a plan?

I am not looking to blame anybody here but we need an all-of-government approach because we need to make sure that the people who are coming are integrated and receive the services they require, just as we need to make sure there is not a reduction or diminution in services in the communities which are receiving them. That would be profoundly unfair. Obviously, there is a disparity across the country with some areas receiving far more than others and some areas with the capacity to take more than others. There is a disparity and that needs to be matched with resources. Yes, the Minister, Deputy Humphreys, has moneys but it needs to be more profound than just arriving with a chequebook because arriving with a chequebook will not provide additional medical services where they are needed. Arriving with a chequebook will not provide the teaching of the English language to foreign students as a speciality because these are specialist services. I am not saying the Government should be able to provide those services instantly but there has to be a plan and communities are entitled to know what that plan is.

The Taoiseach: I thank the Deputy for his measured approach and for the very reasonable questions he asked. It is important we talk about this issue but in a considered way. We should never lose sight of the fact that what we are experiencing across Europe is the worst refugee crisis since the 1940s. Some 4 million people have been displaced from their homes in Ukraine and roughly 2% of them have come to Ireland, which is approximately 80,000 people. Of course, in addition to that people from the Balkans and outside of the European Union are seeking international protection, some of whom come to Ireland. That has created an enormous challenge for us. We have had to find accommodation for approximately 100,000 people in the past year or so, and we have. It might not always be the kind of accommodation that we want but we have been able to provide shelter, food, accommodation, education and healthcare for nearly 100,000 additional people in the past year. I think when history looks back on that period it will reflect well on us, not so much as a Government but as a country, that we were able to take in 100,000 people who were fleeing war and seeking international protection.

I want to acknowledge in particular the very real welcome people in County Clare have given people coming from Ukraine and for that reason €3 million was allocated to County Clare as part of the community recognition fund. But it does create pressures on schools and on GP services. When it comes to schools, heroic work has been done by the Minister, Deputy Foley, by the Department of Education and by teachers and principals. There are now 14,000 Ukrainian children in Irish schools who are generally doing very well. They are learning English, making friends and becoming part of the community. In my view, that is a big achievement. Yes, it has put pressure on GP services. When I was a practising GP one of my jobs was to go to a clinic once a week and look after the health needs of newly arrived asylum seekers in Kilmacud at the time. It is tough because the consultation takes two or three times as long compared to what it would with an Irish person because of language difficulties, the need for a translator, and even cultural differences in how people describe their symptoms. That makes that consultation two or three times longer and puts huge pressure on GPs. There is not a quick fix to it but the kind of things we are doing, other than of course providing medical cards for people who need them who are coming to Ireland from Ukraine and elsewhere, is increasing the number of GPs we are training. That will soon be up to 300 per year quite soon, which is a doubling of the number

of GPs we train every year. We are examining a very interesting proposal from the University of Galway to establish a new graduate entry programme into medical school for those who live in rural Ireland and who want to do remote and rural medicine. That would create a dedicated stream of people who are a little bit older going into medical school, who want to stay in Ireland and who particularly want to engage in remote and rural medicine. The University of Galway has a really interesting proposal in that regard but it does take time from when we start training people now for them to be available.

Deputy Michael McNamara: It does take time and I am glad the Taoiseach acknowledges there is a problem. We need to go further than acknowledging there is a problem and maybe establish a liaison between the HSE and IPAS. I am not blaming IPAS and I am not blaming the Ministers, who are both sitting there, at all but we do need a whole-of-government approach because what we cannot have is service providers, in particular vital services like GPs, having to choose between providing a service to their existing patients or maybe the growing families of existing patients, and new patients who are coming in. That will create division and resentment, and understandable resentment, and we just cannot have that.

During the recess we learned of difficulties in the work permit system around healthcare professionals. I appreciate it is slightly different but it goes back to what Deputy Grealish raised. We also need a vast improvement in the work permit regime. There are people who have been granted work permits being refused visas, and there are a lot of them, by the Department of Justice. There seems to be a disconnect between the two regimes. There are two separate statutory regimes and the Government really needs to look at that.

The question I raised is around making sure that there is a plan for areas that are accepting persons seeking international protection and those who have temporary protection, and that plan is clearly communicated to those communities.

The Taoiseach: We have a Cabinet subcommittee on Ukraine and migration. I chair that subcommittee and health is part of that. A pretty regular agenda item we discuss is the health impact and health needs of people who have come here from abroad.

Deputy Michael McNamara: That does not get down to the communities.

The Taoiseach: That is a fair point and something I will follow up on because the situation in each community is different depending on the needs and the capacity of the community and the profile of the people we are bringing into that area. One thing that can help is registering Ukrainian doctors and nurses. They have come to Ireland as well. Making sure their qualifications are recognised, allowing them to work in our health service and getting around the issues of translation is being done. The other work that is being done is bringing together the work permit and visa systems into a single combined system. That is a European law that we have opted in to. I would say this, and I know from experience, we turn around work permits very quickly now, in two or three weeks. Visas are a little more complicated because we have to check that people are who they say are. Often, the delay in issuing a visa to somebody is not a delay on our side. It is a delay in the police department in the country they are coming from, because we need to check that they are who they say they are. Nobody would forgive us for issuing visas to people without due diligence.

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

Deputy Mary Lou McDonald: As the Taoiseach knows, the British Government's shameful legacy Bill will go through Report Stage in the House of Lords today. If it goes through, it will definitively shut the door to families' efforts to achieve truth and justice through the courts. It will, of course, give an amnesty to those who are responsible for their deaths. Heartbroken families who have been fighting for years, determined to get truth and justice for their loved ones, have expressed huge concern. Opposition to the Bill is shared by victims' families, human rights experts, the UN and all the political parties on this island, as well as officials in the United States and the European Union. Yesterday, the Council of Europe Commissioner for Human Rights added her voice to these concerns. She warned that passing the Bill would violate Britain's international obligations and put victims' rights at risk. I have a direct question for the Taoiseach. If this legislation goes through - and it appears it will - will the Irish Government take an interstate case to the European Court of Human Rights to vindicate the rights of victims and survivors on this island?

The Taoiseach: I reiterate and restate the Government's opposition to this legacy Bill. We think it is entirely the wrong approach to give former army servicemen and former IRA and paramilitary terrorists immunity from prosecution. We owe it to the victims to make sure we all do everything we can to make sure any information that can be given to the police is given to the police and that those people are prosecuted, if at all possible. That is why we are very much against this legacy Bill. I have made that very clear to the Prime Minister, as has the Tánaiste to his counterparts. It has been discussed with the US President and it was discussed at European level as well. The Bill has not yet been enacted. If it is enacted and becomes law, we will at that point give consideration as to whether an interstate case would be appropriate. We do not rule that out. I encourage everyone to play their part when it comes to legacy issues-----

An Leas-Cheann Comhairle: We are over time.

The Taoiseach: -----because we all have a role to play.

Deputy Ivana Bacik: Today, the Not Our Fault campaign group will stage a 24-hour protest outside Leinster House. Its members were also in the audiovisual room today and I was glad to join them earlier. I pay tribute to them and to the Construction Defects Alliance for their advocacy. I will ask two specific questions on their behalf. Last week, the Minister of State, Deputy Fleming, spoke on a Topical Issue debate on construction defects related to the key issue of fire safety. This is an issue that was anxiously anticipated by those living in unsafe Celtic tiger-era homes. A new fire safety code of practice to be published is expected to recommend better fire alarms and safety equipment in advance of the remediation scheme. The Minister of State said the code would be published in the coming weeks. Will it be published before the House rises in July?

My second question relates to the out-of-pocket payments that have been made by so many for remediation works at huge personal expense. I wrote on this subject to the Minister for Housing, Local Government and Heritage, Deputy Darragh O'Brien, in March on behalf of constituents.

An Leas-Cheann Comhairle: I thank the Deputy.

Deputy Ivana Bacik: The Minister stated that costs already incurred will be recovered.

What is the position regarding the reimbursement of those who have paid to make unsafe homes safe?

The Taoiseach: I do not know when those regulations will be published but I will find out and get back to the Deputy in the next couple of days. The Government has agreed that there will be retrospection with regard to people who have already had to pay for defects to be repaired in their buildings.

Deputy Cian O’Callaghan: The Pride march will take place this Saturday in Dublin. In 2022, 582 hate crimes were reported to An Garda Síochána, an increase of 30% from 2021. According to ILGA-Europe, last year was the most violent year for LGBTQ+ people in Europe in a decade. We know from Irish research that 75% of LGBTQ+ people have been verbally abused, while one in five of us has been punched, hit or physically attacked due to our sexual orientation or gender identity. Hate crime legislation alone will not solve the problem. We need to see a range of measures, including training, education and inclusive relationships and sex education, RSE, in all our schools. The Coalition Against Hate Crime Ireland and individual organisations such as LGBT Ireland have called for a national action plan on hate crimes. That call has gone unanswered. Will the Government commit to such a plan? Apart from the Bill, what is the Government doing to reverse the rise in hate crimes?

The Taoiseach: I had a very good meeting yesterday with eight of the organisations that represent the LGBT community. The Tánaiste was present, as was the Minister for Justice, Deputy McEntee. We discussed this particular issue. The Minister committed to do two things. First, once the hate crime legislation is signed into law, a public campaign will be run to inform people of the law and what means. We will run a campaign around hate and incitement to hatred similar to the campaign we have run on Coco’s Law on sharing intimate messages with people. The Deputy will be familiar with it. That commitment has been made. A commitment has also been made to engage with An Garda Síochána because there should be greater engagement with the Garda around detecting and prosecuting crimes against the LGBT community. In fairness to An Garda Síochána, it has improved a lot when it comes to that issue but there is always room for further improvement.

Deputy Bríd Smith: We want to express our full solidarity and support for the workers in Iceland in Coolock who have gone in this morning and occupied their store. The Minister of State, Deputy Richmond, met with Naeem Maniar, the new owner of the Iceland chain of stores in this country, which employs 344 people. We are now seeing a pick-off effect with stores being closed. As it happens, staff in the two stores on the north side, in the Northside Shopping Centre and Coolock, went on strike recently to try to secure moneys and wages that were owed to them by this individual. He then went on to say to them:

I’m not your employer. Just to clarify – you’re employed by the company Iceland Stores Ireland Limited. So just be very clear I am not your employer, okay.

The office of the Minister, Deputy Coveney, met with this individual recently.

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

Deputy Bríd Smith: Will the Minister express solidarity with those workers who were locked out of their jobs today? Having shown respect to the employer by meeting it, will he meet the workers-----

An Leas-Cheann Comhairle: I ask the Taoiseach to respond. We are way over time.

Deputy Bríd Smith: -----and find out what myriad of opaque operations are going to be put in place in another Debenhams-style closure?

Minister for Enterprise, Trade and Employment (Deputy Simon Coveney): I thank the Deputy for raising the issue. I express concern and support for the many Iceland workers and their families who are being impacted today and over the last number of days. The courts have appointed an examiner to assess the future viability of the company and put in place a support and rescue package for the company, if it is possible to do so. There are legal obligations on employers towards workers, which need to be applied here. If they are not being applied, the workers have the right to go to the Workplace Relations Commission, WRC. That State infrastructure will ensure that people's legal rights are protected in terms of the obligations that employers have towards workers. That is certainly the case here. We will follow this ongoing story, which is not welcome-----

An Leas-Cheann Comhairle: I thank the Minister.

Deputy Simon Coveney: -----from a retail perspective, to make sure workers are given their full protections and entitlements under the law.

Deputy Bríd Smith: Does this sound a bit like another Debenhams to the Minister? It does to me.

Deputy Simon Coveney: It is not another Debenhams.

Deputy Denis Naughten: On foot of the request of my colleagues in the Regional Independent Group, the rent-a-room relief was extended to people receiving social welfare who wish to rent out a spare room in their home. This benefits older people who can now rent out a room without it impacting on their non-contributory State pension or the spouse or an adult dependant of a contributory pensioner. It also provides much-needed accommodation in the current housing crisis. However, this change has not been extended to the medical card assessments, as we requested. The HSE medical card section told me last week that, to date, it had not received clarification of when these proposed changes will officially come into effect. It is pointless if this is not reflected in the medical card scheme. When will that happen?

The Taoiseach: I will have to follow up on that with the Minister for Health, Deputy Stephen Donnelly. It is certainly our intention. It may require a change to primary legislation although I am not sure about that. That could be the reason for the delay. However, I will check it out. We certainly do want to encourage people, and particularly older people who often have a spare room or a number of spare rooms in their houses, to consider renting a room or providing accommodation for a student. We want to reassure them that they will not lose out with regard to their pension, fuel allowance or medical card. That is definitely the plan but I will check with the Minister as to why it has not been actioned.

Deputy Mattie McGrath: At this time of year, many people are travelling abroad for holidays, weddings, funerals and, in many cases, work. There is an issue with the passport service. I am not knocking the staff in the Passport Office, who are very co-operative, but there are many different problems. In the Post Passport system, which we should support, it is a minimum of eight weeks before applications are even opened. There are very significant issues and delays which are causing angst. When families are going away, one member may not have a passport

despite the holiday being paid for. Something has to be done to reform how we issue passports. There are issues with 24-hour Garda stations and with gardaí not being available. The Passport Office only rings three times to check out a passport application and may not be able to get an answer from the gardaí who are present, who are also stretched. Everybody is doing their best but people are under great pressure and there are knock-on effects with people being unable to do their business, go on their holiday or whatever. Perhaps they have to leave one child or adult behind. In some cases, they have to leave the best man or a groomsman behind. It needs to be sorted out. It is getting worse despite the efforts of Passport Office staff.

The Taoiseach: I thank the Deputy. We are seeing an enormous and unprecedented level of demand for new passports and passport renewals at the moment. The Deputy will know of the problems that have arisen with regard to car parking at Dublin Airport. There is a lot of financial distress in the country but there is also a lot of money in the country and large numbers of people are travelling. It is important that we provide good turnaround times for passports. Believe it or not, our turnaround times are among the best in the world and the number of passports being issued is breaking all records. However, that is not to dismiss the fact that, very often, people will only realise late in the day that their passport is out of date and that there are delays in getting first passports in particular. The Tánaiste is very much aware of this, as am I because Deputy Ring reminds me on an almost weekly basis. We are doing everything we can to speed things up.

Deputy Joan Collins: First, I will express solidarity with the workers in Iceland in the Northside Shopping Centre. I was on the picket line with them a couple of weeks ago. A number of workers were let go after that strike.

I bring to the attention of the Taoiseach the situation of Part V council tenants. We have been dealing with a situation with tenants of a complex in Drimnagh, The Davitt. It is a build-to-rent development of 265 apartments with a basement car park, a gym, internal and external play areas and a community events venue. Part V tenants are not given access to the playground for their children and are not allowed car parking spaces. They are housed in a separate block from private tenants. This issue has been raised with Dublin City Council. This is segregation. It is physical segregation in that they are in a separate block and it is social segregation through the barriers to facilities and amenities. This is not unique to The Davitt; it is taking place in complexes all around the city. This is not a plan for housing for all. It is the plain segregation of council tenants and a model the Government is supporting by increasing the Part V requirement in 2026. What is the Taoiseach going to do to stop this segregation and pepper-potting of social housing?

The Taoiseach: I thank the Deputy for raising this issue. I am not familiar with this particular complex. It is probably a matter for Dublin City Council rather than one for central government.

Deputy Joan Collins: It has to do with planning applications and the planning process.

The Taoiseach: However, as somebody who lived for 14 years in an apartment complex which had a mix of owner-occupiers, private renters and social housing tenants, I know that access to the car park and other facilities was linked to the payment of a fee for those services.

Deputy Joan Collins: What about access to playgrounds?

The Taoiseach: I do not know the details but there is generally a fee for these things.

Deputy Bernard J. Durkan: I again raise the question of family law reform. I welcome the Taoiseach's outlining of the timeline for that legislation, which is going through the Houses at the moment. However, one issue remains, the issue of those who have become victims of section 47 and similar sections over recent years. This problem still has to be addressed and redress will have to be dealt with because, in some cases, the families are condemned to isolation, sometimes forever, which is grossly unfair. I ask that this be provided for in the legislation.

The Taoiseach: I will certainly discuss that suggestion with the Minister for Justice. I will take it up with the Deputy later.

Deputy Marc Ó Cathasaigh: The announcement from the Minister for Further and Higher Education, Research, Innovation and Science, Deputy Harris, earlier today regarding Higher Education Authority plans to expand college courses in a range of areas was very welcome. It is very good news for the South East Technological University, which has been deemed to have viable proposals for establishing a veterinary course of some 40 places along with a pharmacy course and an expansion of its nursing course offering. These proposals will now go on to the next phase, where a full business case will be presented. That needs to be brought to the Department of Public Expenditure, National Development Plan Delivery and Reform. What is the likely timeline for the process proceeding from where it is now to the point at which we eventually decide that these college courses will open?

The Taoiseach: That is a very good question. We put out a call to the universities, both the technological universities and the traditional universities, and asked them what could be done, within what timeframe and how much it would cost. The next step in the process is to action it. We are going to need all of these places sooner or later. The question is which do we open next year, the year after and the year after that. That is what needs to be worked out now. It will not be the case that it all happens right away. We plan to agree a phasing to ensure that it does all happen over a period of time.

Deputy Thomas Gould: From 31 January 2021 to 11 February 2021, there were 22 deaths at the nursing home in Ballynoe in Cork. In total, 24 of the 46 residents died. I have met with a number of families whose members died in other nursing homes and hospitals. I have heard their heartbreaking stories. Some of them were on "Prime Time" recently. These are families who were bereaved and left without answers. I recognise the work done by Care Champions, particularly in Cork, and Pat Doyle. They are looking to meet with the Taoiseach and Tánaiste and for a full public inquiry. I have spoken to those family members and they are grief-stricken and heartbroken and suffer guilt. Will the Taoiseach agree to meet with them and to a full public inquiry?

The Taoiseach: It is not my practice to agree to meetings in the Chamber. That would not be fair on the very many people who do not have a Deputy to raise a request in the Chamber for them. I understand that the Minister of State, Deputy Butler, has already met with them on behalf of the Government. We are scoping out how best to carry out an inquiry into how Covid was managed in this State with a view to finding out how we could do better should there be another pandemic in the future.

Deputy Brian Stanley: I ask the Taoiseach about the promise made on budget day with regard to medical cards for those on the median income or below. As I understand it, such a measure would bring nearly 400,000 people into the medical card scheme, albeit for GP visits only. As I understand it, this was to be in place before June. The reply I got to a recent parlia-

mentary question raises questions as to where it is at the moment. With regard to discussions with the Irish Medical Organisation, IMO, there has been little sign of progress. We all agree that this is a necessary step on the way to building a national health system and implementing the Sláintecare report. Is progress on it faltering? Is it stop-start? What stage is it at? Has the process run into a blockage with the IMO?

The Taoiseach: As the Deputy will know, we have extended free GP care without fees to everyone under six, everyone over 70 and people in receipt of carer's allowance as well as people who qualify under the means test. The next step is six- and seven-year-olds and people who earn less than the median income. That is a very large number of people, hundreds of thousands. Negotiations are under way with the Irish Medical Organisation, which has raised legitimate concerns with regard to the capacity of GPs to deal with increased attendances, which will arise, and adequate compensation for the loss of private income. We need to get this right. We certainly still intend to get it done this year.

I o'clock

Deputy Alan Dillon: Castlebar Educate Together National School is urgently appealing for immediate and resolute actions to be taken by the Minister for Education to address the growing demand for equality-based education. An application is sitting in her Department. Castlebar Educate Together National School is a multi-denominational school, consisting of four teachers and one SNA, with an enrolment of over 120 students. It has been in existence for the past seven years and had a mere 12 pupils back in 2016. One of the school's significant concerns is that the children have no proper playground or playing facility. They are forced to utilise a car park and public area, which poses considerable risk. The school is also operating from two separate campuses with limited classroom space and adequate facilities. That is posing significant challenges for its future. I am kindly requesting that collaboration with the principal, Sarah Calvey, and the staff is explored to ensure alternative options are identified and suitable accommodation is provided.

The Taoiseach: I have been hugely impressed with the Educate Together model and how it has grown in recent years around the country. In my own constituency of Dublin West, we have two Educate Together secondary schools and a large number of Educate Together national schools, whereas we had maybe one or two when I started off in the Dáil. It has been a real addition to education and education choice. I am not familiar with all the details in relation to Castlebar but I will ask the Deputy for more information later in the day and I will certainly speak to the Minister for Education about it personally.

Deputy Violet-Anne Wynne: Last Friday night, I attended a public meeting of the Clare Pyrite Action Group. One attendee told me that they will be dead before the opening of the enhanced scheme. Others spoke of suffering heart attacks, strokes and many other serious health issues because of the extreme stress and frustration of delay after delay. A frequently asked questions, FAQ, document was issued last October by the Minister for Housing, Local Government and Heritage. What exactly is the hold-up here? Clare County Council has assured me that it is ready to go, so it seems the knot in the rope here is in the Department. Every day the Minister delays this process is a day that the stress on these people worsens. For the sake of the health of the members of the Clare Pyrite Action Group and all affected, will the Taoiseach now commit to having the applications open by the end of this month at the latest? These people need a definitive answer and no more moving of the goalposts.

The Taoiseach: I will have to check with the Minister for Housing, Local Government and Heritage, Deputy Darragh O'Brien, and come back to the Deputy. I know the pyrite scheme has worked very well in other parts of the country, including Dublin and Meath. I am not sure exactly what the delay is in extending it to Clare or whether that is linked to the mica scheme. I am not sure and do not want to give the Deputy an answer that may be incorrect. I will ask the Minister to get back to the Deputy directly in the next few days.

Deputy Pádraig Mac Lochlainn: In recent days, the management of Letterkenny University Hospital launched a plan for the improvement of services at the hospital. Hardly a week goes by where I do not hear horror stories from families about the emergency department and what is happening there. The conditions are absolutely unacceptable, both for the patients and the nurses and doctors who have to work there. We do not have enough beds, nurses and doctors in Letterkenny University Hospital and in the community hospitals. Letterkenny University Hospital is the sixth largest hospital in the State. When the allocation of beds, nurses and doctors at LUH is compared with the top ten hospitals - I have done this and published it - there is no doubt that there is inequality. Will the Taoiseach get behind this new plan and ensure fairness for the 170,000 people living in Donegal?

The Taoiseach: I am afraid I have not seen the plan but I certainly look forward to taking a look at it. I have visited the hospital on many occasions. Obviously, we will consider positively any plans that a hospital has to expand its services. One of the difficulties we often run into when we allocate additional resources for staffing is that hospitals often struggle to find those staff, given the international shortage of health skills. As the Deputy knows, we have expansion plans to provide more beds. Around 1,000 more have already been provided since the Government took office.

Deputy David Stanton: The new tenant *in situ* scheme for private tenants at risk of homelessness, where the owner has to sell the house, takes into the account the income of adult children who may have no other choice but to live in the house. I understand the scheme is under review. Will the Government consider discounting the income of adult children who live in the house with their parents? They will not be the tenants eventually; it will be their parents.

The Taoiseach: I certainly will speak to the Minister for Housing, Local Government and Heritage about the matter. There will be a meeting of the Cabinet subcommittee on housing next week, so we will have a chance to discuss it then. There may be a risk of a knock-on effect on other schemes. We just have to bear that in mind but the Deputy makes a very valid and fair point.

Deputy Richard Boyd Barrett: Members of the Irish Wheelchair Association, IWA, including staff and wheelchair users, were protesting outside today. They may still be there. I strongly urge the Taoiseach to look at its pre-budget submission. All of the wheelchair users I spoke said they feel abandoned and they are not getting the income supports they need to deal with the additional costs of disability, which the Department itself has acknowledged amount to between €9,000 and €11,000. The lack of funding for properly adapted accommodation or housing for people with disabilities was also mentioned but one of the key issues they asked about was pay parity for personal assistants, the section 39 workers. They stated that the Taoiseach had personally said the money would be made available to give pay parity to personal assistants. Without that, there is a drain of those personal assistants out of the IWA, which then impacts on services for wheelchair users. Will the Taoiseach honour his commitment?

Minister for Children, Equality, Disability, Integration and Youth (Deputy Roderic O’Gorman): There is a WRC process under way involving my Department, the Department of Health, Tusla and the HSE and related to both section 39 and section 56 organisations, which have not seen the degree of pay restoration that civil and public servants have received. That process is ongoing. Our Departments and agencies are participating in it. It has not concluded yet but I hope the process can lead to a satisfactory outcome for many of these organisations.

Deputy Richard Boyd Barrett: When?

Deputy Roderic O’Gorman: I hope we will see a satisfactory outcome over the course of the summer.

Deputy Marc MacSharry: With our continuing welcome efforts to assist the Ukrainian people, some issues have arisen. Given the absence of a centralised European uniform approach to the provision of financial supports and accommodation for Ukrainians fleeing the war, the stark difference in the supports offered in the EU-26 and the UK when compared to the extensive supports available in this country, together with the at times chaotic and indeed reckless approach being taken by the Government in the procurement of accommodation for this purpose at the expense, at times, of the housing needs of families and students living, working and studying in this country, can the Minister inform the House whether the flawed tender issued by the Department of Children, Equality, Disability, Integration and Youth and won by a UK-based fund that owns student accommodation at Benbulbin Court and Milligan Court in Sligo to house Ukrainian refugees, in the latest manifestation of our at times absurd approach, is set to progress to contract, thus displacing 500 students, which constitutes a full 25% of student accommodation available to support the Atlantic Technological University, ATU, Ireland’s newest university?

Deputy Roderic O’Gorman: I thank the Deputy for his engagement, and that of Deputies Feighan and Kenny, on this issue. As the Deputy said, we put out a request for tender for additional accommodation and we received an offer in response from Sligo. When it became apparent that the offer would have an impact on student accommodation, and recognising the pressure on student accommodation in the north west, my Department and our officials immediately engaged with both the ATU and with the Department of Further and Higher Education, Research, Innovation and Science. Those engagements are ongoing. I do not have a conclusion for the Deputy yet but as soon as I do, I will let him, the other relevant Deputies and the ATU know.

Deputy Mark Ward: It is like groundhog day. Another month has passed with another record high of young people who are waiting on first-time appointments with child and adolescent mental health services, CAMHS. There are now 4,513 young people waiting for a first-time appointment, with 747 of them waiting for over a year. These figures have gone up month on month and year by year. When this Government was formed, there were 2,112 children waiting for an appointment. That figure has risen by 112% in the Government’s time in office. Last week, Sinn Féin launched a policy document containing a raft of solutions that are fully costed and endorsed by all stakeholders. Will the Taoiseach accept that there is a crisis in young people’s mental health? Will the Government implement the proposals set out in the Sinn Féin policy document?

The Taoiseach: I absolutely accept that there is a very serious problem here. The number of referrals made to CAMHS has increased and our ability to provide appointments is chal-

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lenged by the real difficulty we have in recruiting staff to work in this area. That is not unique to this jurisdiction. It is a problem in Northern Ireland as well, and it is a problem in Britain and across the developed world. There is a real shortage of people with these skills. I do not think a plan that is costed is enough. It is more than that; it is about training and retaining the staff but I will certainly take a look at the Sinn Féin proposals.

Deputy Martin Browne: I want to raise the untenable situation of community pharmacists as they remain subject to the cuts imposed due to the financial crisis. They are the only sector in healthcare who remain in this position. Given the acknowledgement of the great service provided by them during the pandemic and generally in light of lengthy GP waiting lists I have asked the Minister to fully and openly engage with the sector, which is now demanding that pay be restored in line with the public sector pay arrangement and to leave nothing unaddressed.

The Taoiseach: I thank Deputy Browne. A distinction has to be made between public servants whose only income is from the salary they are paid from the State and pharmacists, GPs, dentists and others who have various sources of income, one of which is the State. This distinction has to be made. When it came to GPs there was a negotiation and there was a partial phased reduction in the reversal of fee cuts in return for additional work, changes in practice and so on. I believe it is the intention of the Minister to engage with the pharmacists on the same basis.

Legal Proceedings: Motion

Minister of State at the Department of Foreign Affairs (Deputy Sean Fleming): I move:

That Dáil Éireann, pursuant to section 4(2)(f)(iv) of the Houses of the Oireachtas Commission Acts 2003 to 2021, hereby authorises the Houses of the Oireachtas Commission to instruct solicitors and junior counsel and senior counsel, in a manner that safeguards public funds, in relation to the defence of legal proceedings initiated against Deputy James Lawless by Kim O'Neill, Sara Kinsella and Sarah Nugent, entitled "The High Court, Record No. 2023 / 1810P, Between Kim O'Neill, Sara Kinsella and Sarah Nugent, Plaintiffs, and Roderick O'Gorman, The Minister for Children and Integration, Fintan Brett, Mayor of Kildare, James Lawless, Ray Grehan, Vincent Carty, Bryan Grehan, Montane Developments (Ireland) Ltd., Lakewood Lettings Ltd., and Newtownsland (Kill) Ltd., Defendants" arising out of the performance by the said Deputy Lawless of his parliamentary functions as a member of this House.

Question put and agreed to.

Dáil Éireann
Ceisteanna - Questions

Climate Action Plan

1. **Deputy Neasa Hourigan** asked the Taoiseach if he will report on the first progress report for the first quarter of 2023 of the climate action plan. [29296/23]

2. **Deputy Mary Lou McDonald** asked the Taoiseach if he will report on the first progress report for the first quarter of 2023 of the climate action plan. [29328/23]

3. **Deputy Marc Ó Cathasaigh** asked the Taoiseach if he will report on the first progress report for the first quarter of 2023 of the climate action plan. [29515/23]

4. **Deputy Gary Gannon** asked the Taoiseach if he will report on the first progress report for the first quarter of 2023 of the climate action plan. [29337/23]

5. **Deputy Richard Boyd Barrett** asked the Taoiseach if he will report on the first progress report for the first quarter of 2023 of the climate action plan. [29543/23]

6. **Deputy Bríd Smith** asked the Taoiseach if he will report on the first progress report for the first quarter of 2023 of the climate action plan. [29546/23]

7. **Deputy Paul Murphy** asked the Taoiseach if he will report on the first progress report for the first quarter of 2023 of the climate action plan. [29549/23]

8. **Deputy Mick Barry** asked the Taoiseach if he will report on the first progress report for the first quarter of 2023 of the climate action plan. [29627/23]

9. **Deputy Christopher O’Sullivan** asked the Taoiseach if he will report on the first progress report for the first quarter of 2023 of the climate action plan. [29761/23]

The Taoiseach: I propose to take Questions Nos. 1 to 9, inclusive, together.

The Climate Action Plan 2023 sets out how Ireland will accelerate the action required to respond to the climate crisis, putting climate solutions at the core of Ireland’s social and economic development. The plan includes actions across all sectors that will transform and improve life in Ireland. It will help us to break free from our reliance on imported fossil fuels and tap into our abundant resources of renewable energy. It will allow us to improve our buildings and homes to make them more energy efficient and much less expensive to heat. It will improve how we travel, how we work and how we use our land. The transformation on which we have embarked in all these sectors will present significant economic and social opportunities, with new sectors and jobs emerging all over the country.

The Department of the Taoiseach prepares quarterly progress reports on the implementation of the actions committed to under the annual updates of the climate action plan. The reports provide a detailed breakdown of completed and delayed actions each quarter. Once approved by Government, they are published. The latest progress report for the climate action plan was published on 4 May and refers to actions that were due to be completed by the end of the first quarter of 2023. The report has been published on the Department of the Taoiseach’s website.

The quarterly reports detail progress in each of the six high-impact sectors identified in the climate action plan. These are agriculture, transport, electricity, land use, buildings and industry. They also provide context for the actions in terms of emissions targets and trends, key performance indicators, and further detail on actions of particular significance. The completion rate for the first quarter stands at 75%, with 27 of 36 actions completed on schedule. All delayed measures from the first quarter will be carried forward and reported on in the second quarter.

High-impact measures completed in the first quarter include implementation of the agri-climate rural environment scheme, ACRES, implementation of the energy efficiency obligation scheme, publication of phase 1 of the land use review; the launch of the public sector climate action strategy, and the introduction of a new tax incentive to encourage small-scale landlords to undertake retrofitting works while tenants remain *in situ*. The second progress report on the Climate Action Plan 2023 is being drafted at present.

Deputy Neasa Hourigan: I thank the Taoiseach for the progress report. There is renewed concern about meeting our climate targets and about our emissions, given recent reports. Something I have been chasing up is our progress on geothermal energy. Based on the reply to a previous parliamentary question, it seems that what we really need is completion of the policy statement. The Minister tells me the policy statement is meant to run from 2023 until 2027. We are in June 2023. In my constituency, and I imagine in that of the Taoiseach, a number of very large institutions are absolutely gagging to be involved in geothermal energy. Some experimental boreholes have been drilled. What they need to move forward is certainty. They need a policy that is complete and a geothermal map of Dublin to move ahead. We are looking at a situation where if they had this, not only could they be servicing their own needs and reducing emissions but very likely they could be offering free heat or power to the local community and domestic houses.

Deputy Darren O'Rourke: Land use and agri-environmental schemes will be very important and the Taoiseach mentioned ACRES. At European level some progress was made in the Council's approach to the nature restoration law. What approach will the Government take on this? Sinn Féin has set out our proposals on the need for funding, public participation and assurances on the voluntary nature of schemes to maintain the ambition. Will the Taoiseach outline what role he, as a Prime Minister or Taoiseach of the European People's Party, EPP, will play to ensure the nature restoration law is ambitious, supported, successful and delivered?

Deputy Richard Boyd Barrett: As the Taoiseach knows, climate change, among other things, results in extreme weather events. One impact and consequence that is becoming apparent in my area, and in other areas with swimming spots around Dublin Bay, is that when we get these torrential downpours the pumping stations that deal with foul water overflow. The good weather of the past week or so has meant thousands of people are swimming. Yesterday, Dún Laoghaire-Rathdown County Council had to issue a no-swim notice. This was not because it knows there is pollution but because it is not sure. As a result of the rainfall there are fears of overflows. This has to do with the lack of capacity at the Ringsend sewage treatment plant. For years we have been told it will be upgraded and expanded to address this problem but it has not been done. The consequence now is that even though we will not know until Saturday the test results of the water at Seapoint, Sandycove and other swimming spots, there will be no swimming until the weekend. This is because of the rain. This is a crazy situation and it needs to be addressed with proper investment in the Ringsend plant.

Deputy Bríd Smith: The context for this discussion is that report on the climate action plan and its progress. It is remarkable to hear a report from the Taoiseach that did not mention that the Environmental Protection Agency, EPA, recently told us the first two carbon budgets will not be met. Not only will they not be met, they will not be met by a significant amount. The EPA predicts at best a 29% reduction of greenhouse gas emissions by 2030. This is far short of the legally binding target of 51%. An Taisce has called this pretty hopeful and inventive accountancy. We need to acknowledge there is a disconnect between the Government, the measures that it is willing to take, the scale of the crisis and the scale of the failure to cut emissions that we are facing. It is almost a case of denial. That was really shown up by the actions of the Taoiseach's party colleagues in the EU on the question of biodiversity loss and the habitats directive. As the evidence mounts, we can see the scale of this crisis, with marine heatwaves, record heatwaves, temperature records being broken and biodiversity loss on a massive scale, but we cannot see a business model or a political determination from the Government to deal with this. Instead, it is facilitating data corporations to build more and more through their private investments and to deny the biodiversity loss that we are facing. I would like the Taoiseach to address those urgent questions.

Deputy Paul Murphy: I have a simple question. Does the Government have any intention of meeting the 51% reduction in greenhouse gas emissions by 2030? Did it ever intend to do it? Was it just something to give to the Greens to say there was a target, before the Government then said to the data centres, big tech companies and big agribusiness not to worry because we do not actually intend to meet these targets? As Deputy Smith pointed out, the EPA has indicated how we are miles off target. In the best case scenario, if the Government does the things it has promised to do, we are heading for a less than 30% reduction, rather than a 51% reduction. An Taisce has pointed out that it is even worse because of a basic maths issue and the carry-on effect of stuff not being done until now not being taken into account in the EPA's calculations. Professor John Sweeney said, "The reality of the current emissions trajectory toward the end of 2025 means a carbon budget overshoot to be removed from the 2026-30 budget [is] so significant it will be much more difficult for the next Government to stay within the legal requirement." He continued, "This means that highly effective emergency course-correction measures must be immediately enacted by the present Government to limit the overshoot." What measures does the Government have in mind?

Deputy Mick Barry: The European state of the climate report states that 16,365 people died in Europe last year as a result of meteorological, hydrological and climate-related hazards and that a further 156,000 people were adversely affected in a direct way by these hazards. Meanwhile, every EU country is expected to submit a draft energy plan by 30 June, which is in nine days. We are told Ireland will miss the deadline. It is not the first deadline the Government has missed on these issues. It hardly inspires confidence that the environment is a serious priority for the Government. The EPA now tells us that this State is set to miss its target of a 51% reduction in greenhouse gas emissions by 2030 by a country mile. This is a very poor performance indeed. In the context of what this means for people's lives and well-being, would the Taoiseach not say the Government is falling disgracefully short of the targets it has set for itself?

Deputy Christopher O'Sullivan: In order to reach this 51% reduction by 2030, we will clearly have to look at every measure possible. I am wondering if it is time to consider free public transport in this country. Transport, as we know, is responsible for 18% of emissions. Of that, fossil fuel from car travel is responsible for 13%.

Deputy Richard Boyd Barrett: A very good People Before Profit policy.

Deputy Christopher O’Sullivan: Two of the barriers to public transport are accessibility, in that the public transport is not there, and affordability. In Ireland, we have some of the most expensive public transport in Europe. There was an EY report that suggested this move would achieve a 1% reduction in emissions. That was almost portrayed as a negative thing, but in this race against global warming, we need every single percentage reduction in emissions possible and this will achieve a 1% reduction. Many measures are met with resistance and controversy. This is a measure that will get buy-in from everybody across the country, so it should be considered.

Deputy Ruairí Ó Murchú: I previously brought up the issue of Carlinn Hall and the communal heating system fed by gas. There is a particular issue with these designs. The district heating steering group would need to report. I like to think that report would contain that sort of information. A geothermal feasibility study has been carried out in Carlinn Hall. In fairness, as I said, the Taoiseach’s office came back to me about a timeline and it has been updated since. The first part of the report is to be at the end of June and the second is at the end of the summer. We would need to make sure there is a grant scheme that would facilitate the switching to something like geothermal. We also need to look at it from the point of view of a proper district heating survey and scheme across the board.

The Taoiseach: I thank Deputies for their questions. Deputy Hourigan asked about progress on geothermal energy. I am familiar with one or two proposals in the south west of Dublin, which have been around for a long time, about 15 or 20 years. They are interesting and exciting. I do not know enough about the technology to know to what extent they are viable but the Deputy is correct in saying that we need to have a policy framework. I am not sure what the timeline for that is but I will check with the Minister, Deputy Ryan, and get back to Deputy Hourigan as soon as I can.

On the nature law, despite the existence of habitats and birds directives for several decades, the EU, including Ireland, continues to see an alarming loss of biodiversity. The nature law is all about arresting and reversing it. Consideration of draft regulations is continuing at the moment. As Deputies will know, there are different proposals. There is the European Commission proposal, the European Council proposal which has just been adopted, and a draft proposal at the European Parliament, which it has not yet adopted. There will be a trilogue. I support the Council proposal, which was agreed by the Minister, Deputy Ryan, yesterday. I believe it is realistic in its targets, flexibilities and compensation that will be provided to landowners.

It is particularly significant that the Council proposal yesterday allows for the fact that when it comes to renewable energy, the installation, grid, wires and so on will be considered imperative reasons of overriding public interest, IROPI, and effectively exempt from the nature law. That totally proves that those who said there was not a conflict between renewable energy and climate action and the Parliament’s proposal got it wrong, whether it was MEP, Mr. Wallace, the Social Democrats, People Before Profit, or others. That provision would not be in the Council proposal adopted yesterday if there were not genuine concerns about how an overly restrictive nature law could impact on climate action and renewables. I am glad to see that in the Council proposal yesterday. It now goes into trilogue. As a Government, we support what was agreed yesterday.

Deputy Mick Barry: That is some spin.

The Taoiseach: On the EPA issue, the latest greenhouse gas emissions figures from the EPA highlight the challenge that Ireland faces in meeting its climate objectives.

Deputy Richard Boyd Barrett: What about Ringsend - the swimming?

The Taoiseach: The EPA has projected that Ireland is on course to reduce emissions by 29% by 2030. However, if all the unmodelled actions and as yet unallocated emission savings in the climate action plan are included, then the EPA's projected emissions reduction would be 42%. While projections show that emissions are expected to decrease in almost all sectors, it is clear that Ireland has work to do to meet our challenges and legally binding emissions targets. Change is now under way across our economy and society to realign ourselves to a low-carbon future. Reducing emissions is now at the heart of our policies and sectors. It is essential that we quickly translate our high-level goals and plans to meaningful actions on the ground.

We need to implement fully the actions of the Climate Action Plan 2023 and strengthen additional measures needed to reach our targets. I can confirm to the Deputies that of course we intend to meet our 51% reduction target by 2030. Rather than treating industry as enemies, we are engaging with industry. It is interesting to meet firms like Diageo, for example, in the brewing sector, and Lilly in the pharmaceutical sector, to see how ambitious and feasible their plans to meet net zero are, because they know it is in their economic interest to do so.

Deputy Richard Boyd Barrett: What about the swimming?

The Taoiseach: I will get a reply from the Minister for the Deputy. I have run out of time.

Cabinet Committees

10. **Deputy Neasa Hourigan** asked the Taoiseach when the Cabinet committee on economy and investment will next meet. [29297/23]

11. **Deputy Mary Lou McDonald** asked the Taoiseach when the Cabinet committee on economy and investment will next meet. [29329/23]

12. **Deputy Ruairí Ó Murchú** asked the Taoiseach when the Cabinet committee on economy and investment will next meet. [29523/23]

13. **Deputy Cian O'Callaghan** asked the Taoiseach when the Cabinet committee on economy and investment will next meet. [29567/23]

14. **Deputy Alan Dillon** asked the Taoiseach when the Cabinet committee on economy and investment will next meet. [29568/23]

15. **Deputy Gary Gannon** asked the Taoiseach when the Cabinet committee on economy and investment will next meet. [29338/23]

16. **Deputy Peadar Tóibín** asked the Taoiseach when the Cabinet committee on economy and investment will next meet. [29398/23]

17. **Deputy Richard Boyd Barrett** asked the Taoiseach when the Cabinet committee on economy and investment will next meet. [29544/23]

18. **Deputy Bríd Smith** asked the Taoiseach when the Cabinet committee on economy and investment will next meet. [29547/23]

19. **Deputy Paul Murphy** asked the Taoiseach when the Cabinet committee on economy and investment will next meet. [29550/23]

20. **Deputy Rose Conway-Walsh** asked the Taoiseach when the Cabinet committee on economy and investment will next meet. [29811/23]

21. **Deputy Christopher O’Sullivan** asked the Taoiseach when the Cabinet committee on economy and investment will next meet. [29762/23]

The Taoiseach: I propose to take Questions Nos. 10 to 21, inclusive, together.

The Cabinet committee on the economy and investment was re-established in January 2023 and met on 25 May. The next meeting of the committee is not yet scheduled. The committee has a function similar to that of the Cabinet committee on economic recovery and investment, which met six times during the course of 2022. The membership of the committee comprises me, the Tánaiste, the Minister for the Environment, Climate and Communications and for Transport, the Minister for Finance, the Minister for Public Expenditure, National Development Plan Delivery and Reform, the Minister for Enterprise, Trade and Employment and the Minister for Tourism, Culture, Arts, Gaeltacht, Sport and Media. Other Ministers or Ministers of State will be invited to participate as required, as is the case with officials and advisers.

The committee oversees the implementation of programme for Government commitments aimed at sustainable economic recovery, and investment in job creation, including through the implementation of Harnessing Digital, our national digital strategy. As with all policy areas, economic issues are regularly discussed at full Government meetings where all formal decisions are made.

An Cathaoirleach Gníomhach (Deputy Marc Ó Cathasaigh): There are potentially 12 Deputies offering on this topic. I ask Members to keep as tight as possible in their questionings.

Deputy Neasa Hourigan: Will the flagged idea of a sovereign wealth fund be on the agenda for the next meeting, as it is possibly one of the most important investments this Government will make? We have seen sovereign wealth funds perform very well around the world. However, they are now almost all engaged in an environmental, social and governance, ESG, framework, which acts very similarly to climate targets insofar as sovereign wealth funds have to be retro-engineered to be carbon neutral or zero carbon. Will the Taoiseach make any comment on whether the sovereign wealth fund will be on the agenda and whether a carbon-neutral version of it is intended?

Deputy Darren O’Rourke: I raise the case of Tara Mines and the 650-plus jobs under threat there. Are the Minister for the Environment, Climate and Communications, Deputy Eamon Ryan, and the Minister for Enterprise, Trade and Employment, Deputy Coveney, at the table with Tara Mines? Have they met the company? SIPTU is in discussions with the management at Tara Mines. Specific requests have been made of the Government regarding direct support for energy costs. It was rumoured and reported that the Government is looking at a potential scheme in that regard. Has the Taoiseach an update on that?

Deputy Ruairí Ó Murchú: I spoke earlier about the issue of geothermal. If it is feasible to

carry out some of these schemes, we need to make sure we have a support scheme for renewable heat, SSRH, grant scheme in play. Have any thoughts been given since Deputy Brady's proposed legislation on the banning of the Ireland Strategic Investment Fund, ISIF, which is obviously a State entity, from investing in companies involved in the annexation of Palestinian lands? The Government sounded somewhat receptive to coming up with a solution. I would like to see where that is at present.

Deputy Richard Boyd Barrett: The Taoiseach might not have been aware of this, but the Writers Guild of Ireland have been protesting in solidarity with the Writers Guild of America, whose members have been on strike, essentially over streaming companies and film producers robbing them of their residuals or royalties for the work they do on films, which massively cuts into the income of writers and artists. This echoes issues I have raised in the House for years now regarding the use of buy-out contracts by film producers in this country, which are funded by public money but are robbing writers, actors, performers and artists of their entitlement to royalties on the use of their intellectual property. The issue of security of employment is also part of the strike. I have also repeatedly raised, and it is now in the budget scrutiny report on section 481, the issue of the systematic, ongoing abuse of fixed-term workers' contracts by film producers which, again, are in receipt of public money.

Will the Government seriously address the recommendations on section 481 regarding these matters affecting film crews, actors and performers? As a former Minister for Enterprise, Trade and Employment, will the Taoiseach tell me who I, or the representatives of workers and performers, can talk to in the Department who deals with the copyright directive and fixed-term workers' legislation so we can engage and explain the issues? Clearly, the Government does not seem to understand those issues.

Deputy Bríd Smith: Any serious economy will depend on workers to function. This is why I keep raising the question of workers' rights, as I did this morning on the issue of Iceland workers who have been locked out of their jobs. I will raise another such issue, namely, that of the security workers who were awarded a relatively tiny increase in their pay more than a year ago, which has been blocked by the industry. Yesterday, that industry again had security workers in the High Court on the spurious grounds they were trying to block an employment regulation order, ERO, which I understand the Government is supporting and will defend. Will the Taoiseach give an update on what the situation is as regards advocating for those security workers, their absolute legal entitlement to that pay increase under the ERO, and the obscene way in which the industry is blocking giving them that pay rise? How can an economy expect to recruit and retain workers if this is how they are treated in this State?

Deputy Paul Murphy: I raise the issue of the Iceland workers. These workers have been treated abysmally since ownership of its stores in Ireland was transferred to a different company. They have been left without wages on occasion, without air conditioning in various of the company's shops, and many workers arrived at work this morning to find their jobs were gone and they were locked out of their own stores. One woman said she turned up to work this morning to no job, which is disgraceful after seven years of service. She is absolutely right. The workers in Iceland at Coolock are correct to occupy that premises to attempt to save their jobs. One of the interesting things is the company was in the High Court yesterday seeking the appointment of an interim examiner. Part of what was presented was that the company has €36 million worth of debts but €34 million of that is to the parent company. In other words, these are debts owed to the company itself and are not real debts to an external supplier. Will the Taoiseach support the workers in Iceland and the demand for the jobs to be kept?

Deputy Richard Boyd Barrett: Debenhams, here we go again.

Deputy Rose Conway-Walsh: Last week, the Minister for Finance signed a statutory instrument that repeals public access to the register of beneficial owners. That followed a Court of Justice of the European Union ruling last year that struck down the right to public access to the register of public ownership. This is a major blow to corporate transparency. Indeed, Transparency International Ireland described the ruling as “extremely worrying and might be the biggest setback for the fight against corruption, organised crime and tax evasion in Europe”. Thankfully, the court’s judgment advised that those with a legitimate interest in beneficial ownership, including journalists, should have a legal right to access that information. Media and civil society organisations have been using publicly available beneficial ownership registers since 2018, when EU member states were required to create them.

Will the Taoiseach confirm that the legislation the Minister signed last week will in no way limit the ability of journalists and other civil society organisations to access information on corporate ownership through the beneficial ownership register?

Deputy Alan Dillon: It was very positive to see our economy perform so strongly in recent years, despite ongoing geopolitical tension, inflation, and other challenging issues. Yesterday’s World Competitiveness Ranking placed Ireland in second place behind Denmark. That should not be overlooked or taken for granted. We have a strong track record of competitiveness and in how we compete for foreign direct investment. We have seen record unemployment levels that are the lowest in the history of the State with thousands of jobs created throughout the country.

However, the economy ranked less well when it came to infrastructure, landing in 19th place. It is very important for our long-term competitiveness that we develop our infrastructure systems to provide sufficient housing, quality transport links, robust energy networks and the appropriate health and education services. I ask that any shovel-ready projects in the capital development plan and the national development plan, NDP, are prioritised over the next number of months and years. I also ask that the Minister on the NDP board prioritise these projects.

Deputy Mick Barry: I voice my strong support for workers in the Iceland supermarket at Coolock, Dublin, who are sitting in this lunchtime to defend jobs. I also voice my strong support for all Iceland workers, many of whom found themselves locked out this morning following four months of total and disgraceful mismanagement by the new owners, who are arguably the biggest cowboys since the days of John Wayne and the Wild West. The company was in the High Court yesterday to be placed in interim examinership and 344 jobs are at stake across the country, including 50 in Cork. Examinership is no friend of working people so I welcome the independent action of the Coolock workers. I hope their bold example to safeguard jobs is followed by Iceland workers in Cork and across the country.

The Taoiseach: I thank Deputies for their questions. Unfortunately, almost all the matters raised have not been considered by the Cabinet committee on economy and investment. That is fair enough. Notwithstanding that, I will do my best to answer the questions but I may have to come back to Deputies in writing with some replies because they do not relate directly to the work of the committee.

Deputy Dillon highlighted that Ireland is now ranked second in the world for competitiveness, just behind Denmark, which means we have gone up in the rankings. That is encouraging for the future prosperity of the country. He pointed out we need to continue to invest in infra-

structure, one of the areas where we are not in the top ten. We would like to be in the top ten or 20 in most indexes. We have a rapidly growing population and because we became a relatively wealthy country relatively recently, in the past few decades, we have a deficit of infrastructure that we need to build. We have programmed an increase in capital spending next year of €1 billion on top of the spend for this year. In my conversations with the Minister, Deputy Donohoe, he has been given the specific role of making sure the NDP happens more quickly and shovel-ready projects and those in the pipeline are advanced. It is a priority for me as Taoiseach to make sure that happens.

Deputy Hourigan raised the establishment of a new sovereign wealth fund. This will be in addition to our existing sovereign wealth fund, which is ISIF. It will be used to fund future investment in infrastructure and help to cover future liabilities when it comes to pensions and social care. We have not given consideration yet to an ethical framework around investment but will have to do that. The establishment of the new fund will require primary legislation so there will be an opportunity to stitch into that legislation a requirement for an ethical framework around investments, which I would support. The detail of that will have to be debated.

On Tara Mines, I understand an engagement is under way between SIPTU and the management. It is important we allow that to happen. The Minister, Deputy Coveney, is engaging with the company. The company assures us the mine will reopen. We want to make sure it reopens sooner rather than later and are willing to talk to the company about how to do that. There are limitations on what we can do. We want the mine reopened and those jobs restored and we are willing to engage with the company to help to make that happen.

Deputy Boyd Barrett raised royalties. I commend him on his concern for the protection of intellectual property and the extent to which he is advocating that intellectual property be protected.

Deputy Richard Boyd Barrett: In this case.

The Taoiseach: That is the point I am making.

Deputy Richard Boyd Barrett: I know.

The Taoiseach: There is an inconsistency in the Deputy's approach to intellectual property. He wants to protect some people's property but not others.

Deputy Richard Boyd Barrett: I want to protect the workers.

The Taoiseach: It makes no sense to me because I want to protect everyone's property.

Deputy Mick Barry: It is a class issue.

The Taoiseach: On section 481, I will ask the Minister for Finance to reply on that. On the copyright directive, there is an official and a team in the Department of Enterprise, Trade and Employment. Their names escape me but the Minister, Deputy Coveney, would be the main person to engage with on that.

Deputy Richard Boyd Barrett: And the fixed-term workers. Could the Taoiseach try to get me the contacts?

The Taoiseach: Yes.

Deputy Richard Boyd Barrett: Thanks.

The Taoiseach: Yes. On Deputy Bríd Smith's question, I do not have an update on the security ERO, but we will defend it. That is our intention. That decision was made by the then Minister of State, Deputy English, with my support a year ago. I will ask the Minister of State, Deputy Richmond, to provide the Deputy with an update.

On what is happening with Iceland, I do not know all the facts and want to be careful in what I say. On the face of it, it seems the workers are being very shabbily treated by the new owners. They have legal rights and it is important those are upheld, whether in the courts, the WRC or other bodies. We will work to make sure that is the case.

In relation to the beneficial ownership register, I think the answer to the question on the legislation is that there are no concerns for journalists. We will come back to Deputy Conway-Walsh with a more detailed reply.

Deputy Ruairí Ó Murchú: On ISIF, the occupied territories and the companies, have we any update on finding a solution to that?

The Taoiseach: I do not but will ask the Minister, Deputy Michael McGrath, to come back to the Deputy.

Deputy Ruairí Ó Murchú: I appreciate it.

Official Engagements

22. **Deputy Seán Haughey** asked the Taoiseach if he will report on his attendance at the meeting of the European Political Community in Moldova on 1 June 2023. [27438/23]

23. **Deputy Mary Lou McDonald** asked the Taoiseach if he will report on his attendance at the recent meeting of the European Political Community, held in Moldova. [28323/23]

24. **Deputy Bernard J. Durkan** asked the Taoiseach if he will report on his recent meetings in Moldova and any issues arising therefrom. [28327/23]

25. **Deputy Ruairí Ó Murchú** asked the Taoiseach if he will report on his attendance at the meeting of the European Political Community on 1 June 2023. [29524/23]

26. **Deputy Alan Dillon** asked the Taoiseach if he will report on his attendance at the meeting of the European Political Community in Moldova on 1 June 2023. [29569/23]

27. **Deputy Gary Gannon** asked the Taoiseach if he will report on his attendance at the meeting of the European Political Community on 1 June 2023. [29339/23]

28. **Deputy Peadar Tóibín** asked the Taoiseach if he will report on his attendance at the meeting of the European Political Community on 1 June 2023. [29399/23]

29. **Deputy Richard Boyd Barrett** asked the Taoiseach if he will report on his attendance at the meeting of the European Political Community on 1 June 2023. [29545/23]

30. **Deputy Bríd Smith** asked the Taoiseach if he will report on his attendance at the meeting of the European Political Community on 1 June 2023. [29548/23]

31. **Deputy Paul Murphy** asked the Taoiseach if he will report on his attendance at the meeting of the European Political Community on 1 June 2023. [29551/23]

32. **Deputy Mick Barry** asked the Taoiseach to report on his attendance at the meeting of the European Political Community on 1 June 2023. [29625/23]

33. **Deputy Bernard J. Durkan** asked the Taoiseach to report any recent discussions he has had with the Ukrainian President or Ukrainian authorities, directly or at European level. [29828/23]

34. **Deputy Bernard J. Durkan** asked the Taoiseach to report on any recent discussions he has had with the British Prime Minister, directly or at European level. [29827/23]

The Taoiseach: I propose to take Questions Nos. 22 to 34, inclusive, together.

I attended the meeting of the European Political Community, EPC, in Chiinu, Moldova on 31 May and 1 June. The EPC is an informal forum which brings together leaders from across the continent of Europe to discuss issues of shared concern. It first met in Prague last October and will meet again in October of this year in Granada, Spain, during the Spanish Presidency of the Council of the European Union.

Nearly 50 leaders participated, including from 27 EU member states, EU candidate countries in the western Balkans and most of our eastern European neighbours, including the President of Ukraine, but excluding Belarus; as well as our own closer neighbours such as Iceland, Norway and the United Kingdom. The presidents of the European Commission, European Parliament and the European Council also participated. The broad and open EPC format provides a valuable opportunity to hear the perspectives of the wider European family and to explore synergies on pressing issues such as energy, connectivity and security.

The summit was the largest event of its nature ever held in Moldova. I commend the Moldovan Government on its excellent organisation. The decision to hold the summit in Chiinu was in part to send a signal to Moscow of the strength and breadth of solidarity with Moldova in the face of Russia's relentless bullying tactics aimed at undermining its democracy and sovereignty and to show respect to Moldova for the support it has offered its neighbour, Ukraine.

During the summit, I participated in a round table on energy and connectivity co-chaired by the prime ministers of Belgium and Norway. We have all learned in the past year that the only way to guarantee price stability and security of supply will be to accelerate the transition to green and renewable sources of energy, and that in doing so regional and continental co-operation is essential.

I had a bilateral meeting with the President of Montenegro. I congratulated him on his election as President and reaffirmed Ireland's strong endorsement of Montenegro's EU ambition.

On the margins of the summit, I met with the Prime Minister of Moldova, the President of Kosovo and other leaders in attendance, including Prime Minister Sunak.

Deputy Seán Haughey: It is significant that the second meeting of the EPC took place in Moldova, a small state of 2.6 million people which is a pro-European democracy and is under constant threat from Russia following its invasion of Ukraine. That brings me to the question of EU enlargement generally. Moldova and Ukraine have candidate status and hopefully Georgia will have that status soon. In the western Balkans, countries are waiting to join. Russia is

engaging in ongoing attempts to destabilise these countries and is eyeing up Transnistria.

What is Ireland's approach to these applications? Obviously they have to meet the criteria for membership but should we give an increased weighting to the prevailing geopolitical situation in these regions and the malign influence of Russia when considering these applications? Is there a danger they may give up on Europe if their applications are delayed further? This seems to be the view of President Macron.

Deputy Darren O'Rourke: I ask about energy security. As we head into winter 2023, were there discussions on gas storage capacity? This was a huge issue in the run-in to last winter and had a huge impact on prices. Notwithstanding what the Taoiseach said about the move to renewables, this winter gas will be important for us. I ask also about energy market reform to decouple the price of gas from the price of electricity.

Deputy Bernard J. Durkan: The location was very impressive, as was the attendance, at a time in European development that will be regarded as crucial when European history comes to be written.

To what extent were representatives of traditionally neutral countries in attendance? Was there any discussion of neutrality, the ability of traditionally neutral countries to defend themselves, whether they will receive assistance from their neighbours and whether they will have to stand alone? Was cognisance taken of neutral countries that were overrun recently, such as Ukraine, and the host of countries overrun in the Second World War that were depending on neutrality to defend themselves, which did not happen? What action is likely to be taken in view of that?

Deputy Ruairí Ó Murchú: We live in a world of threats, including those associated with hybrid warfare, cybersecurity, weaponised social media and disinformation. In this regard, we must also consider the positives and dangers of artificial intelligence. At the conference, the Taoiseach spoke about an EU- or NATO-led mission that he would welcome to strengthen the protection of undersea cables. Are there any proposals on this at this stage? We need co-operation and capacity but cannot let these sorts of conversations be a stalking horse or trojan horse to move us away from where the Irish people are on non-alignment and military neutrality.

Deputy Alan Dillon: I welcome the pupils and teachers from Dooagh National School, Achill Island, who left at 6 a.m. this morning to be here. I hope they enjoy their visit to Dáil Éireann.

Following the Taoiseach's attendance at the EU leaders' meeting in Moldova, I would like to raise two key areas of great importance to the people of Ireland, the first being the discussion of high energy prices and security of supply, which is of the utmost importance. The Taoiseach emphasised the need for a transition to green, renewable sources to achieve greater security and price stability and reduce emissions. Could he provide us with more details on specific measures our Government is taking to accelerate this transition?

Moving beyond the energy sector, I would like the Taoiseach to address the critical issues discussed at the EU meeting on cybersecurity and the protection of critical infrastructure, which are of pressing concern. Could he elaborate on how we are collaborating with our EU partners to develop comprehensive strategies and frameworks to address these challenges?

Deputy Richard Boyd Barrett: We have highlighted over recent days and weeks our fear

that the Government's consultative forum is stacked with pro-NATO voices, NATO employees, generals, brigadiers, people involved with the military-industrial complex and those generally in favour of militarisation. The Taoiseach said – yesterday, I believe – that he would consider the possibility of rebalancing the forum. Has he done so? At the moment, it is just a sham and reflects an incredibly pro-NATO, pro-militarisation basis.

The political community meeting reflects the same sort of bias although it concerns itself, rightly, with the criminal behaviour of Vladimir Putin. Interestingly, we had five Russian anti-Putin, anti-war activists in Leinster House yesterday. Every single Deputy and Senator was notified but not a single representative of the Government bothered to turn up. People are actually fighting Putin. Did those at the political community meeting discuss what the UN Special Rapporteur on Palestine is here to discuss today, which is what she describes as the shocking double standards in the treatment of Israel for its crimes against the Palestinians and the treatment of Putin for his crimes against Ukraine? We have referred to this many times.

Deputy Paul Murphy: I want to raise with the Taoiseach some issues that flow from the briefing we held yesterday with a group of Russians known as Free Russians Ireland. These are people who are steadfast in their opposition to the authoritarian Putin regime, who are completely opposed to Putin's invasion of Ukraine and who are calling for peace and for Ireland to facilitate peace talks. One of the things they spoke about was the repression of anti-war activists in Russia. Approximately 20,000 people have been arrested. Many of them, including friends of those in Free Russians Ireland, were arrested just for holding up blank pieces of paper. The group comprises Russian citizens living in Ireland now. Many of them fear they will be forced to go back to Russia, to a regime they are publicly on record as opposing through speaking in this Parliament. Will the Government accept that fleeing conscription in Russia should be a ground for the granting of asylum to people like those in the group?

Deputy Mick Barry: The European political community strongly supports the increased militarisation of the Continent. Last year, global arms expenditure hit its highest-ever level. It would seem the Government is encouraging Irish companies to jump aboard this arms expenditure trade. The former Minister for Defence, Deputy Coveney, said last year that: "even though the perception is that Ireland does not have a defence industry, actually, in terms of the contribution that many Irish companies make in regard to dual-use goods, we have extraordinary capacity in this country".

The Galway session of the forum that starts in Cork tomorrow will involve an entire session on Irish research on innovation in security and defence. That can be dressed up however you please but this is a forum session on Ireland tapping into the global arms race. What say you?

The Taoiseach: I thank the Deputies again for their questions. I join Deputy Dillon in welcoming everyone who has come all the way from Achill. Tá fáilte romhaibh go léir chuig an Dáil.

I wish to answer Deputy Dillon's questions on security of supply and price stability. We all agree and acknowledge that the best thing we can do to bring about price stability when it comes to energy and improving security of supply is shift to renewables, which cannot happen quickly enough for reasons of economics, security and climate. The main thing we compared notes on at the meeting in Moldova was the need for us to co-operate and share information because every country is now trying to do the same thing, that is, to build up infrastructure and build out renewables. There are limitations regarding the availability of metals, materials and

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qualified staff. If we do not work together and co-ordinate, all we will do is push up the price of everything and that is why it is important that we co-operate.

On undersea cables, I have not seen any particular proposal for an EU-PESCO programme or a NATO-led one, but that would be examined by the Tánaiste in the first instance. There are many undersea cables around Ireland, including off the coast of Mayo. They are very important for our communications, in particular. We want to ensure they are protected from anyone who might interfere with them.

We expect the retail price of gas and electricity to fall. Wholesale prices have fallen but, as Deputies will know, wholesale prices went up tenfold and retail prices did not. Therefore, there will be a time lag before prices come down.

Deputy Durkan asked about traditionally neutral states who had representatives present. Pretty much every country in Europe had someone present, with the exception of Russia, Belarus and Turkey. That is the difference between the format and the EU. I suppose you could divide the countries into two categories: those which, for very obvious reasons, want to join NATO, which are mainly countries not too far from Russia; and countries that are not very near Russia and do not feel the need to join NATO, including Ireland, Malta, Cyprus, San Marino, Switzerland, Liechtenstein and the Vatican. However, it was not really a topic of discussion in Moldova.

I want to be associated with Deputy Haughey's remarks on Moldova itself. Ireland favours further enlargement into the western Balkans. We are very proud that the last major enlargement happened during the Irish Presidency, under a Fianna Fáil Government. We are very proud that Ireland held the Presidency of the EU when the enlargement into central and eastern Europe happened. We cannot lower our standards for membership, and all criteria for membership have to be met, but I do agree that if we string this out and make countries in the western Balkans, in particular, wait too long, all we will do is help anti-European forces in those countries and malign state actors. We have to say to people in the western Balkans that if they implement the reforms necessary, their pathway to EU membership will be clear. I am glad that is the view of President Macron. It has been our view for a very long time. We think enlargement has been too slow.

Israel–Palestine was not a topic of discussion in Chiinu. We will, of course, consider any application for asylum on its merits. All applications are considered individually. My understanding is that fleeing conscription is taken into account in asylum applications but is not in itself an automatic guarantee that refugee status will be granted.

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

Written Answers are published on the Oireachtas website.

Cuireadh an Dáil ar fionraí ar 2.01 p.m. agus cuireadh tús leis arís ar 3.02 p.m.

Sitting suspended at 2.01 p.m. and resumed at 3.02 p.m.

3 o'clock

Opt-in under Protocol No. 21: Motions

Minister of State at the Department of Justice (Deputy James Browne): I move:

That Dáil Éireann, having regard to Protocol No. 21 on the position of the United Kingdom and Ireland in respect of the area of freedom, security and justice annexed to the Treaty on European Union and to the Treaty on the Functioning of the European Union, and noting that a copy of the following proposed measure was laid before Dáil Éireann on 6th January, 2022:

Proposal for a Directive of the European Parliament and of the Council amending Council Directive 2003/8/EC, Council Framework Decisions 2002/465/JHA, 2002/584/JHA, 2003/577/JHA, 2005/214/JHA, 2006/783/JHA, 2008/909/JHA, 2008/947/JHA, 2009/829/JHA and 2009/948/JHA, and Directive 2014/41/EU of the European Parliament and of the Council, as regards digitalisation of judicial co-operation,

approves the exercise by the State of the option or discretion under the said Protocol No. 21, to accept, in the event that the foregoing proposed measure is adopted by the Council pursuant to Title V of Part Three of the Treaty on the Functioning of the European Union, the measure so adopted.

I thank Members for their willingness to deal today firstly with the question of Ireland's participation in the e-CODEX regulation on a computerised system for the cross-border electronic exchange of data in the area of judicial co-operation in civil and criminal matters; secondly with a proposal for a regulation of the European Parliament and of the Council on the digitalisation of judicial co-operation and access to justice in cross-border civil, commercial and criminal matters, and amending certain acts in the field of judicial co-operation, in other words, the digitalisation regulation; and thirdly with the digitalisation directive regarding the digitalisation of judicial co-operation. The three proposals are related to each other and are being put before the House today in that context. Scrutiny of these proposals is important in its own right and is a necessary step in facilitating the moving of the motions in both Houses of the Oireachtas, which will enable the opt-in to the measures to be exercised.

Digitalisation of justice is a central focus for the European Commission. The use of digital channels for communication in cross-border judicial proceedings will facilitate judicial co-operation in civil, commercial and criminal matters. Therefore, the legal bases for these initiatives are Articles 81(1) and 82(2) of the Treaty on the Functioning of the European Union. The e-CODEX regulation and the digitalisation proposals will facilitate electronic communication between member states in cross-border judicial proceedings and will be vital to the exchange of documents in certain types of criminal and civil cases. Participation will be essential to Ireland's co-operation in such matters in future. Participation will ensure the availability and use of electronic means of communication in cross-border cases; ensure that documents are not refused or denied legal effect solely on the grounds of their electronic form; and ensure the validity and acceptance of electronic signatures and seals in the context of electronic communication in cross-border judicial co-operation and access to justice.

The e-CODEX regulation was adopted in May 2022 and is already in operation. While the

digitalisation proposals are still under examination, it is envisaged that they will be adopted later this year. The e-CODEX regulation and the digitalisation proposals are closely related and it is proposed that they be dealt with together for reasons of context and convenience. What I am proposing in respect of the digitalisation proposals is to undertake the required procedures at this time in order to facilitate Ireland's opt-in immediately on their adoption. The approach proposed will give a clear signal of our wish to engage positively with the digitalisation process, and will facilitate our early involvement with this project. Members may be wondering about the appropriateness of bringing these proposals before the House today and undertaking the opt-in processes in advance of their adoption. Legal advice has been taken on that point. That advice is that there is no legal or constitutional impediment to such a course of action.

The digitalisation proposals are omnibus measures which apply to or affect a variety of EU instruments. Members will have noticed that the digitalisation proposals either apply to, or affect, a number of EU instruments in which Ireland is not participating by virtue of Protocol No. 21. Ireland is not participating in six of the affected legal acts; three civil and commercial instruments and three criminal measures. I can assure the House that legal advice has also been obtained in relation to this matter and officials of the Department have engaged extensively with the current Presidency, Sweden, with the European Commission and with the relevant legal services of the EU institutions. I am satisfied that both the European Commission and the Council legal services have confirmed that opting in to these omnibus proposals does not commit Ireland to participation in EU legislation with which we have opted not to engage.

Turning to the measures themselves, I propose to deal firstly with the e-CODEX regulation. I can inform the House that e-CODEX stands for e-justice communication via online data exchange. The regulation sets out that eu-LISA, the EU agency for the operational management of large-scale IT systems, will manage the e-CODEX system from later this year, taking over from the consortium of member states and other organisations such as the European Chamber of Legal Professionals which began developing it in 2010.

E-CODEX provides for secure electronic communication in some cross-border civil and criminal proceedings between citizens and courts, and between member state administrations. It does this by means of various access points in member states. These access points can securely exchange electronic messages with each other directly over the Internet using a set of common IT standards or protocols. The system also allows for the exchange of documents using standard digital forms. To date, e-CODEX has been used by at least ten member states in a range of pilot programmes. These pilot programmes have included proceedings relating to the European small claims procedure, the mutual legal assistance procedure in relation to criminal matters measure and the mutual recognition of financial penalties measure.

The e-CODEX regulation seeks to move the governance and management of the operation of the e-CODEX system from the *ad hoc* consortium to eu-LISA later this year. Further to this, the regulation sets out the composition of the e-CODEX system, the responsibilities of the European Commission, of the member states, of eu-LISA and of national entities which may be managing access points, which are entry points to the secure system via which information will be exchanged directly. The regulation also provides for the establishment of a committee of member states to assist the European Commission in relation to a number of matters regarding the operation of the system. Ireland cannot participate in meetings of that committee or attend as an observer until such time as a formal opt-in takes place, leaving us without any influence on it. Similarly, Ireland cannot participate in the e-CODEX advisory group or the e-CODEX programme management board, both central structures established by the regulation within eu-

LISA to support and oversee the system.

I will turn now to the other measures before us. There is a proposal for a regulation on the digitalisation of judicial co-operation and access to justice in cross-border civil, commercial and criminal matters, which amends certain Acts in the field of judicial co-operation. There is also a proposal for a directive amending various directives and framework decisions as regards digitalisation of judicial co-operation, which I will refer to as the digitalisation regulation and the digitalisation directive, respectively, or jointly as the digitalisation proposals.

In practical terms, the effect of the application of the proposals will ensure that electronic means of communication are both available and used in cross-border cases between member states' judicial and other competent authorities, including the relevant justice and home affairs agencies and EU bodies, where such communication is provided for in EU legal instruments on judicial co-operation. In addition, and without interfering with the courts' powers to decide on their validity, admissibility and probative value as evidence under national law, it is envisaged that documents will not be refused or denied legal effect solely on the grounds of their electronic form. The proposals also have positive implications for the validity and acceptance of electronic signatures and seals in the context of electronic communication in cross-border judicial co-operation and access to justice.

In addition, they are related to the 2020 recast regulation on the service in the member states of judicial and extrajudicial documents in civil or commercial matters, and to the 2020 recast regulation on co-operation between the courts of the member states in the taking of evidence in civil or commercial matters, under which use of e-CODEX is mandatory with effect from 1 May 2025. Ireland is already participating in both of these regulations and their mandatory use of e-CODEX makes Ireland's participation in the e-CODEX regulation all the more significant. As set out above, given the central role of e-CODEX in the digitalisation proposals, for reasons of context, consistency and coherence, we should now participate in the full suite of measure concerning e-CODEX.

In conclusion, I thank the House for making the time available to deal with these matters. I look forward to the comments of Members. I will be happy to address any questions they may have.

Deputy Pa Daly: These debates on the State's participation in EU legal and institutional co-operation are always welcome, both so we can examine the proposals themselves and the context in which they operate.

I wish to address the current context of the courts and their functioning before turning to the proposals at hand. The State had 3.27 judges per 100,000 people in 2020, well below the European average of 17.6 judges. The recent moves have improved this but more must be done.

The judicial planning working group's report has been addressed a number of times within this House and Sinn Féin broadly welcomes the report, and the Government's move to appoint more judges. I note that four High Court judges were appointed this week. I am curious as to how the other recommendations are progressing, especially the review of the District Court and Circuit Court areas. As we stated previously, the review needs to take into account accessibility and geography and not just to seek to rationalise resources. We all know that many District Courts throughout the State have been closed this century, which is contrary to justice being done and being seen to be done in our communities.

I am also eager to hear details of the judicial resources planning model and what the proposed more flexible working arrangements are. Obviously, these reforms, and the ones contained within this motion, will place pressure on staff in the Courts Service. They do important work and are currently at maximum capacity and their numbers have never recovered from austerity times. This is also the case in coroner's offices, which form an important part of the justice system. The *Irish Examiner* recently covered the case of the late Mr. Collopy, whose family has had to wait a considerable length of time for a toxicology report. My colleague in Wexford, Deputy Mythen, has been working with the family to get answers. The long delays in toxicology results are causing families much anguish. This is the latest development in the situation up and down the country. The ICCL report setting out a pathway for reform is now a few years old and there are multiple other calls for reform. I have submitted a number of parliamentary questions on this matter and an update on what plans the Department has for reform of the system overall is important for the Collopy family and the many others like them.

The Irish Times this week contains an important and timely intervention from the former judge, Ms Justice Deirdre Murphy. The importance of the separation of powers goes without saying, but policies related to the administration of the courts are squarely in the remit of the Dáil and the Government. The voices of experienced judges are important and while we do need to be sensitive to constitutional strictures, it helps us to hear from judges, both current and retired. The functioning of courts must change, but at the same time the legal system is slow to change, as fundamental rights and responsibilities cannot be ignored. The former judge, Deirdre Murphy, raised some important points in her interview. One of her concerns relates to the increasing monopolisation of State work by a select number of firms, which in my view risks an effective oligopoly within the legal trade. The Attorney General's guidelines on how State agencies should brief firms is important, but a review into the State's distribution of legal work and the effect it has on firms around the country, should be examined. Judge Murphy stated: "I think the system is broken, there are too many barristers scrabbling for too little work, monopolies of big firms, the briefing policy, pressures on the smaller solicitor firms." She continued:

People told me I didn't charge enough. The bigger firms want to brief somebody who will charge a fortune so that they can justify charging a fortune...The bottom line is profit. Who is representing the ordinary person?

That ordinary person and access to justice must be at the heart of everything we do in relation to the justice system. Our consideration of these proposals are no different. According to the EU, the e-CODEX system is composed of an e-CODEX access point, consisting of an interoperable gateway, which allows the secure exchange of information over a telecommunications network with other gateways to be carried out and a connector to link connected IT systems to the gateway for the purpose of exchanging data with other such IT systems. The system also contains digital procedural standards and has supporting software products, documentation and other assets listed in the annexe to the relevant regulation.

According to the briefing, the e-CODEX regulation and the digitalisation proposals will facilitate electronic communication between member states in cross-border judicial proceedings and will be vital to the exchange of documents in certain types of criminal and civil cases. Again, according to the briefing, participation ensures the availability and use of electronic means of communication in cross-border cases. This is to ensure that documents are not refused or denied legal effect solely on the grounds of their electronic form.

The effects of the proposal seem positive, albeit we need to bear in mind data protection and

storage concerns. We also need to bear in mind that some member states have engaged in the over-prosecution of political activists and played fast and loose with civil liberties. Providing for these proposals improve the sharing of documents but do not create a legal right to them being shared without adequate legal supervision that is acceptable.

I have some concerns about the timing of the process. The Department has advised that the State is not participating in six of the affected instruments or legal Acts. At the same time, participation within the digitalisation proposals within the three-month deadline was not possible. Therefore, again according to the Department, approval is now sought at this stage to allow for the making of the necessary opt-in notifications immediately on the adoption of those proposals.

From what the Minister of State outlined earlier, I understand he did get legal advice. The Attorney General has said no legal or constitutional issues arise but more details on the deadline and why it was missed would be welcome.

Deputy Cathal Berry: I am very grateful for the opportunity to contribute briefly to this debate on the opt-in by Ireland to the three EU proposals. It sounds like a bit of housekeeping to deal with technical issues, but in this Chamber we should forensically scrutinise any proposal that comes from Brussels.

As the Minister of State and Deputy Pa Daly are aware, there is a reputation at least that the legal service is overly bureaucratic. That is going to change. Deputy Daly admitted that as well himself. These proposals sound like they are going to modernise it, at least a small bit. They are a bit more progressive and there is recognition of non-wet signatures and non-wet seals. Every other sector in society has been moving on so it is important that the legal profession follows suit as well. That should help citizens to engage with the courts and how the State entities also engage. Sometimes it is even very difficult within a country to have a legal exchange of documentation from a discovery point of view, so it is only right that we have proper structures in place across the EU as well.

From a governance and management point of view, I welcome the fact that eu-LISA will be taking over that, which is completely appropriate. It is good to get rid of *ad hoc* arrangements and do it from a formal perspective where appropriate.

The Minister of State mentioned secure access points; the entry points into the system. I am not sure if it has been nailed down yet, but is there any indication of how many access points we will have in Ireland? Perhaps he could at least give a ballpark figure. Will it be courthouses or particular solicitors' practices? How many access points will there be or where will they be? What does the Minister of State envisage from an access point of view?

In terms of the cost perspective, I am glad to see that at least there is a bit of downward pressure on the costs and that the EU will provide most of the software. That is a good thing.

I have just a couple of concerns. The Minister of State mentioned that Ireland is either not technically able or willing to meet the three-month deadline. I just wonder why that is the case. Is it for technical reasons? If it is, it is a bit unusual, as Ireland is a hub for a lot of technical companies at the moment and the public service is relatively well digitalized, so I just wonder what is the reason for that. Ireland will not be in the system immediately, having not met the three-month deadline. Are we the only country not to meet the deadline or are there other countries? I agree with the opt-in presumption that we will meet the technical specifications

afterwards. When is it envisaged that Ireland will be technically compliant if the House approves the opt-in today?

I welcome the proposal and I support the principle involved. It appears that safeguards are in place to prevent any misuse of the data. I welcome any kind of modernising or progression from a legal profession perspective. As a ballpark figure, how many access points will there be? If we are not signed up at the moment, when does the Minister of State envisage we will be?

Minister of State at the Department of Justice and Equality (Deputy James Browne): On Deputy Daly's question about the courts, the report of the judicial planning working group was published in February this year. It made 54 recommendations relating to five key areas. That work is ongoing. It included increasing the number of judges by 24 initially and a further 20 upon review. That review is being carried out in respect of delivery and reform of the Courts Service.

With regard to the numbers that are often cited from civil jurisdiction-type countries on the Continent, many judges on the Continent carry out prosecutorial and investigatory roles, which are carried out by An Garda Síochána or the Director of Public Prosecutions, DPP, here. They are very different systems and, as such, the numbers can often be out of kilter in that respect.

Several other reforms have been carried out in the courts system. These include the implementation of the review of the administration of civil justice, which made 90 recommendations with a view to improving access to civil justice, and the introduction of legislation relating to preliminary trial hearings, which is also being completed. The Courts Service modernisation programme is also being carried out and includes upgrading information technology, IT, in the courts.

On Deputy Berry's questions, for reasons of timing and Oireachtas scheduling, it was not possible for Ireland to opt in under Article 3 of Protocol 21 to the e-Codex regulation within the three months of presentation to the Council. That is an exceptionally tight time, in fairness to everybody. The Minister for Justice is strongly of the view that Ireland should now opt in to the e-Codex regulation as quickly as possible under Article 4 of the protocol. As I previously indicated, the e-Codex regulation provides for the establishment of a committee of member states to assist the Commission on matters such as technical specifications. Irrespective of when we opt in, justice officials in Brussels and the Department maintain ongoing involvement in all these regulations.

On Article 4 of the e-Codex regulation and the question of online data security, the fundamental rights and freedoms of all persons affected by the electronic exchange of data through the e-Codex system, in particular the right to effective access to justice and the right to a fair trial, the principle of non-discrimination, a right to the protection of personal data and the right to privacy, shall be fully respected in accordance with the law. Therefore, the digitalisation process has the effect that both the European Commission and various central authorities shall be regarded as controllers in respect of the processing of personal data. In those situations, whatever the numbers, and I do not have the numbers for the Deputy, all the fundamental principles of protection will have to apply to each and every case.

I thank the Deputies who contributed to this discussion. I welcome the broad support for these proposals reflected in their comments. I think we all agree that facilitating greater co-operation in judicial proceedings which have cross-border elements makes sense. There are

already certain EU rules governing the conduct of communications, some of which provide for the use of modern technology. However, the existing rules do not ensure an adequate and holistic infrastructure for electronic communications between individuals, legal entities or competent authorities with the authorities of another member state. EU action is needed to co-ordinate member states' efforts and establish a coherent framework for the existing EU rules. Such action will improve the efficiency, resilience, security and speed of cross-border judicial procedures. In doing so, it will simplify and speed up communication between member states' authorities and with individuals and legal entities, thus improving the administration of cases with cross-border aspects and-or implications.

In addition, application of the initiatives discussed today will result in a constituent digital judicial environment across member states, rather than the current patchy digitalisation arrangements. Most important, they will enhance access to justice for citizens and businesses and support the State in its activities in cross-border civil and criminal areas in which Ireland already participates. As I said, opting in to the e-Codex regulation will allow Ireland to participate in the governance and implementation of structures which the regulation sets out. As also noted, undertaking the required procedures now and in relation to proposals for a digitalisation regulation and the digitalisation directive will facilitate Ireland's opt-in immediately upon their adoption.

Seeking the approval of the Houses for these measures together is sensible, given their close relationship. The regulation concerns the sustainability, management and governance of the e-Codex system, the IT system through which electronic data will be exchanged in cross-border proceedings. The digitalisation proposals amend a number of civil and criminal justice instruments to provide for a mandatory use of e-Codex in communications under their instruments. The proposals mandate the use of digital tools in the communication process and provide a legal basis for the use of video-conferencing in cross-border cases, while the application of these proposals should facilitate increased legal certainty, reduce costs and delays and enhance protection of parties' procedural rights by establishing a digital communication channel enabling the effective use of digital tools in cross-border judicial co-operation proceedings.

I believe the benefits of Ireland's participation in these measures insofar as they impact on instruments in which Ireland already participates will accrue for individuals and businesses alike, as well as agencies such as the Courts Service, in enhancing and speeding up access to justice. I ask Deputies to support these motions and Ireland's continued active engagement with EU member state partners in judicial co-operation.

Question put and agreed to.

Minister of State at the Department of Justice (Deputy James Browne): I move:

That Dáil Éireann approves the exercise by the State of the option or discretion under Protocol No. 21 on the position of the United Kingdom and Ireland in respect of the area of freedom, security and justice, annexed to the Treaty on European Union and to the Treaty on the Functioning of the European Union, to accept the following measure:

Regulation (EU) 2022/850 of the European Parliament and of the Council of 30 May 2022 on a computerised system for the cross-border electronic exchange of data in the area of judicial cooperation in civil and criminal matters (e-CODEX system), and amending Regulation (EU) 2018/1726,

21 June 2023

a copy of which was laid before Dáil Éireann on 31 December 2020.

Question put and agreed to.

Minister of State at the Department of Justice (Deputy James Browne): I move:

That Dáil Éireann, having regard to Protocol No. 21 on the position of the United Kingdom and Ireland in respect of the area of freedom, security and justice annexed to the Treaty on European Union and to the Treaty on the Functioning of the European Union, and noting that a copy of the following proposed measure was laid before Dáil Éireann on 6 January 2022:

Proposal for a Regulation of the European Parliament and of the Council on the digitalisation of judicial cooperation and access to justice in cross-border civil, commercial and criminal matters, and amending certain acts in the field of judicial cooperation,

approves the exercise by the State of the option or discretion under the said Protocol No. 21, to accept, in the event that the foregoing proposed measure is adopted by the Council pursuant to Title V of Part Three of the Treaty on the Functioning of the European Union, the measure so adopted.

Question put and agreed to.

Youth Justice Strategy: Statements

Minister of State at the Department of Justice (Deputy James Browne): I thank the Ceann Comhairle for the opportunity to discuss the progress and impact of the youth justice strategy and our youth justice interventions. Our approach to youth justice in Ireland, informed by international standards, is that children in conflict with the law are still children. They are entitled to dignity, respect and access to services that will promote reintegration into their communities and wider society. Youth justice interventions are not about young people avoiding punishment or consequences. They are about recognising that many young people who stray from the proper path simply need support and direction to get their lives back on track. That is why preventing offending behaviour and diverting children and young people from further involvement with the criminal justice system are at the heart of what we do.

The youth justice strategy 2021-27 provides a developmental framework to address key ongoing challenges, as well as new and emerging issues in the youth justice area. The focus of the strategy is still very much on children in contact with the justice system, but it also examines more closely why a proportion of young offenders go on to become adult offenders and how this can be better addressed. In that way, the strategy examines how youth justice policy might be more closely aligned to other child and youth policies and towards the promotion of community and local development. In the same way that our approach to community safety now focuses on multi-agency collaboration, the same principle applies to youth justice.

I cannot stress enough the importance of bringing together all the relevant agencies and programmes, including schools, to ensure we provide a holistic response to the needs of children and young people at risk. My Department has a dedicated youth justice partnership with the

internationally-recognised Research Evidence into Policy, Programmes and Practice, REPPP, team at the University of Limerick, which is guiding the development of programmes and practices within the framework of the youth justice strategy. This includes the REPPP action research project, which aims to co-design and implement new guidance on effective practitioner and young person relationships in youth diversion projects, YDPs. This has been done using 16 YDP sites nationwide and involving them in a trial process over two years. REPPP is also providing dedicated research and expert support, including best practice support for the nationwide project network to roll out expanded and additional YDPs to ensure fully national coverage.

As Deputies will be aware, our network of youth diversion projects across the country acts as a vital support to the statutory Garda youth diversion programme. The youth justice strategy commits to the broadening and deepening of services provided by YDPs and acknowledges the importance of early intervention and family support programmes for children at risk, as well as access to appropriate education, training and youth services. I have seen first-hand the positive impact these projects have on the young people they welcome through their doors and the wider communities in which they are based. This is why I am ambitious for the future when it comes to our youth diversion projects.

My intention is to develop this service so that it is available to every child in the State who could benefit from it, through an ongoing expansion of existing services and the foundation of new projects where necessary. We currently have over 100 YDPs in operation and the intention of this year's justice plan, under the youth justice strategy, is to provide full geographic availability of youth diversion services by the end of 2023. YDPs engage with young people through a range of supports, including education, employment support, social enterprise initiatives and personal development supports such as mentoring and personal development activities.

YDPs have traditionally worked with young people under the supervision of juvenile liaison officers, JLOs. The youth justice strategy formalises a wider mandate for the projects, including undertaking early intervention work with younger children identified as being on a trajectory to later involvement in crime and anti-social behaviour, providing family support for the families of participants, supporting schools to retain YDP participants in the education system and working with harder-to-reach young people on an outreach basis. Young people in this last category include those deemed not suitable for the statutory Garda youth diversion programme.

Where young people in this category are before the courts the probation service may have a mandate to work with them, but otherwise there may be little service provision in communities that can respond effectively to their needs and the challenges they pose. It has been estimated that there may be some 1,000 young people in the State who are prolific offenders and responsible for half of all youth crime. These children and young people most involved in crime and anti-social behaviour are very often known to a range of other services and present with complex needs and behaviours. Individual public services in the youth, family and social inclusion areas cope well with more straightforward cases but can struggle to deal with this type of complexity, especially in the cases of young people who do not engage.

My Department is working with colleagues in all other relevant Departments and agencies at national and local levels in six potential pilot areas to develop a joint commissioning approach to implement the no wrong door principle to ensure there is a cohesive response by public services to this group of young people. The pilot will be supported by the REPPP team in the University of Limerick. Essentially, the idea is that we will map the availability of current services in each of these areas, map the target group of young people in the area, identify the

gaps in necessary services and bring all relevant statutory and community voluntary services together in an integrated response to the needs and challenges identified. I will announce further details of how the pilots will operate later in the year.

In budget 2023, I secured a further €2.5 million in funding for youth justice services, increasing the total budget allocation for youth diversion projects and other youth justice projects to just over €30 million. Every cent invested in building better outcomes for young people and diverting them away from the criminal justice system pays back in spades. This funding is being deployed with the assistance of the best available research and expert evidence to keep young people away from crime. Our YDPs and the diversion programme have proven to be very successful in improving outcomes for young people and offering guidance and support for their families. We need to keep building on this work.

I recently launched an extensive evaluation report on the YDPs, which we will utilise to develop our understanding of the structure, conduct and impacts of YDPs. I was pleased to see that the evaluation acknowledged many of the existing strengths of our YDPs, including a strong alignment between our youth justice policy and the objectives of individual YDPs. The people working in our YDPs were found to be experienced and highly qualified and they reported strong levels of satisfaction in their work. Key relationships, such as those between youth justice workers and juvenile liaison officers, are strong across the board and it is positive to see this being the case. The report also found that the range of interventions offered by YDPs continues to be responsive to the diverse and complex needs of individuals, their families and local communities. Perhaps most importantly, it is clear that the positive impacts of YDPs are being felt by participants, families and our communities. I commend the tireless efforts of everyone involved in the YDPs for the terrific work they do, which really makes a difference to the lives of the young people and the communities they work in.

We all want our communities to be safe places in which people can live, work and bring up their families. Youth justice interventions are not about avoiding punishment or consequences. This is about dignity and respect. It is about recognising that many young people who do stray from the proper path simply need support and direction to get their lives back on track. It is about ensuring young people can make better life decisions and about giving them a chance. I strongly believe that by improving outcomes for young people at risk of a life of criminality, we can make a real and long-term difference to the quality of life of these young people and their whole communities.

Deputy Mark Ward: Youth justice and the right for our young people to be young people are priorities for how this State should operate. Every child and young person deserves the right to reach their full potential. I have said this often in the Chamber and it is true concerning mental health and also in youth justice. Young people are our future and we must invest in them.

A troubling trend prevalent in organised crime for some time now has been the grooming of minors into criminality. Criminals offer a lifestyle of flashy clothes and quick money to young people, whom they use in the sale and running of drugs. Let me be clear that these criminals are nobodies and they suck the lifeblood of young people from our communities. They do not run our communities. Our communities are run by hardworking and decent people. Our communities, however, have been let down by successive governments through a lack of funding and low Garda resourcing. Our young people in these communities are being left behind as a result.

Sinn Féin has long pointed to community resilience as being paramount in the prevention

of crime in our communities. The lack of investment by the Government is directly facilitating crime to take place. My Sinn Féin colleagues and I have put forward several items of legislation to tackle crime in our communities. For example, Deputies Martin Kenny, Denise Mitchell and I introduced the Coercion of a Minor (Misuse of Drugs Amendment) Bill 2022 last year. This proposed legislation would make it a stand-alone offence for criminals to engage young people in drug-related crimes with a maximum penalty of ten years. We must be tough on those who groom young people into engaging in crime.

Young people engaged in criminality should have to face the appropriate justice. In the case of minor offences, though, they should be diverted away from the justice system. I stress the minor offences aspect. We are in favour of the Garda YDPs. Consideration should be given to extending the age limit eligibility for the diversion programmes from 18 to 25. I know the Government is considering extending this age limit to 24. To be consistent with other areas, and I refer in this context to the future of mental healthcare, as outlined in the Sharing the Vision policy, which states that care for young people should be extended to the age of 25, I believe the same should be the case with youth diversion. We need to see this uniform approach.

Research has shown that people in this age group are vulnerable to being groomed into crime as they have often been exposed to criminal activity as minors. Those aged 18 to 25 make up the highest percentage of the prison population. This tells me that young people are being let down as children and then being let down again as they become young adults. Extending the age for eligibility for diversion programmes to 25 could reduce the numbers of people in prison, which are already overcrowded. This change could keep our young people in our communities and give them every opportunity to contribute positively to our society.

I referred to community resilience. This is the best approach to reducing crime, in particular among young people. Two years ago, Deputy Ó Murchú and I introduced the proceeds of crime Bill that would reinvest money seized by the Criminal Assets Bureau, CAB, into the communities it has been taken out of. The Government has come along with this. I have often referenced the mother who took out a credit union loan to repay the drug debts of her children. The money is being robbed from these areas and not returned.

In the last round of the community safety fund launched by the Government, six groups in my area applied for funding and not one was successful. Parts of my area are some of the most disadvantaged in the State. With proper resourcing, communities like mine can become strong and flourish. Young people can have the best opportunity to reach their full potential.

The national youth justice strategy calls for a cross-departmental approach to address youth crime. One community group I have referenced on several occasions in the Chamber could benefit from a cross-departmental approach, which is one of the groups which applied for the community safety fund and was not successful.

The Clondalkin Equine Club is a project that teaches young people the importance of responsible urban horsemanship. The club is based in a purpose-built facility that stables 20 horses. The project was brought about to tackle the issue of horses being kept in a disadvantaged community. Since the club has been in operation, the number of horses being seized by South Dublin County Council has dramatically reduced. The club has had some great outcomes with young people, some of whom have gone on to careers in showjumping and racing.

There are also the unwritten statistics of people who have engaged with the project and who

could have gone into a life of crime or who could have been vulnerable to criminals community. They are in a safe place, something that needs to be recognised. It is an invaluable resource for my community but the board is struggling to get long-term funding. It is being passed from pillar to post and is never given certainty. I have called for a cross-departmental approach to funding. Funding for the club could easily come through from the Departments of Agriculture, Food and the Marine, Children Equality, Disability, Integration and Youth, Education, Tourism, Culture, Arts, Gaeltacht, Sport and Media and Justice. Despite my best efforts, no one is willing to sit down and take on this on a cross-departmental basis.

I have raised this matter with every Minister, barring the Minister for Justice. I am taking this opportunity to do so now. I have invited other Ministers to view the project and to date they have not accepted the invitation. I want to take this opportunity to invite the Minister of State to visit the Clondalkin Equine Club and see at first hand the benefits it has for the community.

Young people should have active engagement in decisions about their lives. I welcome confirmation from the Government that the youth voice will be heard in the citizens' assembly. It is important that this happens. Our youth should have an active role in designing our youth justice system for young people and we encourage their contribution. It is imperative that our younger citizens are listened to in respect of decisions that affect their future. We must hear what country our young people want to envisage for themselves. At 10.30 a.m. on Wednesday, 28 June, in the Communications Workers Union in Dublin there will be a youth assembly on Irish unity. It will hear contributions from young people and organisations that specialise in youth work about what the future of the island will look like in a united Ireland. Planning for the future must be on a 32-county all-Ireland basis. Young people have a vital role to play in discussions about a new Ireland. Too often, their voices are not heard. I encourage all young people to attend this meeting.

I want to be clear that we must be tough on crime. Serious offences such as violent crime should have serious consequences. Detention must be considered for these serious offences, but effective community resilience and diversion programmes can reduce the number of serious crimes. This must be a priority. As the Minister of State said, early intervention is key.

We must also look for justice for those who are affected by crime. I have worked in organisations in the past that practice restorative justice. It is a practice whereby the victim of a crime can speak with the perpetrator of that crime. It is done through an intermediary in a safe way, directly or indirectly. It will help the person who perpetrated the crime to better understand how their actions have affected others. This sees better outcomes for victims and perpetrators. Restorative justice must be resourced in order that young people involved in crime and those who are victims of crime can have better outcomes.

I also want to talk about Cherry Orchard in my neighbouring constituency. It is a vibrant community despite being a community of trauma. It is the trauma of a disadvantaged area, addiction, mental health and community violence. My colleagues, Deputy Ó Snodaigh and Councillor Daithí Doolan, are working hard to turn this around. We welcome the implementation group that was set up by the Minister, Deputy McEntee, last year after some high profile and, frankly, very traumatic incidents.

We welcome the financial commitments in the implementation plan. I have two requests. The first is that the community voice is not lost in the implementation plan. Members of the group need to come from the community, community groups and local county councillors.

They are the people on the ground who are best informed to contribute to the plan. My second request is that the Government supports a trauma therapy service, which could be the first of its kind in the State, to be delivered by Familibase in Cherry Orchard. It has developed a model and is ready to go. I call on the Government to help it deliver it.

I opened my contribution by speaking about the right of every child to reach his or her full potential and giving our young people the best chance in life. We support the national youth justice plan, but we need to see the benefits. We need fewer young people being involved in crime and being detained. We need more young people to be involved in community groups, taking up employment, pursuing education, staying and living in Ireland and, as I said, having the opportunity to be a young person. The State cannot become no country for young people.

Deputy Paul Donnelly: I welcome the publication of the youth justice strategy. I commend everyone who works with young people to try to guide them from the path of criminality to living and contributing to our communities. The strategy will guide a multitude of projects, agencies and support services for young people in our communities. There is no doubt whatsoever that early intervention and prevention of youth coming into the criminal justice system is key.

I note the reference to multiple disadvantages, which includes poverty, children and young people in State care, Travellers, ethnic communities, mental health, neurodiversity, homelessness, childhood trauma, coercive control, addiction, gender difference, disability and individual learning abilities. These are all things I have seen as somebody has worked in the community for 30 years. Young people have experienced these things, some more than others. I welcome the fact that this has been acknowledged.

For a variety of reasons, it seems that once young people are part of the system, it is difficult for them to chart a different path but it is not impossible. Many young people only flirt briefly with the criminal justice system. For others, it is a long and disastrous journey.

I wish to address a number of issues. The first is family support, be it community or Tusla family support services. As a former family support worker who worked with many families over a 16-year period in the Dublin 17 area, I am concerned that we are looking at inputs and outputs such as how many families we work with and provide short-term interventions for. There is a strong focus on closing a case after a number of months. It is fantastic if people only need a short intervention. However, we know many families need longer-term interventions. I am concerned that this long-term support is not fully in place in communities.

I welcome the acknowledgement of the links between youth defendants and socioeconomic circumstances as family welfare issues. We all know these are at the core of many young people and their engagement in criminality. The use of young people by older people and grooming into drug gangs is well known. The new focus on this and people who groom young people is very welcome. Again, it needs to be resourced. I strongly welcome the focus on a holistic wraparound service, but this needs to be funded.

Day in, day out, we all deal with a chronic lack of availability of mental health youth services for children, including children with additional needs who are at huge risk of being sucked into criminal gangs. A young person leaving school early is a huge indicator of potential involvement in antisocial behaviour and crime. The statistics prove this time and again. As someone who worked in an early school leavers project and school completion programme, I know that our service was one of the first to be devastated by the cuts during the recession and

has not recovered. I welcome recommendation 1.2.2 k on page 13 of the youth justice strategy, to “support improved practices for schools, to retain children in the education system who’s behaviour may bring them in contact with the youth justice system”.

Again, this has to be followed by funding, by action and by people on the ground who are experienced and who have the skill set to be able to work with these young people. Two of my children are primary school teachers and I worked in an area where there was serious disadvantage, similar to Deputy Ward’s area. There were a lot of really difficult situations in schools. I recently spoke with teachers and what they and we are talking about is a DEIS-plus system to enable those schools that are on the front line of working with students and their families who are at serious risk of early school leaving. The resources they have are currently not sufficient and schools in disadvantaged areas are calling for such an enhanced DEIS-plus scheme. Anybody who knows the DEIS scheme knows that one of its key aspects is the ability to work with young people in smaller classrooms; having additional supports and funding; having a teacher who is released to talk to families and parents and to work with them to provide supports and networks; and to help people to network in through things like the child and family support networks and Meitheal. Having the time to do that work is absolutely essential because of the really complex needs some of the children, particularly in the more disadvantaged areas and because of all those things I talked about, namely, poverty, children in State care, ethnic communities, mental health, neurodiversity, homelessness, which is absolutely huge one, childhood trauma, addiction and so on. Every DEIS school deals with them on a daily basis and unfortunately, those schools say to us that they do not have the resources to be able to intervene effectively at a young age.

Early intervention and prevention are mentioned at the very beginning of this document. If we are serious about early intervention and prevention we must resource them. That is the key. This is a good document but at the same time, this will just be ink on paper unless this strategy is funded and resourced, unless the money is put into people, projects, communities, supporting families, supporting young people to stay in school as long as they possibly can and into encouraging them into apprenticeships and into college, that is, all those things that provide them with a pathway outside of the trajectory they may be facing because of those difficulties. It will just be another document that we will revisit in six years’ time. I may be rude, I know there is a review every year. We will continue to review it and will probably continue to stand here and talk about mental health services. We will probably stand here every year and talk about early intervention and prevention. I welcome this document. There is some really good stuff in it but if we do not resource it or fund it, then I see more children’s lives being destroyed and wasted.

Deputy Ruairí Ó Murchú: I agree with an awful lot of what my colleagues have said about the youth justice strategy. Some good points are being made and we are making some journey points at present. We know the level of intervention that is required and that starts from very early family supports. We have pilot schemes and programmes at times and I note representatives of Archways, the Changing Lives Initiative and early family support services appeared before the Joint Sub-committee on Mental Health. A pilot is being operated in my own part of the world and elsewhere but we need to be able to offer it to more families. We need interventions way beyond that. The Minister of State and I visited some of the youth diversion projects in Dundalk. He is aware of the level of work that is being done there. The High Voltage Project works from The House in Cox’s Demesne and the teams project is in Muirhevnamor where some excellent work is being done. In respect of The House in particular, its representatives talk about the absolute necessity of some of the recent funding and the likes of the youth diver-

sion project and others having access to a minibus being absolutely vital to being able to offer the sort of interventions that are necessary.

It is also an area in which there are very early interventions for ages eight to 11. When we talk about drug dealing or kids involved in criminality or falling into it, that is the sort of age bracket we are talking about. By the time we talk about youth diversion projects and in some cases, by the time they see a juvenile liaison officer, JLO, we are already too far along the road. Some of these early interventions will not be absolutely perfect from the point of view of moving kids, helping their families and moving them away from the journey into the criminal underworld. We will be able to divert some of them, however, and beyond that a relationship will be built. That means that by the time they are dealing with youth diversion projects, there will be that connection and relationship and possibly an ability to have an impact on those children's lives. This is not just about those children; it is about wider society because we all pay the price for every kid we do not save.

As much as we give out about the fact there is not enough building going on, there are areas outside Dundalk in which there have been huge builds recently. In some cases, an element of planning has not been done and we are in need of bus routes, schools and all the rest of it. I am sure that will follow. There is also a need for some of these really early interventions. We know what the issues are. We know where intergenerational trauma has met poverty and the huge work that is done, sometimes by schools and others. However, as Deputy Paul Donnelly noted, we have not necessarily tooled people up properly to be able to deliver. That is the problem. We will fail these people, we will fail these families and we will fail wider society.

We know what is happening. We can talk about the drug problem and we know it is happening across the board. We know it is particularly bad in disadvantaged areas and that this seeps out from time to time. From the calls I get, I am aware there is an element in urban settings where drug dealing is absolutely normalised. Sometimes the complaint is there is no level of discretion in drug dealing; that it is in the street and it is obvious. It has become utterly normalised even for the kids who live in those places sometimes. I deal with the Garda regarding this and I do not have to put in the record again that drug debt intimidation is one of the biggest issues I have to deal with on a daily basis. We really need to put in those pieces to avoid some of this. We all welcome the fact the citizens' assembly is under way. We all know we want to ensure we give the powers to the Garda to deal with these criminal gangs, particularly when dealing with drug debt intimidation and the impact it has on families. We really need to get the intervention piece in place. Some good work is being done and these projects and the work they are doing are having a real impact. Again however, if we are really serious about youth diversion and the youth justice strategy, we need to put it on steroids compared with what we have at present.

4 o'clock

Deputy Aodhán Ó Riordáin: I welcome the Minister of State to the Chamber. I note that Mr. Deaglán Ó Briain is sitting beside the Minister of State. As one will not find a more committed public servant in the Department or in any Department, it is great to see him here.

I am interested in the remarks the Minister of State has made. He said that his Department is working with colleagues in other relevant Departments and this is welcome, because it is often the case that Departments do not speak to one another as they should. He also said they are working with "agencies at national and local levels in six potential pilot areas to develop

a joint commissioning approach to implement the no wrong door principle to ensure there is a cohesive response by public services to this group of young people”. I am encouraged by this remark. The pilot will be supported by the REPPP team at the University of Limerick. I am interested in knowing where the six pilot areas are. The Minister of State went on to state, “Essentially, the idea is that we will map the availability of current services in each of these areas, map the target group of young people in the area, identify the gaps in necessary services and bring all relevant statutory and community voluntary services together in an integrated response to the needs and challenges identified.” Often when I come into this Chamber and receive a script from a Minister, it feels as though there is not an awful lot in it. However, I think there is something in that. I congratulate the Minister of State on that but I am interested in knowing exactly where these six areas are.

I am the Labour Party’s spokesperson on education on justice. Many people may feel that they are two very separate areas. To be honest, though, they are incredibly linked. Reference was made to the DEIS+ proposal, and I want to focus on that for a second. I have been liaising with a number of principals in the Dublin 17 area, in my own constituency, in west Tallaght and Ballymun. They are advocating for such a strategy to be brought forward to have a different designation within the DEIS programme for schools that are acutely disadvantaged, in the area of trauma. This is because they are talking about children who are lost. I raised this issue with the Minister for Education last night, but if the Minister of State at the Department of Justice is talking about an interdepartmental approach, he needs to hear it as well. Principals are telling me they are losing young people at the earliest of ages. I said this on the record of the House last night, and I will say it again to the Minister of State. I was speaking with one principal who says she has to change the route that they walk to swimming in the morning time because of a local feud. I asked her if she was saying she was afraid that some of her children were going to get shot by mistake. She said “Yes”. She had not thought to phrase it in that way, because this is just what principals do in acutely disadvantaged areas. They just adapt to the situation around them. Yet, she is acutely aware of a feud in the local area. There are guns involved, and she does not want to walk her children into the midst of that. Therefore, she finds a different route to swimming. Is it not utterly depressing that children in a primary school would have to reroute their way to go swimming in the morning, in case one of them gets killed by a bullet?

At the heart of this, and I need the Minister of State to hear what I am saying here, is that 20 years ago, when I first became a primary school teacher in an acutely disadvantaged area, they used to say that once this generation of grannies - particularly grannies - gets older, it will be replaced by the heroin generation and then we will be in trouble. This is because 20 years ago, the grannies kept families and communities together. They predated the heroin epidemic of the 1980s and 1990s. Families could fall back on these grannies. There were also grandads, but they were grannies in the main. We used to say that when members of the heroin generation become grannies and granddads, we will have a problem. We are here now. That dysfunction is unfortunately now here. Society and these communities cannot depend as much as they used to on that generation. They used to step in and mind the little one or the little fellow and provide routine to those lives. On the basis of that, dysfunction is creeping in and young people are getting more distracted than they ever had been before. They are moving away from the mainstream economy and mainstream society into the hands of those who would use them for their own profit. What is being said to me is absolutely appalling. Unfortunately, it is only going to get worse.

The Minister of State has identified six geographical areas and I can only assume where they

are. I ask that within those six areas, the Minister of State would consider the three areas I have referenced. I do not like referencing areas in this House because I do not like the reputational damage or the stigmatising that goes with that. However, I cannot hear what they are saying to me without raising it with the Minister of State.

The issue of drugs has been referenced and it is a live issue. In fairness to the Government, it has raised the profile of the debate around drugs. As it is holding a citizens' assembly on drugs, I believe it is only reasonable and rational that we move to a situation where no young person, or anybody who has a drug issue, would be brought through the criminal justice system. The empowerment of young people through the educational system is key to this. I will make reference very quickly to the FAI report, which was published two weeks ago. It focuses on sports and the poor standard of sporting facilities that are available to many young people. Soccer is the game of many working-class communities. One might not like that or people might not accept it but it is a fact. If there is a poor standard of those facilities, often some people can think that society does not respect them. They think the authorities do not respect them. They think the facilities do not show them respect and therefore, they do not feel respected.

I have a few concluding points. The six areas the Minister of State referenced are welcome. I do not think it is necessarily fair that the Minister of State would name them here in the House, because people will then inevitably ask, "What about these other areas?". However, I hope those areas include the three I have referenced. I need the Minister of State to take the issue of the heroin generation seriously. I need him to take seriously the issue of trauma-related support for potential DEIS+ schools. They are talking about multidisciplinary teams that would be available to them, such as those that are available in Dublin 1. They are talking about teacher support and trauma-based support. They feel that would be key to not losing any more young people to the clutches of drug gangs etc. The issue of drug-related intimidation, as has been raised by other Deputies, is real and rife. It is unfortunately younger people they often find to do the business for them.

The last point I will make is about integration. In other jurisdictions, they have found in migrant communities that when a family comes to a new country, those who head that family tend to accept whatever abuse or discrimination they come up against. This is because they made the choice to come to a different country. Therefore, they are less likely to react against it. However, the generation that comes after that, who did not make that choice and yet who suffer racism, discrimination and insults are the ones we need to be mindful of in respect of how they are feeling, how they are integrating and how they are being empowered. In any country in the world, it is not a matter of the first generation who comes, but the generation afterwards. They will internalise this friction and negativity and that can go anywhere. We have to take the experience that has happened in other countries on board in order that we do not create a cohort of young people who other people may have discriminatory feelings about because of their ethnicity, even though they are absolutely Irish. They may use racial taunts against them. We must not create a situation whereby they utilise that in a destructive way and find themselves even more alienated from mainstream society. I am careful as I can be with my words, but I think the Minister of State will understand what I am saying.

The Labour Party is happy to work with the Minister of State. There are positive things in this report but certainly, there is no place for us to be complacent.

Deputy Alan Farrell: I welcome the opportunity to contribute to the statements on the youth justice strategy. I commend Deputy Mattie McGrath on moving the business of the

House along so much. I am standing in for my colleagues who are *en route* but who will be taking up a later slot.

I listened carefully to the Minister of State's contribution at the start of this debate, as well as the contributions of other Members. It is very clear that services directed towards the intervention and prevention of crime can play a significant and pivotal role in the lives of young people who are at risk of becoming involved in or indeed who are already entering into a life of crime. The work that is being carried out by the State agencies, An Garda Síochána and indeed the justice system in this respect is to be commended. I thank all of those who work every day to build safer communities up and down the country. Our aim in this House should be to provide the necessary supports and policy basis to ensure that they can carry out their duties effectively and efficiently in the interests of young people, their families and the wider community. Those necessary supports and that policy direction are not just the remit of the Department of Justice, but that of many other Departments in the State as well. I have heard reference to our education system and to our sporting institutions, which are governed by various different Departments. It is incumbent on all of us to recognise the worth of programmes like the sports capital programme and the very significant impact they can have in communities across the country, particularly where there may be deficiencies in the standard of facilities, as Deputy Ó Ríordáin quite rightly made reference to. Where reasonable facilities are provided, kids and young people will go to them. That is the honest truth of it. If we allow sporting organisations to operate in environments that are less than decent, that can lead to people dropping out, which can have negative consequences for the children involved.

The issues that lead to young people being in situations that put them at odds with the law and with society are complex and diverse. We must therefore recognise that the solutions must cover a wide scope of activities. The motivating factors that lead young people towards crime can change over time. As such, our approach should be regularly reviewed and adapted to maintain the effectiveness of our efforts and of those of other agencies.

For the last 19 years, I have had the privilege of representing a very young community. In fact, it is the fastest growing community in Europe. It is also incredibly ethnically diverse and, as other speakers have said, unfortunately racially based abuse can be targeted at young people and young adults in a most insidious way that knocks their self-confidence and sense of worth and identity. That can have very negative consequences. On a related matter, I will take this opportunity to commend the decision of the under-21 Republic of Ireland team to walk off the pitch this week. If the team is not prepared to tolerate that at an international game, it sends a really good message to young people. I will get the details later. Perhaps the team made the decisions themselves or perhaps it was their manager. I do not know.

We have a body of work to do to provide the necessary supports and policy basis for these youth diversionary tactics and strategies we engage with right across the board. I particularly commend those in communities like Balbriggan, Swords, Lusk and places like that. I refer to all of the sporting organisations, the gardaí themselves, the youth diversionary projects and the likes of Youthreach, which spends considerable time and effort on this matter and to which we need to give more funding on an ongoing basis so that it can support those young people in finding purpose and in accessing education and society at large.

I commend the Minister and the Department on the work they did on the previously published Youth Justice Strategy 2021-2027, which sets out a very wide range of developments aimed at preventing crime and preventing the further development of criminal activity among

individuals who have already engaged in it. The strategy sets out aims that will enhance an evidence-based policy approach. Importantly, there is an inbuilt review which I understand is to take place at the mid-point of the strategy's implementation period. This is an important step that will allow us to improve upon what is working well and adjust those aspects of the strategy that are underperforming.

I will take the opportunity to highlight a number of aspects of the strategy. These include the development and work of the governance and strategy group. This group is fundamental to the implementation of the strategy, consideration of the development of a dedicated youth justice service and the enhancement of wraparound supports. These measures provide a framework that allow the relevant authorities to work within and enhance the impact of our efforts. The strategy also sets out a pathway for engagement with our counterparts in Northern Ireland with regard to youth justice strategies. This will facilitate the sharing of information on best practice that will strengthen efforts on both sides of our Border and play a positive role in providing safer communities across the island.

Building a system that involves all of the relevant authorities and the communities themselves will give us the best chance of success into the future. The further development of community-based projects for children and young people who are hard to reach will be an important step in this effort and we must pursue it with vigour to reach some of the most vulnerable children in the country. This should also include projects and programmes that involve schools and teaching staff as well as engagement with families.

The integration forums that are present in quite a number of communities, including communities in Dublin Fingal and Dublin West, do absolutely Trojan work to achieve some really important goals including finding ways to empower young people who come from various countries around the globe. These forums do really significant and good work. It is important to highlight them. I am sure the model is replicated in other constituencies around the country but their work is probably seen most acutely in the suburbs of Dublin.

I will also highlight the role that young people can have in the development of effective policies and procedures. If we engage with and learn from young people who have been through the youth diversion programmes, they can give us an invaluable insight into the approaches that can speak to the needs, fears and barriers facing young people who want to exit criminal lifestyles or lifestyles that subject them to criminal activity. Such engagement can bolster community bonds and increase the impact of attempts to prevent crime and to divert young people from it.

The work of the Garda youth diversion programme is vital to the successful building of social cohesion between communities, gardaí and State services. As the Minister of State highlighted, there are currently 105 such programmes across the State. We should be ambitious in expanding the resources and support infrastructure of these programmes to maximise their ability to have a valuable and life-changing influence on young people and to protect them.

I know the Minister of State and the Minister, Deputy McEntee, are heavily engaged in ensuring that An Garda Síochána is appropriately resourced. We must also strive to provide gardaí with the sort of supports that will allow them to stay within the force. While our public services have an attrition rate of approximately 4% per annum, which is less than the rate for the private sector, the rate of resignations within An Garda Síochána is running at approximately 1%, which is a bit higher than what we usually experience. As a result of the success of our

economy and the current jobs market, it is difficult to retain people. There are opportunities in other spheres of security both domestically and across the world. Investing in the career pathway for gardaí gives them a real opportunity to recognise that you can go to Templemore and you can do continuing professional development, which can include specialisation, along with the civilian members of An Garda Síochána to provide the sorts of services that are required within the youth diversionary projects and the general sphere of getting into our schools to talk to students at a relatively young age to show them that gardaí are not just enforcers of the law, but also people who can be relied upon and spoken to and, with a bit of luck, people who can give a bit of good advice to those young people who seek their support. I take the opportunity to highlight that in the few minutes I have remaining.

Finally, I will highlight the role of personnel such as probation officers, juvenile liaison officers and more. These are the very people I referred to in my previous remarks about supporting and enhancing the role they carry out for us. Enhanced resources would ease the stress on the current system and infrastructure and allow children and young people who need these people's time and attention to be provided with it. I look forward to working with the Minister, particularly in the Joint Oireachtas Committee on Justice, of which I am a member. I also look forward to furthering the goals that are set out in this youth justice strategy and indeed in its midpoint review, which will take place in the next couple of years. I very much look forward to future progress in this regard.

Deputy Seán Crowe: Huge factors in the causes of crime involving young people are poverty, deprivation and disadvantage and, I suppose, the normalisation of certain crime in our communities. Young people and children often fall victim to those who exploit that poverty and use them as drug couriers or sellers. My party colleague, Deputy Ward, has introduced legislation that will make the coercion of a child into drug running or other such crimes a criminal act in itself. Children growing up in poverty and social exclusion are less likely to do well in school, enjoy good health and realise their full potential later in life. They are also at higher risk of becoming unemployed, poor and socially excluded. Children living in poverty live life on the margins, are excluded from opportunities and are often unable to break the cycle of inter-generational poverty that other Members have spoken of. It was reported earlier this year that almost 90,000 children were living in consistent poverty in Ireland in 2022, up by more than 40% in just a year. That was at a time when the State's coffers and the resources were never higher. We are allowing child poverty to worsen and we are ignoring the long-term effects that this will have on these children, their families and communities into the future. We must always seek to be proactive in preventing young people from getting involved in criminality in the first place.

One group that I want to mention today, in particular, is a group in my own area called Connect 4. The project was rolled out last year. It is a pilot project which uses street work to engage young people between the ages of ten and 24 in the greater Tallaght area. It involves a team of workers who engage with young people within the community, build up relations and direct them to support services. The target group is young people who are disconnected from community, family and themselves, often due to drug use, poverty, poor mental health or trauma. These young people often feel let down by the State and may be distrustful of authority figures. By going out and meeting these young people directly, Connect 4 has brought a lot of people in out of the cold, and has connected them to the support services they need. This all ties in with the work of the Tallaght Drug and Alcohol Task Force, a forum which I have been part of. If we want to build healthy, safe and resilient communities, we must tackle income inequality and

deprivation. Until then, we must mainstream, support and resource groups like Connect 4 so that we lose fewer young people.

Deputy Pauline Tully: I broadly welcome and support the national youth justice strategy. However, if adequate resources are not put into the various organisations and clubs that are mentioned in the document and there is not meaningful cross-departmental and agency co-operation, it simply will not work. We are talking about crime. There is an imbalance between what is invested in prevention and early intervention and what is put into the prison service at the other end. It is unfortunate, because we have to try and keep as many people as possible from getting involved in crime and ending up in the prison system. The vast majority of young people are good young people. If investment was put into the backgrounds of those who live with poverty and deprivation, we could solve or prevent a lot of problems. The drug problem is escalating everywhere.

As a former teacher, I think the school completion programme was an excellent programme. It still exists, but it is not as strongly resourced. I think there were cutbacks around the time of the recession. We need to put resources into that. The longer we keep young people in school or in training of some sort, the better chance we have of keeping them away from crime, drugs and getting involved in trouble. Sinn Féin has argued that tougher sentences need to be given to criminals who engage children in serious crime. My party colleagues, Deputies Ward, Kenny and Mitchell, introduced the Coercion of a Minor (Misuse of Drugs Amendment) Bill 2022, which will make it a stand-alone crime to use children for drug-associated criminal activity, with maximum sentence of ten years. The Bill has passed Second Stage in the Dáil and should be progressed as soon as possible. The Garda youth diversion programme also does excellent work, but again it needs to be better resourced.

In Cavan we have one of the highest suicide rates in the country, at roughly double the national average. I believe that a lot of them - not all of them - are youth suicides that are very much connected to the misuse of drugs. People are taking drugs and they do not know what is actually in them. Drug taking is causing serious depression and serious problems. We are looking at families who are absolutely devastated by the loss of their young ones. A lot more has to be done in providing youth services, which are seriously lacking in Cavan unless the young people are interested in sport. The different sports clubs there do great work, but there needs to be more investment in young people to keep them away from drugs and crime for as long as possible.

Deputy Catherine Murphy: I welcome the opportunity to contribute to this debate. I was following the debate before I came into the Chamber, including the Minister of State's opening contribution. The strategy document is very useful in many ways. If we are to take an evidence-based approach to the subject of diverting children and young people away from crime, there is very clear research both at home and internationally. Some of that is contained in the document. Obviously, this debate is more or less a follow-on from the debate we had last week on young people being brought into crime by adults. It is clear that a holistic approach is necessary, given the evidence of the damage done by adverse childhood experiences. We cannot, for example, welcome additional spending in youth diversion programmes on the one hand, and on the other hand turn a blind eye to the catastrophic damage that is done to children who experience homelessness, even for relatively short periods of time. It is really important that we do not make things worse by not taking an overall approach and recognising where damage can be done.

The first occasion I came across a child who was homeless was in 2013, and the numbers have been increasing ever since then. This child was sharing a car with her parents and I raised the matter in the Dáil. I fear that homelessness, particularly among children, has become normalised, and the sense of outrage and urgency seems to have abated. That is one of the key adverse childhood experiences that has been identified in research. It is most important that we just do not look at the future without looking at the present and where damage can be done. We are talking about catastrophic damage that will have a major social impact into the future.

Other adverse childhood experiences include poverty, family conflict and educational failure, such children being excluded from school. Excluding children from school may well be the convenient option for the schools, and on occasions we have seen it being overused, but in fact, it is incredibly damaging to the children. High crime rates and antisocial behaviour being the norm in particular communities are also adverse childhood experiences. We can really see the profile of it. We saw the impact on the north inner city when the Kinahan-Hutch feud was at its peak. Armed gardaí were on the streets regularly. Children were seeing that as a normal experience, when it is very abnormal. I completely accept that it was done to keep people safe, and I am not criticising the measure. However, I think that we have to appreciate that we are creating adverse childhood experiences in those kinds of situations. We have to find ways of balancing that out. According to the Evaluation of Youth Diversion Projects report:

Studies have shown that the more risk factors a young person accumulates in different domains, the greater the probability that he or she will move onto a trajectory of serious offending

The evaluation continues:

The profile of participants in the YDPs reflects the multiplicity of risk factors, with a recent study of young people in the YDPs revealing an ‘alarming rate’ of adverse childhood experiences (ACEs) with 63% having four or more ACEs compared with 12% in the general population.

It is really is screaming out at us that the evidence is there. We need to address those issues. The Minister of State did say that in his opening statement, and mentioned taking a holistic and a cross-departmental approach. I recognise that.

The study urges the alignment of practices and policies with the needs of a traumatised population. If trauma symptoms go unrecognised or are misunderstood, behaviour may be mislabelled as challenging when in fact it is trauma. This echoes the point Deputy Ó Ríordáin made on DEIS+. Some very specific areas require particular attention because of the nature of some of the offences that are dominant in the area.

I opened by referring to a holistic approach. This requires investment but it also requires patience. The investment is required for generational changes. This does not mean we should not do it because we will not see results between one election cycle and the next. Children who fall into the group of life-course persistent offenders who start antisocial behaviour earlier and continue offending into adulthood are a particular group. This is a very tiny group for whom high-level intervention should happen. I do not think an eight-year-old child should ever be part of a criminal justice model. An entirely different approach needs to be taken. Look at the cost of jailing a person, perhaps multiple times over multiple years, and look at the cost to society. Some of this is captured in the document with regard to the cost of courts and legal aid. If

we look at it from a financial perspective, it makes a lot of sense to have a high level of intervention where it is necessary. It makes even more sense socially and for the children themselves.

The report differentiates adolescent offenders where the offending does not continue into adulthood. This does not mean that the offending or antisocial behaviour is excused. It means that different responses are required. Some of this is about investing in good community facilities. The diversion programmes are not available to enough young people. There are very good people involved in them and I acknowledge this. Many motivated people are involved in many of these services but it is a postcode lottery in terms of the outcome of behaviour depending on the availability of services.

In 2013 the then Department of Children and Youth Affairs carried out a systemic mapping of intervention and of literature with regard to youth work. It found there was no internationally agreed definition of youth work but it identified and listed core characteristics. They include respectful relationships, informal community-based settings, good community facilities and building personal and social competencies and capabilities. These produce positive factors in a child's life. The protective factors identified in the report aligned with what is spoken about with regard to youth work.

There is a big difference between youth work and youth justice work. The practice might be the same but the purpose is very different. We have to recognise this. I recall being told by some young people in a north Kildare town that they had to get into trouble to do interesting things. This was because the youth diversion programme appeared to be very enjoyable. This is great but we do not want to exclude other youngsters because of an absence of community facilities. They identified this themselves and I thought it was very interesting that they said so.

Looking at my area, some 71,000 people lived in County Kildare in 1971. There are now 250,000 people living there. It is the county with the lowest age profile. It would not be terribly different from Meath or Fingal. I am looking at how some of the areas are being developed and it is row after row of apartment blocks and houses with not even green spaces. When we are looking to the future, we must look at how we are developing our communities. Building houses is pretty difficult but building communities is equally difficult. The resources have to go into sporting facilities, playgrounds and youth clubs if we are to have a positive approach to developing these communities.

There are some very good things in the report. The holistic approach is very good but it will require investment. We need a cross-departmental and multi-agency approach. We must not differentiate. Youth clubs should include everything and not have a bit here and a bit there. Certainly if a combined holistic approach were taken we would benefit and get far better outcomes. I commend so many of the people involved in the service who have children and young people at heart. We are not looking for criminal or antisocial behaviour to be ignored or for people to be mollycoddled. The approaches have to be different. If there is early involvement in antisocial or criminal behaviour that lasts into adulthood, we pay for it only financially on the other end. Those who are jailed pay for it and society pays for it in terms of the damage done. It is very important that we see this in its totality.

Deputy Matt Shanahan: I am happy to support these statements on the youth justice strategy. There is an old saying that as the tree is bent so it grows. It is very apt. We know the difficulties of growing up in disadvantage and the effects it has on childhood development. The genesis of much of what the strategy speaks to can be found in the early childhood years. Early

childhood may not come into contact with the justice system but the strategy needs to find a more comprehensive way to try to target children at the earliest possible age. This is where we can best intervene.

A social worker I met some years ago in the UK who was heavily involved in the community outlined that in his opinion the outlook can be forcefully changed for children aged up to seven years of age. Their biases and attitudes can be changed and the environment they grow up in can be cut across. However after they reach seven years of age this is profoundly more difficult to do. This speaks to some of the behaviour that unfortunately becomes hard-wired and is very difficult to get over.

I welcome the strategy and the cross-agency support the Minister of State is looking for and the management of all of it. It is important to try to target children in early years when they are young and before they come before the justice system. It is very difficult to get onto a different path children aged 12 or 14 who come before the justice system a number of times.

We have spoken in the House a number of times about school meals. We are doing a lot more about them. I will not label any community but I know of quite severe disadvantage in my constituency. I was involved in some community work there previously. School meals have a very important place in trying to get to students in disadvantage early on to make sure they are properly fed and properly nurtured. Then, hopefully, they can get an education.

The Government also has a role to play in sports grants. In the past number of years, the Government has taken the right approach in really trying to target disadvantage and making sure only those sports grants applications that support real community integration and target disadvantage are supported within the sports grant allocation. I welcome that and think it should be the focus going forward. I would point out that in sports communities in disadvantaged areas there will always be families with ambition for their children who want to push their kids on and will bring them to whatever is going on. Unfortunately, the families who we want to get at are often not the families who will bring their children to sports. In fact, most of the time, they have no interest in that type of activity. We need to look at how we are supporting clubs and maybe we could look at initiatives to try to engage with schools and even crèches to try to identify where disadvantage is coming from and how it can be tackled.

The other area I would like to address is trauma and addiction. I highlight Aiséirí in Waterford, which is a centre for young adults, including young men and those coming through the penal system. I have met a number of people going through the system. I applaud the fantastic work Gerry Carroll and others are doing in Aiséirí in Waterford. I have seen first-hand people who have really come a cropper in the justice system. They have gone into the centre and, through significant psychological work, have come to the core understanding of changing attitudes. It has helped them to try to understand that it is basically not their fault when they come from disadvantage or have fallen into addiction through trauma. I saw two individuals there. One young guy is hoping to do aerospace engineering, having been up before the courts a number of times. Another chap is hopefully going on to become a chef. It shows the value of an integrated, co-ordinated approach, but one needs to have the experts there and time and money are needed. We have to find a way to deliver opportunity to our most disadvantaged.

I welcome, as I think everybody in the House would, the anti-grooming legislation on inducement and coercion into crime. We have to acknowledge that a large part of our problem in the criminal justice system is coming through the use of drugs, the drugs trade and how it is tar-

getting youth. Unfortunately, that is a difficult question because many in society are partaking in drugs and feel they are not part of the problem, but of course once people are taking part in any business and supporting it, they are part of the problem. We have seen this all over the world but, again, it is really about education. We need to have a viable pathway for youth to properly participate. That should be the fundamental focus of the strategy, not just for those who have come across the youth justice system but for those who are probably heading that way. If one speaks to teachers and gardaí on the beat, they will talk about families whose kids have not yet come into contact with justice but will do so in a couple of years. They can see it starts off with just antisocial behaviour and then, for many children, it mushrooms.

I welcome the strategy the Minister of State is proposing. It requires support through community leaders and mentors to try to lead it and to educate us too. We need to look at the drug addiction supports and the supports for agencies such as Aiséirí which are trying to intervene for people.

I recently visited a crèche in Waterford where there are two children where one parent is only there casually and the other parent is there. They are both heavy drug users. That crèche organises to have those children picked up in the morning. They are preschool children. They are brought to the crèche to be with the other children for the day and then they are dropped home. The hardest thing for people at the crèche at times is to drop those kids home, knowing what they are dropping them into. I do not have an answer to that but I would say these are the problems that the strategy needs to try to address. We need a system with a collaborative approach, which I think the Minister of State is approaching. Most importantly, I think we need early, targeted interventions. We need to be speaking to those not just inside the justice system but those around it, who liaise with it and can probably point to the people most in need of remedial care.

Deputy Thomas Gould: We saw a report from the Health Research Board, HRB, this week on presentations to addiction treatment centres that shows, for the first time in the history of the State, that cocaine addiction has overtaken opioids as the drug for which treatment is most frequently sought. We know that, unlike opioids, there is no medical substitute for cocaine. This makes treatment more complex. The results of this research are worrying. The Government must take them as a wake-up call to begin to fund addiction services properly because it is failing communities, ordinary people and, especially, young people through the lack of supports.

We need to stop young people from being drawn into drugs. We need to stop criminals from targeting young people. The reality is that, for many young people, drugs can be recreational and leave them with no problems but this is not the issue for all young people. Where there are issues like mental health, poverty, trauma or problems in the home, drugs can be an escape and addiction can follow. We need to begin by staging interventions on this. The easiest way to tackle addiction is prevention. We need to see the youth justice strategy have an approach that includes prevention and working with young people. We need to see a real programme in the schools with access to qualified drug counsellors who can educate children, talk them through the problems and, hopefully, keep them away from addiction.

Another key way I believe we can do this is through sport. For young people, cost can be a barrier. Sinn Féin proposed a sports leisure card system that would see every child given access to €130 to be used in sport or leisure activities. In Iceland, this approach reduced underage drinking and smoking.

Alongside prevention, we need intervention. Young offending often happens in areas where high levels of poverty or deprivation are rife. The reality is that, much like addiction, poverty can often be the root cause of young offending. We need to seriously tackle poverty and ensure there are pathways out of poverty for every young person in the State. Too often, by the time young people reach the age of criminal responsibility, it is too late. They are already engaged in serious criminality. Tusla must intervene in cases and recognise, as is done in Scotland, that young offending is a symptom of need and neglect and damages children and their futures. We must be serious in our actions and see full implementation of the youth justice strategy along with other important strategies. We must reach out to allow for credible and meaningful interventions. When we do this, young people who are engaged in criminality are given an opportunity to develop meaningful lives and become important members of communities.

Early childhood experience has a profound effect on a young person's life. Sports and education are the key in trying to prevent young people from getting involved in criminality or addiction. We ask that the resources be put in place to support this. I have seen cases in my constituency of young people of nine, ten or 11 years of age being involved in criminality. I have met the Garda and contacted Tusla. These are vulnerable children and victims because of the poverty and deprivation they have grown up with. We need interventions to give these children hope. I also see in other communities where young people stay in sport and education that there is a dramatic reduction in the number of people who get involved in criminality or addiction. I have been involved for 37 years in coaching teams, from street leagues to adults. I have seen kids who unfortunately did not make it and I have seen young people who were able to change their lives because of the friendships, coaching and mentoring they got from the GAA, of which I am a member, and from soccer and other sports. We need to give young people hope. We need to keep them away from criminals who will use them and, hopefully, out of addiction.

Deputy Mick Barry: I note the fact that it has taken two and a half years for the investigation into the killing of George Nkencho to get to the point where a file has been sent to the Director of Public Prosecutions, DPP. I am pleased that a file has been sent to the DPP. Mr. Nkencho's family feel a sense of relief about the fact that has happened. However, I will register the point that two and a half years was far too long a wait for a family who had to deal with the grief and trauma of the killing of their son and brother. I express the hope that the DPP can now process the case with a degree of urgency.

Due to where this case is at, I will only deal with points that arise from it in a very general sense. George Nkencho's sister, Gloria, made a statement the other day in the aftermath of the decision. She said the following, which I will read into the record of the House:

We are also compelled to express our profound disappointment in the political response, or rather the lack thereof. It is disheartening to witness the major political parties in the state, who should have been beacons of support and solidarity, fail to stand beside our family in our relentless quest for justice.

[...]

We also raise valid concerns about the potential role of racial bias in shaping the decision of politicians to withhold public support.

That is a very sharp statement from someone who, together with her family, is meant to be represented by three Ministers in her constituency. She concludes on that by stating, "Would

the response have been different if the victim had been a white middle-class young man from the leafy suburbs of South Co Dublin?”

I will also read into the record some comments that Gloria Nkencho made regarding the media coverage of the case in the hours and days immediately following the killing of her brother. They are also very relevant points. She said:

As we reflect upon the conclusion of the investigation into George’s tragic death, it is imperative to acknowledge the insidious influence of racial bias that tainted the initial media coverage of George’s case. We cannot ignore the manner in which journalists, including those from the national broadcaster RTE, portrayed our family’s arduous struggle for justice. The impact of inaccurate reporting fuelled by leaks from An Garda Síochána, continues [not just in the immediate aftermath, although that was a particular case in point] to shape the prevailing narrative.

Those are very important words from Gloria Nkencho. I would like to make other points but I will save the bulk of them for another day for reasons the Leas-Cheann Comhairle will understand.

There is a clear need for far more training and resources to equip all front-line workers, and law enforcement agencies, with all the skills needed to deal with individuals undergoing a mental health crisis. We need urgent changes that will help towards dealing efficiently and compassionately with vulnerable individuals at vulnerable moments. I will return to these issues at a later time.

Deputy Gino Kenny: We are having a very good debate on young people and the strategy around justice and so forth. Young people are sometimes maligned. They can be marginalised by society so it is important we give confidence and credit to their age group. The most important thing, if young people engage in activity they should not engage in, is to divert them away from the criminal justice system. The Garda diversion projects are very good. I have first-hand experience of such a project. It is a very good project that takes people away from things they should not be doing. We do not want young people getting into a career of criminality. There are also very good initiatives, such as late-night football leagues. They are a good tool for engaging young people in working-class communities.

I will touch on a number of matters. We cannot talk about youth work without talking about the cuts that happened 15 years ago due to austerity. Funding of youth work throughout the State has been catching up and is still catching up. If there is no funding for engaging with young people, we will then have voids and resource issues.

My substantial contribution will be on the document, Report on the Consultations with Young People for the Citizens Assembly on Drug Use. It outlines a number of very important issues that young people are thinking about and want to engage with. It raises a number of very important issues regarding how young people are affected by drug use or the harms caused by drugs and so forth. As I said, my first-hand experience is that when young people engage with criminal gangs, they go down a very dark cul-de-sac. Some very unscrupulous people will use young people for drug dealing and so forth. The main points outlined in the document are around treatment and support. A key issue is that of nonjudgmental harm reduction, in addition to legal reform, educational awareness and aspects of what drugs do to individual young people and their communities and families. This document is very important and way ahead

of Government policy on how we deal with people in communities that have been blighted by drug use. The citizens' assembly document is very important in the whole context of drug use in this country. Young people are deeply affected, regardless of whether they take drugs, by the peer group through which drugs are in their community. I hope people get a chance to read this document, even if it is only the first six or seven pages. It gives an insight into how young people are thinking and what their outlook on this issue is, when they are sometimes forgotten about.

The main thing is we have to look after our young people. We have to big them up. We do not need to malign them. There are sometimes all sorts of bad vibes on social media that can really play on people's minds, especially young people's minds, such as their association with anti-social behaviour. I hate that label. I hate it with a passion that young people are associated with anti-social behaviour just because they hang around corners. We all hung around corners. We all did that, but there is then a label that young people are engaged in anti-social behaviour. If young people hear that, what does it do to somebody's thinking? We have to be very careful about terminology and how we treat and listen to young people. It is very important that we listen to young people because, again, their voices are sometimes not heard. The contribution and say of the Citizens' Assembly on Drug Use outlined in this document are very important in respect of the recommendation we will get at the end of the year.

5 o'clock

Deputy Cathal Crowe: The youth justice strategy is quite a positive document that has the young people of Ireland front and centre.

I taught in quite a sheltered community where my local school was located. Many teachers I trained with in college told me of their immense despair when, several years after teaching a lovely innocent child in a classroom, they found out that a couple of years later the same youngster had got caught up with gangs or criminality. Some of them paid the ultimate price with their lives. It is important Government has a strategy to pick up young people and keep them on the right track. This needs to be backed up with Government investment in those pick-up supports.

Wearing my teacher's hat, one of the first alarm bells that can often ring in terms of how a child is being parented, minded and reared relates to issues around parental responsibility and how a child is being looked after. The Tusla thresholds are questionable and need to be reviewed by Government. There are many elements to this. Deputy Gino Kenny was correct to mention the Citizens' Assembly on Drugs Use. It would be a blind approach to have youth strategies and have Fagin's law before the Dáil two weeks ago, but not to have feed-in from the citizens' assembly. It is important that we have that.

There is a need for a revamp of drug education and awareness in schools. We have had a national debate going on for two years about relationship and sexuality education and I am glad that is being overhauled and modernised but there are drugs on the market and being pedalled on the streets that many of us in this House have not an iota about. Government strategy is way behind.

On the day that is in it, it is important something be said about the suggestion the Special Criminal Court should be disbanded. Absolutely not. It is a robust institution that has taken on the worst of criminal gangs. I remember 28 October 2005 very well. I was not a Teachta Dála

at the time but a councillor and was canvassing in the village of Parteen with Deputy O'Dea. We came on a scene where somebody had been killed in gangland activity. It was a haunting image. I am glad the courts system was able to take on that gang and many others. We need to protect it.

Deputy James Lawless: I too welcome the youth justice strategy and the progress made by the Minister of State, Deputy James Browne, in advancing these matters and many of the aspects addressed under his stewardship.

Looking beyond the strategy to other issues in the sphere of youth justice, the justice committee, which I chair, published a comprehensive report recently on the decriminalisation of certain substances - drugs - with a greater focus on cannabis but with a variety of substances in mind. It was signed off on all-party basis and many of its recommendations are with the citizens' assembly for discussion. I mention this because the figures represented to us during deliberations in the committee showed that often when somebody comes into contact with the criminal justice system, particularly a minor or youth, it is because they have been accused of possession of drugs, often a small quantity. The question we posed and answered in the report was whether it was appropriate for a young or older person to have a criminal sanction and record because they were found to have a small quantity of cannabis or some other soft drug in their possession. I look forward to the deliberations of the citizens' assembly but we could spare many young people that stigma and avoid much court time and Garda resources being devoted to the pursuit of such activities were we to adopt a different approach. I know the jury is out on that but I look forward to the citizens' assembly making its recommendations and hope they will be somewhat, at least, in line with what we found on the justice committee.

I raised an issue with the Minister in a recent parliamentary question session that relates to a postcode lottery. There is an anomaly or lacuna in the Children Act in the way prosecutions operate for persons under 18. If somebody commits an offence while under 18, they are as a child in the eyes of the law. That is managed in conformance with the Children Act and brought about through investigation and prosecution. When they come before a court, certain sanctions are considered appropriate for children and others for those who are over 18 and considered to be adults, which is effectively the full gamut of the criminal law. The deciding factor is not their age when they committed the offence or when the charges were served, as one might expect, but their age when they come before the court for sentencing. In a district which is expedient and processes charges and books of evidence quickly, somebody could be brought before a court within a matter of months and charged while still a certain age. On many occasions, unfortunately, an individual of 15 or 16 at the time of committing an offence might face delays, which could be for good reason. Not all delays are negative. It could be because a probation report was ordered, because there were further inquiries or because a psychological assessment or victim impact statement was awaited. There are many reasons a child or its legal team may wish to engage further in different services. The parent may have a particular view. It may take some time before that case gets to court. If the child turns 18 in the meantime, they are tried and sentenced as an adult with the full section which that brings into play, which seems inappropriate and completely unfair. The same offence in similar circumstances could be committed by two children in the same day in different districts. One is tried as a child, convicted, and sentenced as a child, with all the protections they then enjoy, rightly; another is sentenced as an adult, purely because of the date on which the case was heard. I said the Minister before that it is a lacuna and something that should be looked at.

Another situation I have seen is where judges, with the best intentions, use the sentencing

regime to apply a suspended sentence, which is used to great effect in many cases, as a form of deterrence to say the person is getting another chance, a sentence is being imposed and if the person reoffends, it is hanging over him or her for a certain amount of time. If the person behaves themselves in the meantime, it elapses and he or she moves on. In certain situations where a sentence was suspended for a child defendant, the child unfortunately reoffended and when the case came back before the court and the judge attempted to trigger the suspended sentence, it was not possible under the Children's Act. There is a lacuna there. It should not be possible to impose a suspended sentence if it is incapable of being triggered. I know the victim of such an instance who nearly lost her life in a road traffic accident where there was a criminal prosecution afterwards and it transpired there was a previous offence but it could not be re-entered because of the lacuna on suspended sentences.

I welcome the report and the significant progress on this. The justice committee considered the Criminal Justice (Engagement of Children in Criminal Activity) Bill 2023, which has been nicknamed Fagin's law after the Dickens character with his gang of pickpockets roaming the streets of London. It concerns the agency of the third party benefitting from the crime and largely innocent children, or misled at any rate, being sent into action. It will be possible when the Bill becomes law to criminalise the commissioner of the offence, the one who profits from and organises it, as opposed to the child who is effectively an innocent agent.

On a solemn and serious note, not every offence is suitable for youth diversion and not every child is innocent. We had in the law for a long time the principle of *doli incapax*, which was a presumption that children under a certain age were incapable of serious crime. In my constituency we very sadly had the Ana Kriégel case in Leixlip in the last couple of years, RIP, and in the UK a number of years ago the Jamie Bulger case. Other stories have made the headlines in recent years in other countries and, thankfully not many, but some in Ireland. We should not be so naive as to think it suitable for every case. Some of the most serious crimes are committed by those considered children in the eyes of the law but they do not act like children. That is something we need to be wise to. There must remain the potential for the most serious sentences for the most serious crimes, regardless of the age of those committing it.

I support the Minister of State in what he is trying to do with the youth diversion scheme and thank him for his work to date.

An Leas-Cheann Comhairle: In the interest of clarity, I wish to inform the House that the next slot is a Sinn Féin slot that has been used. The slot after that is that of the Regional Group, whose members have already spoken. The slot after that is a Government slot, and the two speakers are not here. Therefore, I am moving to Sinn Féin, namely to Deputy Andrews, and then to the Rural Independent Group. I will go back to the two speakers who are present from Sinn Féin and the Government.

Deputy Chris Andrews: I welcome the national youth justice strategy. There are changes that we in Sinn Féin would make. Detention should be considered for juveniles or young people convicted of serious crimes such as sex offences, murder and manslaughter. That said, early intervention is key. The strategy acknowledges many offenders will have multiple disadvantages. Socioeconomic status is one such disadvantage, and my constituency has many people who face socioeconomic disadvantage daily. It is important to acknowledge that we will not police our way out of the challenges that face communities in the inner city. We have a great local Garda force. Pearse Street and Kevin Street Garda stations are really helpful and very professional, and they are very patient in the face of much provocation. Resources really are

lacking where Garda numbers are concerned. The superintendent in Pearse Street, Mr. Dermot McKenna, engages very closely with local residents and tries to ensure there is no glaring lack of resources.

Along with an increase in Garda resources, there needs to be greater employment opportunities for less affluent inner-city communities. Also needed are greater educational opportunities. Legislation is also needed to tackle socioeconomic issues. This process could have been started some months ago when Deputy Wynne and I introduced legislation to address and tackle socioeconomic disadvantage and outlaw discrimination. Unfortunately, the Government is dragging its heels. The Minister has said he hopes the legislation will be in place before the end of the life of this Government. I am not as convinced but I believe it is really important. To be fair to the Minister, he has acknowledged this. I hope he will back up his words of several months ago with deeds and ensure the legislation is enacted before the end of the lifetime of this Government.

At City Quay in the Pearse Street area, there is a youth club called Talk About Youth that does absolutely fantastic work for the young people but does not have an own-door facility. It has to rent space when it wants to work with the young people and it does not always rent it in the same building. It has to go here and there, or wherever it can find the space to rent, to do the work with the young people in the south inner city. The Government should act further on the findings in the Mulvey report and extend to the south inner city the resources that followed the report. The reality is that the north and south inner-city areas are one community, albeit divided by a river. Now, unfortunately, because of Government actions, the community has been divided on the basis of resources available to community and youth groups, and that is a huge issue. People would say there are issues affecting the north inner city but they affect the south inner city equally. The lack of resources, educational opportunities and job opportunities, combined with the neglect of flat complexes and public housing in the south inner city, adds to the disconnect between young people and their local community and society.

The flats are neglected and the conditions are shocking. I was in a flat complex not far from here today. In the stairwell, the smell of stagnant water, urine and Jeyes Fluid was absolutely sickening. There were bars and razor wire along the tops of the flats. It looked more like Mountjoy Prison but I would imagine that is being unfair to Mountjoy. I invite every Minister to come down to the flats to see the neglect residents have to put up with. We can have in place all the strategies and plans we want but nothing will change unless they are backed up with resources.

An Leas-Cheann Comhairle: I am moving on to the Rural Independent Group. Could we turn off the phones, please? It is unacceptable to have them going off repeatedly. I am trying not to look at anyone here but I ask that phones be put on silent.

Deputy Michael Collins: The youth justice strategy for the period 2021 to 2027, produced by the group chaired by the Minister of State, Deputy James Browne, is presented as a comprehensive plan to address youth crime and provide support for vulnerable young individuals; however, a critical examination of it raises concerns about its effectiveness and potential implications. We can produce all the documents we want on young people but we must look after the young people on the ground. They are trying their best, as I saw recently at the West Cork Garda Youth Awards in West Cork Hotel. I saw at first hand the great young people. They need to be commended for their efforts and what they are doing in their community. If we can encourage them, we will not have to produce half the paperwork in this country. I commend

everyone. I have tried to involve myself in the Garda Youth Awards through Community Alert for many years, as have my colleagues. I congratulate Ms Caitlin O'Sullivan from Goleen, among others, who won awards for their work. Only for the Garda Youth Awards, the young people would go unnoticed. The same goes for those in communities who arrange activities for young people. In this regard, I am thinking of Foróige. The youth get involved also. Kinsale Youth Support Services, known better as KYSS, does so much for young people and gets very little commendation at any forum. I would like to make sure such groups do not go unnoticed.

Individuals such as Brendan Piper of Pipers Funfair, Kinsale, have catered for youth from all over Kinsale and Cork county for decades. I ask the Minister of State or his Department to intervene in any way possible to get the funfair up and running again for young people. Pipers Funfair was asked to move from where it was in Kinsale and did so peacefully having made a request to be allowed to go back. Now it is not allowed back by the council one way or another. There have been several protests in Kinsale and there are more to come in the next few weeks. It was sad to hear a councillor on the radio the other day blaming everyone but councillors, saying the only way they would do something for Pipers Funfair would be if they got an apology. That is an astonishing way for any council to act. It really is the sting from a dying bee. We need to be working with our youth. The likes of Pipers Funfair were brilliant for the young people of Kinsale for decades. I would like the Minister of State to intervene and not have councillors seeking apologies, only people willing to work and put forward solutions to keep young people's minds active. There are jobs at risk and enjoyment is at risk. This should be addressed regardless of anybody's ego.

Deputy Michael Healy-Rae: This strategy's reliance on punitive measures raises concerns about potential infringements of the rights of young individuals. Excessive emphasis on punishment may lead to the over-criminalisation of young people, disproportionately affecting marginalised and disadvantaged communities, but I want to speak about County Kerry and what we do for young people there. I commend services such as the Kerry Diocesan Youth Service, which operates out of Killarney, Tralee and other locations. It takes care of young people and organises youth events.

I thank all the people in the GAA who are engaging with and involving young people in football and hurling. I thank and compliment those behind the schools programme, through which youths play basketball and run and participate in sports of all codes. There are boxing clubs for young people. I encourage all this activity because we must encourage young people to be busy, whether it is through part-time work, sport or helping their parents and grandparents. We were always told that the worst thing in the world for any person, young or old, is to be idle. It leads to the devil's work, and I really believe that.

I would love to see the people and our youngsters being kept busy and active, and I thank and compliment - all around the Ring of Kerry, mid-Kerry, east, north and south Kerry - all the people who devote their lives to working with young people, and I mean the people who do the voluntary work with them. They are doing a great service, and they are instilling different interests in our young people. I know that the young people in Kerry who I meet are great young people, but what they need is a bit of direction in life.

One thing I would say then which is very important is about SUSI grants. I hate to see young people being punished for working by their money being taken into account. There were changes made, but it is not enough. We have a situation where instead of encouraging young people to work part-time, they are nearly afraid at this stage, in case it will hurt and infringe

their parents when they are applying for SUSI grants. Encourage young people and give them latitude, and that is the right way to go about it.

Deputy Danny Healy-Rae: I am glad to get the opportunity to talk on this very important issue. The youth are our future and as has been said, it is very important to keep them active and working. We appreciate all of the voluntary groups that help youth, whether it is the local youth groups in Kenmare, Kilgarvan, Glenflesk or wherever. All of those people do great work with the youth, and they know them by name. In the GAA clubs, the underage teams are very active both in hurling and football in Kerry, all over the county. There are clubs that never played hurling now training their young fellows and girls to play hurling as well.

The strategy falls short in addressing the socioeconomic factors that contribute to youth crime. It does not propose sufficient measures to address inequality, poverty and the lack of educational opportunities, which are often root causes of criminal behaviour among young people. Without addressing these systematic issues, any efforts to reduce youth crime are likely to yield limited results. We must keep our youth busy, and keep them happy and active in sports. The Kerry Diocesan Youth Service, KDYS, is a magnificent organisation. It does so much work all around the county, in Castleisland, Killorglin and Killarney. It does massive work with young people.

The drugs issue is something that is prevalent even in every small parish now, and we must ensure that we help the Garda to combat this in whatever way we can. When it gets hold of young people, it does untold damage. We have to ensure that young fellows and girls have enough to do. It has been highlighted to me that so many discos and similar places are closed now, and we only have them in the bigger towns, rather than the smaller towns.

Deputy Mattie McGrath: I am glad to be able to speak on this today. I believe in the phrase *mol an óige agus tiocfaidh sí*, and I think that we are not doing that. I want to salute all of the organisations, including the youth clubs in Tipperary. My daughter, Councillor Máirín McGrath, is involved in setting up the club in Newcastle again, and Ballybreen. Then there is the Waterford and South Tipperary Community Youth Service, which comes into Tipperary as well. I salute them for the work they do, and the parents. We all have a role here.

There are too many issues closing down too many activities. Insurance is crippling. I have just met people from Celtic Bike & Quad Racing. Our group met them a few minutes ago. They cannot get insurance. They have young people who are interested in their sport. It is the same way with showjumping, horse racing, road racing and every kind of activity. The insurance is crippling these people and stopping them from going. We must do something about that, and not empty talk.

The child and adolescent mental health services, CAMHS, are non-existent in community health organisation, CHO, area 5 in Tipperary. There are vacancies, vacancies, vacancies. I have raised it here countless times. The Government tells us it is trying to recruit. That is no good. People who want help are falling through the cracks. Parents are desperately seeking help for their children who are suffering, and have no place to go in public or even private. It is just not good enough that those people are left to wallow there like that and not get the intervention that they need.

Then there is the whole area of the lack of gardaí. We have some great community gardaí in Clonmel, but they are not there any more. They are pulled off into other services, and I think

we have set up too many specialist services within An Garda Síochána and have diminished the number of gardaí on the ground to deal with the people. You cannot beat it. Garda John Walsh, who is the community garda in our area, in Newcastle, Ardfinnan and Ballybacon-Grange, comes into the youth club, brings off the young people for a spin in the squad car. He shows them how to be friendly with gardaí and not to be afraid of them and that it is not the case of it being them and us.

We have young people in my parish and many other parishes who desperately need intervention. One young person has done a lot of damage and his mother has been on to me. She cannot get the therapies he needs to stop him from doing that and to do good rather than do harm. It is frightening. These are very young people. Then we have the young people who are acting as mules and carrying drugs around in the town of Clonmel and other areas. It is shocking. We need CAMHS. We need early intervention therapies to support these families.

Deputy Donnchadh Ó Laoghaire: I welcome the opportunity to speak on the youth justice strategy. It is a vitally important area of work. Previous speakers have spoken of the role the community and voluntary sector plays in keeping young people active and busy, whether it is through sport, drama, music and different things like that. That is vitally important. We are very fortunate in this country to have a such a strong voluntary spirit and so many people who are willing to give of their time to assist with that. I want to pay tribute to that, and that has a very important role.

A lot of what needs to be done in this area is a lot more specialised and specific than that. It relates to focusing on those young people who are most at risk. I have to say that I can be critical of An Garda Síochána at times but particularly in my own area in Cork city, there was always a tremendous focus on community gardaí. In my own neighbourhood, Togher, we had a succession of really excellent community gardaí, including Paul Hyde, Michael Collins and various others now following in their footsteps. They set a really high standard. What they did, and I could see it myself at first hand to be honest, was build a trusting relationship with young people that some other members of the Garda may not have been able to develop. There was a sense that, “Whatever about the gardaí, Michael Collins is sound anyway”. That relationship and building of trust has a really beneficial impact.

In the context of the case referred to the Director of Public Prosecutions, DPP, yesterday - I will not go into the specifics of any individual case - I read an interesting article in *The Irish Times* around the time of that particular incident in west Dublin. It was a long and interesting article written by Conor Gallagher of *The Irish Times* that spoke at length about how the relationship between some of the young people in that part of west Dublin and those from new Irish communities had been built up and was then allowed to drift. It was allowed to drift because of the lack of investment in community gardaí. A lot of good work that had been built up had subsequently been lost. That is noteworthy. In other places, maybe, some of that work has not been lost, because we have continued to invest in community gardaí and community policing.

The youth diversion projects are an essential part of that work and again I have seen that they do absolutely crucial work. There are young people I know - they are a bit older now - who would not be in the position they are in now, except that they had that chance through the youth diversion project and changed the course of where they were going. That is crucially important.

I want to make two specific points here. I have ended up with slightly more time than I thought I had. First, the point was made to me that the youth diversion project has a kind of

cut-off at the age of 18. People who are working with those young people say that it would be potentially highly beneficial to be able to continue to work with those people until they are 22 or 24, and transitioning into the workplace. I am certainly not, by any manner of means, dismissing the points made by Deputy Lawless regarding *doli incapax*. Of course adults should be subject to the full rigours of the law, but that is different from ensuring that the people who are in the project can continue to get supported as they progress towards employment, third level, apprenticeships or whatever they might go on to do, and to make sure they can make that transition. The cut-off at 18 is a problem.

The final point I want to make - the Minister of State might take note of it – relates to the town of Carrigaline in Cork, which is in my constituency. In the last census it had about 16,000 people. Almost one in three, or 5,000, of the town's population were under 18. There is a youth diversion project in that area – the Heron project, which is very good but it does not have a premises of its own. An awful lot of the cohort of 5,000 are younger, including infants and small children. Carrigaline is a fantastic town with great community spirit but no matter how good a town is, when one has that many young people it will present challenges. We must ensure the youth diversion project is properly funded and supported. That means a premises of its own to support the work Michael Collins, Austin and others are doing in that area to make sure there is a real focus to the work with the young people in that town. I urge the Minister of State to please consider that project if the application comes to his desk.

Deputy Jim O'Callaghan: First, I commend the Minister of State, Deputy James Browne, on developing the youth justice strategy. I also commend him on chairing the steering group that is extremely important in putting forward proposals as to how we deal with this hugely important issue of responding to youth justice issues. We spend a lot of time in this House talking about issues in respect of which the outcome may not be that great, even if we get it right, but when we look at the issue of youth justice, if a person gets caught up in the criminal justice system we can see there is a huge benefit not just to the individuals involved but to society if we get it right.

What do we mean when we talk about getting it right? What it means is that we try to divert young people from the pathway of criminality that many of them find themselves on at a very early age. If we look at the statistics in respect of criminal wrongdoing in this country, or more specifically, individuals who are convicted by our courts of criminal acts of violence or criminal acts of theft and property-related offences, a high proportion of those convicted are men under the age of 35 years. It is astonishing when we look at it, but once men get over the age of 35 or 40 their incidence of criminal wrongdoing drops considerably. It must be also pointed out that it is, regrettably, predominantly men who are involved in criminal activity involving acts of violence and acts of crimes against property. One thing we notice when we speak to prisoners or men who have had convictions is that, regrettably, if we go back and trace their pathway into prison, it starts at a very young age. Very many of them were boys who got into trouble at the age of 14 or 15 years, and by the time they were 18 they had already come to the attention of the Garda and indeed the courts. Some of them have been already detained in juvenile centres. If somebody under the age of 18 years gets on the pathway of criminality, it is extremely difficult to get that person off that while in their 20s. If a 17- or 18-year old is involved in criminality, I regret to say there is a strong likelihood that as a young man in his 20s that same person will continue on the pathway of criminality.

I was in Mountjoy Prison recently and I spoke to persons who had been convicted of extremely serious offences. I had illuminating conversations with many of them. One man spoke

to me about how in his earlier life, from the age of 15 or 16 onwards, he believed that violence was a way for him to get his way. He said that in his youth - in his teens and in his 20s - violence had been very effective in terms of him getting his way. He said the reason he believed that is that - as we know, children are sponges and they absorb what is told to them by people around them - he had been told by his own father that violence was a way of getting what he wanted. It was very interesting talking to him in Mountjoy because he had come to the realisation - I do not know what was the reason for him coming to the realisation - that he had been going down a completely wrong path for many years and that violence was not a way for him to get his way, and that it was a wholly unacceptable way for him to try to exert his influence. What the conversation with that man taught me, which is self-evident, is that from a very early age children are influenced by the people around them. That is why I welcome the fact that the Minister of State, Deputy Browne, in the youth justice strategy has identified all the important factors that are necessary to divert children and, if we are honest about it, it is mainly boys and young men, from the pathway that leads them to the criminal justice system. One of the points that has been emphasised is the need for early intervention and preventative work. That is why I think we are doing a disservice to young boys if we find them involved in criminal activity, whether it be fighting in a public place, theft or assault causing harm, if we do not make them aware of the seriousness of what they have done. If a young man believes he can just engage in an act of violence, theft or criminality and there are no consequences, he will find it very difficult to recognise that it is a pathway from which he needs to deviate.

Another important element of the youth justice strategy is the whole area of family support. We all know that having reliable and responsible adults around children growing up is hugely influential and beneficial. I know that is not the case for everyone and that some families have huge struggles and challenges, but the State must support those families who find it difficult to provide the support the majority of people in the country are lucky to have when they are children. We must identify at a very early stage the families and mothers on their own who need the support of the State to bring up a child or children. We must spend money and resources and ensure those services and supports are available. I spoke to a woman last week at the Bloomsday event in the St. Andrew's Resource Centre, who is in the business of trying to provide childcare support in homes and disadvantaged areas. It is hugely consequential and beneficial. We must recognise that unless we as a society provide support to those families that need support, we are, in effect, leaving them on their own and the likelihood is that without that support the children may get into trouble later on.

Another important aspect of the strategy is to divert people from crime. Again, that is about bringing to the attention of young people the consequences of their crimes. One of the reasons we see people coming out of the court covering their faces is that to large extent they are embarrassed about what they have done. They do not want it publicised that they have been involved in a serious criminal act of violence. That indicates that inherent in every person is a belief and an understanding that engaging in violence against another person is wrong and that is something we need to ensure young people are aware of.

I could go on much longer but I see my time is up. I again commend the Minister of State, Deputy Browne, on the work he has done. It is a strategy we all need to keep working on and that the State needs to support.

Deputy Alan Dillon: I am delighted to contribute to today's discussion on the progress and the effectiveness of our youth justice strategy, specifically focusing on the implementation and impact of the youth diversion projects that form an integral part of our comprehensive youth

justice strategy. Under this strategy, the youth diversion projects have experienced a new and expanded mandate throughout the country, reaffirming the importance of diversion in our youth justice system.

As Deputy Jim O’Callaghan outlined, we must recognise the crucial role of the youth diversion projects and the significant impact they have on young people at risk of crime and antisocial behaviour. These projects are instrumental in diverting our youth away from criminal behaviour and guiding them towards better life outcomes. Youth diversion projects serve as a key system for An Garda Síochána in the implementation of the statutory Garda youth diversion programme, as outlined in the Children Act 2001. It engages with young individuals who are under the supervision of juvenile liaison officers or have been referred by other agencies such as Tusla. Having the privilege of discussing several youth diversion projects throughout County Mayo, I must commend the work of Gerard Lovett, who co-ordinates Garda youth diversion projects in County Mayo under the Irish Youth Justice Service, IYJS, which represents Youth Work Ireland in the north Connacht region, as well as the transformative impact its work has on the young people and communities it serves. The feedback is of the positive influence these projects extend not only to the individuals who walk through its doors but far beyond that; it resonates throughout the wider community. The establishment of new projects not only signifies progress in the implementation of the youth justice strategy, it also emphasises the Government’s commitment to providing youth diversion project services in all areas, which is important, as these projects play a vital role in providing family support, early intervention programmes for those between eight and 11 years of age and in reaching out to those who are harder to engage with, as well as supporting schools in retaining children with challenging behaviours and providing the necessary risk thresholds that must be achieved.

It is also of paramount importance that we offer young people at risk every opportunity to correct their paths and realise their full potential. We heard previously about the importance of sporting organisations such as the GAA, soccer, rugby and youth centres and organisations that provide an important outlet for young people, alongside those at most risk, where youth diversion projects not only divert young individuals away from a life of crime but also work tirelessly to nurture their talents, interests and personal development. By investing in their growth, we can empower them to become more positive contributors to society.

To demonstrate commitment to these crucial projects, I was delighted that the Minister of State, Deputy James Browne, allocated an additional €2.5 million in funding to the youth justice services in budget 2023. This increased budgetary allocation, totalling over €30 million, reflects the Government’s dedication. I commend the Minister of State on investing in the impactful policy interventions in these policy documents, which cater to the needs of the most vulnerable children and young people in our society. The recent evaluation report recognised the exceptional work by youth diversion projects, social workers, Garda juvenile liaison officers and all other stakeholders involved in these initiatives. It also reaffirmed or aligned Irish youth justice policy with the objectives of youth diversion projects, while emphasising that diversion remains at the core of the youth justice system. The recent evaluation report, which I got a chance to review, highlighted several characteristics that contribute to the success of these projects. They included integration within the community, responsiveness to local needs, delivery by experienced and well-educated personnel and the provision of an accessible service that young people can actively engage in. The report also offered valuable recommendations for enhancing governance and access to administrative data, as well as areas around budgetary opportunities and interventions regarding substance misuse and crime. We must seize the op-

portunity to further develop the structures and processes that underpin youth diversion projects. I look forward to the Minister of State's advancement on recommendations presented in that report and building on the positive work already undertaken.

Deputy Paul McAuliffe: Like the other speakers, I welcome the progress we have made on this issue. I compliment the Minister of State, Deputy James Browne, on how he has approached it. I think he has listened to people in communities and Deputies across the House in different parties about what is needed on the ground. He has also delivered in real terms. There are an additional eight youth workers in Finglas south, my area, but many more are needed. The Minister of State came out and met that service and the children and young people benefiting from it. The previous speakers touched on the fact that this is a huge societal issue. Youth justice is one area before the Minister and one area that is a subject of the report, but the State's policy on drugs, child poverty, investing in Tusla, rolling out the north inner city model and an interagency approach to tackling disadvantage all feed into youth justice.

In many ways, the Garda is the most accountable version of that State response. It deals at the coalface of it, but, unfortunately, many other agencies are not accountable to Members of this House, local councillors or local communities in the way the Garda is. There are safety forums, joint policing committees and other structures in which gardaí can be quizzed and tackled about local policing plans. The same structures are not available for how Tusla or the HSE intervene in a community or about how there should more and greater supports for local drugs and alcohol task forces. In some ways, I have some sympathy that the justice ends of societies that are under real pressure are the most accountable but by no means are they the only solution. Area-based interventions are the key to tackling this issue. We discussed the Greentown report and the north inner city model. Cherry Orchard, Darndale and many other areas have started to have these interagency models; they all differ and have different approaches, some with resources some without, some with access to senior official groups and some without. While all of that is happening, Ballymun, which presented the Ballymun: A Brighter Future report to the then Taoiseach, Deputy Micheál Martin, in 2021, is still waiting for the senior officials group to be appointed. I believe that is imminent and I trust that it is. Approximately €2 million was allocated by the then Taoiseach to support the implementation of the report. However, €2 million will go nowhere towards solving the big societal issues in Ballymun. We need other agencies to come to the table, focusing the budgets they already have. Sometimes, it is not just about more money, it is about ensuring that those agencies about which I spoke - the HSE, Tusla and many others - focus their efforts and resource the staff available in those areas and that we approach the illegal drugs industry in a way that prevents criminals from benefiting off the backs of young people.

There are many measures and positive things we can look to for this Government in how it approaches this matter, such as the Taoiseach's task force on child poverty and the roll-out of the north inner city models, but the most-evidenced improvements have been in youth justice, which I welcome. Youth work is how I came to community work and how I came to represent my community. I was involved in the Finglas No Name Club, part of a national organisation to provide young people with alternatives to drugs and alcohol. It is where I and many other young people in my area were given opportunities to take leadership in our communities, get involved and learn new skills. Youth work is the core response to equip young people against many of the peer pressures they face in their communities. I think the Minister of State succeeded in securing an improvement in his budget last year, which I welcome, and I thank the then Minister for Public Expenditure and Reform, Deputy Michael McGrath, for supporting the

Minister of State in that regard. I encourage him to go further this year; I think he has increased the number of youth diversion programmes from 106 to 110. There are areas that need them but existing services need more support in the same way he has invested in many areas like my own, Finglas south. Other areas need investment too and those areas need more intensive support as well.

There must also be a marrying of youth justice and general youth work funding under the Department of Children, Equality, Disability, Integration and Youth. I say this because many youth projects are actually the same project, with two streams of funding coming in. The project itself seeks not to discriminate between children who might be actively put through a youth diversion programme but to bring the two streams of funding together to support one cohort of young people. I refer to where someone in a diversion programme is being mixed into a general youth programme and there is no visible distinction between the young people. This is also important. It is important that young people are not targeted or labelled. Equally, this type of initiative should not be seen as a club for bold kids because that sends a different message to other young people who are not engaged in criminal activity. There should be greater co-operation between and marrying of the two services. The service providers are sometimes different but greater interagency work between these service providers where this happens in an area will benefit the young people involved.

I urge the Minister of State to continue working in the area of youth justice and to seek funding for it. I also ask him to do all in his power to ensure that the Department and the Taoiseach follow through on their promise concerning these area-based initiatives and that Ballymun, which I know is top of the list, is approved. As I said, Finglas and many other areas are also waiting. I am sure there are Deputies around the House who would similarly urge the Minister of State to do this.

Places like Finglas and Ballymun have very strong infrastructure in place, although it is often under-resourced. I see Deputy Ward in the House and I know Clondalkin has much of the same infrastructure in place. However, in places like Santry and Drumcondra where there are young people who are vulnerable, there is often no youth work project or drugs task force. There are pockets of disadvantage in those areas that do not get the support they need. This is one of the other measures I would like to see the youth justice strategy address.

Deputy Violet-Anne Wynne: I thank the Independent Group for giving me the time to speak on this important issue. The youth justice strategy was roundly commended on its launch in 2021. The Irish Penal Reform Trust, IPRT, hailed it at the time as having “a strong and welcome focus on diversion, prevention and early intervention, underpinned by children’s rights and the use of detention as a last resort”. In my constituency of Clare, we have a fantastic youth service and the team that runs the Garda youth diversion project provides an outstanding outlet for many young people from communities across County Clare. I take this opportunity to commend them sincerely on their work.

I also commend all the people in agencies in County Clare who work with young people in the areas of early intervention, diversion, prevention and, in particular, rehabilitation. The work I have witnessed first-hand in some of the most deprived communities in County Clare has proved to prevent young people from falling into the wrong circles. I would go so far as to say it has saved their lives. These people are incredible and the work they do is fantastic, but they are not being backed up by adequate resourcing. I will speak more about this aspect in a moment.

We need holistic and wraparound services. As many Deputies have said, we need to go back to basics and look at the lack of recreational spaces we have for young people, especially in the specific pinch points of those in their young to mid teens and those focused outside of physical activities. We were all 14 once and I am sure we all remember the cold winter evenings and having to walk around town when we were around that age because there was nowhere for young people to go. We would have given our left legs to sit in a youth café and chat with our mates instead of being stuck out in the cold. That was fine back in the day but, unfortunately, teenagers walking the streets now out of boredom are the easiest targets for organised crime to recruit new foot soldiers. It has become more common every day and, indeed, it gets more worrying every day.

I commend the work the Government has done with respect to robust legislation against the grooming of children and young people into criminality. To poison the mind of a child, as I am sure the Minister of State will agree, is unforgivable. I noted that Deputy Catherine Murphy mentioned a conversation with a young constituent some years ago where he said, “You have to get into trouble to do interesting things”. I have had many similar conversations with my young constituents. We need more services for young people in our communities and we need to listen to them in planning those services. Every team DEIS school in this country should have a youth café in its area. Having a space for young people that is safe and supervised and open two or three nights a week would have a massive effect in respect of taking kids off the streets and out of harm’s way. It is a measure I hope many colleagues in the House will support. I will also mention what young people are exposed to when they are walking the streets. It is not just about who they interact with or their vulnerabilities in respect of others, but what they are seeing. We know the numbers of homeless people and people sleeping rough have increased and young people are being exposed to the hardships and difficulties these individuals are facing.

I also wish to talk about the new Garda operational model and how it is failing young people and failing in preventing crime in our communities. In particular, it is a complete disgrace that the Kilrush division in my constituency of Clare has lost its superintendent. It is a scathing indictment of an apathetic policy which flies in the face of the socioeconomic needs of communities in rural Ireland. It is disgraceful that this has happened in an area like the Kilrush division, which has the only two unemployment black spots in my constituency, a subject I have already raised many times in this House. While I welcome the work done on the grooming legislation, this means little to communities in County Clare that have not seen one additional garda. Even worse is the fact that the county lost nine gardaí and a superintendent in the last three years.

In speaking about the Garda and this whole area, I will also say that no young person under 18, or perhaps even 20, should end up in a cell as a result of a non-violent, first-time offence. More contemporary research exists than would fill this House to support the idea that prevention is better than cure but if prevention is not possible, then conviction should be avoidable in such an instance. We know that once people have a conviction, it limits and restricts their opportunities for years to come, including even the organisations they will be able to engage with in a voluntary capacity. It really restricts opportunities for people to grow, gain confidence and engage in society in a meaningful way.

There are now roughly four prisoners to a cell here. Our prisons are severely overcrowded, which we all know. We must see all agencies working with young people. An Garda Síochána and relevant voluntary groups must form task forces in every county in the State to keep young people out of prisons and the school of criminality. We must examine restorative justice. I was sorry to hear there were fewer restorative justice referrals in 2022 than in 2019. I am hopeful

this approach will be developed more in future. We can all say there are far worse things in the world than a 17-year-old getting caught smoking a joint.

Generational poverty and breaking the cycle are issues many of my colleagues have already spoken about. Deputy Chris Andrews and I had a Bill before the House a few months ago concerned with socioeconomic rights and discrimination based on socioeconomic background. In my research for that Bill, I spoke to representatives of many fantastic organisations that are members of the Add the 10th Alliance. We covered a wide array of topics in those conversations. They informed me of the significance of their Add the 10th campaign and how it would positively impact every sector and perhaps Departments if it was enacted.

The Government put a stay on our Bill of nine months, which was a huge disappointment. Had that Bill progressed then, we would now be closer to the incredibly significant step of ensuring that socioeconomic status and accent were added as a tenth ground for discrimination. This would have sent a strong message that discrimination based on those grounds would not be tolerated. It would also have created the space for the necessary national conversation that is needed on this matter and the need to remove the stigma associated with living in a particular area or having a particular accent.

6 o'clock

This will be positive for all our youth, as a government that tolerates discrimination on those grounds is holding society back from progressing with equality and inclusivity at its core.

We know communities that have a lower socioeconomic status are profiled and the youth in those communities are far more likely to be policed than those from more affluent areas. This fact is not lost on our youth and adds to societal division and negative attitudes.

Nelson Mandela famously said that education is the most powerful weapon which you can use to change the world. We are seeing kids drop out of school every year because they have no guidance on what to do with their futures. Moreover, 91% of guidance counsellors report not having enough time to meet all of the students under their remit and 75% report referral issues. For students who are lucky enough to be able to meet their guidance counsellor, mental health-care has completely overtaken career decision-making as the top reason young people want to meet a guidance counsellor. It is very concerning. The kids are not all right and services are failing them. I acknowledge the recruitment and retention crisis but there is no excuse for children and young people falling through the cracks, just as 140 children who engaged with CAMHS midwest did last year.

In conclusion, I broadly support the strategy but there are missed opportunities. I hope we can all work across the House so that no young person is left behind or allowed to fall through the cracks again. I will finish as I started, by commending each and every person in County Clare and across the State who gives their time to our young people in the voluntary sector through sport, the GAA, CoderDojo, youth clubs and Foróige, to name a few, as well as those who work incredibly hard with young people to give the right path and steer them towards the best future possible. Mol an óige agus tiocfaidh sí.

Deputy Jennifer Murnane O'Connor: I have spoken about this before. Diverting our young people away from getting involved in criminal activity is a key priority for me. I am a fan of prevention and looking at ways of offering better alternatives to young people before they end up in the system. I have worked with a lot of Carlow services and can only say that

they do a marvellous job. They work hard. Unfortunately, there are crime rates among our young people and we can change that. We can work and invest in communities, outreach, drug programmes and family resource centres to give young people a chance.

I spoke to the Minister of State about a community hub on the Tullow Road, which needs a building. There will be two full-time staff who will work with the people in the community. There is a fabulous centre for Carlow youth services but it now needs to expand to the Tullow Road, a site owned by Carlow County Council. I have gone to the Department. Due to the fact it is a hub, there seems to be a grey area in terms of exactly where the funding is coming from. My understanding is Carlow County Council has more than €1 million for the project but it is now seeking over €1 million from the Department. The cost of the build for this hub will be a little over €2 million. For 35 years, the area has had a lot of high-density housing developments. Unfortunately, little or no social, cultural, green or economic infrastructure has been built to accommodate the increased population. It is a huge issue. We build many houses but there is nothing for young people. That has become a huge concern for me.

The national planning framework, NPF, and the regional spatial and economic strategy, RSES, place a strong emphasis on achieving and maintaining sustainable and inclusive communities to contribute to a high quality of life. That is important. It is about quality of life and everybody working together. We have to get to children before they offend. We need to invest in youth and community work. We also have to work with communities.

As other speakers have said, the most important people in our communities are volunteers, the people who give of their time for sports - if I mention one sport I might leave out another - or youth services or whatever. We have such good people. I can speak on behalf of the people of County Carlow. There are excellent people who give up their time to bring children to matches, volunteer at matches or organise events. I have attended many field days in the past few weeks. I am delighted to attend. All of the children are participating in them and enjoying it. They might play a match or go on bouncy castles. That is what it is all about. It is all about prevention. I want to welcome that. It is about supporting and engaging children and keeping them away from crime.

I welcome the youth justice strategy. We have to tackle crime at all levels and in all areas of our society. We need to go into communities where there are high rates of criminality and examine the range of issues that affect communities, including the needs of our young people, the opportunities available to them and the root causes that lead to criminal activity taking hold.

A key focus of this strategy is considering how youth justice policy might be more closely aligned to other child and youth policies and the promotion of community and local development. A key priority is prevention and early intervention is necessary to bring together all of the relevant agencies and programmes. I am a firm believer in everybody working together. All of the different agencies, Departments and services need to sit at the table and work together to see what we can do in communities, in particular communities most at risk and where children are vulnerable. I want to welcome this.

The reason I spoke today is because the youth strategy is important. It is always said that prevention is better than cure. We now have to find that prevention. I know families where a child took a wrong road or whatever. We also need support for families and be able to help the family of a child who may have taken a wrong road. We need to work more with the Garda. I am a firm believer in the Garda. We only have two community gardaí in Carlow town. The

Minister of State has told me that is not within his remit but we need to recruit more gardaí. We need community gardaí on the beat and going into areas that are vulnerable. I call for more gardaí for County Carlow.

We held a community meeting recently in Tullow, another area which is crying out for gardaí. I ask that there be talks between the Minister of State and other Departments. I want to welcome the Minister, Deputy McEntee, back from maternity leave. We need more gardaí on the beat, more community gardaí and more involvement. I pay tribute to all of the gardaí and the work they do. I want to pay tribute to all the volunteers and the great work they do. I welcome the strategy.

Minister of State at the Department of Justice (Deputy James Browne): I thank Deputies for their contributions. As they may be aware, updates on progress in relation to the youth justice strategy are published as part of the annual implementation update. The implementation statement for 2021 is available on my Department's website and the 2022 statement is being worked on at present. I would like to speak on some additional policy objectives in the youth justice strategy.

We know that young adults aged 18 to 24 are disproportionately represented in the prison population. Scientific evidence tells us that the human brain's maturity continues to develop beyond adolescence and into the mid-20s. A conviction for a young adult can feed into re-offending and negatively impact the entire community, which is to no one's benefit. It can result in a chain reaction of negative outcomes for a young person, limiting employment opportunities, preventing people from getting visas to travel abroad and social exclusion, all of which can feed into re-offending cycles.

It is important that we consider the supports and interventions needed for young people as they move into adulthood, as personal circumstances do not change overnight when people turn 18 years of age. In November 2022, I published a discussion paper on diverting young adults aged 18 to 24 away from entry into the wider criminal justice system, in line with a commitment in the programme for Government and youth justice strategy. The proposals contained in the discussion paper suggest extending a system similar to the Garda youth diversion scheme for young adults aged 18 to 24 who offend. We want to explore whether a comparatively more humane approach that focuses less on imprisonment and more on rehabilitation and restorative justice could offer improved outcomes for victims, offenders, and wider society. The consultation closed in January and my Department is currently considering the results. My Department will hold an open policy forum in the coming months to provide a further opportunity for consultation and engagement with stakeholders which will include expert speakers, discussion groups, and feedback. It is important we get this right by fully engaging with all relevant stakeholders and I look forward to doing that in the upcoming open policy forums in the autumn.

The Youth Justice Strategy 2021-2027 also includes a commitment to review and amend the Children Act 2001 as required to give effect to the objectives in the strategy, and to carry out a detailed stakeholder consultation to help refine and finalise a full package of amendments to the Act. The Children Act 2001 provided the first coherent framework for the development of a youth justice system since the foundation of the State. In practice, some of the provisions of the Children Act 2001 have not operated in the manner intended by the legislators. Following these stakeholder consultations my Department is now examining the provisions that are not being used or applied as intended in practice, and drafting proposed amendments to ensure the effective utilisation from the courts. Any amendments will be consistent with the principles of

detention as a last resort, and the best interests of the child. A key policy question in reviewing the Act is whether the frameworks it established are still appropriate, relevant, and functional. Consultations are ongoing with our youth justice partners and with comprehensive proposals now under discussion.

Finally, let me say again that youth diversion is not about young people avoiding punishment or consequences. The aim of the statutory Garda Youth Diversion Programme is to prevent young between the ages of 12 and 17 from entering the criminal justice system. An Garda Síochána's decision on whether to admit a young person to the diversion programme is based on a number of factors, such as the nature of the offence, the impact of the offence on the community, the views of the victim, and the offending history of the young person. Diversion is not used for very serious offences or for serious repeat offending. I believe all young people deserve the opportunity to improve their quality of life, and deserve to have the choices to be able to make better life decisions for themselves.

Deputy Ó Laoghaire raised the issue of the cut-off point being at 18. There is no policy under the youth diversion projects that work with young participants that states that when the young person reaches the age of 18 he or she should then finish. If the young person still needs support it can be provided. Many projects continue to provide such support beyond the age of 18. I have been to visit many youth diversion projects where they can actually continue past the age of 18. I just wanted to clarify that point.

Deputy Lawless raised the issue of children ageing out and being prosecuted as adults. We will deal with this issue through legislation later this year. The youth justice strategy contains a commitment to the effect that young people should be prosecuted based on the age they were when they committed the crime and not the age at prosecution. The suspended sentence issue will also be dealt with. Deputy Mark Ward raised the Clondalkin Equine Centre. I am not aware of any approach made to the Department of Justice for funding. We do have a Crosscare youth diversion project in that area. I am happy for my Department to be part of those discussions with the Department of Agriculture, Food, and the Marine, the Department of Rural and Community Development and the Department of Children, Equality, Disability, Integration and Youth, their youth service elements, and the local authority on the future of the centre.

I thank the Cathaoirleach and the Deputies for their contributions to this debate and I look forward to further engagement on this matter.

Representative Actions for the Protection of the Collective Interests of Consumers Bill 2023: Report and Final Stages

An Cathaoirleach Gníomhach (Deputy Pádraig O'Sullivan): As there were no amendments in order at Report Stage we will now proceed to Fifth Stage.

Bill received for final consideration

Question proposed: "That the Bill do now pass."

Deputy Maurice Quinlivan: There was an amendment in the name of my colleague, Deputy O'Reilly, that was ruled out of order. We have a letter from the Leas-Cheann Comhairle,

Deputy Catherine Connolly, to that effect. I wish to speak on this amendment if the Minister of State agrees. We were not going to push the amendment but we did want to put it down and we may finesse it in the Seanad and bring the amendment again. This amendment seeks to ensure that maintenance and champerty do not apply to dispute resolution proceedings as a new subsection in section 19. This is a point we raised at the prelegislative scrutiny stage and on Second Stage. As it currently stands, the legislation states that all costs will be borne by the qualified entity. This point is complicated by the nature of the cost of bringing a court case as well as the fact that only nominal fees can be accepted by qualified entities. Hence the difficulty this poses for quality entities can be seen. Dr. Johnny Ryan from the Irish Council of Civil Liberties pointed out that article 21 of the directive provides that member states shall take account of the non-profit-making character of qualified entities in ensuring a lack of funding is not a bar to bringing representative actions. We believe the Bill needs to be slightly reconfigured to enable non-profit organisations to source funding for collective actions given that it will not be free or indeed cheap to take such actions. Failure to resolve this would mean customers would be disadvantaged. Indeed not applying maintenance and champerty to dispute resolution proceedings is precisely what the Government did for international arbitration in section 114 of the Courts and Civil Law (Miscellaneous Provisions) Bill 2022.

While we are speaking about collective redress, I would hope there would be redress and supports for the workers of Iceland, the food retailer, as they are facing the examinership process. These workers are being treated disgracefully by the new management of Iceland. Since the company was taken over by new management some months ago, there have been significant and sustained allegations of poor management, lack of communication, and intimidation of workers. Workers allege they have either not received wages owed to them or have not received their wages in full. Despite the food retailer entering examinership and the stores effectively closing, staff have been given no information whatsoever. This lack of communication has been a hallmark of the new Iceland management and despite the best efforts of workers they have been constantly left in the dark.

It is against this backdrop that news that the company is entering examinership must be reviewed. Serious questions must be asked about the recent takeover of Iceland and who exactly is running the company. Given the current situation the food retailer's treatment of workers and the opaque nature of the new ownership, Sinn Féin has written to the Corporate Enforcement Authority to ask that it investigate any potential breaches of company law. We are not saying there are breaches but we want to have it investigated. Iceland operates 26 stores across the State including the store in Moyross in Limerick. It employs more than 344 people. It is essential these workers and the moneys owed to them are at the front and centre of any proceedings. I offer my continued support and that of Sinn Féin to the workers, their families and their communities and I hope the Minister of State will offer his as well. As for the amendment, we will raise it at another time.

Minister of State at the Department of Enterprise, Trade and Employment (Deputy Dara Calleary): I thank the officials in my Department and everyone who has been involved in the work on the Bill. Regarding the amendment, as Deputy Quinlivan, as Cathaoirleach of the committee on enterprise, knows the whole issue of champerty and maintenance is being considered by the Law Reform Commission. We probably should have kept the Minister of State, Deputy James Browne, here. A report is due on that and that will place the issue of champerty and that whole area into a context we can proceed with, so we are not cold to the amendment by any means.

21 June 2023

The Minister, Deputy Coveney, dealt with the Iceland matter earlier at Leader's questions. It is very clear we want to see that resolved and we want to see the interests of the workers protected. There is very strong law regarding the protection of workers and it is important everybody adheres to that law. We made it very clear we want to see the Iceland workers protected.

Question put and agreed to.

An Cathaoirleach Gníomhach (Deputy Pádraig O'Sullivan): The Bill will now be sent to the Seanad.

Flood Insurance Bill 2021: Second Stage (Resumed) [Private Members]

The following motion was moved by Deputy John Brady on Thursday, 15 June 2023: "That the Bill be now read a Second Time."

Debate resumed on amendment No. 1:

To delete all words after "That" and substitute the following:

"Dáil Éireann resolves that the Flood Insurance Bill 2021 be deemed to be read a second time this day twelve months to allow for further consideration of the Bill including an updated regulatory impact assessment; and for alternative methods to meet the policy objective of the Bill be assessed, given the legal concerns of the Bill, for current initiatives underway to progress and developments in the wider insurance reform agenda and European Union and Organisation for Economic Co-operation and Development policy space to evolve."

- (Minister of State at the Department of Finance, Deputy Jennifer Carroll MacNeill)

An Leas-Cheann Comhairle: I must now deal with a postponed division relating to Second Stage of the Flood Insurance Bill 2021, which took place on Thursday, 15 June 2023. On the question, "That the amendment to the motion be made", a division was claimed, and in accordance with Standing Order 80(2), that division must be taken now.

Amendment put:

<i>The Dáil divided: Tá, 69; Níl, 53; Staon, 0.</i>		
<i>Tá</i>	<i>Níl</i>	<i>Staon</i>
<i>Brophy, Colm.</i>	<i>Andrews, Chris.</i>	
<i>Browne, James.</i>	<i>Barry, Mick.</i>	
<i>Bruton, Richard.</i>	<i>Brady, John.</i>	
<i>Burke, Colm.</i>	<i>Browne, Martin.</i>	
<i>Byrne, Thomas.</i>	<i>Buckley, Pat.</i>	
<i>Calleary, Dara.</i>	<i>Canney, Seán.</i>	
<i>Cannon, Ciarán.</i>	<i>Clarke, Sorca.</i>	
<i>Carroll MacNeill, Jennifer.</i>	<i>Collins, Joan.</i>	
<i>Chambers, Jack.</i>	<i>Collins, Michael.</i>	

<i>Collins, Niall.</i>	<i>Conway-Walsh, Rose.</i>	
<i>Costello, Patrick.</i>	<i>Cronin, Réada.</i>	
<i>Coveney, Simon.</i>	<i>Daly, Pa.</i>	
<i>Creed, Michael.</i>	<i>Doherty, Pearse.</i>	
<i>Crowe, Cathal.</i>	<i>Donnelly, Paul.</i>	
<i>Devlin, Cormac.</i>	<i>Ellis, Dessie.</i>	
<i>Dillon, Alan.</i>	<i>Farrell, Mairéad.</i>	
<i>Donnelly, Stephen.</i>	<i>Funchion, Kathleen.</i>	
<i>Donohoe, Paschal.</i>	<i>Gould, Thomas.</i>	
<i>Duffy, Francis Noel.</i>	<i>Guirke, Johnny.</i>	
<i>Durkan, Bernard J.</i>	<i>Healy-Rae, Danny.</i>	
<i>English, Damien.</i>	<i>Healy-Rae, Michael.</i>	
<i>Farrell, Alan.</i>	<i>Howlin, Brendan.</i>	
<i>Feighan, Frankie.</i>	<i>Kelly, Alan.</i>	
<i>Flaherty, Joe.</i>	<i>Kenny, Gino.</i>	
<i>Fleming, Sean.</i>	<i>Kenny, Martin.</i>	
<i>Foley, Norma.</i>	<i>Kerrane, Claire.</i>	
<i>Grealish, Noel.</i>	<i>Mac Lochlainn, Pádraig.</i>	
<i>Griffin, Brendan.</i>	<i>MacSharry, Marc.</i>	
<i>Harris, Simon.</i>	<i>McGrath, Mattie.</i>	
<i>Haughey, Seán.</i>	<i>McNamara, Michael.</i>	
<i>Heydon, Martin.</i>	<i>Mitchell, Denise.</i>	
<i>Higgins, Emer.</i>	<i>Munster, Imelda.</i>	
<i>Humphreys, Heather.</i>	<i>Murphy, Catherine.</i>	
<i>Kehoe, Paul.</i>	<i>Murphy, Paul.</i>	
<i>Lahart, John.</i>	<i>Naughten, Denis.</i>	
<i>Lawless, James.</i>	<i>O'Callaghan, Cian.</i>	
<i>Leddin, Brian.</i>	<i>O'Reilly, Louise.</i>	
<i>Madigan, Josepha.</i>	<i>O'Rourke, Darren.</i>	
<i>Martin, Catherine.</i>	<i>Ó Broin, Eoin.</i>	
<i>Matthews, Steven.</i>	<i>Ó Laoghaire, Donnchadh.</i>	
<i>McAuliffe, Paul.</i>	<i>Ó Murchú, Ruairí.</i>	
<i>McEntee, Helen.</i>	<i>Ó Ríordáin, Aodhán.</i>	
<i>McGuinness, John.</i>	<i>Ó Snodaigh, Aengus.</i>	
<i>Moynihan, Aindrias.</i>	<i>Quinlivan, Maurice.</i>	
<i>Moynihan, Michael.</i>	<i>Ryan, Patricia.</i>	
<i>Murnane O'Connor, Jennifer.</i>	<i>Shanahan, Matt.</i>	
<i>Naughton, Hildegard.</i>	<i>Sherlock, Sean.</i>	
<i>Noonan, Malcolm.</i>	<i>Smith, Duncan.</i>	
<i>O'Brien, Darragh.</i>	<i>Stanley, Brian.</i>	
<i>O'Brien, Joe.</i>	<i>Tully, Pauline.</i>	
<i>O'Callaghan, Jim.</i>	<i>Ward, Mark.</i>	

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<i>O'Connor, James.</i>	<i>Whitmore, Jennifer.</i>	
<i>O'Dea, Willie.</i>	<i>Wynne, Violet-Anne.</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>Phelan, John Paul.</i>		
<i>Rabbitte, Anne.</i>		
<i>Richmond, Neale.</i>		
<i>Ring, Michael.</i>		
<i>Smith, Brendan.</i>		
<i>Smyth, Niamh.</i>		
<i>Smyth, Ossian.</i>		
<i>Stanton, David.</i>		
<i>Varadkar, Leo.</i>		

Tellers: Tá, Deputies Hildegard Naughton and Cormac Devlin; Níl, Deputies Pádraig Mac Lochlainn and Denise Mitchell.

Amendment declared carried.

Motion, as amended, agreed to.

Cuireadh an Dáil ar athló ar 6.35 p.m. go dtí 9 a.m., Déardaoin, an 21 Meitheamh 2023.

The Dáil adjourned at 6.35 p.m. until 9 a.m. on Thursday, 21 June 2023.