

DÁIL ÉIREANN

AN COMHCHOISTE UM FEIDHMIÚ CHOMHAONTÚ AOINE AN CHÉASTA

JOINT COMMITTEE ON THE IMPLEMENTATION OF THE GOOD FRIDAY
AGREEMENT

Déardaoin, 7 Deireadh Fómhair 2021

Thursday, 7 October 2021

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
Jennifer Carroll MacNeill,	Frances Black,
Rose Conway-Walsh,	Niall Blaney,
Brendan Smith,	Emer Currie,
Peadar Tóibín,	John McGahon,
Pauline Tully.	Niall Ó Donnghaile.

Teachta/Deputy Fergus O'Dowd sa Chathaoir/in the Chair.

Business of Joint Committee

Chairman: Apologies have been received from Senators Hoey and Black and Ms Claire Hanna MP. Members of the Oireachtas attending this meeting remotely should do so within the Leinster House campus. Remote participation from outside the campus is not possible. If it is in order, with the consent of the members, we will briefly go into private session.

The joint committee went into private session at 1.30 p.m. and resumed in public session at 1.32 p.m.

Engagement with the Community Foundation for Ireland

Chairman: Members and all those in attendance are asked to exercise personal responsibility in protecting themselves and others from the risk of contracting Covid-19. They are strongly advised to practise good hand hygiene. Every second seat has been removed in order to facilitate social distancing. We ask people not to move chairs from their current positions. They should always maintain an appropriate level of social distancing during and after the meeting. Masks, preferably of medical grade, should be worn at all times during the meeting, except when speaking. I ask for members' co-operation in that regard. They might indicate if they wish to speak. Members' speaking arrangements have been agreed.

On behalf of the committee, I welcome, from the Community Foundation for Ireland, Ms Denise Charlton, chief executive, and Ms Frances Haworth, head of grants, donor care and impact, and, from the Children's Law Centre, Ms Paddy Kelly, who is participating via Microsoft Teams. I remind them to wear masks when they are not speaking.

The evidence of witnesses physically present or who give evidence from within the parliamentary precincts is protected, pursuant to both the Constitution and statute, by absolute privilege. However, witnesses and participants who are to give evidence from a location outside of the parliamentary precincts are asked to note they may not benefit from the same level of immunity from legal proceedings that a witness giving evidence from within the parliamentary precincts does and they may consider it appropriate to take legal advice on this matter. Witnesses are also asked to note that only evidence connected with the subject matter of the proceedings should be given. They should respect directions given by the Chair on parliamentary practice to the effect that, where possible, they should neither criticise nor make charges against any person, persons 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.

I invite Ms Charlton to make her opening statement.

Ms Denise Charlton: I thank the Chairman and members for their interest and attendance. The Community Foundation for Ireland, on behalf of the 30 cross-Border civil society partnerships that were formed through our new pilot all-island fund, warmly welcomes the opportunity to talk to them about our work. We are an impact-driven philanthropic hub working with professional expertise and experience developed over 21 years of supporting donors and communities to deliver positive, sustainable and strategic impact. We are recognised as a trusted organisation working with leaders from public, private and philanthropic sectors to achieve positive change. We do this because we connect the generosity and the purposeful giving of

donors with the energy, ideas and commitment of people and communities on the ground.

The foundation is connected with every part of the country. We work and support more than 5,000 voluntary, community and charitable organisations. Those links put us in a unique position whereby we can identify the issues on the ground that are emerging for communities. With the support of our donors, we are able to provide responses which are not just immediate and fire-fighting in nature - although we recognise the importance of that - but which can also identify and move us towards solutions, both system change and systemic.

The connectivity to communities and the ability to listen and of our donors to respond has seen us at the forefront of many challenges Ireland has had and continues to deal with: youth mental health and well-being; the needs of our older community; inequality in all its forms, whether driven by gender, sexual orientation or racial inequality; the response to climate change; and the biodiversity challenge. We at the Community Foundation for Ireland and our partners are there. When civil society is seeking, demanding or implementing change, so are we. The foundation has been a strong partner of communities for more than 21 years. In the first half of next year, we expect to pass an incredible milestone of having granted more than €100 million to communities since we came into existence.

The €100 million landmark and our 21 years of existence have brought us to a point of reflection; to look not just at the contribution of our donors, our partnerships on the ground in communities, but also the wider role of philanthropy and how it might be leveraged more actively and appropriately in Ireland. Every day, we see the role philanthropy plays and its impact. We see it first-hand in communities throughout Ireland. Ms Haworth and Ms Kelly will talk more about that. We recognise the pressure there will be on public finances going forward post Covid. Philanthropy and our donors have a serious role to play in addressing that.

We are delighted that the Government will be developing a national philanthropy policy in the coming months. It is very important to develop this policy in order that we can grow and nurture gift-giving in Ireland and add to the impact it can have. There are a couple of important areas in philanthropy and in that policy. They are just some examples of where we could be developing philanthropy in Ireland. Less than 1% of the donations to volunteers, communities and charities are for more than €5,000. In New Zealand, which is a very similar country in terms of population, make-up and size, the figure is more than 30%. Imagine the difference we could make if we could grow philanthropy here in the same way.

Match-funding is a mechanism that really helps to grow philanthropy. We, along with our donors, have invested €75 million in communities and that could be significantly grown and leveraged if the Government, Departments and State agencies were to embrace match-funding arrangements. Match-funding is public and private money working together, often in respect of challenging, complex and difficult issues that may otherwise never be funded.

In the past while, we have seen philanthropists stepping up to the plate, looking at their local communities and, informed by the leaders of those communities, identifying where they can make a difference. Whether it is a place to which they are personally connected because of living or business or somewhere from where they came, we have seen philanthropists from Monaghan to Kerry to Cork to Sligo to Tallaght and on to Dún Laoghaire stepping up to the plate and trying to invest locally. The national policy on philanthropy can encourage and promote this place-based giving.

The Community Foundation for Ireland is a philanthropic hub that really listens to com-

munities and hears about what is happening on the ground. We are one of 1,800 community foundations globally. That is one aspect of our unique selling point. It is unique to our model, along with how we know what is happening on the ground. That listening has made us aware for some time that there is a major gap in terms of those in civil society having the opportunity to work together on an all-island basis on specific issues that might bring benefits to all the people. This matter has been on our radar for a long time, but was brought more widely into focus by Brexit and the fallout to which it has given rise.

Last year, we again partnered with the Community Foundation Northern Ireland, some of our donors and community across the island in order to look at the shortfall and see whether action in respect of it was merited. The response was extremely positive. Last Easter, we were able to act. Groups operating as cross-Border partners, or with the intention to operate as such, were able to apply to a pilot all-island fund. Demand was very strong and, as always, way exceeded the amount of available funding. We went through the applications with help of our independent panel and assessors. We were in a great position last August to announce the 30 partnerships. Clean air initiatives, sanctuaries for refugees and migrants, progression of women's rights, a ban on LGBTI+ conversion therapy and a shared initiative to counter human trafficking are among some of cross-Border civil society partnerships in respect of which we gave out just about €500,000. Ms Haworth and Ms Kelly will go into further detail on that.

These partnerships are real. The experiences, research and campaigns are being shared and positive change is beginning to happen. Of course, success often creates its own challenges. The challenge now for us is to meet the demand that exists. We will be working with our founders, new and existing, to try to meet that demand. Awareness is key. In that context, I acknowledge the support of members of this committee who have helped increase that awareness in communities, encouraged applications and got information on the fund out. If they have information on other interested organisations, communities or donors, we would be delighted to hear from them.

Together with my colleagues, Ms Haworth, head of donor care, grants and impact, and Ms Kelly, CEO of the Children's Law Centre in Northern Ireland, which was one of the first beneficiaries of the fund and which works in partnership with like-minded groups in the South such as the Children's Rights Alliance, we would be delighted to listen and consider any questions and observations members may have.

Ms Frances Haworth: I can give the committee a sense of the grant-making involved and the kind of impact we hope the projects will have. We opened the fund to applicants in April and received approximately 100 applications, involving requests amounting to €1.3 million. We were oversubscribed by a ratio of 3:1 in respect of the funding we had available. We deliberately kept the criteria quite broad in order to enable groups to tell us about the issues on the ground they wanted to work on. The idea behind the grants is that there is a grant behind each. In other words, a non-profit organisation in the South and another in the North will partner on a key issue. There are different stages to that. They can be early-stage partnerships. In other words, if the two groups had just started and identified that they wanted to work together, they might be exploring ideas initially. Then we had stage-4 organisations that had already developed partnerships and could apply for more funding to further develop those partnerships and, maybe, develop shared policy positions.

We had strong interest in the fund, which was oversubscribed. Our assessment panel went through all the grants and selected 30 strong partnerships. We were delighted with the quality of what came forward. It was interesting to see the themes that were coming through. Because

we had quite broad criteria in terms of encouraging groups to come forward with issues they felt it would be important for them to work on together, we saw different themes emerging. There was a strong interest, for example, in cross-Border environmental work. We have funded six projects for organisations looking at clean air quality and how to work together on the common issue we have around climate change, including, for example, in the context of community recycling initiatives. There are some really interesting projects. We also had a focus on migrants and racial justice, funding a number of projects in the area and looking at shared learnings around integration of migrants in the education system, for example, and supporting leaders from the migrant community. That is some really interesting work.

There were also some joint policy projects and Ms Kelly will speak in more detail around a project working with the Children's Rights Alliance. There is some really interesting work exploring more rights-based issues where, for example, we support TASC with a grant to do some workshops looking at how the most disadvantaged have been affected by Brexit. It is a really interesting range of projects, with some health matters coming forward as well.

From our perspective it has been really interesting to listen to the communities and the sector about what it wants to put forward and work on. We are looking to support that with flexible funding to enable those discussions and some joint work as well.

Ms Paddy Kelly: I will come back to reflect on the particular work we are doing with colleagues in the Children's Rights Alliance. I thank the Chairman, the committee, Ms Haworth and Ms Charlton for inviting me to speak today. This is a matter very dear to my heart and I would like to reflect specifically on the importance of philanthropy. I welcome that the Government is preparing a national policy on philanthropy. In reflecting on that, I will explain why it is so important to us in the Children's Law Centre.

For those members who do not know us, the Children's Law Centre is a rights-based organisation working on social justice and using the law to vindicate children's rights. When we were set up 24 years ago, it was on the back of a very small grant of £30,000 per year for two years from the Community Foundation Northern Ireland. That grant allowed us to leverage money from the historic health and social services boards. From that we are now in a position where we help 3,500 children every year to vindicate their rights. By this I mean that children are able to access mental health services and education. Homeless children are able to find somewhere to live and refugees and asylum seekers are able to live securely and safely.

This only happens because of philanthropy and the work of the Community Foundation Northern Ireland. As a result of that £60,000 grant 24 years ago, there are tens of thousands of children and young people in the North who have been able to live happy childhoods and realise their potential. There are literally children who are alive today as a consequence of that small grant. I think particularly of a young man who but for the Children's Law Centre and the grant allowing us to be established would have been sent back to Afghanistan in the near future. I congratulate those involved on the development of this national policy on philanthropy and I hope those in Stormont take note of it and develop a similar policy or approach.

I also reflect on the importance of civil society organisations working North and South with respect to the peace process. It is without fear of contradiction that I can speak about the role played by organisations like the Irish Council for Civil Liberties and the Centre for Humanitarian Action in ensuring human rights protections in the Good Friday Agreement. They ensured those protections were there and, insofar as it is possible, they have realised the potential of these in the intervening years. Those organisations exist by virtue of the funding through phi-

lanthropy. Again, the organisations came together, along with ourselves and the Children's Rights Alliance, to try to put on the agenda the importance of rights protections as the UK withdrew from the EU. It was about ensuring the rights protections in the Good Friday Agreement were safeguarded.

It is again important to recognise the role that organisations North and South played together in seeing that those rights protections existed in the protocol. I will leave it there but I am very happy to answer specific questions on the work done by us and the Children's Rights Alliance.

Chairman: In hearing from members, I propose that ten minutes be allocated to each party. This session will end at 3 p.m. and we should have plenty of time for people to ask questions and witnesses to give their answers. I understand we will have two speakers from Sinn Féin.

Deputy Rose Conway-Walsh: I thank the witnesses for their presentations. I am very familiar with the work of the Community Foundation for Ireland and we have done some projects in Mayo with it, as well as some cross-Border projects. It has been a while now. Working in community development, sometimes with the application for funding there is much bureaucracy but I have always found the Community Foundation for Ireland to have accountability absolutely worked into its process while not being too bureaucratic. I encourage organisations here to avail of the really good opportunities under all the different strands that it has. I would like to see more use being made of that.

There are two challenges I will ask about specifically. One concerns the Government mainstreaming of projects as there can be some really good projects that just stop. What ideas do the witnesses have about mainstreaming them? What could we do as a committee to encourage the Government to match funding and mainstream projects so the benefits would not be just for the people in the initial project?

As part of the committee's work today we will have witnesses who will speak to the challenges for former prisoners, their children and grandchildren and extended families. In the course of the work done by the witnesses, have they done anything in that area? Is there anything planned for the future to support that type of work? It is quite shocking, having looked at the presentation sent to the committee, that such people have travel, employment and insurance restrictions. There are real civil and human rights matters that must be dealt with. We must deal collectively with those. I apologise as I must leave early because I have a flight to catch. If the witnesses address these matters they could then engage with Mr. Brady.

Ms Denise Charlton: It is great to see the Deputy. She is absolutely right about the Community Foundation for Ireland. In working with donors we ensure we mind our due diligence and take the best care we can of the assets with which we are entrusted. On the other hand we understand that communities are really up against it. We also want to honour their requests while having as light a touch as possible. We are always thinking about the application process and how approvals can be made. We are also always at the end of the phone if people need support in applying to us. I am glad the Deputy has noticed that about us because it is our intention.

We do much work with prisoners and one of the groups is looking at prisoner rights. We also do much work in the Republic with the Irish Penal Reform Trust. We have a rolling fund and we hope to bring more investment, so if there are matters that people want us to consider or address, we would be delighted to do that. We have an open door. We hope to keep a small rolling fund for matters that emerge while we are doing the open grant rounds. I hope that answers the questions.

Senator Rose Conway-Walsh: Yes. I thank the witnesses.

Mr. Mickey Brady: I thank the witnesses for the presentation. It is great to see Ms Kelly again because I have not seen her for a while. My question relates to funding. There is tranche of PEACE IV funding that will come on board by the end of this month but it may be at risk because it must be signed off by the North-South Ministerial Council. The Democratic Unionist Party, DUP, has threatened to pull out of those meetings. Could funding be put at risk because of this?

Ms Denise Charlton: The question on match-funding and what the committee can do arose in the previous speaker's contribution as well. As the two members highlighted, funding is an issue. This is an agile and flexible fund, the intention behind which is to encourage new and existing partnerships to see how they might work across the island on particular issues. There is no doubt we will need more funding. One of the asks of the committee is that it would strongly encourage match-funding. There is no doubt that we could leverage more money into the fund if match-funding were available. Groups have said to us that they will have ongoing requirements to work together. They have said this is the first phase and they are interested in seeing where that might be realised. They are considerations we think about all the time. As for the new policy on philanthropy, it would be fantastic if match-funding throughout Departments were considered as part of that, and if the focus for this fund were applicable. Ms Kelly might like to add to that.

Ms Paddy Kelly: No, but I am happy to endorse what Ms Charlton said.

Deputy Brendan Smith: I welcome our guests and thank them for their presentations on a very important area. The foundation, both nationally and through its member organisations, does very important work on behalf of so many areas where there is disadvantage. Over the course of the pandemic, we have become more and more aware of the increasing incidence of domestic violence and so on. There are many areas that need interventions and support, but I am glad Ms Charlton outlined that the foundation supports efforts to counteract domestic and gender-based violence. That is very welcome. I presume that when the foundation runs programmes, it needs a multi-annual commitment from donors and sponsors. I imagine that is not easy to achieve. As we all know, sometimes running a programme on the basis of its getting annual funding does not lead to stability or continuity in planning and providing particular services. Does that pose a problem in many instances?

I was taken with the figure Ms Charlton mentioned with regard to New Zealand and the level of sponsorship in our country. Are there tax incentives in that country or is it that there is a good programme of awareness, created by the government or local authorities and statutory agencies, in regard to the need for businesses and people in a position to support good causes to make those contributions? I have always been of the opinion that, as a country, we are very generous in supporting good causes. As I know from my work as a member of the Joint Committee on Foreign Affairs and Defence over the years, at which we have had constant dialogue, communication and meetings with NGOs such as Trócaire, Concern and Oxfam, they always mention the very good response there is from this country, both at a State level and from individual citizens, in regard to disasters that occur throughout the world, not just at home, be it famine or otherwise, to help the most needy.

I presume that when Ms Charlton refers to philanthropy, she means being supportive of good causes. There is a great deal of general sponsorship, such as that of sporting organisations at local level or of various events. In every parish and village on this island, people generously

sponsor good local causes, whether it is in terms of sport or some other endeavour. How much of that type of sponsorship philanthropy on this island is captured in the foundation's figures? Events are held to mark occasions or to help out where some family or individual comes on difficult times. We all know of very good work done at a local community or county level. Are those types of events captured in the foundation's figures Ms Charlton mentioned?

I could talk about the Kevin Bell Repatriation Trust. Sadly, many Irish people have died abroad and the trust in question has been phenomenal in assisting families to bring back loved ones who have passed on. Subsequently, in the parish or area in question, there might be a fundraiser to support the Kevin Bell Repatriation Trust to ensure it will be adequately resourced to deal with the next tragedy that will, unfortunately, happen. That is not an isolated type of event; they are common and different causes merit fundraising at different times in local communities. How much of that type of good support and generous gift-giving is captured in the foundation's figures?

Ms Denise Charlton: I will answer some of the questions before handing over to Ms Haworth. On philanthropy in Ireland and how we fare internationally, the Deputy is quite right in saying that philanthropy is very underdeveloped in Ireland. I will speak to the reasons for that and what we could do to promote it more actively and appropriately. There is no doubt that in other countries, it is seen as part of the solution and the recovery. Governments strongly promote philanthropy and work with private donors to examine common areas of interest that can be progressed. That is what makes such a difference in Ireland. It is fantastic that consideration is being given to developing a national policy on philanthropy. We would really like that to be progressed as a matter of urgency, but we would also like there to be some teeth behind it to show that the Government sees philanthropy as part of the solution.

We at the Community Foundation for Ireland see the difference philanthropy can make. It adds value. Often, it can be there when a project is at pilot stage or needs to be scaled up, when certain evidence or research has not been available or when a collaborative approach might encourage a system change. It can be capital, and many buildings in Ireland have had philanthropic investment. There are many ways philanthropy can help.

As we said earlier, the public purse will be under great pressure. We believe that if the Government can see its way to developing and promoting the national policy and showing where philanthropy has had an impact, many more givers will come to the table. There are many people in Ireland who can give in many different ways, whether through legacy or a fund. At the Community Foundation for Ireland, we have 100 funds, although we could have 200 or 300. We would like the Government to promote the environment for philanthropy, showcasing and highlighting its impact and encouraging others to come to the table.

The Deputy is absolutely correct about multi-annual funding. When we talk to the groups on the ground we are working with, trying consistently to raise funding is problematic. As a foundation and with our donors, we encourage the examination of how multi-annual funding can be facilitated. In our 21 years in operation, we have had partners for that period. We work with partners and communities over the long term and that is important to us. It depends on the donor's intention and we try to work with them in that regard. They ask us where the greatest need is and how best to facilitate solutions to that need.

The Deputy referred to some of the crises that are happening nationally and internationally. When Covid-19 hit, we set up a fund and our existing donors and new donors immediately came to the table and put money in. They did so in a variety of ways. Some gave us unre-

stricted donations and allowed the Community Foundation for Ireland, because we are connected to the organisation, to decide where the greatest need lay. We are delighted with that. Others told us they had been working with particular organisations for many years and wished to ensure that those organisations could pivot and adapt to the crisis and continue to work with their beneficiaries. Donors work with us in a variety of ways but we absolutely acknowledge that, as the Deputy stated, there is a significant need for multi-annual funding in order to support organisations to do the very important work they do.

As members are aware, the voluntary and community sector is approximately the same size as the agriculture sector. It is vast and the work it does throughout the country is incredible. We saw its amazing work continuing in very difficult times. The figure of €75 million to which reference was made is the money that we and our donors have been able to invest in communities across Ireland. That is our figure. We hope to reach €100 million next year. I ask Ms Haworth to comment.

Ms Frances Haworth: As regards value added as a funder, the Community Foundation for Ireland is of the view that, by its nature, there is only a limited amount of philanthropy. The latter can never replace Government funding, so we always try to add value in terms of the projects we fund. The all-island fund is an example of that. Even when we were setting up the fund, we consulted with the sector to see whether there was a gap for that kind of funding. Indeed, the demand for this kind of grant initially came from some of our partners on the ground who wanted to do this kind of work but lacked the small-scale funding to initiate it or were unable to access most of the funds that were available as they were thematic in the context of a particular area or were focused on peace and reconciliation, for example, rather than on other issues that were affecting people across the country who were more disadvantaged. We consulted extensively before launching the fund in order to make sure that we were adding value. In the context of the PEACE PLUS money that was referenced, we consulted with other funders, including the reconciliation fund, to ensure that the grants we were offering would be supportive and make sense in the funding environment that exists. There really was a need for flexible funding to support community groups such as those that were at an early stage of meeting and starting to build partnerships and were not in a place where they could apply for PEACE PLUS funding, for example.

We play a key role in supporting community and voluntary groups to come together in respect of a broad range of issues and also being able to support issues for which it may be more difficult to secure funding through more mainstream supports. For example, we mentioned that we are supporting LGBT Ireland and the Rainbow Project in Northern Ireland to come together to consider a shared policy in respect of a ban on conversion therapy, for example. That is an example of being able to support sectors of civil society that have come together to develop a shared position on a key social issue.

Chairman: The Deputy's ten minutes are up but we will have time for a second round. I move to the Fine Gael slot, for which there are two speakers, namely, Senator Currie and Deputy Carroll MacNeill. I do not mind which of them goes first. I will not choose.

Deputy Jennifer Carroll MacNeill: Senator Currie may go ahead.

Senator Emer Currie: I thank the Deputy. I am here to get as much information as possible to relay to the organisations that get in contact with me. I have been contacted by many of them regarding projects with which the Community Foundation of Ireland might be able to help, so I thank Ms Charlton, Ms Haworth and Ms Kelly. I ask them to provide as much

information as they can in respect of situations in which an organisation would go to the reconciliation fund as compared with situations where it might go to the Community Foundation for Ireland. I am sure our guests have an oversight of that.

It is great that some of the projects the foundation is funding are not the normal, run-of-the-mill projects one is used to hearing about. One hears a great deal about reconciliation funds but the foundation also funds projects relating to climate justice, domestic violence and all that sort of thing. It is very broad. If I were advising an organisation that comes to me, where would I send it? One of the organisations we met recently is the Irish Central Border Area Network. In what direction would our guests push that organisation?

I refer to mental health. I am on the board of a charity called Social Anxiety Ireland. Is that the kind of thing in which the foundation is interested? That organisation is based in Dublin but wishes to reach out across the island. It may not be part of the all-island fund but it may relate to other funds the foundation has.

My final question is probably more for Ms Kelly. I keep coming back to the fact that we are crying out for more North-South co-operation in light of everything that has happened in the context of Brexit. This is the Joint Committee on the Implementation of the Good Friday Agreement but parts of the agreement have not been implemented. I refer specifically to the North-South consultative forum. What loss does the failure to have that structure up and running create? How would it benefit the work our guests do to have a forum where civic and community organisations would have a voice and a say? What value would that bring? Do our guests see themselves playing a role in that regard? What are their thoughts on not having that structure? Whether they like it or not, as the foundation is an all-island operation with this fund, it sees so much of the co-operation that is there, as well as its value and potential.

Ms Denise Charlton: I thank the Senator. To go back to the origins of and intention behind the fund, it was deliberately designed to focus on issues. Organisations on the ground were saying to us that they wanted an opportunity to think, convene, research and campaign with their counterparts across the island and that they needed an opportunity to have a flexible and open way to do that. For some of them, it was the very beginning of thinking about how they might work together. Others may have been working together or thinking about doing so but needed resources.

The Senator is right in saying that we fund projects relating to climate, mental health and gender-based violence. We do so because those are the issues that are the glue for working, thinking and campaigning together. That is very much what the fund is focused on, and deliberately so. We received a high level of response on that, with organisations indicating that they wished to circumvent the politics of the island and try to work together on specific issues. That is the intention. We will evaluate the fund. These are very early days. As we stated, the funding was only announced in August. We will evaluate its impact and consider the question of where to next for the organisations that have participated.

We would be delighted for the Senator to recommend to people that they contact us. We are always open. We meet the funder, which is an opportunity for organisations to book a slot to come and talk to us. We believe that our ability to have an impact is through our connectivity with communities on the ground, so we are always open and really want to hear from communities and hear their ideas. We have several grant rounds consistently open during the year. At the moment, it is for older people. We will be looking at biodiversity in October. These grant rounds are always publicised on our website. We run many webinars and facilitate information

sharing. Members are always welcome to direct people to us. We would be delighted to hear from them. They should always be asked to check out the website.

Perhaps Ms Kelly will comment. The Children's Law Centre and the Children's Rights Alliance started before we announced the fund. They were part of the pilot pilot, as we say. Perhaps Ms Kelly will respond to the question about where to send an organisation. The Children's Law Centre and the Children's Rights Alliance have been working together for a period of time.

Ms Paddy Kelly: I would echo the importance of all-island dialogue in terms of addressing what the Children's Rights Alliance and the Children's Law Centre believe to be the potentially serious adverse impact of Brexit on the Good Friday Agreement. By way of background, the Children's Law Centre and the Children's Rights Alliance came together as far back as 2016 because at that stage, we recognised the potential impact of Brexit on children's rights and together we commissioned *pro bono* evidence from A&L Goodbody and invited it to look at the impact of Brexit on children's rights. We disseminated that information quite widely, including to Members of the Dáil and representatives in London, Brussels and Belfast. I, along with Ms Saoirse Brady from the Children's Rights Alliance, gave evidence alongside Ms Michelle Gildernew in Westminster on this particular issue.

On the back of that, when we saw the withdrawal agreement and the protocol, we continued to believe there was a real threat to children's rights and to the Good Friday Agreement from what was unfolding. Indeed, we saw that in the context of the UK Government's threat to repeal the Human Rights Act and potentially to withdraw from the European Convention on Human Rights, ECHR, which, as committee members know as well as I do, is a fundamental cornerstone of the Good Friday Agreement. We were concerned that would interfere with children's legal entitlements and result in soaring child poverty, and that it would interfere with child protection, anti-trafficking measures, the rights of EU citizens in the North and EU-derived rights of citizens generally in the North. At the same time, we were conscious that the winds of constitutional change are blowing across these islands. One only has to look at the independence movement in Scotland and the growing dialogue around constitutional change on the island of Ireland. We are also conscious of the Irish Government's shared island dialogue process. The Children's Rights Alliance and ourselves feel strongly that children's rights principles and the voices of children and young people should underpin all of the considerations of governments on these islands and developments that are happening. The new political realities, whatever the future constitutional changes on these islands may be, must be informed by the voices of children and young people. That is why we came together.

The project we are doing has three strands. We are commissioning research from eminent academics in the University of Liverpool, who are going to scope out the impact of Brexit and the protocol on children's rights and the capacity to vindicate those rights. That includes socio-economic rights. We are deeply concerned about the impact on child poverty that Brexit and the withdrawal agreement will have.

We have an exciting piece of research and pilot programme. We are going to listen to the voices of children and young people and hear their concerns over the impact of Brexit, the protocol and the constitutional conversations happening on this island. We are making efforts to reach those communities of children and young people who are hard to reach, including the Protestant, unionist and loyalist, PUL, community in the North.

We also want to bring together those of us who work in the children and young people sector to have a dialogue about how we can work together to build relationships on this island and to

act as a strong lobby and as a resource base for people like the committee members to ensure the decisions they make about the withdrawal agreement, the protocol and the constitutional conversations are made with full knowledge of the implications for children's rights, and having listened to the voices of children and young people.

Senator Emer Currie: My colleague, Deputy Carroll MacNeill, did not get in.

Chairman: She did not, but the ten minutes are up. I will be nice to everybody. We will have plenty of time. I will go back to Sinn Féin, followed by Fianna Fáil and Fine Gael. That should allow everybody to come in. I apologise to Deputy Carroll MacNeill, whose colleague asked very good questions.

Deputy Jennifer Carroll MacNeill: She did ask good questions. That is quite all right.

Ms Órfhlaith Begley: I welcome the representatives of the foundation to the committee today and commend them on the work they have been doing so far. It is excellent to see North-South co-operation. We all saw how important co-operation was throughout the pandemic and it has also been highlighted by Brexit. I note from our guests' paper that they are working with a number of voluntary community and charitable organisations. I would like to get a sense of how our guests think Brexit is going to impact them, particularly their funding. How will additional funding add or take away from the projects and works that those organisations have ongoing at this time?

I will pick up on Ms Kelly's point about rights and Brexit. We saw during the Tory party conference that the Conservatives have an agenda to repeal the Human Rights Act. There is, in the North, an *ad hoc* committee on a bill of rights, which is considering the implementation of a bill of rights for the people living in the North. I would be keen to hear Ms Kelly's view on how important she considers that bill of rights for the people living in the North, especially children and young people.

Ms Denise Charlton: Ms Haworth will go first and then we will go to Ms Kelly.

Ms Frances Haworth: I thank Ms Begley for the question. I will comment on the funding for the community and voluntary sector before Ms Kelly comes in. There has been a lot of surveys and analysis done in the community and voluntary sector since the onset of Covid-19 in terms of the impacts on funding. There has been a significant impact, particularly on smaller community and voluntary organisations that are seeing increased demand for their services, on the one hand, and a decrease in their ability to raise funding through normal activities, including charity shops and fundraisers, etc., on the other hand. The Community Foundation of Ireland has certainly seen an increase in the demand for funding from groups over the past 18 months. We have been able to meet some of that demand through additional funding, including, for example, our Covid fund, which has responded with a dedicated €3 million since the start of the pandemic. We also distributed €6 million worth of Comic Relief funds last year. Philanthropy has played a key role in terms of being able to support the community and voluntary sector through Covid and its aftermath.

Some of the specific impacts of Brexit remains to be seen. To reiterate an earlier point, most of the 30 projects that are being funded through this fund include an element of convening and bringing groups together to discuss some of these key issues. They have only just started. We are very much in learning mode as we move to a stage when work together starts happening. We will have learned an awful lot by this time next year through the community and voluntary

sector coming together to see where they are.

Ms Paddy Kelly: I will pick up on the issues around the Human Rights Act and the bill of rights. The Human Rights Act is part of the focus and concern of the Children's Rights Alliance and the Children's Law Centre in taking forward the work we are doing. We believe strongly that Brexit presents a threat in that regard and, consequently, to the human rights provisions of the Good Friday Agreement. We are deeply concerned about the UK Government's approach to the potential repeal of the Human Rights Act and its potential withdrawal from the ECHR. In addition, we are also very concerned about new immigration legislation the British Government is pushing through, which will undermine the rights of trafficked children, including children who have been trafficked through Ireland, and other measures that we believe undermine the protection of rights in the North.

I will move to the bill of rights and the charter of rights that is also provided for in the Good Friday Agreement. I do not want to pre-empt the research that has been undertaken, but it is the view of the Children's Law Centre that a bill or charter of rights would provide a potential safeguard and safety net to mitigate any loss of rights that might arise as a result of Brexit and would offer increased protections as the North begins to fall behind EU countries as a consequence of Brexit. We have, since our foundation, advocated for a strong, enforceable bill of rights in the North, including strong protections for children's rights and the incorporation of the United Nations Convention on the Rights of the Child, UNCRC. Our colleagues in the Children's Rights Alliance would similarly welcome its incorporation in the South. I am also mindful of the requirement for equivalency of rights on the island of Ireland, something civil society has been advocating for since the Good Friday Agreement. The type of funding the community foundation, both North and South, is providing will facilitate that discourse continuing. It is important that in implementing and protecting the Good Friday Agreement, human rights be kept at the centre of the discourse.

Deputy Brendan Smith: I thank our guests for their responses. I asked earlier about the figures quoted in regard to the allocation of funding and the support of various very worthy causes. I presume they do not in any way encompass the high level of philanthropy and sponsorship, at both local and national level, in which our country and communities are involved. I do not know how that could be quantified or captured in figures, but I would not like the wrong message to go out about this country. People throughout the country, even those on stretched incomes, are invariably supportive of good causes. As I said earlier, that is the case in every parish and community and great work is done. Many organisations have seen their revenue streams cut substantially during this pandemic and they face difficulties in continuing to provide good services, which they are doing in challenging circumstances. In the context of the very good causes the foundation supports, has it worked with any of the groups that are strong advocates for victims of the Troubles, such as the WAVE Trauma Centre and other groups that have worked with victims of the Troubles and their families over the years? Has it worked on any projects that have helped people through ongoing difficult circumstances?

Ms Denise Charlton: I fully agree with the Deputy in regard to the voluntary and community sector and the contribution it makes to Irish society. The figures we presented reflect what the community foundation has been able to invest in communities and organisations but, of course, there are so many voluntary and community organisations doing incredible work. As I said earlier, the community and voluntary sector is the same size as the agriculture sector. We saw at the coal face organisations pivoting and adapting when Covid arrived, again amplifying the amazing work done by volunteers throughout the country and by national and local organi-

sations.

The all-island fund is new and, as Ms Haworth said, we are at the early stages of working with organisations on key issues throughout the island. We will look closely at what the implications of that are. To date, we do not have any projects such as those the Deputy highlighted, although we would be open to that in future. We work with organisations on a wide range of issues, some of which we mentioned earlier. Ms Haworth might highlight some of the key areas we are working with in communities throughout the island.

Ms Frances Haworth: Following on from the point about the generosity of Irish people, an international survey on charitable giving that is carried out regularly demonstrates, as the Deputy pointed out, that Irish people are among the most generous in the world in terms of personal giving, which is amazing. That has always been said about Irish people, and we certainly see it.

On the kind of work we do, as Ms Charlton said, the foundation is part of an international model. Community foundations were initially set up in the US and are designed by local people for local people. The idea is they are permanent foundations that connect donors who care with causes that matter. That was the spirit in which the Community Foundation for Ireland was set up 21 years ago. Since then, we have supported more than 5,000 organisations throughout Ireland. We have always had a focus on smaller community and voluntary groups across Ireland. Being able to do so, and to support communities to take control of their destiny and address their problems through collective action, is at the heart of the community foundation model.

As a national community foundation, we are able to support the non-profit sector and civil society to address more systemic, long-term issues that affect Irish society because our remit covers the entire country. We have always tried to invest our funds through a lens of equality and human rights in order to support disadvantaged groups. In respect of the Traveller community, for example, we have had substantial investment to support that community and the civil society organisations to address and elevate Traveller rights, services and activities throughout the country. That has been a key area of investment. We have a number of standing funds, such as a women's fund, an older persons' fund and an environment fund, that distribute grants annually in these key areas. In general, we focus on community groups and on long-term change.

Ms Denise Charlton: I might add something to that on the investment side. To be clear about who our donors are, we work a great deal with families, individuals, corporations, trusts and foundations. Two of our better known partnerships amplify the generosity of the Irish people that the Deputy and Ms Haworth discussed. The first is "RTÉ Does Comic Relief" which, during the pandemic, allowed artists to come together with the public broadcaster, and our foundation got some match-funding. Artists and the public came together and raised €6 million, €3 million of which was match-funding. RTÉ asked us to use our expertise and knowledge of where the need was, and the result was that grant-making was developed and designed to allow organisations to pivot during Covid and adapt the services they were providing, or the work they were doing in communities, to the crisis. We were able to support organisations in that way.

The other relationship that amplifies the generosity of the Irish people, which is then turned into strategic and purposeful giving, is with "The Late Late Toy Show" on RTÉ. We all watched the show on the wonderful night last year when €6 million was raised. The show focused on children, particularly those who are vulnerable. There were three strands of funding, including in respect of basic needs and access to creativity and play. The Irish people responded, as they often do, and then the partnership considered the strategic intention of the fundraising and

maximised the potential of where the money went, informed by the groups working with children on the ground. Those are some examples of how we work.

Chairman: Are there any further question from the Fine Gael members? The Community Foundation for Ireland is a very dynamic organisation. It has a structured and balanced board, and its capacity to understand finances and communities is most welcome. I ask that it keeps up the good work. Its input has been fantastic.

One group that has not contributed is Aontú. I think Deputy Tóibín is present, although I cannot see him online. He was present a moment ago but is no longer available. We will now conclude unless the witnesses wish to wrap up this session. They have explained their work comprehensively. Everyone will be thinking of communities to approach with the organisation's application forms.

Ms Denise Charlton: I wish to thank the Chair and the members of the committee for listening to us speak about the Community Foundation for Ireland's work in general and in the context of the all-island fund. We urge the committee to make recommendations to the Government on the national policy on philanthropy and to promote the difference that philanthropy can make in this country. We believe it is part of the recovery. The Community Foundation for Ireland would be delighted to work with any donor or organisation.

Chairman: I thank Ms Charlton, Ms Haworth and Mr. Kelly for their excellent presentations. We will suspend the meeting in order to allow witnesses for our next session to join us.

Sitting suspended at 2.43 p.m. and resumed at 3.08 p.m.

Engagement with Coiste na nIarchimí

Chairman: We are back in public session. I thank everybody for attending and engaging with the committee. I apologise to our witnesses for the delay. As I said before we commenced the meeting earlier, we look forward to visiting Belfast and Derry in the near future. We hope to meet a number of different groups and organisations in the North. In particular, we hope to meet the Ballymurphy and Springhill families. We also hope to visit the WAVE Trauma Centre, which is the largest cross-community victim support group in the country. We also intend to meet people from many community groups on both sides of the great divide. The Good Friday Agreement is designed to bring us all together again.

From Coiste na nIarchimí, I welcome Mr. Michael Culbert, director, Mr. Thomas Quigley, treasurer, and Mr. John O'Hagan. I must inform them that 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. However, witnesses and participants who are to give evidence from a location outside of the parliamentary precincts are asked to note they may not benefit from the same level of immunity from legal proceedings as a witness giving evidence from within the parliamentary precincts does and may consider it appropriate to take legal advice on this matter. Witnesses are also asked to note that only evidence connected with the subject matter of proceedings should be given and should respect directions given by the Chair and the parliamentary practice to the effect that where possible they should neither criticise nor make charges against any person, persons 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 person's or entity's good name. I now call on Mr. Culbert to give his opening statement.

Mr. Michael Culbert: I have provided a short introduction of what Coiste na nIarchimí is, what it does and what it hopes to do. Rather than repeat what I hope committee members have already read, I will take a moment to quote from the Good Friday Agreement in the context of the people we represent. The first quote is from Annex B on page 48 of the Good Friday Agreement, which states, "The Governments continue to recognise the importance of measures to facilitate the reintegration of prisoners into the community by providing support both prior to and after release, including assistance directed towards availing of employment opportunities, re-training and/or re-skilling, and further education." That is in the Good Friday Agreement.

Eight years later we had the St. Andrews Agreement, where the commitment was:

The Government will work with business, trade unions and ex-prisoner groups to produce guidance for employers which will reduce barriers to employment and enhance re-integration of former prisoners.

The only thing which we are here to speak about is our attempt to gain equality of citizenship on the island of Ireland. All we want is to work full time. This is the fifth engagement I have had with the implementation group, yet I am not aware of any actions by the Government in the South. Following the Stormont House Agreement, we have been very fortunate to get the setting up of structures in parts of Ireland-----

(Interruptions).

Mr. Michael Culbert: -----trade unions, the equality commission-----

Chairman: If I could just interrupt Mr. Culbert, we cannot hear him clearly.

Mr. Michael Culbert: -----further review the situation of the political ex-prisoner community. That route has been very effective in attempting to remove the barriers that exist and mitigate-----

Chairman: I am sorry, but if Mr. Culbert can hear me, we cannot hear him properly.

Mr. Michael Culbert: There are approximately 24,000 republican ex-prisoners and approximately 18,000 loyalist political ex-prisoners. It is a big sector of society which experiences non-equality. If anything could be done to assist with that, we would appreciate it.

Chairman: I am sorry, but we could hear very little of that. That is unfortunate from our perspective. It is a sound issue. It is not personal to anybody whatsoever. I could not hear what Mr. Culbert said clearly. I apologise for that. If he wishes to try again, he may do so in order that we can hear what he said. Alternatively, his colleagues are very welcome to comment. I do not know if anybody here could hear him clearly. I am sorry that happened.

Senator Niall Ó Donnghaile: I think we got the gist of it. That is certainly the case from my perspective. I was able to follow most of it, but I do not know if other members are in agreement.

Chairman: I could not hear. I am just trying to be helpful. I can hear Senator Ó Donnghaile clearly. I have no problem proceeding, it is just that I did not hear. I say respectfully, as Chair, that Senator Ó Donnghaile's hearing must be much better than mine. Both of us present in the

committee room could not hear what Mr. Culbert said. That is being respectful to him. I hope he would not imply that I was being disrespectful or that we would not want to hear what he had to say, because we do. If Mr. Quigley or Mr. O'Hagan would like to address the committee, we would very much like to hear what they have to say.

Mr. Thomas Quigley: I have been the manager of the ex-prisoners project in north Belfast, Tar Isteach, for the past 20 years. In fact, it is longer. Since 1999 we have been providing support for ex-prisoners in terms of welfare rights, counselling, training, employment and advocacy, all the issues and elements provided by Coiste na nIarchimí and Tar Anall. We are based in north Belfast. We see thousands of ex-prisoners every year. In the main, we have been receiving funding for our projects from the PEACE programme, but that has been haphazard and piecemeal. Sometimes it has been good. The only time it was sufficient was when PEACE III was in operation. Before and after that, there were no dedicated funds for supporting ex-prisoners.

We see the issues of ex-prisoners mainly concentrating on the barriers created by the criminal record that still remains 21 years after the Good Friday Agreement. Everyone else in society is allowed equality of rights, especially in terms of employment. In 2016, recommendations were made by the Fresh Start panel. We raised the issue of the Fair Employment and Treatment Order, which guarantees workers' rights and equality of rights for workers. There is a provision within the order that specifically denies the same rights to ex-prisoners. Section 2(4) has the proviso that anyone who supported violence does not have equality of rights as far as employment is concerned. You can legally discriminate against ex-prisoners with no problem whatsoever. You can legally refuse services to ex-prisoners. All you need to do is quote the Fair Employment and Treatment Order. Anyone who was imprisoned during the conflict is deemed to have supported violence, no matter what they were in for. The Fresh Start panel recommended that the Fair Employment and Treatment Order would be amended to take out the proviso about support for violence. That was back in 2016. It was the only recommendation in the report that it specifically asked would be addressed urgently, but it has not been addressed at all. At a meeting in the Wellington Park Hotel, I outlined what I just outlined here. I raised the issues of the Fair Employment and Treatment Order, equality for ex-prisoners, and the fact that state actors received more than £2 billion in support. Organisations were set up on their behalf. They were mainstream organisations. There are dozens of support organisations that anyone involved in the state can apply to and receive support from. Nothing was set up with the same structures and resources for ex-prisoners. Those state actors are not discriminated against in any way, but political ex-prisoners are. Most of the barriers to ex-prisoners come from that conflict-related conviction and they have a criminal record. They have problems with employment, insurance, travel and access to financial services, including mortgages and loans. We have difficulty navigating all the things most people take for granted. We meet a point-blank roadblock.

Those are the issues that still remain. They are the same issues that we spoke of three or four years ago. In the past we travelled to Dublin to raise the issue with the committee, and we met with the committee in the Wellington Park Hotel a few years ago. I know other people raised the issue of ex-prisoners with the committee. I know people were listening but whether they heard is another thing because nothing came out of any of those meetings. No actions were taken. None of our recommendations were ever implemented. The PEACE programme is the only programme that provided the same sort of support services that other actors in the conflict receive without any thought whatsoever. Since the end of PEACE III, that fund more or less dried up. We do a great deal of good relations work as part of the work that we do. The PEACE IV programme only provides resources to run good relations programmes. There are dozens

of good relations programmes in the North, including the Central Good Relations Fund, which is basically the teabag strategy implemented by the Executive. We had many good relations programmes already running when PEACE IV was introduced. It is another good relations programme, but it does not provide any support for ex-prisoners or any of the services they need in terms of welfare, welfare rights, counselling, physiotherapy, training and employment, all of which are things we know from our research and interaction with ex-prisoners they need. We have carried out a number of research reports over many years on ex-prisoners which, if members had time to read them, would enlighten them with regard to what ex-prisoners want and need and what needs to be addressed.

Basically, we need opportunities to engage with committees such as this committee and others that have influence. We have engaged previously with this committee and others but we are still waiting for someone to come up with the remedies for these issues. We need measures that will tackle the barriers that ex-prisoners face and ensure the provision of the supports that are needed for ex-prisoners who, in the main, are old aged now and dealing with all of the issues of old age with which everybody else is dealing. Their children and grandchildren are also facing issues because either their grandfather or grandmother has a criminal record. That is taken into account when they seek employment or want to travel or do all of the things that normal people want to do. That is the view from north Belfast.

We have done the best we can, along with the other ex-prisoner groups, to keep these projects going and to support ex-prisoners. It has been very difficult to get those resources and it is a struggle every day to keep these projects open. I will hand over to my colleague, John O'Hagan of Tar Anall, also in Belfast.

Mr. John O'Hagan: Can you hear me?

Chairman: Yes, go ahead.

Mr. John O'Hagan: I appreciate the opportunity to engage with the committee. Unlike Mr. Quigley and Mr. Culbert, this is my first time in front of the committee. It is important that we reflect on what has been already said by Mr. Quigley and Mr. Culbert. I represent an ex-prisoner organisation in west Belfast known as Tar Isteach, which along with Coiste na nIarchimí, delivers a host of services. Not to regurgitate what Mr. Quigley or Mr. Culbert have touched on, but since coming into operation in 1985, Tar Isteach has dealt with thousands of republican ex-prisoners and family members.

I would like to return to some of the points made by Mr. Quigley with regard to the focus on political ex-prisoners and their importance in the development of the peace process. To be clear, the role of political ex-prisoners was fundamental not only to the development of the peace process but to the maintenance of it. We have maintained the peace from 1998 in a wide range of adverse situations. We have led in that charge. What we have seen from particularly-----

Chairman: Mr. O'Hagan, your microphone appears to be muted; we cannot hear you.

Mr. John O'Hagan: Can you hear me now?

Chairman: Yes; we lost you for approximately one minute.

Mr. John O'Hagan: With regard to the development of an uneven adverse approach to political ex-prisoners, I refer the committee to the recommendations from the British Govern-

ment with regard to the victims' pension scheme. Within that scheme, the only community discriminated against *en masse* is the political ex-prisoner community regardless of how they received their injuries. Approximately 95% of the people we represent are victims of state violence. Within the recommendations set out by the British Government, these individuals who were deemed victims are now being stripped of their victimhood because of their role within the conflict yet state forces would go forward unhindered and unrestricted with regard to a plan for their pensions. This is the development, as we see it, of things getting progressively worse with regard to the issue of political ex-prisoners.

Chairman: We have lost you again Mr. O'Hagan. This failure of technology is really unacceptable. We cannot hear you, Mr. O'Hagan. If any of Mr. O'Hagan's colleagues have a number for his office they might contact somebody there to let him know we cannot hear him. I am really sorry about this. It is an embarrassment to the Oireachtas that our witnesses cannot be communicated with properly.

Mr. John O'Hagan: Can you hear me now?

Chairman: Yes, but we could not hear you for at least the last two minutes.

Mr. John O'Hagan: I do not know why it is happening; I am not doing anything here to cause it to happen. As I was saying, things have developed progressively in that from our end, we are seeing a degeneration that is affecting the political ex-prisoner community.

Chairman: We are experiencing serious difficulties here in this room.

Mr. John O'Hagan: Are there any questions?

Chairman: We are experiencing serious technical difficulties.

(Interruptions).

Chairman: We are experiencing technical problems, which we are trying to address. I propose that we go into private session for a few minutes. Is that agreed? Agreed.

The joint committee went into private session at 3.28 p.m. and resumed in public session at 3.38 p.m.

Chairman: We are back in public session. I apologise to our guests for the interruption with the quality of the sound and so on. We have agreed that when we go to Belfast on the 11th, we will ensure that we meet fully with our witnesses and discuss and deliberate on the issues they raised with us, some of which we were unable to hear. Tá cead cainte ag an Seanadóir Ó Donnghaile anois.

Senator Niall Ó Donnghaile: Gabhaim buíochas leis an muinteoir - gabh mo leithscéal - leis an gCathaoirleach. Gabhaim buíochas le Michael Culbert, Thomas Quigley agus John O'Hagan as an gcur i láthair. Tá brón orainn faoin droch-chumarsáid a bhí ansin. I thank Mr. Culbert, Mr. Quigley and Mr. O'Hagan for the contributions. I was at the previous committee at which Mr. Culbert presented. Many of the issues to which he referred are the same as those he outlined previously. He is right to say that there has not been a huge amount of progress. I speak as someone who deals quite regularly with the ex-prisoner constituency and the families involved. I am keen to focus on the issue of transgenerational discrimination, particularly as it has featured at these meetings and other engagements we have had with representatives from both the republican and loyalist ex-prisoner constituencies.

Given that this is the Joint Committee on the Implementation of the Good Friday Agreement, it is our role and obligation to look at what aspects of the Good Friday Agreement have not been and need to be implemented. Certainly, the discrimination and issues faced by the ex-prisoner population and the families, children, grandchildren and now, in some instances, great-grandchildren involved remain as live as ever, 23 years after the Good Friday Agreement and other agreements which made reference to equality issues relating to ex-prisoners. The highest concentration of the ex-prisoner population is in the Six Counties, but there are a number of ex-prisoners in the South as well. What level of engagement do they have, through organisations like Coiste na nIarchimí, with the Government and the relevant Departments? Mr. Culbert mentioned in his presentation, and he can correct me if I am wrong, that the Stormont working group was established under Fresh Start, which deals with a range of issues under the title of equality of citizenship for ex-prisoners.

My question is two-pronged. Has the Stormont working group had any engagements with the Government on ex-prisoner issues? Is there merit in the committee and Coiste na nIarchimí engaging with the Government to see if a similar forum can be replicated and established in the Twenty-six Counties that would look at the issues faced by ex-prisoners and their families in this jurisdiction, and what the Government can do as co-guarantors of the Good Friday Agreement to assist? Sin mo mhéid for now. I hope that was clear and I hope the witnesses were able to hear me.

Chairman: Do the witnesses want to comment on that or does another Sinn Féin speaker wish to address the meeting?

Mr. Michael Culbert: Once again it is very awkward for me because there is a major echo. At the moment, I am still listening to the Senator speaking because there is a terrible echo. If the committee can hear me, will somebody give a thumbs-up? Okay.

What the Senator said was spot on. What we need is some sort of structural situation. We have a rather casual one. The Stormont working group was set up under the Stormont House Agreement and it has been quite effective. It gave an imprimatur and a little gravitas to situations that were arising. I would not presume to speak on behalf of loyalist ex-prisoners, but they are a major section of our community and we interact with them quite a lot. They deal with the same situations we do and they also, with us, sit on the Stormont working group. To a degree, we very much need a similar structure in the South, set up formally under the auspices of the Government, to give an imprimatur to situations that arise and are dealt with by the Stormont House Agreement for the purposes of employment. We have trade unions and employers' organisations there. It is quite good because of the interactions that are created. Resolutions are found without having to take them very far into the legal world. In a similar way, quite a few human rights organisations also-----

(Interruptions)

Mr. Michael Culbert: About 20 years ago, Mark Fitzgerald set up a casual organisation, based in Glencree, which dealt with political ex-prisoner issues. It was not structured and did not have any state input. For what it is worth, when we are dealing with employers' organisations or individual employers, even formal letters coming from the offices of the First Minister and the deputy First Minister are very effective in persuading people that there is gravitas behind the issues that have been raised with them and that it is not just an individual former political prisoner trying to provide their case. The Senator's idea is excellent and is something that should be set up.

Senator Niall Ó Donnghaile: I will conclude my remarks because Mr. Molloy is looking to come in. This issue is perhaps something we could tease out in that follow-up engagement when we meet with Mr. Culbert in Belfast, if God spares us. I hope there is action because he rightly criticised the lack of action. This is a very pertinent issue. I again make the point that we are the Joint Committee on the Implementation of the Good Friday Agreement and this is very clearly an aspect of that agreement that is not being implemented even though it would help to change the lives of ex-prisoners and, increasingly, their families. This is a demographic that in terms of discrimination is not reducing as the years go on. It is actually increasing as more ex-prisoners' families have families. It is a demographic that is growing all the time.

We need to deal with this and I would certainly be keen that we tease out the issue Mr. Culbert raised about a more formal structure that would allow us to engage with the Government in this State to talk about support, signposting, advice and engagement with the ex-prisoner population. Coming off the back of our next meeting, I will say to our visitors and our Chairman that we can perhaps look at the actions of this committee. I appreciate we are limited in what we can do but there is an onus on us, as the implementation committee, to look at actions as we go forward. Arís eile, sin mo mhéid. Gabhaim buíochas leis na finnétithe as an ionchur.

Chairman: Does Mr. Molloy want to take the next few minutes? I apologise if he cannot hear us. There are three minutes left in Sinn Féin's time if anybody wants to take it. Can anybody hear me?

Senator Niall Ó Donnghaile: I can sing a song for the last three minutes, if the Chairman has any requests.

Ms Michelle Gildernew: If it is okay, can we go to the next party? We can come back to allow Mr. Molloy a chance to ask his question in the next round.

Chairman: That is no problem at all. It is just that we have to be out of here by 4.30 p.m. That is the only problem we have.

Ms Michelle Gildernew: We will try to get Mr. Molloy connected and bring him back in.

Chairman: There is no problem if Mr. Molloy is not there; I have his name here. That is fine. We will move on to Fianna Fáil.

Deputy Brendan Smith: I welcome the witnesses. It is disappointing that since we last met this representative group there has not been progress on those key issues. At the outset, Mr. Quigley referred to Annex B of the Good Friday Agreement of 1998. He mentioned in particular the extract, "The Governments continue to recognise the importance of measures to facilitate the reintegration of prisoners into the community by providing support", which goes on to refer to the importance of availing of employment opportunities, retraining, reskilling and further education. That particular clause in the Good Friday Agreement is supplemented by the St. Andrews Agreement of 2006 in the annex that states, "The Government will work with business, trade unions and ex-prisoner groups to produce guidance for employers [to] reduce barriers to employment and enhance re-integration". Those are clear messages.

I am a firm believer that when international agreements are made between governments, all aspects of the agreements should be implemented. Agreements between governments that are lodged in the United Nations should be implemented in full. Quite a number of years have passed now and it is disappointing to learn that obstacles are still being put in the way of people training. One of the current issues mentioned in the briefing notes was that of education and

voluntary work. If people are to be reintegrated into society to contribute in a very positive way and to reach their potential, there is a necessity for employment training and reskilling. That leads on to employment opportunities. We have often discussed at this committee the need to ensure people have the opportunity to work and contribute to society. Barriers to education, training and employment should be removed for the good of society and for the good of individuals.

As the Chairman said, if there are some particular proposals we can pursue with Departments or statutory agencies, we should do that. Are the obstacles a matter for legislation from Westminster or can the Stormont Executive and the assembly assist in removing some of the barriers and giving some momentum to ensure people get the opportunity to get education and training and take up employment opportunities?

Mr. Michael Culbert: I will step in there. The point brought up by Deputy Smith is totally valid. The problems we face are in practice, rather than as a result of legislation. There seems to be an assumption, and rightly so, that people going into employment or training cannot be put into places where there is a possibility of criminality. We get that it could be related to protection of vulnerable people, financial issues, etc. Our problem is that the types of imprisonment we experienced over the years of the conflict are not relevant to the matters at hand of going into employment. For instance, a young man employed as a cleaner in Belfast city centre was charged with particular activities during the conflict. He was put out of employment as a cleaner. We were quite successful in reasoning with the employer. It was an American employer but was obliged to follow local rules. The employer did not want to dismiss him but, initially, did so. After consultation with the Stormont working group, the man was reinstated to his work.

The problem is some employers are stuck because they are aware of legislation relating to a person with a criminal record, which, unfortunately-----

(Interruptions).

Mr. Michael Culbert: If a person has a record, they automatically take that as meaning they cannot employ them. That is not the law. We want that to be taken into account and then a decision made to employ them or not. We have tried to emphasise that throughout the country with employers. Because a person has a record-----

(Interruptions).

Mr. Michael Culbert: Leadership from the top stating that it is okay to do this is what we need. The Stormont working group through the trade unions and the employers' body has been able to do that in the North of Ireland. We would like that replicated in the South.

Mr. Thomas Quigley: One of the main barriers is legislative. It is through an employment treatment order and that can be amended via the Executive. It would be a positive move if something similar to the Stormont working group was set up in the South. We would see that as a step forward. Even that working group has not changed a great deal. We were able to introduce the employers' guidance, which is still voluntary in the private business sector. It allows people to join the civil service. The guidance is implemented in the service. That was one of the victories of the Stormont working group. However, anybody in prison is deemed a supporter of violence and does not have the same protections under the fair employment order or under section 75, which is supposed to protect everyone in employment.

We would like to see something written into the legislation that specifically addresses equal-

ity for ex-prisoners. It does not just affect the prisoner, it also affects the family. We are getting more and more people presenting at our offices saying that their child has been asked if anyone in the home has a criminal record when they apply for jobs, mortgages or insurance. What ex-prisoners used to do, and many still do, is they will not say they have a prison record. They will not say they were in prison during the conflict for fear of not being able to get insurance, a loan, a mortgage or whatever. Many people will also not apply for jobs across vast sectors of employment. They believe there is no point in people applying because they are at a disadvantage once it comes out that they were in prison during the conflict. They would have more chance of getting most of those jobs if their offence was not political. If you were imprisoned for some form of criminality, it is easier to get a job. It is easier to state that you were in prison for those reasons, but if you state you were in prison for the conflict, section 2.4 of the fair employment treatment order allows employers not to give you that job. We would like to see a similar working group set up in the South. The working group in the North has had some successes but it has not addressed the vast majority of those barriers.

We are coming up to the introduction of the PEACE PLUS programme. In the past, we were successful in what we were able to achieve under PEACE III. Under PEACE IV, all those advancements were lost because the PEACE IV programme only addressed good relations programmes. We raised these issues at every level of government we could before the PEACE IV programme was introduced. We told people what was happening and that ex-prisoners would be excluded from the resources of the peace programme. We warned it would happen and it did. It will happen again with PEACE PLUS. The same programme, more or less, as PEACE IV will be introduced. It is a good relations programme and exactly matches the good relations programmes already running in the North. We do not need more good relations programmes. We have many of them. They are well used and well resourced. There was nothing in PEACE IV and it looks like there will be nothing in PEACE PLUS to support ex-prisoners or the services, including advocacy services, they need. That is a problem we see quickly coming down the road. If it is not addressed now, we will end up with another peace programme that does nothing to address the issues of supporting ex-prisoners.

Senator John McGahon: I offer a big thank you to Mr. O'Hagan, Mr. Quigley and Mr. Culbert for that. I offer apologies on the committee's behalf for the technological difficulties we are experiencing in this room. It was the same there so we only heard bits and pieces.

I have a couple of basic questions. I will rattle them off rather than asking one question, getting an answer and coming back in, particularly as we might have further technological difficulties. My first question was mentioned in one of the opening statements, but I could not hear what was said. Roughly how many ex-prisoners are there on the island of Ireland? What is the ballpark figure for the number of people Coiste na nIarchimí represents? It was said the level of peace programme funding can be haphazard and go up and down in different years. What type of funding on average does Coiste na nIarchimí get from the peace programme? Is there any other funding streams it can avail of? Where does the majority of its funding come from? One of our guests mentioned that the organisation works to remove legislative barriers that still exist. Will the witnesses outline a couple of the key legislative barriers they think still exist, whether in Northern Ireland or in the South? I googled the website before the witnesses came in and I looked at the walking tours their organisation does. When we visit Belfast, it would be excellent if it was available for members of the committees to take part in some of those walking tours. That would be interesting.

Mr. Michael Culbert: I did not quite hear everything that was said. My apologies. The

easy question to answer concerns the number of political ex-prisoners on the island. Queen's University and several organisations did research. It is quite difficult to find out numbers. The approximate numbers are 24,000 republicans and 16,000 loyalists were in prison. We are talking about a population of about 40,000 political ex-prisoners on the island, plus their families. One of the major issues we have been trying to highlight is that that imprisonment affects the families, not just the former political prisoner himself or herself. Within the Protestant-----

(Interruptions).

Mr. Michael Culbert: In terms of republican ex-prisoners, there are in the region of 6,000. I have no idea what the general breakdown is within the loyalist community.

With regard to the legislative barriers and the British Government, Westminster legislation is what impacts on us - we have no way of affecting that at all because Stormont has no input. We still have four pieces of Westminster legislation that discriminate against us. We tried but there is no way to possibly-----

(Interruptions).

Mr. Michael Culbert: We do not have input. The British Government's legislation from Westminster is what is forced upon us. Mention of terrorism-----

(Interruptions).

Mr. Michael Culbert: That is where we are at. I am sorry but I did not quite catch the question about European funding. If Mr. Quigley heard it, maybe he could answer it.

Mr. Thomas Quigley: To give some perspective to the numbers, it is believed that there are nearly 40,000 ex-prisoners altogether. They are in pockets scattered around the country. I can give an example. We are working in the New Lodge Road area of Belfast. It is a small working-class area, right on the peace line between the Shankill Road and Tiger's Bay, with a population of 5,000. We have on our register more than 600 ex-prisoners just from that small area. That is between 10% and 12% of the population of the area. It is the same in Ardoyne, in west Belfast, Derry and places like Lurgan. That is a high percentage in those pockets. Around 10% or 12% of the local population have an ex-prisoner in their family and that is replicated all over the North.

On the funding we received from the PEACE programme, the funding from PEACE II was relatively small. From PEACE III, there was a significant amount of money. Under PEACE IV, there was again a relatively small amount of funding and that was for the 12 counties of the North. We tried to set up a network of co-ordinators to undertake good relations work within those areas but the reason those groups exist and the reason the organisations like Tar Isteach, Tar Anall and the groups in Derry, Monaghan and Louth were set up was to support ex-prisoners. They do good relations work and always have. They have always done peace and reconciliation work. That is part of the work they do but they are there, in the main, in order to support ex-prisoners because they are the only organisations that are speaking for ex-prisoners. The vast majority of research that has been carried out in respect of political ex-prisoners has been by groups like ours. We have done five different research projects in the past 15 years and the reports relating to them are used widely to show what is happening within the ex-prisoner community. Very few other groups, academic or otherwise, are taking up those research projects unless we instigate them.

One thing that was touched on earlier is that findings are not gradually getting better for ex-prisoners. There has been an ongoing campaign from day one from people who did not support the Good Friday Agreement in the main within the DUP, and now within the Traditional Unionist Voice, TUV, who are actively working to restrict the rights of ex-prisoners every day of their lives. There has just been a further attempt by Jim Allister to introduce another Bill that would specifically restrict the rights of ex-prisoners. It would apply to nobody else; just ex-prisoners. He is not interested in anyone other than republican ex-prisoners, by the way. No matter what he says, that is what it is about. His special adviser, SPAD, Bill was another very successful campaign on his part to restrict the rights of ex-prisoners. He and his like are trying every day to restrict the rights of ex-prisoners even further than they already have been. There is no better example than the new pension scheme, which specifically excludes ex-prisoners.

Senator John McGahon: I will just cut in there, if I may. Mr. Quigley mentioned the likes of Jim Allister and so on. Excuse my ignorance for asking this question, but how successful are the legislative approaches he is trying to implement? Is it just bluster and PR from his point of view or is he getting anywhere with the legislative stuff he is trying to introduce?

Mr. Thomas Quigley: The SPAD Bill he introduced was voted on in the Executive. They won that vote, so now any ex-prisoner cannot be an adviser to the Government. No one who has been in prison can be nominated as an adviser for any part of Government or any political party. If Jim Allister's last Bill had succeeded, we would have been excluded from any board whatsoever, including public boards, educational boards and health boards. There are all those aspects to it and that is not the end of Jim Allister's campaign. He will come up with something else. He has been very vocal on the pensions campaign and more legislation is now being put in place to exclude ex-prisoners from those pension schemes. We did research in 1998 and found that more than three quarters of the prisoners had either been injured themselves, had family members injured or had lost relatives or close family. They were victims of the conflict but their victimhood is seen as far less or of no value in the ongoing war about the hierarchy of victims. The latest victory for unionism, basically, has been that ex-prisoners are excluded from the pension scheme. That will not stop. Jim Allister will not stop his campaigns. Unionists, especially those within the DUP, will not stop with their campaigns.

At this very moment, there are unionists standing outside a court in Belfast complaining about a man being brought to court because he shot a disabled man in the back as he ran away. If that had been anyone else except a young man from a Catholic background, Carla Lockhart would not be standing there and the DUP would not be standing there. If that was for any other type of killing, she would not be standing there. That is the type of campaign that is ongoing here. It is a continuation of the war by other means. It is coming from people within the DUP and within the TUV who were against the Good Friday Agreement in the main. Things are not getting better and we have no evidence that there has been any sort of softening of the attitude of unionists like Jim Allister or elements of the DUP.

Chairman: I have been asked to point out that the witnesses should not be naming anybody who is not a Member of the Houses. I understand why Mr. Quigley has done so, but we have to be observant of our rules here at the committee. I understand the point Mr. Quigley is making.

Senator Black was present but I think she is gone. Is there anybody here who has not spoken? They can raise their hands if they wish to speak.

Mr. John O'Hagan: I will introduce myself again in case it was not picked up at the start of the meeting. My name is John O'Hagan and I am the manager of Tar Anall, which is an

ex-prisoner organisation in west Belfast. I think it is important that we take on board what Mr. Quigley outlined because there is a concerted effort to restrict and restrain any attempt to allow political ex-prisoners to develop and re-engage as equal citizens. Mr. Quigley has given a number of examples around where unionism has tried to frustrate that. Proactive attempts to deal with people in this way, like the Special Advisers Bill and the Political Appointments Bill, have failed, as recently as last week in the latter case. We see this with funding. One of the other Senators made reference to the funding. When we look at piece 1, 2 and 3 it was broadly accepted that these were mechanisms or opportunities to engage with the political ex-prisoner community. We see a concerted attempt by enemies of the peace process and of the Good Friday Agreement very clearly trying to restrict any elements of positive funding. This is where we see the Peace Forum not doing what it was meant to do when it was first designed.

We can also look at it in another context. When we argue for small pots of funding for community organisations such as Tar Isteach, Coiste na nIarchimí and Tar Anall, automatically there is political opposition from unionism saying “No, we will not give that type of money over”, even though people within their own community require the same assistance. They are so fixated on the republican ex-prisoner community that they will tell lies and attack. They will write off one community in the hope that we will get nothing to support our community. Even though they have signed up to the Good Friday Agreement, they do not proactively want to support it. It is very evident why funding is seen as a separate issue. It is clearly not when you are dealing with it from a Northern political perspective where opponents of republicanism will never allow funding to go where it is needed within our communities.

Chairman: We have 15 minutes left if any of our witnesses wishes to make a final contribution.

Ms Michelle Gildernew: Cuirim fáilte roimh na finnéithe. It has been great to hear from them. An ex-prisoner in my constituency was injured trying to save lives in a nightclub in County Tyrone. Not only was he denied compensation for that but also he had to pay for his own physiotherapy treatment. He was denied ongoing medical assistance because of the fact that he was an ex-political prisoner. This is far-reaching. I wish to point out that the attempts at legislating against ex-prisoners have been extremely insidious. Gerry Kelly could be a minister in the Executive but he could not be a special adviser. If the second legislation had gone through, he would not have been able to sit on the policing board. Do any of panel want to discuss that? The total of 40,000 people is a great many ex-prisoners. A big chunk of society is being denied a voice and the chance to play a positive part in their society moving on. The transgenerational issues are certainly affected. Thousands of people are affected by travel bans and such things. That has been touched on already. There are layers and layers of discrimination and it is really useful to discuss them in this forum today. I thank the three witnesses for coming, and the committee for facilitating them. I would also like to make the point that I know how hard they have worked with loyalist groups. We tried for many months to get them into this meeting as well. It is not that they have not been invited, but that they have not been able to send somebody.

Senator Emer Currie: I thank Mr. Culbert, Mr. Quigley and Mr. O’Hagan for coming and making their presentations today. I have a question on the funding. The funding that the witnesses have received is limited. The witnesses talked about the barriers. In regard to other things the witnesses do, they are advocates but how do they support ex-prisoners? What services do they provide that the funding would go towards, as well as towards the advocacy carried out today? If the funding has been so limited, where does funding come from at the moment?

When they talk about the intergenerational effect, I presume they are talking about the effect on children up until they become adults. How does it work that it is carried on to the next generation? These are just technical questions. The witnesses have explained a great deal today and now I am looking to get the full picture.

Mr. Michael Culbert: I thank the Senator. She raised a number of broad issues, including employment. In many cases at the moment, and for some time back, it varies. We do a good deal of voluntary work. We also employ counsellors, advice workers and a limited number of staff as front-line personnel. The good relations unit in Stormont sometimes can assist with some funding. In many cases, we also have locally based enterprises such as local tourism projects that are able to employ tour guides for political tourism. In the main, we are quite restricted. Mr. Quigley spoke earlier about issues of employment and self-censorship. Some people are very well qualified but cannot get work. We try to help with basics. We generally try to assist people to self-help, for instance, to be self-employed as builders or taxi drivers at low-key levels.

The Senator also asked about the intergenerational and other effects of imprisonment on other members of the family. It is not only with the next generation. It can also affect the siblings of people who have been in prison. At the moment, brothers and sisters of political ex-prisoners who are disemployed cannot get employment because of the prison record of the sibling. It is as basic as that. I cannot propose people for employment. I have loyalists within the Coiste na nIarchimí network who work as tour guides but their children and their brothers and sisters who might have an affiliation with state forces including the British military and the PSNI are totally blocked from joining those forces. This issue is not confined to nationalist and republican ex-prisoners and their families. People in the loyalist community are blocked in the same way because of the status of their father or sibling. It is not only the ex-prisoners and their children who are affected by this whole issue of having been in prison during the conflict.

Senator Emer Currie: The question was more about the legislative point of view but I thank the witnesses for answering the question from both the legislative point of view and then the broader picture.

Chairman: It is important for us to say that we had a good exchange. Apologies about the sound quality. Our commitment is to meet with the witnesses in Belfast on 11 October 2021 and if they can share with us any issues they would like us to consider as a committee before then, we will put it before our members. Hopefully, we will have a better hearing and articulation of what witnesses are saying. Apologies for the fact we could not hear everything that was said.

The joint committee adjourned at 4.21 p.m. until 1.30 p.m. on Thursday, 21 October 2021.