

DÁIL ÉIREANN

AN COMHCHOISTE UM ACHAINÍOCHA ÓN BPOBAL AGUS NA HOMBUDSMEN

JOINT COMMITTEE ON PUBLIC PETITIONS AND THE OMBUDSMEN

Déardaoín, 28 Meán Fómhair 2023

Thursday, 28 September 2023

Tháinig an Comhchoiste le chéile ag 1.30 p.m.

The Joint Committee met at 1.30 p.m.

Comhaltaí a bhí i láthair / Members present:

| Teachtaí Dála / Deputies | Seanadóirí / Senators |
|--------------------------|-----------------------|
| Pat Buckley, | Martin Conway,* |
| Cormac Devlin, | Fintan Warfield. |
| Emer Higgins. | |

* In éagmais / In the absence of Senator Tim Lombard.

Teachta / Deputy Martin Browne sa Chathaoir / in the Chair.

Business of Joint Committee

An Cathaoirleach: As we have a quorum, we can begin our meeting. Apologies have been received from Senator Fintan Warfield. We will now go into private session to deal with housekeeping matters.

The joint committee went into private session at 1.41 p.m., suspended at 2.01 p.m. and resumed in public session at 2.08 p.m.

An Cathaoirleach: The first business on our agenda is our approval of the minutes of our private and public meetings on 12 and 13 July. They have already been approved in our virtual private meeting, but we must do this now for procedural reasons. Are they agreed? Agreed.

Reform of Mental Health Services: Discussion

An Cathaoirleach: Before we begin, I will read out some formal notices. I remind members of the constitutional requirement that they must be physically present within the confines of the place where the Parliament has chosen to sit, namely, Leinster House, in order to participate in public meetings. I will not permit a member to participate where he or she is not adhering to this constitutional requirement. Therefore, any member who attempts to participate from outside the precincts will be asked to leave the meeting.

We are dealing with petition No. P00009/23 on reform of mental health services, submitted by Mr. Eoin O'Sullivan. Before we start, I will explain some limitations to parliamentary privilege and the practice of the Houses as regards references witnesses may make to other persons in their evidence. The evidence of witnesses physically present or who give evidence from within the parliamentary precincts is protected, pursuant to the Constitution and statute, by absolute privilege. The witness is reminded of the long-standing parliamentary practice that he should not criticise or make charges against any person or entity by name or in such a way as to make him, her or it identifiable or otherwise engage in speech that might be regarded as damaging to the good name of the person or entity. Therefore, if the witness' statements are potentially defamatory in respect of an identifiable person or entity, he will be directed to discontinue his remarks. It is imperative that he comply with any such direction.

Before we hear from our witness, I propose that we publish his opening statement on the committee's website. Is that agreed? Agreed.

On behalf of the committee, I wish to extend a warm welcome to Mr. Eoin O'Sullivan, founder and managing director of Peace Inside, to discuss his petition. Mr. O'Sullivan will read out his opening statement. I suggest that he keep it to around approximately ten minutes, after which we will have questions and comments from members. Each member will be given seven to ten minutes, which will allow them to contribute more than once. I now invite Mr. O'Sullivan to make his opening statement.

Mr. Eoin O'Sullivan: I thank the Cathaoirleach and committee members. On behalf of the signatories of my petition, I thank the committee for the opportunity today to address it. I am the owner and clinical director of Peace Inside, a counselling and psychotherapy centre in

Galway. I am an accredited member of the Irish Association of Humanistic and Integrative Psychotherapy and registrant with the Irish Council for Psychotherapy, ICP.

The responsible, ethical and just decision has been taken by the Department of Finance to remove significant cost barriers to essential mental health services. As stated in the Dáil on 6 November 2018, it has been decided that counselling and psychotherapy services will be VAT exempt. It is also clearly published on Revenue's website that payments for treatments by a psychologist or psychotherapist are qualifying expenses for tax relief. There is no argument that these measures are not in the best interests of the public and, in fact, the decisions have already been taken to provide these reliefs.

As confirmed to the committee by the Department of Health, the Government has, unfortunately, chosen to link the enactment of these supports to an event that has no projected timeline for its completion. What this petition asks is simply that the measures, already approved, be validated immediately so that the public may benefit from them at a time when the public health system cannot meet the demand for services. There seems no justifiable obstruction, legal or otherwise, to implementing these reliefs. Although, to my knowledge, the Department of Finance chose not to reply to the committee's request for a response to information presented in this petition, its position has been clearly stated previously. Its refrain goes that the VAT rating of goods and services is subject to the requirements of EU VAT law, with which Irish VAT law must comply. While this is true, it avoids stating that provisions are made within EU law for individual member states to provide exemptions for VAT for certain activities in the public interest. Such activities include the provision of medical and paramedical professions as defined by the member state concerned.

In the determination by the Tax Appeals Commission previously submitted by me to the committee, precedent is set that psychotherapy and counselling services amount to medical care and can be recognised as professional services if provided by someone who has undergone specialist training or education for the provision of those services. There is no need for regulation of the professions for a VAT exemption to be in compliance with EU tax law. It is sufficient that those services can be recognised as medical or paramedical professions and provided by professionals if those persons have undergone specialist training for those services. In fact, despite protestations that the current position on the imposition of VAT is to ensure the State's compliance with EU tax law, this position is contrary to a core principle of fiscal neutrality. The directive states the common system of VAT should result in neutrality in competition, such that within the territory of each member state similar goods and services bear the same tax burden. In Ireland at present, psychology services are VAT exempt. Treatment services provided by psychologists, psychotherapists and counsellors are similar services. In order for Ireland's current VAT position to be in line with EU VAT law then all such services must be made VAT exempt.

As regards the eligibility of fees related to psychotherapy, psychological or counselling services for tax relief, there also seems to be no prohibitive barrier. EU member states have the authority to set their own income tax levels. They also have the autonomy to determine their own tax brackets and rules for income tax. This means that EU member states can establish their own income tax rates and modify them as they see fit, within the boundaries of their national legislation and any applicable EU directives. EU member states can also provide tax incentives, such as rebates, which may be granted for specific expenses. There seems little restriction to Irish legislation that would allow for psychology, counselling or psychotherapy expenses to be an eligible expense without the condition of registration to a psychology, coun-

selling or psychotherapy board that will not open in the foreseeable future. We again return to the concept of medical or paramedical services provided by individuals specifically trained to provide such services as being sufficient to allow for the provision of these reliefs.

In relation to CORU and the opening of the registers for counsellors and psychotherapists, I note that CORU has entered a period of public consultation which is due to end in December 2023. Subsequent to this, CORU will reflect on the information received from the consultation process and make any amendments necessary to its proposals. There will then follow an undefined period of adaptation of training colleges and institutions before the opening of the registers is possible. We are still awaiting a timeframe for the opening of the registers. The decision has been taken by Government to provide tax relief for the provision of essential mental health services. That it has also decided to delay these reliefs indefinitely until the opening of relevant registration boards is unjustifiable and unnecessary, and is, in effect, causing harm to the mental health of a significant proportion of the population of the State.

I have submitted with this opening statement a letter of support from the ICP. I also want to mention the pre-budget submission of the Irish Association for Counselling and Psychotherapy, IACP, in which it calls for a VAT exemption for counselling and psychotherapy services and an extension of tax relief to include counselling and psychotherapy. I am aware that the CEO of the IACP, Lisa Molloy, has been a dedicated campaigner for these issues for a number of years. I thank committee members for their time. I am happy to take questions on this opening statement.

An Cathaoirleach: In his correspondence to the committee Mr. O’Sullivan tells us the Minister for Health states that the complexity of the registration process is being made more challenging due to the different and complex pathways to these professions, the variety of titles used and the variety and number of courses and course providers. Will Mr. O’Sullivan give us his reading on this?

Mr. Eoin O’Sullivan: It is very complex. Within the industry there is no agreement on what makes a counsellor or a psychotherapist. There are varying degrees in the quality of training colleges and training courses. For instance, my qualification is recognised in the national framework as level 9. It is accredited by University College Cork. There are other training colleges that have perhaps level 6 or level 7 courses. What CORU has decided, and what has gone out for public consultation, is that the minimum requirement for a qualification to be a counsellor or psychotherapist will be level 8 on the national framework. The introduction of these tax reliefs does not need to be tied to registration with a board that is not open. It could be tied to qualifications. These are paramedical or medical services provided by professionals with appropriate training. CORU has been working very hard for a number of years and its work is difficult but I have been hearing for ten years that registration will be introduced. It seems unjustified to tie these reliefs to something when we still do not know when it will happen. I am not sure whether I have answered the Cathaoirleach’s question.

An Cathaoirleach: Yes, you have.

Deputy Emer Higgins: I thank Mr. O’Sullivan for coming before the committee to discuss this very important topic. Our mental health is as important as our physical health. I want to see us protecting mental health, increasing funding for mental health supports and making it more affordable for people to access mental health supports. That is the nub of what Mr. O’Sullivan is getting at today. There was record funding for mental health last year and I hope we surpass that in this year’s budget.

I think Mr. O'Sullivan answered my question about how the tax relief could be linked to practitioners in terms of linking it to qualifications. Could he delve into that?

Mr. Eoin O'Sullivan: Before I address the question, I note that the WHO recommends that 12% of a country's health budget be allocated to mental health. In 2021, Ireland's figure was 5.1%. In 2022, the budget included €10 million in one-off funding for mental health, of which 20% was taken to provide low-emission vehicles. Mental health is a good topic to talk about. It is a buzzword at the minute. Everybody believes in mental health but we need action to support it. I know progress has been made with the national counselling service and a trial is being introduced in primary schools, but this issue has been flagged for a number of years and has not been followed through on.

Regarding qualifications, earlier I submitted the Tax Appeals Commission's decision from 2022. In that decision, the commissioner stated that prior to 2010, there was no requirement for professional services to be recognised by the Department of Health. After 2010, a new Schedule was inserted by section 130 of the Finance Act 2010 with effect from 3 April 2010 that introduced for the first time the requirement for recognition by the Department of Health. In a case decided upon by the Tax Appeals Commission in February 2022, the legislation at that time was sufficient so that the VAT exemption or tax eligibility for a rebate could have been tied to the professional qualifications and those professions were already recognised by the Department of Health. I believe that subsequent to that decision, the legislation was amended so that recognition from the Department of Health was not sufficient and recognition was then tied through the legislative framework to the registration of the appropriate counselling, psychotherapy and psychology boards. If we reverted to the legislation that was available at the time of that Tax Appeals Commission decision, it would get rid of the need for registration on the appropriate boards and recognise the medical profession. If those services are provided by a professional, namely, graduates of a course at a specific level - CORU is looking at a level eight qualification - there is no reason that could not be included in the description. On the Revenue website at the moment, it says that expenses are eligible for tax exemption if they are provided by a registered practitioner. If that wording was changed to a qualified practitioner and the qualification was level 8 or higher in respect of specific training, for example, somebody who was trained as a counsellor or psychotherapist, from a university or had a qualification from level 8 on the national framework of qualifications, that would seem to cover all the bases. It keeps it in line with EU VAT law and increases access to badly needed services at a time when people are struggling.

Deputy Emer Higgins: That explains it. It is a very valid proposal.

Deputy Pat Buckley: I hear Mr. O'Sullivan's pain. I was lucky enough to be spokesperson on mental health in the last term so I am well aware of budgets and where money should be spent and where it is actually being spent. There are choice words that I would not use in this committee because I would not be allowed to use them. I see Mr. O'Sullivan's point about CORU. Whatever number it will be, you have to accept that there must be a level of standardisation where everybody can come in under the same banner.

Based on my own experience of working in mental health, people tend to protect their own patches. Regardless of whether it is psychotherapists on one side, psychologists on the other side and counsellors in the middle, it is a case of "don't rock the boat, they might hear about it, they might take it off us". This is a pattern I see even in the CHO areas within the HSE. Let us be honest; level 8 is a very high qualification. I have been on record for many years as saying that we are facing into a tsunami of mental health problems. We are probably in the tsunami,

particularly since Covid. You cannot access services at the moment. Even if you have money, it is extremely expensive. In his statement, Mr. O’Sullivan said that there is no standardisation for qualifications so anyone can call himself or herself one, two or three, which is very worrying when you do not have regulation. The Government is stalling on the backs of the HSE. We are going to set up a board but we have not done it yet. This is crazy. How can we move on or resolve anything if we do not have a board that looks after all this?

It has been stated that four years on from the appointment of the members of the counsellors and psychotherapists registration board, it is not possible to give a timeframe for when this will be open because it is complicated. What is making this so complicated?

I cannot understand why Mr. O’Sullivan is in here. This service is very much needed. Pilot projects have been mentioned. There is talk of putting psychotherapists into schools. Guidance counsellors take over all this in schools because they do not have the resources. Psychotherapists would probably be the easiest ones to get in there. Would tax relief on expenses be passed on to patients? Would it make counselling cheaper and more accessible?

In his statement, Mr. O’Sullivan said that “subsequent to this, CORU will reflect on the information received from the consultation process and make any amendments necessary to its proposals”. Does it actually need amendment? I do not know what the proposals because we do not have a board. Who is making these decisions? I am very worried about that. In the current climate, it is very worrying. We are talking about bringing all services together. It is expensive craic to do your terms, your college and the whole lot and not be treated the same. That is why I feel it has been totally disjointed between certain centres. I ask Mr. O’ Sullivan to answer those two questions first. I just cannot get my head around it and that he is here at the petitions committee fighting this when it makes common sense. It was decided a number of years ago that this was supposed to happen and it has not happened.

We deal with different things within EU law and it is stated that provisions are made within EU law for individual member states to provide exemptions for VAT for certain activities in the public interest. It is huge that it refers to being in the public interest. Somebody is lagging. Somebody is not prepared to pick up the slack here. I do not know why this has taken so long. I have said it before that the one thing that is missing here 99% of the time is bloody common sense; that we cannot do it. This is not the first time we have got notification from the European Ombudsman to say we can do it. Pardon the pun, but there is not a noose tied around us and we have the freedom to make up our own mind sometimes, and if it is in the public interest then it should be done. I am definitely going to check up on that even if I have to write to the European Ombudsman to investigate it myself on the basis Mr. O’Sullivan was here appealing for a joined-up approach where all these vital services that are complementary to each other should be on a level playing field, which they currently are not. That causes a restriction and the ones who suffer are those who need it most, namely, the children and families who need assistance and help.

That was a bit long-winded, but my main two points are about why there is not joined-up thinking here and how can we push on the so-called imaginary board, or jobs for the boys as I have called it, because that is what I am worried about here. There will be resistance. Everything should be on a level playing field. Mr. O’Sullivan made an important point about setting of the levels. Whether it is level 6, 7 or 8, it should be based on that. A person should be qualified enough. It does not make him or her better than the psychologist versus the counsellor versus the psychotherapist. There seems to be an awful resistance there.

Mr. Eoin O’Sullivan: I thank Deputy Buckley. I have empathy for CORU and, to some extent, the Department of Health, because it is a complicated matter. There are huge crossovers between psychology, psychotherapy and counselling and there is a very complicated debate within the industry as to what demarks what and it is difficult to agree that not only in this State, but across Europe where different people put different arguments. Counselling tends to be more on a surface level dealing with a crisis in the moment and treatment can be to support that person to get out of that crisis, but what happens along that journey is once those symptoms abate the individual might become aware of what has activated those feelings in the first place. That calls for more depth work to look at the roots of those problems, those issues, those activations. That might involve looking at issues within the family of origin, issues with complex trauma, historical issues from the individual and his or her maladaptive coping mechanisms. Where a person might come in to counselling to deal with a specific presenting issue, that can develop and move into what I describe as psychotherapy, that is, the more depth work of looking at the root cause and looking at those activations and coping mechanisms. Psychology then, will look at all of that with the addition of looking at deviations from the norm and standardised assessments. Where psychologists are much more concerned with diagnoses, psychotherapists and counsellors, in my experience and opinion, deal more with the experience of the individual who is sitting across from them and how his or her life is being affected by whatever issue it is he or she is dealing with, and those can be very varied and complex issues.

I understand, therefore, that CORU’s job is very hard. I have mentioned the level 8 qualification. One of its recommendations says it cannot legislate for a requirement of a psychotherapist in training or counsellor in training to attend counselling or psychotherapy himself or herself. Within the industry and for me personally, that is quite a shocking statement. I am psychotherapist, I have been a client and I am a client at the moment. I want to be sitting across from somebody who I know has done his or her own work. If I am sitting across from a client who has, for instance, issues with his or her father and he or she is talking to me about emotional neglect or abuse of some kind or another and that activates something in me, the risk is instead of dealing with that client’s presentation and what is happening with him or her, my own stuff gets activated. If I have not worked through that it will infect the treatment I am offering my client, so for me it is very important psychotherapists in particular have undergone psychotherapy to work through their issues. I would compare psychotherapy training to being put in a washing machine on a spin cycle in that everything gets thrown up. They will look for buttons and will press them to ensure the trainee is ready to sit in front of a client and be in the best position to do no harm. The differences in the standards of courses available is frustrating. My training was four years at postgraduate level. I had a requirement of 40 hours personal therapy per year for three years and 20 hours in my first year. There are training colleges at the moment that require 40 hours in total and that is it. Graduates come out of those courses maybe at a level 7 and there is no distinction between what they call themselves or what they can advertise as offering their clients and what I can describe myself as or advertise as the services I can offer to clients, so it is vitally important regulation comes in to protect the clients.

I take the Deputy’s point there can be a lot of competition between the individual professions of psychologist, counsellor and psychotherapist and a lot of jostling for position. Coming before the committee as an individual kind of provided me the opportunity to step out of the politics of the various accreditation boards and whose feet I might be treading on. My petition is calling for the expenses of psychologists, as well as counsellors and psychotherapists, to be made an eligible expense for tax purposes. That saving, in answer to Deputy Buckley’s question, is passed on to the individual. The individual then gets his or her receipt and uploads it to the Revenue website and that refund goes straight to him or her. I think it is connected to his or

her tax credits. If the expenses are made eligible for tax purposes, the saving goes to the clients, which makes the service more affordable and, it is to be hoped, will take some burden off the public health service, which just cannot cope at the minute. I do not think that is controversial to say.

Deputy Pat Buckley: Absolutely not.

Mr. Eoin O'Sullivan: The impact of the VAT at the moment is that service providers - counsellors or psychotherapists - are reluctant to go over the €37,500 revenue threshold. That is not a profit threshold, so you have to take your insurance, rent, light and heat - all your expenses - out of that €37,500. Once you go one euro over that, you are liable for 13.5% tax on everything, so it does not make sense for individual counsellors or psychotherapists to go over that threshold and they are therefore limiting the services they offer. If that restriction is taken away, it is more likely that those counsellors and psychotherapists will be comfortable in offering more services. There is therefore a dual benefit: the cost of services to the service users is reduced, and the provision of more desperately needed services is encouraged.

Deputy Pat Buckley: That is a nice way of explaining it. Mr. O'Sullivan has hit the nail on the head. Listening to that explanation, I understand that this complements the whole service across the board and makes it more attractive for counsellors, psychotherapists and psychologists to stay in their practices. One of the biggest burdens I have seen in dealing with people for many years is that the cost of counselling or whatever it may be is a massive deterrent. I thank Mr. O'Sullivan for his honesty.

Yes, there is always jostling. It is an Irish thing, especially within the health service. No matter what it is, people will protect their patch at all costs for fear they will lose something because it seems that things are so tight.

As regards the budget, I cannot see even 10% coming, never mind 12%. I would be surprised if it were even 7%. You would nearly want to be a forensic accountant when reading the books because they will promise you money that was spent the year before. It is crazy.

I take mental health services and so on very personally because the demand is unbelievable. It is about reforming a section of the mental health services. What Mr. O'Sullivan is looking for is not overly complicated but actually complements the whole system. It will streamline it such that there is regulation and standardisation, those who provide the service are more comfortable in their positions and their jobs and those who access the services will not be screwed when it comes to money.

I would like to revisit this. I hope the committee agrees to do so. As Mr. O'Sullivan said, there is no projected timeline in place to do this. That is the first question that should be asked. When will this be done?

Mr. Eoin O'Sullivan: There seems to have been a historical decision at some point that those tax incentives, those tax reliefs, needed to be tied to regulation. That is not the case. That was an arbitrary decision.

Deputy Pat Buckley: Yes. Revenue will regulate your tax. That is a banker. There is common sense. If Revenue is on you, it is on you and it is absolutely meticulous. That is your regulation. It should not be complicated at all. It has been said that it is complicated. It is not. You work within the Departments so you need to work between the professions, the health service and Revenue. That is it.

An Cathaoirleach: On that, are there other sectors, outside counselling and psychotherapy, that are outside the tax exemption like the others?

Mr. Eoin O’Sullivan: Pardon me?

An Cathaoirleach: The counsellors and psychotherapists are looking to become tax-exempt. Are there other professions in the health service caught like them or-----

Mr. Eoin O’Sullivan: That would be outside my expertise. I would not like to comment.

An Cathaoirleach: Okay. Could Mr. O’Sullivan guide us through the different pathways and approaches to the work people in this area do? Is there any kind of difference of opinion or conflict within the professions concerned that need to be ironed out or clarified? I ask that because it would be worth getting Mr. O’Sullivan’s view as to whether the Minister is focused on the register or concerned primarily with regulating before incentivising the whole sector.

Mr. Eoin O’Sullivan: Again, to recognise the work of CORU, there is a board that has been working on the recommendations for regulation. There are, I think, two counselling representatives, two psychotherapists and some private individuals who have done a lot of work in deciding what their recommendations would be. It was decided a number of years ago that there would be two registration boards, one for counsellors and one for psychotherapists. That in itself was a somewhat controversial decision. There is one accrediting body, the IACP, which traditionally held that counselling and psychotherapy were the same. Then there is another organisation, the Irish Council for Psychotherapy. That would have always delineated counselling and psychotherapy as being very different. The recommendations have been put out by CORU for public consultation. Anybody can submit their view on the recommendations. I believe that all accrediting bodies are working on their responses at the moment. That will throw up some objections because you will not be able to keep everybody happy, but I am confident that at least CORU - I do not mean this to sound disrespectful to anybody - will act as the adult in the room. It has its recommendations and it will listen, and it is important that it listens to the professionals out there with their experience and listens to that feedback but then looks at what is possible. CORU’s legislation and recommendations are for threshold limits. It will look at the minimum qualifications counsellors or psychotherapists have. It is like when social workers were regulated for and the minimum was a level 8 qualification. I think there are two courses that are level 8; the rest are level 9. Training colleges will still be able to go over and above. I trust CORU to do its work. It has put a lot of work into this, but there is an urgency there. It needs to be done as quickly as possible, and it is a matter of getting to that stage, but it could be three years or five years, and in the meantime the profession is left twiddling its thumbs because we are waiting for this thing to come in.

An Cathaoirleach: Can Mr. O’Sullivan foresee potential issues the registration board may encounter in regulating the sector? This is a sector the Minister says is so diverse. Can Mr. O’Sullivan pinpoint things he can see that may be holding this up?

Mr. Eoin O’Sullivan: One thing, and I think the Cathaoirleach alluded to this earlier, is that there are different modalities of psychotherapists and different specialisations within psychotherapy and counselling. What CORU is going to do is just regulate what it is to be a counsellor or a psychotherapist. It is not going to talk about trauma specialists or psychotherapists qualified to work with children, for instance. I think this is going to cause issues down the line, but we do have to start somewhere. There is no regulation now. We saw the “RTÉ Investigates” documentary that showed people only needed to put a plaque over their door to call themselves

psychologists. It is not even necessary to have a plaque over a door. A Facebook account can be opened and people can describe and advertise themselves as psychologists, counsellors or psychotherapists and they will get clients because people are desperate.

An Cathaoirleach: To think there is no regulation on mental health service providers is the frightening thing, as Deputy Buckley said. It is a crazy situation. Has the board itself contacted practitioners and has an outline been given of any issues that might be delaying the process?

Mr. Eoin O’Sullivan: At the start of this month, the board had a meeting and various stakeholders were invited. The meeting was recorded and is available online. The board spoke about its processing and the progress made up to this point. Previous to that, the last meeting was in December 2022. Again, that meeting was made available online. The board is consulting with the various accrediting bodies and stakeholders. It is clear now, though, that being a member of an accrediting body is not actually going to make any difference to becoming a registrant of the counselling or psychotherapy boards. What they will be looking at are qualifications. This is creating this strange time where people are desirous of being accredited and having the security and recognition that would give them, while also knowing that in a couple of years this is going to be a matter of legislation. People will then be registered practitioners and not accredited practitioners. There are people, therefore, in the industry who are wondering why they are paying their registration fees.

There is risk in this because being a member of an accrediting body provides an ethical framework for how to work with clients. There is also a complaints procedure. If a client were to be unhappy with a service I provide, then he or she could go to my accrediting body and lodge a complaint. The accrediting body would then investigate, speak to me about the complaint and sanction me if necessary. The longer this situation goes on, the more there will be this strange time where we are kind of left in the wind.

An Cathaoirleach: That was the next question I was going to ask. Regarding this slow progress, what kind of an impact is having on the sector? More importantly, what kind of an impact do service providers see it having on service users?

Mr. Eoin O’Sullivan: When clients are looking for support, they do not really care about qualifications. They just want someone to listen. Over the last several years, thankfully, I have seen clients become more confident and educated. They know the questions to ask and who they are looking for and will now ask for qualifications. Much of the time, however, this will be because they have had a negative experience. They have been to see somebody of whom they never asked these questions, and they have felt let down and sometimes harmed from that experience. Now, not every therapist is going to be a match for every client, and this is vitally important for a successful therapeutic outcome. It is necessary, though, to have therapists who are experienced.

My thoughts are that they would need to have gone through the process of counselling or psychotherapy themselves. They must have an education on psychological development, trauma, different coping mechanisms, unconscious biases and the theories that are out there now. Clients now are putting their trust in people’s hands because they have reached the end of their tether. They do not know where else to go. I have heard of people presenting at accident and emergency departments with suicidal ideation and being told to go home because there was nothing that could be done for them. They were told they were not that serious. People in that situation go home and feel absolutely dejected and rejected. They do not just heal or recover. What will happen is that they might go into their shell for six months before they will again

gather up their courage to ask somebody for help. Hopefully, the next time they will be met.

Many clients whom I have dealt with have told me, no pressure, that I was their last chance. Those people told me that they had tried everything and been let down and let down again. I refer to the work needed in this regard. People come in and sometimes they are looking for a quick fix and some magic formula. If I am engaging with a client who is 40 years of age, for example, that person may have been doing everything possible using the tools at his or her disposal, whatever coping mechanisms he or she had, and sometimes that might be avoidance or burying something. If we avoid something and bury it, though, then it festers. Eventually, the pressure becomes too much. When a person like that presents to me as a client, I am looking at 40 years of suffering. It is going to take a significant amount of time. First, it will take time before the person builds up his or her trust in me to the level where it allows him or her to disclose things to me that he or she may have never said aloud to anybody else in his or her life. I refer to the risk of this. The person will already, for decades, have been telling himself or herself that this happened to him or her as a child or he or she did this as a teenager, and it will have absolutely destroyed his or her sense of self and self-worth. It is heartbreaking to see.

An Cathaoirleach: Yes. When it comes to mental health, it is the poor relation in the health service overall. I refer to the statistic Mr. O’Sullivan mentioned earlier regarding the average European budget allocation to health being 12%, while it is 5% here. I am involved with the Fight for Mental Health Services group in County Tipperary. We have a situation where somebody going to the hospital in Clonmel after 5 p.m. with mental health issues will be sent to Kilkenny. In north Tipperary, people will be sent to the hospital in Ennis. This is as if it is possible to switch off. The service runs from 9 a.m. to 5 p.m. and this is a crazy situation. The Government is able to keep telling us about how much money it pumps into the mental health services. For the years we have been involved we have looked for one room off the accident and emergency department in Clonmel hospital to ensure that someone who presents with mental health issues will not be out in that main department setting. We still cannot get that one room. A lot of it is lip service. When you are talking about 5% of the overall budget when it should be 12%, it was always going to be lip service. I have no more questions. Does Deputy Buckley want to come in?

Deputy Pat Buckley: There is something I would like to put on the record. This whole discussion is here in this petition. As Mr. O’Sullivan noted in his opening statement, “What this petition asks is simply that the measures, already approved, be validated immediately so that the public may benefit from them at a time when the public health system cannot meet the demand for services.” It is as simple as that. That is the message. I have written this down in my notes here - I tend to scribble a lot - and I will be putting in parliamentary questions on why that has not happened, what the timeframe is and why nothing has gone forward since November 2018. It is absolutely mind-boggling in the current climate. I do not even have to mention the year but it is mind-boggling in the current climate with the way people are suffering.

Mr. O’Sullivan is right. Whether it is psychotherapy, counselling, psychology or whatever, we need joined-up thinking. It is about treating the person, basically, not the problem. I know people who had PTSD and did not even know it. Unfortunately, they just plodded along and as Mr. O’Sullivan says, they will hide or self-medicate with alcohol or whatever but they will always be there. I have no problem saying this. I had tragedies in my life and I did not know I was going through a bout of depression at the time. When I sat down and spoke about it to a qualified person it was like having six bags of cement on my back and six on my chest but every time I offloaded, a bag of cement came off. We actually became friends after. That is probably

one of the good stories. That is why I empathise with Mr. O'Sullivan. As the fella says, walk in my shoes. That is basically what it is. It is a pleasure to have him in here as a witness today. It is vitally important that he is raising these issues because people outside this box here think we know everything but we do not. We need to be told as well when things have not been going right. This committee is very good because it is non-political. This is the last chance for anybody to actually be heard but everybody's voice should be heard whether you agree or disagree with them. Everybody should be heard. I just want to thank Mr. O'Sullivan for that. I will be following up on this.

An Cathaoirleach: As Deputy Buckley said, as individuals we will all follow up and we will also follow it up as a committee. In February 2019 the board was set up and in 2023 they are still dragging their heels. It should not be acceptable at any stage when talking about mental health, or any form of health. There is no reason a timeframe cannot be given to get things set in stone. It is just crazy and it seems, like I said, that someone is dragging their heels someplace. We, as a committee and as individuals, will continue raising it for Mr. O'Sullivan. Does he wish to make any closing statement?

Mr. Eoin O'Sullivan: I just want to thank the committee again for its time and for hearing me today.

An Cathaoirleach: Those of us who are here have found it very beneficial and we thank Mr. O'Sullivan for coming in and giving his side of it. We will suspend now for a few minutes to allow the witness to leave the room.

Sitting suspended at 3.03 p.m. and resumed at 3.09 p.m.

Decisions on Public Petitions Received

An Cathaoirleach: We have five petitions for consideration today. The first is No. P00021/22, regarding the Kiltimagh water scheme. The recommendations are that the response from Mayo County Council and Uisce Éireann be forwarded to the petitioner for comment within 14 days, the committee writes to the Department of Housing, Local Government and Heritage regarding the status on approval of the extension, and writes to Mayo County Council to request an update on the redesign and tender process.

As was earlier, this petition has also made its way to the European Commission, but it was not due to this committee and was raised by Mr. Chris MacManus, MEP, in Europe. Do members wish to comment?

Deputy Pat Buckley: No. We should agree the recommendations and see what comes back from the responses.

An Cathaoirleach: Is that agreed? Agreed.

Petition No. P00067/22 relating to the New Zealand tobacco initiative, is from Mr. Robert Carty. The petition requests that the Irish Government look at the New Zealand tobacco initiative to reach the target of less than 5% of the population smoking by 2025. New Zealand recently passed a law that makes it illegal to sell tobacco to anyone born on or after 1 January 2009. The committee recommended: that the correspondence from the Department of Health be forwarded to the petitioner for comment within 14 days and the petition and correspondence

be forwarded to the Joint Committee on Health. Is that agreed? Agreed.

Petition No. P00019/23 relates to urgent need for the regulation of physician associates by CORU from Mr. Adam Cummins. The petition relates to the lack of regulation of physician associates by CORU. The petitioner states that physician associates are valuable new members of the healthcare workforce, capable of providing high-quality care under the supervision of licensed physicians. The petitioner is asking the committee to support the introduction of legislation that mandates the regulation of physician associates by CORU, which would bring the profession in line with other similar health professions. The recommendations are that the response from the Department of Health is forwarded to the petitioner for comment within 14 days and the committee writes to the Minister for Health to ascertain whether physician associates are on the roadmap for regulation. Is that agreed? Agreed.

Petition No. P00029/23 seeks the reduction of the size of Russia's diplomatic representation in Ireland. The petition asks that, considering the illegal invasion and continuing war perpetrated and being waged by Russia into and against Ukraine that the Government reduces the number of personnel having diplomatic credentials of the Russian Federation permitted to reside in Ireland to the number that corresponds to the absolute minimum necessary to reflect ongoing Irish Russian trade and cultural ties and citizens of each country in the other's territory. The recommendations are that the correspondence from the Department of Foreign Affairs be forwarded to the petitioner, and, in consideration of the response from the Department of Foreign Affairs, which states that the Government will continue to monitor the situation in line with our obligations under the Vienna Convention on Diplomatic Relations, *un.org*, the petition cannot be progressed further by the Joint Committee on Public Petitions and the Ombudsman and the petitioner be advised of same. Is that agreed? Agreed.

Petition No. P00033/23 regarding Carrick-on-Shannon tree removal is from Mr. Fionn McWeeney. The petition relates to the plan by Leitrim County Council to cut down 40 trees on a section of the N4 in Carrick-on-Shannon. The recommendations are that the correspondence from Leitrim County Council be forwarded to the petitioner for comment within 14 days, the correspondence from the Department for Agriculture, Food and the Marine be forwarded to the petitioner for comment within 14 days and the secretariat writes to Leitrim County Council requesting a copy of the detailed survey report from the arborist when available. Is that agreed? Agreed.

That concludes our consideration of public petitions. I would like to invite members of the public to submit petitions via our online portal, *petitions.oireachtas.ie*. A petition may be addressed to the Houses of the Oireachtas on a matter of general public concern or interest or an issue of public policy.

Is there any other business? Would members like to make any final comments?

Deputy Pat Buckley: No, Chair. I thank the secretariat and all the staff. We say this all the time but people do not see the amount of work that takes place in the background and the amount of abuse and parliamentary stuff that comes in. The amount of work done makes our job an awful lot easier and I thank the staff for all the work that they do as well.

An Cathaoirleach: I second those remarks. I thank Karen, Barbara, Alex and the rest of the staff for all the work that they do on our behalf and for making our lives easier. The amount of work that they go through is unbelievable.

JPPO

The joint committee adjourned at 3.15 p.m. until 11 a.m. on Wednesday, 4 October 2023.