

# DÁIL ÉIREANN

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## AN COMHCHOISTE UM IOMPAR AGUS CUMARSÁID

## JOINT COMMITTEE ON TRANSPORT AND COMMUNICATIONS

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*Dé Céadaoin, 26 Bealtaine 2021*

*Wednesday, 26 May 2021*

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Tháinig an Comhchoiste le chéile ag 12.30 p.m.

The Joint Committee met at 12.30 p.m.

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Comhaltaí a bhí i láthair / Members present:

Teachtaí Dála / Deputies	Seanadóirí / Senators
Joe Carey,	Lynn Boylan,
Cathal Crowe,	Jerry Buttimer,
Michael Lowry,	Gerard P. Craughwell,
Steven Matthews,	Timmy Dooley,
James O'Connor,	Gerry Horkan.
Darren O'Rourke,	
Ruairí Ó Murchú,	
Duncan Smith.	

I láthair / In attendance: Deputy Michael McNamara.

Teachta / Deputy Kieran O'Donnell sa Chathaoir / in the Chair.

## National Cybersecurity: Discussion (Resumed)

**Chairman:** We are continuing our discussion of national cybersecurity. The specific purpose of this meeting is to discuss national cybersecurity in light of the recent cyberattacks on the HSE and the Department of Health. I welcome the Minister of State at the Department of the Environment, Climate and Communications, Deputy Ossian Smyth.

All witnesses are again reminded of the long-standing parliamentary practice that they should not criticise or 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. If statements are potentially defamatory in respect of an identifiable person or entity, witnesses will be directed to discontinue their remarks. It is imperative that they comply with all such directions. For witnesses attending remotely, outside of the Leinster House campus, there are some limitations to parliamentary privilege. As such, they may not benefit from the same level of immunity from legal proceedings as a witness physically present does. Witnesses participating in this committee session from a jurisdiction outside the State are advised that they should also be mindful of their domestic law and how it may apply to the evidence they give.

Members are reminded of the long-standing parliamentary practice to the effect that they should not comment on, criticise or make charges against a person outside the Houses or an official either by name or in such a way as to make him or her identifiable. I remind members of the constitutional requirement that to participate in public meetings members must be physically present within the confines of the place the Parliament has chosen to sit, namely, Leinster House or the Convention Centre Dublin. Reluctantly, I will not permit a member to participate where he or she is not adhering to this constitutional requirement. Any committee member who attempts to participate from outside of the precincts will, reluctantly, be asked to leave the meeting. In this regard, I ask members participating via Teams to confirm, prior to making their contributions, that they are on the grounds of the Leinster House campus.

For the information of anyone watching this meeting online, Oireachtas Members and witnesses are accessing the meeting remotely, with committee members being in the precincts of Leinster House or the Convention Centre Dublin. Only I, as Chairman, and the staff essential to the running of the meeting are physically present in the committee room. Due to the unprecedented circumstances of Covid-19 and the large number of people attending the meeting remotely, I ask everyone to bear with us should any technical issues arise.

I call the Minister of State, Deputy Ossian Smyth, to make his opening statement. He has approximately five minutes.

**Minister of State at the Department of Environment, Climate and Communications (Deputy Ossian Smyth):** I thank the Chair. We meet against the backdrop of the significant ransomware attack on the HSE that has seriously impacted on the ability of our hospitals and wider health services to provide essential services to our citizens and on the front-line staff in the health service who have been working under extraordinary pressure over the last 14 months since the start of the pandemic.

The National Cyber Security Centre, NCSC, has been supporting the HSE in dealing with the ransomware attack since the NCSC was notified of the incident early on the morning of Friday, 14 May. Following this notification, the NCSC immediately activated its national critical

cyberincident response plan. Since that initial contact, the NCSC has been working intensively to support the HSE and external contractors in the response to the incident and to restore essential services as quickly as possible. From the outset, the NCSC has liaised with European Union and other international partners to share information and to ensure that the HSE had immediate access to international cyber supports.

While steady progress is being made in bringing systems and services back online, the HSE is best placed to provide updates on the restoration of services and it is doing so on an ongoing basis. The NCSC has also worked with the HSE and external experts to identify the technical details of the malware used in this incident, so that it can share these details with both its constituent bodies and more broadly through advisories. The NCSC has issued public advice concerning the cyberattack on the HSE and general guidance on ransomware attacks. This information is available on the NCSC's website and will be updated as required. A dedicated team in the NCSC has also been providing specific guidance to its constituents, including Departments and Government agencies, together with operators of essential services, on appropriate measures they can take to reduce the risk of further ransomware incidents on their networks. Staff at the NCSC have been in direct contact with the operators of essential services and this will continue throughout the coming days.

I will now provide the committee with some information on the role and functions of the NCSC, including how it supports hundreds of organisations across the Irish public and private sectors as they seek to mitigate the risk of a cyberattack. The NCSC was established by a Government decision and it has a broad remit encompassing the cybersecurity of Government ICT and critical national infrastructure. It acts as a central contact point in the event of a Government or nationwide cybersecurity incident that affects the State. The NCSC also co-ordinates and supports the response to significant incidents, with the lead role being taken by the entity affected by the incident. The computer security incident response team, CSIRT, is the team within the NCSC that leads in responding to cybersecurity incidents. The CSIRT has achieved international accreditation, and it is this team that engages with the affected body to support it in addressing a threat.

Information sharing is a key component of the work of the NCSC, and it acts as a source of expert advice and guidance, as well as a clearing house for information. It takes in threat intelligence data and trends and risks data from national, global and local sources and then analyses the information. Subsequently, the centre ensures that the people and organisations that need those data get them to protect their own systems or to assist them in carrying out their statutory roles. The NCSC is in regular and frequent communication with international counterparts and the exchange of information is a two-way street. The NCSC also supports public bodies, operators of essential services and digital service providers to improve their cybersecurity posture and fulfil their obligations under the European Union's network and information security, NIS, directive. The NCSC takes a proactive role in supporting these important bodies to continually build their cybersecurity resilience through a range of initiatives, including by hosting seminars and workshops.

A great deal of commentary has addressed the level of funding and resources allocated to the NCSC and to cybersecurity across Government. When considering the overall resources available to the State in preventing, mitigating and managing cyberattacks, it is important to recall that the principal investment made by the State is the substantial investment made by individual Departments and public sector bodies in their own IT security infrastructure and IT security staff. In the case of Departments and non-commercial State bodies, this money is funded from

the Exchequer and is many times the figure of €5 million which has been quoted in commentary in the last fortnight.

The NCSC team comprises highly skilled, specialist technical civilian staff, with skill sets in areas such as computer science, software engineering, malware analysis, information technology forensics, cryptography, software development, and cybersecurity compliance, as well as general cybersecurity skills. The expertise and competence of the NCSC team has been very much in evidence over these past 13 days in how the team has supported the HSE in dealing with the attack.

The NCSC had a staff complement of 29 at the start of 2021. In addition to payroll costs, the NCSC has funding of €5.1 million available to it this year, compared with €1.7 million in 2020. I stress again, however, that the principal investment in cybersecurity is in the form of the collective investment made by individual organisations.

Recognising that the environment in which the NCSC operates is extremely dynamic, a detailed capacity review of the NCSC is being undertaken to inform Government as to how the NCSC needs to evolve going forward. This capacity review is being carried out by an expert international consultancy. It is due to report in the coming weeks, in line with the timeline for completion of this work of the second quarter of 2021, set out in the 2019 national cybersecurity strategy.

I will consider the report of the capacity review and its recommendations, together with the Minister for the Environment, Climate and Communications, Deputy Eamon Ryan. Government consideration may also be required, having regard to the focus of the report. It will inform the future developments of the NCSC and it will indicate the extent of any additional resources required to deliver its mandate, the objectives under the 2019 strategy and other emerging obligations arising at EU level.

As I have outlined, the NCSC is working with stakeholders to strengthen cybersecurity across Government networks and critical national infrastructure. Ireland's national cybersecurity strategy for the period of 2019 to 2024 sets out an ambitious programme of measures to further develop Ireland's cybersecurity capacity. The key themes of the strategy are to protect, to develop and to engage. That involves the protection of the State, its people, and its critical national infrastructure from threats in the cybersecurity realm; the development of the capacity of the State, of research institutions, of businesses and of citizens; and the engagement by the State, nationally and internationally, in a strategic manner, supporting a free, open, peaceful and secure cyberspace.

An interdepartmental committee, chaired by my Department, oversees the implementation of the national cybersecurity strategy. The committee meets quarterly to review progress. To date, good progress has been made in delivering the 20 measures in the five-year strategy. The capacity review will feed into decisions to be taken, to ensure that this ambitious strategy is delivered in full.

Finally, I want to put on record my gratitude to the HSE staff, the NCSC, external contractors, An Garda Síochána, staff from the Office of the Government Chief Information Officer, international partners and others who have been engaged 24-7 in dealing with this appalling criminal attack.

I would be happy to take questions from this committee on the role and functions of the

NCSC, although there may be questions that it would not be possible or appropriate to address in a public forum and particularly where doing so could disclose information which might assist criminals to identify potential vulnerabilities in IT security arrangements.

**Chairman:** I thank the Minister of State. I will now call members. The first slot is a Fianna Fáil one. Senator Dooley, you have approximately four minutes.

**Senator Timmy Dooley:** I thank the Minister of State for his presentation. He will rightly understand that, as politicians, we all share the same objective. It is, in the first instance, to try to understand insofar as we can, what vulnerabilities existed that we might have protected against and then what we can do, from a legislative perspective, to put ourselves front and centre in the defence against the next wave of cyberattacks. I have watched the Minister of State's television and media appearances in recent days and it is clear that he is far better versed in this area than I am, or perhaps others are. He is well suited to the job at hand.

From my perspective, I want to understand what gaps he has identified. Is it possible that we could have been better protected or that our overall defence architecture could have been better? This is not about blaming anybody. It is about an iterative approach to the learnings towards finding a solution. It would be remiss if we were to dive in and attempt to find a solution without first taking a careful approach to understanding what happened and what needs to be put in place.

We had some discussions last week about a review that was already under way. Is there some report or perhaps a draft report in place? Maybe the Minister of State could confirm that and whether he would be in a position to share that with the committee on a confidential basis, if necessary. We all recognise what happened here. There are committees in other jurisdictions that are briefed in a very detailed way about matters of national security, and this is certainly one. It is the case that documents circulate from committees but in an issue like this, it might be worth, on a pilot basis, briefing the committee and, if necessary, having people sign the Official Secrets Act, to see if we can develop some kind of an approach towards an ongoing process in terms of an input into the defence.

I do not know if the Minister of State had the opportunity to hear some of the briefings yesterday but one of the contractors made it clear that cybersecurity is not a destination; it is a journey. That would seem to suggest that we need to be engaged on an ongoing basis. I will leave it at that and will listen to what the Minister of State has to say.

**Deputy Ossian Smyth:** I thank Senator Dooley. He is absolutely right that cybersecurity is a journey, and not a destination. I will start with the Senator's question on what vulnerabilities might have shown up that we might have protected against. That question will be analysed as a result of the three inquiries that will go on. Clearly, the focus right now is on resolving the problems with the HSE's network in getting its services working again. However, the Garda investigation is going on. There will be a data protection investigation. The HSE will have to report back to us. It is doing an IT investigation to see how this happened. It will report back to the NCSC and we will analyse and strengthen as a result of that. We do not know the result of this yet.

In terms of the report of the capacity review, which was commissioned at the start of the year, this was envisaged in the programme for Government, that we should review the capacity of the National Cyber Security Centre to see whether it is capable of carrying out its functions and how it compares with other cybersecurity centres of similar size with similar challenges

around the world. Are there any skills that we do not have? Does it need additional resources? It is not just a question of what we do this year, but of how that plays out for the next five years. How should the National Cyber Security Centre develop over the coming five years to address increasing challenges? Obviously, every year more services go online, more people go online, and the threats become larger, as these cybercriminals collect ransoms from companies which pay up. They are becoming stronger and there is an arms race, then, between them and the cybersecurity professionals in protecting themselves.

In terms of whether I can publish the report that comes out, I do not have the report yet. A draft has been done. I have been briefed about it by my officials. Of course, it will be reviewed in the light of this most recent incident. However, it will recommend what the staffing should be over the coming five years and whether we are lacking any resources.

I need to strike a balance between transparency, democracy and being able to share with the committee what the conclusions are, while at the same time being able to protect the national interests and make sure they do not expose weaknesses to attackers that they could potentially use to their benefit. I am happy to engage with both the Chair and the committee members to find how we do that. I will look at how other cybersecurity centres find that balance between transparency, democracy, and national security.

**Senator Timmy Dooley:** I thank the Minister of State-----

**Chairman:** Can the Senator be very brief? We are very short on time.

**Senator Timmy Dooley:** I will be very brief. Yesterday we probed with one of our guests, who has an expertise in recruitment, the concern the committee had, and I am sure the Minister of State has too, that the office was without a director for a considerable period of time. The recruitment process seemed to be taking too long. I am sure the Minister of State has read, like others, in our national media suggestions that-----

**Chairman:** Please get on with your question.

**Senator Timmy Dooley:** I know Stephen Rae was writing about it a number of months ago. It would be difficult to find the appropriate person with the salary scale set as it was. We understand that it was at about €89,000 or €90,000, something like the payscale of a principal officer. The evidence that we deduced yesterday was that we need to be looking at somewhere between €200,000 and €300,000, when we take in salary, package and all of that. Is that something that the Minister of State has had any thoughts or views on, or where he might be hoping to go with this particular issue?

**Deputy Ossian Smyth:** I will start by saying that the salary offered originally was not €89,000. To correct the record, it was in the range of €106,000 to €127,000. Second, the figures discussed at the committee yesterday are far in excess of the salaries paid to any other national cybersecurity centre of comparable size across Europe. We discussed that with our partners yesterday. Certainly, I will be recommending an increase in the salary, but it is not a directly comparable role with somebody who is in charge of security in a commercial operation. They face a different set of challenges. This job will involve aspects of diplomacy, internal Government oversight, management and so on. It is not a purely technical role. We have a chief technical officer. The jobs are not directly equivalent but I take on board what is being said. I will be recommending a higher salary for it.

**Senator Timmy Dooley:** Does the chief technical officer role attract a higher remuneration

package than that of the director?

**Deputy Ossian Smyth:** No. I am happy that the people who are doing those jobs are extremely skilled and well able to do them. The jobs are not directly comparable. The set of obligations and the compensation one gets in a commercial company are very different to what happens in the context of the Government. There will be no penny-pinching here. It is not the case that we will underpay or try to get a bargain. Everybody understands how absolutely critical this role is.

**Chairman:** I will take up that point. The Minister of State referred to the job offer being €106,000 to €127,000. Did the Department get people applying and were the applicants deemed not suitable? What does the Minister of State regard as a comparable salary for a similar position elsewhere? What range of salary are we looking at? What will the process be to recruit such a person now?

**Deputy Ossian Smyth:** We did receive applications. The person who was selected and who went through the process knowing what the salary was eventually decided, for personal reasons, not to proceed with taking up the job.

**Chairman:** How long ago was that?

**Deputy Ossian Smyth:** Approximately three months ago. It is a new position. The idea of having a director of the National Cyber Security Centre was a new position created at the end of last year. The initial candidate who went for it decided not to take up the offer. We will go back out to the market. We will be looking for somebody and will be offering a higher salary. I have not decided on that yet and will not give the range, but it certainly will be considerably higher than what was offered before.

**Chairman:** So it will be higher than €106,000-€127,000 scale.

**Deputy Ossian Smyth:** Exactly, it will be a higher grade.

**Chairman:** What is paid for comparable positions elsewhere, such as in the UK, or countries of a similar size to Ireland such as Estonia? Does the Minister of State know what salaries are being paid for similar roles?

**Deputy Ossian Smyth:** I do not have those figures to hand but I would be very happy to provide the committee with a list. I presume the positions have openly known salaries that a matter of public record.

**Chairman:** The Minister of State is looking at a salary well in excess of €127,000.

**Deputy Ossian Smyth:** I am, but the decision will not be mine alone. I will go back to discuss it with the Minister for Public Expenditure and Reform, Deputy Michael McGrath. He will certainly want to know about it. Then it must go to the Government. A memo will go to Cabinet asking it to agree to the appointment. It is not solely at my discretion but I will make a recommendation on it. I will take into account that it will be in the context of what a person would be paid to do the job in a country of similar size for a similar national cybersecurity centre.

**Chairman:** That is to be welcomed. When is it expected to advertise the position?

**Deputy Ossian Smyth:** In the next few weeks.

**Chairman:** Mr. Pat Larkin was a witness before the committee yesterday. He said that he measured Ireland versus the UK spending in cybersecurity *per capita*. Mr. Larkin expected that we should be spending in the order of €50 million per annum, but we are spending about €5 million per annum. Does the Minister of State believe that the National Cyber Security Centre is under-resourced? Does he agree with Mr. Larkin's figure of €50 million? What is the Minister of State's view on this, as the person in charge of the area?

**Deputy Ossian Smyth:** Our current funding is approximately €7 million, including pay and non-pay for this year. This is a considerable increase on last year. The €50 million figure quoted is, I believe, based on a *per capita* comparison with the UK. Clearly, the UK is in a completely different situation. It is a nuclear power, it has a different type of security apparatus, it has the Government Communications Headquarters, GCHQ, it carries out mass intelligence surveillance and there is a different relationship between its service and the public. Ireland has a very different set-up. Our cybersecurity function has different roles and responsibilities compared with what is relevant in the UK.

**Chairman:** What level of funding would the Minister of State like to see in place for cybersecurity for the State in the context of policy, advice and structures?

**Deputy Ossian Smyth:** This is exactly why we carried out a capacity review beginning at the start of the year. An external consultancy looked at what we are spending, to compare it with other countries and to tell us how much we should be spending ongoing over the next five years. I have not seen the report yet and I will have a lot more information about that when I do see it.

**Chairman:** Does the Minister of State expect that we will see a substantial increase in cybersecurity funding from the Government and the State?

**Deputy Ossian Smyth:** Yes. The cybersecurity budget was tripled last year and I would imagine that it will go up again next year. This reflects increasing threats and increasing numbers of people going online. It also reflects the increasing difficulty in trying to deal with cybercriminals. It is an increase in budget and it is an evolving market. Certainly, we will see an increase in this year's budget. Of course we will.

**Chairman:** I thank the Minister of State.

**Deputy Darren O'Rourke:** I thank the Minister of State for the update. I will pick up on some of the points already made, but I will come at it from the perspective of the increase in budget that happened last year. I have raised this previously with the Minister of State and with the Minister for Transport. What prompted the tripling of the budget then? Is it the case that flags were raised and the Government responded? Was that response too late and not significant enough? Should we have increased the budget more and earlier?

**Deputy Ossian Smyth:** One of the reasons the budget was increased was a projected increased capital spend, which is to provide a new headquarters for the National Cyber Security Centre. They have identified a location for that and are working with the OPW in that regard. This will provide a joint security operations centre, which is where the CSIRT-IE incidence response team can be gathered together when there is an incident that needs to be managed and monitored. That budget increase is so we have that best possible world-class facility. To this end, senior members of staff toured other cybersecurity operations centres in other countries to see how they work. That was part of the reason for the increase in the budget.

The increase in threats and the increase in numbers of services being offered online means that cybersecurity needs more money. This is why we agreed to increase the budget last year, and this is why the budget will be increased again next year.

**Deputy Darren O'Rourke:** I thank the Minister of State. Based on what we heard yesterday and at previous committee meetings, we will all be very interested in that review, and especially in the scale of investment needed. We can also see what comes out with regard to the suggestion that the sector and the National Cyber Security Centre is possibly under-resourced to a significant degree.

More broadly, I want to know about the governance structure, and the regulatory and legislative basis of the National Cyber Security Centre's relationship with its up to 150 partners. Is the Minister of State satisfied that this structure is robust enough? Does the Minister of State intend to bring forward legislation or is there legislation coming from an EU level, that needs to be implemented more rigorously here? How does the Minister of State envisage the governance and regulatory framework changing in the time ahead?

**Deputy Ossian Smyth:** That is a good question. On EU legislation there is the directive on security of network and information systems, NIS, which has been transposed into Irish law. There is a new NIS directive, NIS 2, coming. That is part of the legislative agenda. We also planned in the 2019 strategy to have primary legislation to deal with cybersecurity. That is being developed at the moment. That is on the legislative agenda as well, just to give the Deputy an idea of what is coming.

Of the 150 organisations that are helped in their cybersecurity by the NCSC, approximately 70 are categorised as operators of essential services. The HSE is one of those. Then there are Departments and, for example, large commercial facilities that also work with us and get advice, the research we share and information about threats. If there is an incident, the incident response team can come in and help them, just as they have done with the HSE.

There is an analogy here with the fire service. The fire service is there, they come out when someone has a fire and then offer information about fire protection. However, every organisation is responsible for doing its own protection, taking due caution and making sure that it has protected itself.

**Chairman:** I thank the Minister of State. I call Senator Gerry Horkan from Fianna Fáil who has four minutes.

**Senator Gerry Horkan:** I thank the Minister of State for his opening statement. It was useful and helpful for us to get his take on exactly what the NCSC does. According to the previous couple of committee meetings and in general commentary, it seems that the NCSC is responsible for everything on its own. It is almost, as the Minister of State referenced, a GCHQ kind of scenario, but the analogy of the fire service is quite useful. Ideally, one does not need them at all, but they need to be there because if there is an incident, they can get involved.

I asked some of the experts before us yesterday what countries are best at addressing and getting involved with these particular scenarios. They mentioned Estonia, the UK and Israel - somewhat controversially I suppose in the context of other events going on - but they did say that they are particularly good at it. Is there an EU role for this particular office? Could or should there be? Clearly, a threat to one member state is a threat to all of us. Equally, has there been any contact with experts in the field, whether they be Israeli, British or equally any

member state, particularly the likes of Estonia, which had a very digital economy when it was set up in 1991?

We have also talked a great deal about funding, salary scales and so on. The Minister of State clarified some of that for us. I suppose his point is that it is every organisation's responsibility, whether it is the Revenue Commissioners or the Department of Social Protection. They have large databases. Almost every family in the country has a link to the Department of Social Protection and to Revenue.

**Chairman:** What is the Senator's question?

**Senator Gerry Horkan:** They are the organisations I am very worried about, because they have so much very private personal data on people, as much as the HSE does.

**Deputy Ossian Smyth:** I thank the Senator. One of the things the capacity review does is that it benchmarks Ireland against other countries, particularly against those of similar size, to see how we stack up. That is going to be of interest. Second, every country obviously has different needs. They are protecting different things. I understand approximately one third of European data is stored in Ireland. We have all these large headquarters of global IT firms and pharmaceutical companies. We have, therefore, different needs. We have a different type of military apparatus and so on, compared to other countries. Every country is different.

As the Senator said, Estonia is often mentioned as one of the most advanced technological countries in the world and certainly in Europe. Scandinavian countries are, of course, as well. I know that from my responsibilities with eGovernment. Certainly, Estonia is a country that is very much online and one that we should talk to and communicate with.

The European Council meeting on communications is coming up on 3 June 2021. Ministers from every member state will discuss cybersecurity. That will be on the agenda. I will certainly take the time to talk to my counterparts from the countries from whom I think we could learn the most.

**Senator Gerry Horkan:** I wish the Minister of State well in this regard. There is no point in us trying to reinvent the wheel. I accept that different countries have different priorities. However, I was interested to hear that yesterday that some countries are proactive. They have their own team of hackers trying to hack into their own systems. I am not sure that we have anybody doing that. Maybe the Minister of State is not in a position to tell us. No more than people check their windows and doors at night to make sure that they are locked, we need to have people testing these systems. We need to have -----

**Chairman:** I thank Senator Horkan.

**Deputy Ossian Smyth:** We do. It is a normal part of security practice to, for example, send an email to everybody in an organisation and see what proportion of them click on the link in an email that is trying to phish or store information. Typically the results of that, even in software companies that are very advanced, is between 5% and 10% of staff members still click on the link. One's security team has to accept that this will happen and that once somebody is in the network that they cannot progress all the way through. That is the idea of defence in depth. That advice comes from the NCSC and is available to any organisation that wants it.

**Chairman:** I thank the Minister of State. A number of members want to come in so I am conscious of time.

I call Senator Buttimer in the Fine Gael slot. He has four minutes

**Senator Jerry Buttimer:** I thank the Chair. I want to commend the Minister of State on his excellent handling of this.

Yesterday, the Mercy University Hospital, Cork, which is a voluntary public and private hospital, went before the High Court where they sought an injunction to prevent the publication of personal medical and private data of patients of the hospital. They should not have had to go alone. They should have been conjoined with the HSE. What is the status of other private and voluntary hospitals? First, have any random messages been left for them? Second, where do they stand in terms of the sensitive data of patients in their care? Third, is the Minister of State aware of the status of the HSE regarding other voluntary or public hospitals, particularly in Cork, but across the country?

**Deputy Ossian Smyth:** I thank the Senator for his question. As I understand it, a voluntary hospital is an independent body, separate from the HSE, although greatly funded by the HSE.

The Mercy University Hospital Cork had some systems that were tightly integrated with the HSE systems and that the attack spread into their systems, as a result. I do not think they were specifically targeted. There was no indication that the ransom note was any different from that left on all the other HSE systems. The reason that they took a separate legal case is they are a separate legal entity from the HSE. Legally, they were advised that they had to get their own injunction to protect their own data. There is no suggestion that they are in any way more at risk than any other parts of the HSE. There is certainly no information yet that any of their data have been leaked or are at risk.

As I understand it, the process that the HSE is going through at the moment started with restoring their central services in their core network, their radiology system and their patient administration, and it then went out to all the different regional hospitals to make sure that they all came back online. As the service was restored and the hospital was restored, the two things work together. They are making great progress in that regard. I do not know if Mercy University Hospital Cork, is entirely back online. What I do know is that the HSE is publishing regular reports on its website, where people can go to their own county, look at a particular hospital and find out which of its services are back. There is, therefore, an indication of that.

**Senator Jerry Buttimer:** Given the model of healthcare that we have, what is the status of other voluntary and community hospitals? Hospitals are intertwined with the HSE. This is not just about funding but about the provision of services. We have outsourced, as the Minister of State knows quite well, many different aspects of our health service. Where do other organisations stand? Will they have to seek an injunction? Are they conjoined and included with the HSE? It is important to give comfort to people who are concerned about their own privacy and information being put in the public domain.

**Deputy Ossian Smyth:** Some hospitals were almost untouched. From talking to the IT staff in St. Vincent's University Hospital, they never had to stop any of their systems. They managed to continue. I cannot imagine that they are going to be joining into any future injunctions. It is really a legal question for those hospitals. If the hospital is a separate, independent legal body and finds ransom notes on systems within the physical hospital building, then it may be advised by its lawyers that it needs to seek a separate injunction. It is a legal question for the hospitals to discuss with their counsel.

**Senator Jerry Buttimer:** That applies to all service providers that are section 38 or 39 organisations and that have interactions with the HSE.

**Deputy Ossian Smyth:** It does.

**Senator Jerry Buttimer:** I thank the Minister of State for his work.

**Deputy Ruairí Ó Murchú:** I welcome the Minister of State's presentation. To put it starkly, Mr. Padraic O'Reilly stated yesterday that ransomware attacks have gone up by 311% in the past number of years. Mr. Pat Larkin told us that where they once dealt with one ransomware attack a week it is now happening every day. We all get that this is incredibly serious. I think we would all accept that, due to the *ad hoc* nature of the HSE and the historical way the network architecture and whatever else was designed, it was probably susceptible to such an attack. We need the results of the review to be communicated to us in whatever way so we can play a part in that. That review will deal with staffing and any capacity requirements.

Can the Minister of State provide any information on the primary legislation being suggested and what gaps it would be designed to try to plug? Obviously there is a need to deal with this problem in a technological, legal and international way. We want these people to become pariahs and we want it to become uncomfortable for states that have allowed some of this action to do continue to so. As regards the critical organisations with which the Minister of State is dealing, it is hoped that the NCSC has sufficient capacity to ensure compliance and enforcement. What is the state of play in that regard? I accept that the Minister of State is not going to give specifics. Some of the speakers yesterday talked about the fact that the budget is insufficient. They also said we need a greater level of maturity and a defensive ecosystem, and that we not only need defensive capacity but also counterstrike capacity.

**Deputy Ossian Smyth:** I believe Deputy Ó Murchú has experience in the HSE and in IT so this is an area about which he knows something. He asked if the HSE is particularly at risk. It is a very large body. Whole hospital groups are at risk and part of the reason is that, by their nature, there are life-and-death situations going on all the time. There is a pandemic going on, staff are running around and IT security may not be top of their priority list. That is especially true when they are being asked to rapidly develop new systems to cope with the pandemic and bring them online within a couple of weeks. All the staff were working hard to enable the clinical staff to work from home. They were under pressure but the HSE was in a much stronger position this year than it would have been two years ago, for example. Since then, its IT staff and budget have been doubled to €203 million. It is a much more resilient organisation and when this episode is over it will be more resilient still.

As regards the primary legislation, at the moment the NCSC does not have a statutory footing, although the CSIRT does. The NCSC is not defined in law and giving it statutory powers and roles and so on would strengthen it. It would also enable it to co-operate with other national cybersecurity centres across Europe and tell them it is actually legally empowered to do these things. In other words, we can get enhanced co-operation.

I obviously cannot comment on the ongoing Garda investigation, what the source of the problem was or how the Garda is getting on in pursuing the criminals. Was there anything else the Deputy wanted to ask me?

**Deputy Ruairí Ó Murchú:** I referred to protective or defensive capacity but also-----

**Deputy Ossian Smyth:** Offensive capability.

**Deputy Ruairí Ó Murchú:** Yes.

**Deputy Ossian Smyth:** The NCSC has no mission to carry out offensive counterstrikes. That is not part of its function. It is there to provide advice, research, risk assessments and incident response. It is not going to hack the hackers back, if that is what the Deputy is asking. That would not come under my remit.

**Deputy Ruairí Ó Murchú:** I accept that. That is one of the things that needs to be looked at. Maybe it is beyond the NCSC.

**Chairman:** Briefly, Deputy.

**Deputy Ruairí Ó Murchú:** We are talking about the organisations with which the NCSC is dealing. We need to make sure it has the capacity to carry out the risk assessments. Where are the risk assessments for some of these critical organisations? Without getting into a huge amount of detail, are the Defence Forces and the Garda sufficiently connected with the NCSC and are they resourced to be as fit for purpose as they need to be?

**Deputy Ossian Smyth:** The Garda and the Defence Forces both have a position within the NCSC. They have staff seconded into the NCSC so there is a connection between those organisations, which is very useful. I understand the Garda National Cyber Crime Bureau has doubled its numbers and now has around 140 staff. A huge amount of cybercrime goes on. As everything is moving online, because life is moving online, a lot of crimes are being committed online. There are good connections there.

**Deputy Ruairí Ó Murchú:** What is the lay of the land as regards the risk assessments for these organisations?

**Deputy Ossian Smyth:** All of these organisations are required to carry out risk assessments, although not all of them were complete. Some organisations were engaging with the NCSC and explaining how far they had gotten. It is a co-operative thing. It is not about catching them out and clamping down on them; it is about us helping them to fill in those holes. All of those organisations would have been involved in risk assessments.

**Deputy Duncan Smith:** I thank the Minister of State for his opening statement and contributions, as well as for filling in the gaps about the NCSC's capacity and how it works over the last few days. He mentioned that the NCSC's work involves cybersecurity resilience through a range of initiatives, including hosting seminars and workshops, and working with Government agencies and Departments in that regard. Does the NCSC perform audits on Government agencies? Does it have that power? Is it within its remit to go to an agency and say it is going to do a rundown of its system and if it sees any issues they can work through them? Would that all have to come to the NCSC from the agencies? If a systemic flaw or weakness is found, does the NCSC have any powers to compel an agency to fix it? Obviously one would imagine it is in an agency's best interests to fix any weaknesses that are found but has there ever been a case where an agency said it did not have the funding to fix any structural issues, against NCSC advice? How does that dynamic work? What powers does the NCSC have in that regard?

**Deputy Ossian Smyth:** The Deputy's first question was about whether the NCSC audits Government agencies. It does not. It also does not issue compliance orders against other Government agencies, on the basis that one Minister does not tell another Minister what to do. However, that does happen for organisations providing essential services, such as gas or electricity services. The operators of essential services can be, and are, audited by the NCSC

and it can issue compliance orders against them. It is empowered by the NIS directive if there is something the operator has not done. That is the balance. There is a difference between risk assessments and audits. Several audits have been ordered by the NCSC. Does that answer the Deputy's questions?

**Deputy Duncan Smith:** It does. The other questions I had planned to ask have already been asked so I am happy to surrender there remainder of my time, particularly as we are running out of time. I thank the Minister of State.

**Chairman:** I thank the Deputy for his generosity. I call Deputy Lowry.

**Deputy Michael Lowry:** I thank the Minister of State for his frank and clear outline of where we are and, more important, where we need to go. We have discussed the leadership role within the cybersecurity centre. Obviously, there is a need for that to be dealt with. However, there is also a need for backup support and new architecture to be put in place. In relation to technicians and recruitment, do we have sufficient numbers of people with the necessary skills, qualifications and expertise? At the moment, everyone is on alert. The private sector will also be seeking to recruit these people. Is the Minister of State satisfied that the State can recruit and that the terms and conditions of the offers that we are making will be sufficient to attract people into our cybersecurity centre?

Second, I wish to ask the Minister of State about indications from the private sector on the payment of ransoms. The State, the Minister of State and Government have taken the correct decision to refuse to pay a ransom. If we pay it once, we will be paying it forever. I am getting a fair indication from the private sector that many companies have already succumbed to the pressure and have paid ransoms. What indications are the Minister of State and his Department receiving to that effect? In respect of the HSE and the other State agencies that have a duty of care to protect information, where does the Data Protection Commissioner sit in this? Is there an open line of discussion between the Government and the Data Protection Commissioner?

**Deputy Ossian Smyth:** I thank the Deputy for his questions. I know that he has experience in this Ministry.

The first point I would make is that in respect of recruitment, the NCSC has told me that it has not had any difficulty in the past. It is recruiting both from the private and public sectors. There is an attraction to working in such an important and key role in defending the country in that way and defending our critical infrastructure. My impression, from working very closely with the staff over the last few weeks, is that they are very engaged, highly motivated, have good morale, are extremely skilled, and that we are not in a position of being under-resourced. However, demand for additional increase will, of course, increase over the coming years as the threat increases.

The Deputy also asked about private sector companies paying ransoms. That is what the criminals describe as their business model, but it is really an extortion racket. The idea is that a company is put in a position where it is faced with a choice of paying a ransom or going out of business because its reputation will be so badly damaged, it will not be able to find its customers or how much its customers owe it. It is an existential choice. It is not the same for a non-profit organisation or a Government. We will not go out of business if we do not pay the ransom. Therefore, it is a different situation. If people do not pay the ransom, then the criminals cannot continue and it is the end of their business. Of course, we want to find ways to ensure that people do not pay ransoms. However, I do understand that when a company is put in that posi-

tion it is do or die. That is the situation with that issue. We have taken the right decision. Other Governments and private companies are supporting us in this and agree that if we were to pay the ransom it would attract more of the same.

On the data protection question, data protection comes under the remit of the Department of Justice. I cannot comment on what the Data Protection Commission will do. It has a statutory function and investigates when a data protection breach occurs. There has clearly been a huge breach in this case. I cannot comment on what the commission will do. However, I think we can all expect what is going to happen.

**Senator Gerard P. Craughwell:** I thank the Minister of State for joining us today. I am aware that he has plenty of other things to be doing at this time.

I stated yesterday that Ireland lacks security awareness and a culture of security. It may well be based on some sort of belief in the goodness of people, which, I might say, is misguided. Does the Minister of State believe that we should increase the budget for the national cybersecurity to the €50 million that was projected by Mr. Pat Larkin yesterday?

I circulated a paper last night which the Minister of State will have received. Every Member of the Houses of the Oireachtas received a copy of a paper written by Mr. Pat Larkin in 2018 in which much of what has happened was predicted. I know that the Minister of State is not long in the Ministry, so I am not pointing any fingers at him. However, it would suggest a lack of awareness.

My colleague, Senator Horkan, referred to ethical hacking. In one of the Minister of State's responses, he mentioned working across other Ministers' areas of responsibility. If I may say to the Minister of State, to hell with the niceties. We are in a war. Cybersecurity is now the fourth realm of national security and we are at war. As we were told yesterday, we are on a journey to which there is no end. Would the Minister of State agree that it is time that we set aside the niceties and started using ethical hacking and finding the weaknesses right across State and semi-State bodies? If we step on somebody's toes in the meantime, sorry about it, but that is what it takes.

Next, I wish to raise the issue of software. We have heard that some of the HSE computers were running Windows XP and Windows 7. If that is true, it is outrageous that it would be allowed to go on. Is the Minister of State going to take steps to ensure that every Government agency updates its software to the most modern version available and has the most modern security software?

Finally, I wish to raise an issue that is perhaps a little out of left field and which the Minister of State may not have expected. He may not wish to respond and I accept that. I have been contacted by a significant number of people who registered on the HSE website for Covid-19 vaccination appointments and all of a sudden started to receive spurious calls asking them for money. I have had a number of the calls-----

**Chairman:** I propose to suspend the meeting for a few minutes to resolve the technical difficulties.

*Sitting suspended at 1.26 p.m. and resumed at 1.28 p.m.*

**Senator Gerard P. Craughwell:** I am sorry that the Minister of State is being dragged through this again. There is no need for me to go over my questions again. The Minister of

State was doing a good job in responding to them. I am a little concerned about the Minister of State's point that we are not at war. Even if they are criminals, I do think that we are at war with them. We must be proactive as well as reactive in cybersecurity.

In my 25 years of teaching computer networks, I have seen what happens when one is forced to use a piece of legacy software. I recall the National Gallery once had a piece of software dealing with temperature that was not compatible with Windows. It was taken out of the network so it could continue to work. If we have legacy software running big MRI machines it should not be live on the same network as machines that are properly secure. I hope the Minister of State will agree with me on this.

**Deputy Ossian Smyth:** The Senator asked whether the data collected as part of vaccination was at risk, and he named some of the various data fields collected. To put the Senator's mind at rest, my understanding is they are collected by a system in the cloud developed very recently by IBM and they have not been affected by the hack and all of those data are safe.

On the question as to whether we are at war, I believe the Constitution defines when Ireland goes to war. It is a particular state and we are not in that state at present, unless it is a metaphorical war such as the war on drugs or the war on poverty. All institutions of the State are working. I am seeing a lot of harmonious connections between the Departments. Everyone recognises this is a threat to all of the patients and users of the HSE, which constitutes everybody in Ireland. Everybody is working on this at maximum capacity. There is no problem about parts of the Government not co-operating with each other. I meet the Ministers for Health and Justice every day to make sure our response to this is co-ordinated and there really is no problem in this regard.

**Chairman:** I am conscious we have another group coming before the committee and I want to allow everyone in so I ask members to be brief.

**Deputy Steven Matthews:** I will be brief. I welcome the Minister of State, Deputy Smyth. There has been a lot of talk about the salaries and payments required to recruit specialists. Does the Minister of State believe other factors are at play in recruiting such specialists to our NCSC?

**Deputy Ossian Smyth:** Certainly people consider more than money. We do have to pay good and adequate salaries but people are proud to work in the NCSC. They are protecting their country and their vital infrastructure, and they are co-operating with the security apparatus of other countries throughout the world. It is a high-status job and a job people are proud to do. There are more factors than just money involved.

**Deputy Steven Matthews:** Has the headcount been increased in recent years in the National Cyber Security Centre?

**Deputy Ossian Smyth:** It has. It was at a dozen four years ago and we now have a headcount of 29. It will increase over the coming years. In 2017 it was 12 people, in 2019 it was 22 people and it is 29 in 2021. The capacity review projects an increasing number of staff over the coming four years. We must remember they are a very small number of the staff involved in cybersecurity in Ireland. Throughout the various Departments, for example Revenue and the Department of Social Protection, there are extensive security teams, each of which could be larger than the NCSC itself. Bodies such as Irish Water also have their own cybersecurity teams. It is not the case that, as described in the media, there is €5 million for all of Ireland's cybersecurity and 29 people are doing it. This is simply not the situation.

**Deputy Steven Matthews:** I get that it is a much more complex situation and that other organisations have their own responsibilities and roles to play. With regard to the incident response by the NCSC, does the Minister of State believe it demonstrated the required capacity in responding to attacks?

**Deputy Ossian Smyth:** The response was exemplary. It was immediately on site and connecting into the network and advising people. I had no sense at all there was an inadequate response or that it was unavailable to do it. I really felt it was very professional. It immediately brought in FireEye, the security consultancy from California with which it has an existing relationship. It is the organisation that carried out the capacity review in the first place. It had offers of support from security consultants who are academics, from the Garda and from the Defence Forces. Many people were on site within a short period of time. That day, they were 300 people available to work on it. Really, the key people to carry out the work were the HSE's own IT staff because they are the people who know their own systems. They have been critical to this. They worked through the first few nights and it was day and night work to get the systems back. I am very happy with how it has gone but there will be a review of how the attack happened and how the response went. Once the systems are back online and the patients are getting all their services again that will be the time to carry out an investigation.

**Deputy Steven Matthews:** I thank the Minister of State and ask him to pass on our thanks to the team and our ongoing support for what is required to continue on this cybersecurity war, as it has been referred to.

**Deputy Cathal Crowe:** One of the take-home points from yesterday was that it could take five to ten years for Ireland to have indigenous domestic capacity to fully fight off cybercrime and yet, in that timescale the whole world will change entirely and there will be new forms of attack and software. We will set ourselves a goal but by the time we get to that goal, it may have passed us out again. A point I made yesterday was if this is what the next decade will look like and if the past fortnight has proved that Ireland may be the soft underbelly of Europe in some ways and we may be open for more attacks, it may be prudent to look beyond our shores to other countries that have a high budgetary spend on cybersecurity and that are allies of ours within the European Union and to lean on them for a bit of support. Senator Craughwell called this a war. It is not a war but it is a conflict of sorts. By leaning on a European neighbour with a well-developed capacity to do this, we would not compromise our neutrality, to call it that, in any shape or form. We would be doing something smart, which would be to view this as an immediate problem that needs immediate redress.

It scares me to think it could take five or ten years. Yesterday, we had a debate about the cost of hiring the helmsman or helmswoman for this organisation. I believe we are getting very caught up in that issue and are not looking at where the next attack could happen. As a former primary schoolteacher, I fear for the sensitive data of many schools on Windows XP and Windows 7. Tusla files could potentially get out there. Worst of all would be if the Garda PULSE system was hacked in some way. Imagine how atrocious it would be, were sensitive files from the local Garda station to be circulating online. Will the Minister of State take on the point there should be some leaning on our European neighbours?

**Deputy Ossian Smyth:** I do not accept Deputy Cathal Crowe's contention or premise that Ireland has proved to be the soft underbelly of European cybersecurity. Yes, we have sustained a significant attack and the attack is far worse than anything that has happened previously in Ireland but these type of attacks are happening throughout the world in countries that have an extensive security apparatus. For example, in the United States there have been 300 very large-

scale ransomware attacks on major corporations, including 16 hospitals or emergency departments, in the past year alone. It was revealed last week that an insurance company in Chicago paid out a \$40 million ransom. This is in the country that has the National Security Agency, the Department of Homeland Security, the CIA and the FBI. Despite all of this, these organisations have been penetrated and attacked and there has been an attempt to collect ransom. The single incident that has happened in Ireland is not proof there is something fundamentally wrong with Ireland's cybersecurity. Of course it will be a lesson, and it means we will be stronger and more resilient afterwards. We are looking at what the next threat is.

The Deputy spoke about co-operation with our European neighbours and this is absolutely essential. We are a small country. We are 1% of Europe's population. We rely on information sharing and co-operation sharing with our European partners and we are well regarded in this way. We are heavily engaged not just with European countries and members of the EU but also with the UK and the US, and they have been very helpful throughout the incident. As the Deputy knows, there was an attack on a regional health board in New Zealand. Within hours, my Department was sharing information with them about their experience with the ransomware. That type of co-operation at policing level and computer security incident response team, CSIRT, level is critical. It is the way we can defeat these criminals. The criminals are going around attacking people in whichever country they want. If all the police forces and cybersecurity teams combine, they can track the criminals eventually. It just takes surveillance.

**Deputy Cathal Crowe:** I thank the Minister of State for his response. This gives him a mandate to seek significant funding. In years heretofore, there has been a bit of a Craggy Island approach to computers, including passwords taped onto the covers of laptops, etc. We are at a crossroads from which we either go whole hog, invest heavily and show the world we are cyber safe or we go the other way and say we are going to lean on our European neighbours and concede that we will not have the capacity to build a big system but rely on the fact that we have neighbours and good allies who have that capacity.

**Deputy Ossian Smyth:** It is not a choice. We are going to do both. We are going to continue to increase funding, as we did last year, and we will co-operate with our European neighbours, the UK and the US.

**Deputy Joe Carey:** I want to return to the issue of the budget. The committee heard yesterday from Mr. Pat Larkin who is concerned that we are spending one tenth of the amount being spent across the water in the UK in this critical area. Will the Minister of State outline his plans to increase the budget and capacity to deal with this issue on behalf of the State?

**Deputy Ossian Smyth:** I thank the Deputy. I will say again that a capacity review was launched in January. Over the past five months, analysis has been performed by external people to see in what ways we need to increase our budget, in which areas we need additional skills, where we need more staff, whether we need more resources and in which of the coming five years we will need more resources. We have commissioned that review. A draft report is being prepared and will be looked at in the context of the recent attack. The result will be a recommendation about budgets and staffing levels for next year, the year after and the year after that. I have no doubt that the requests for those budgets will be met and I am sure the State fully understands the importance of protecting its data, essential services and critical infrastructure.

**Chairman:** I have two quick questions, the first of which relates to HSE patients and will be a concern for members of the public watching this meeting. When does the Minister of State anticipate the HSE will be back to normal and seeing patients, those who are now waiting for

appointments? Does the Minister of State think the National Cyber Security Centre, NCSC, needs to be put on a statutory footing to strengthen its capacity to deal with cybersecurity? What message does the Minister of State have for the HSE patients, the public out there, as to when the HSE, hospitals and the Department will be back to normal practice? Will the Minister of State be putting the NCSC on a statutory footing?

**Deputy Ossian Smyth:** The HSE is bringing back services as quickly as it can. It has prioritised its services, starting with its most important ones, its core services, and then it will bring back hospitals. HSE CEO Paul Reid has said it will take a number of weeks but I can say the most important services will come back first. I understand the core systems are all working again and it is matter of ensuring that all the machines that connect to them will come back. I cannot give a clearer statement than that because cybersecurity is my area, rather than HSE services. The HSE is best positioned to make recommendations. The HSE website has a county-by-county breakdown, down to the level of each hospital, stating what is available and what is not. That is available on a daily basis.

The Chairman asked about putting the NCSC on a statutory basis and whether I want that to happen. I do. Primary legislation is coming. The NCSC is not defined in statute at the moment and does not have a statutory role or the power and authority that would arise from that. The incident response team has that authority. I am looking forward to the NCSC being put on a statutory footing.

**Chairman:** I thank the Minister of State.

**Senator Jerry Buttimer:** On the basis of the Chairman's last question, it is important that we invite Paul Reid before the committee to continue this discussion. I am not convinced that other hospitals or agencies are protected. I trust the bona fides of the Minister of State but we need to get Paul Reid in.

**Chairman:** We will issue an invite to the CEO of the HSE, Paul Reid, and ask him to come in and work with us in this area. I take that suggestion on board. I compliment the Minister of State on his performance. One must give him credit. He has come before the committee in public session. It has been important for us as a committee and for the public. We acknowledge that. We are here to act constructively as a committee but to do that, we need the public to be able to see what is happening. I thank the Minister of State.

**Deputy Ossian Smyth:** I thank the Chair. It is important that questions are asked in an open way because this is an issue that affects everybody.

**Chairman:** We look forward to working with the Minister of State in this area.

*Sitting suspended at 1.46 p.m. and resumed at 1.49 p.m.*

### **Issues Affecting the Aviation Sector: Discussion (Resumed)**

**Chairman:** The purpose of the second part of today's committee meeting is to discuss the issues affecting cabin crew and specifically the recent announcement about the Aer Lingus Shannon and Cork bases. I apologise for the delay in starting this session. We had technical issues during the first session. It is great to have our guests here. I welcome Ms Ashley Connolly, national secretary of Fórsa; Ms Sarah O'Leary, CCM, Cork base; Ms Mary Mulholland,

CSM, Shannon base; Mr. Gerry Clarke, CSM, Shannon base; Ms Liz Barry, CSM, Dublin base; and Ms Catriona Jones, CSM, Dublin base. They are all most welcome.

Witnesses are reminded of the long-standing parliamentary practice to the effect that they should not criticise or make charges against any person or entity by name or in such a way as to make him, her or it identifiable or otherwise engage in speech that might be regarded as damaging the good name of the person or entity. Therefore, if their statements are potentially defamatory in respect of an identified person or entity, they will be directed to discontinue their remarks. It is imperative that they comply with any such direction. For witnesses attending remotely outside of the Leinster House campus, there are some limitations to parliamentary privilege. As such, they may not benefit from the same level of immunity from legal proceedings as a witness physically present does. Witnesses participating in this committee session from a jurisdiction outside the State are advised that they should also be mindful of their domestic law and how it may apply to the evidence they give.

Members are reminded of the long-standing parliamentary practice to the effect that they should not comment on, criticise or make charges against a person outside the Houses or an official either by name or in such a way as to make him or her identifiable. I remind members who join this meeting remotely that they are only allowed to participate in the meeting if they are physically located in the Leinster House campus. In this regard, I also ask members who are participating to confirm, prior to making a contribution to the meeting, that they are on the grounds of the Leinster House campus.

This is an important session and it is a matter on which we are strongly focused. I invite Ms Connolly to make her opening statement. She has five minutes. We are putting limitations on the time because we want ensure we get as many contributions from members and witnesses as possible.

**Ms Ashley Connolly:** First, I thank the committee for the invitation to the meeting today, where we can speak openly about the issues facing cabin crew in both bases. I will try to be brief, but there is a lot to be said. I welcome the question-and-answer session that will follow my statement.

Fórsa represents over 80,000 members, including approximately 5,000 workers in aviation. In attendance with me today are members of the cabin crew branch, representing over 2,000 cabin crew across all airlines. Cabin crew have endured over 14 months of pay cuts, lay-offs, redundancies and job insecurity. Our members continue to live with high levels of uncertainty and have lived with fear and anxiety as to what the future holds for them. This has put cabin crew and aviation workers and their families under massive strain. For many, the mortgage and other debts incurred over this period will be a burden for years to come. Our members worry that the current employment wage subsidy scheme, EWSS, is due to end. To date, there has been no announcement of an extension. We all have heard the comments that there will be no cliff edge, but those statements are not enough. The lack of any detail is contributing to our members' fear and anxiety. Fórsa is calling, and has called, for an aviation-specific income support scheme. Failure to provide that will undoubtedly risk further hardship for our members, and more jobs will be lost in the sector.

Throughout the pandemic cabin crew have done everything possible to help their country. They are deemed essential workers and have remained flying essential routes, maintaining vital connectivity. However, it is widely acknowledged that the Irish aviation sector has experienced the largest decline in comparison with anywhere else in Europe. While we acknowledge and

appreciate the uncertain times we live in, there is a need for us to do better. What we need now is political leadership, a clear roadmap setting out the return to international travel. We must remain a globally connected open economy where trade and tourism thrive. We have to provide hope to families that they can be reunited with their loved ones living abroad. The continued contradictory statements by various Ministers must stop. What is needed now is clarity. If we fail to provide the certainty required, the aviation sector may never recover.

To date, there has been a lack of commitment from the Government as to how and when travel can resume. At previous meetings of this committee, Fórsa has called for State supports to the industry to be strictly conditional, with no compulsory redundancies or offshoring of services. If these conditions had been in place, that may have offered our members greater protection against the devastating news in Shannon and Cork last week. Fórsa remains greatly concerned that failure to provide the necessary supports as a matter of urgency may mean further announcements across the sector. Some, such as the situation at Shannon, could be irreversible and could contribute to a more general erosion of Ireland's aviation connectivity.

Our message is clear. We need tangible plans. We are calling on the Government to provide the necessary income supports, provide clear and precise guidance to allow a resumption of international travel, to send a clear message that we are open to key markets and to state that Ireland will adopt the European Commission green digital certificate immediately. We must reopen the common travel area. As we all know, the UK's vaccination rates are well ahead of those in Ireland. We need to develop a clear travel corridor with the US. We also must consider affordable testing, something the committee has recommended. Testing cannot become an impediment to a return to international travel. Finally, we must engage on plans for the future viability of regional airports. I refer particularly to Shannon and Cork in that regard.

Following the announcement by Aer Lingus on 18 May, it is important to put on the record the impact this has had on our members based in Shannon. It will have a devastating impact on cabin crew based in Shannon who, between them, have accumulated more than 2,000 years of service to the company. It will also have a devastating impact on the tourism and hospitality sector, and many have expressed fears about what impact the announcement may have on inward investment in the region. It must be recognised that this is a traumatic time for cabin crew members and their families in Shannon. After giving such long service to Aer Lingus the company has decided to close the base, claiming it is inefficient, having been out of line with the market for many years, is inefficient due to its geographical location and that the scale of the operation has not been enough to deliver cabin crew base efficiencies and the productivity required.

Cabin crew based in Shannon have never been found wanting. They have worked with the company throughout all other crises – the 1990s Gulf War, the post-2009 economic crash, the 11 September 2001 attacks, the volcanic ash cloud in 2010 and the Greenfield and Cahill plans, to name just a few. Over the years they have altered their work practices and demonstrated the required flexibility to ensure the viability of the Shannon base. However, last week Aer Lingus appeared to simply give up rather than develop solutions. Our members feel quite strongly about this. It is not a voluntary option. The company is closing the base and they do not have a choice. They want to work with the company to find solutions in order to protect the base. They are angry with the company and with the Government. They are angry with the company for its decision to close the base without engagement to find solutions, and the manner in which it delivered this devastating news. They are angry with their elected representatives for not ensuring the appropriate protections were in place, such as supports only being provided on the

conditions Fórsa has previously outlined. The closure of Shannon illustrates the consequences of failing to include that conditionality.

More than 80 families in the west of Ireland are at risk of losing their careers and their livelihoods. The airline will be at risk of losing extensive experience. The impact this will have on connectivity in the region will affect tourism and hospitality. The effect on local communities and the local economy will be devastating for years to come. We are calling on members of the committee to intervene and to lend their voices to protect this base. It is vital not only for ourselves but for all the west of Ireland, tourism and future investment that we protect this base and ensure it remains in place.

I wish to make some brief statements with regard to Cork. It was with disbelief that we became aware of the decision to close Cork Airport for maintenance of the runway at a time when travel restrictions are likely to ease. The impact of this is that cabin crew in the majority of airlines will be laid off. No certainty has been provided as to what entitlements they may be able to claim, which is causing unnecessary stress. Aer Lingus has also announced further redundancies for the base. We must ensure that protections are in place to prevent a risk to the Cork base also.

We call on the Government to ensure that appropriate income supports are in place. We ask that our members remain on the payroll with the assistance of the necessary income supports while maintenance works are carried out. We need to ensure that the necessary conditionality is attached to any supports provided to any companies. That is no compulsory redundancies and no offshoring of services. We ask that the Government aligns itself to our members in Shannon and Cork to ensure that both bases are protected. We need a plan for the regional airports and we need to ensure that they remain viable into the future.

**Chairman:** Quite a number of members wish to comment but, unfortunately, we must finish at 1.35 p.m. at the latest. We have no choice in that because of Covid restrictions. I ask members to work in a collective way and do the best for the workers. I ask Members to confine their comments and answers to two minutes. I regret that this is the situation but it was more important to have Fórsa and the cabin crew members in here today due to the urgency of the situation. The first slot belongs to Fianna Fáil and Deputy Cathal Crowe has two minutes.

**Deputy Cathal Crowe:** I welcome all of the witnesses. I have engaged with many of them recently and in the past months.

Many factors have got us to this point with Covid being number one. There is also mandatory hotel quarantine, which was necessary during very high levels of Covid but it certainly has not helped in recent weeks. Lastly, there is the decision by Aer Lingus.

The Aer Lingus decision to close its Shannon base on the eve of the return of international travel can only be summed up as Aer Lingus taking the taxpayer for a ride because it has availed hugely of the employment wage subsidy scheme, EWSS, and the pandemic unemployment payment, PUP. I have a copy of a redacted Aer Lingus cabin crew contract with me. It very clearly states that his or her contract is to the airline not to the Shannon base yet Aer Lingus whether it has been a temporary lay-off or base closure it has cherry-picked and gone after Shannon.

I have a question for Ms Mary Mulholland and Mr. Gerry Clarke from the Shannon base. Many people initially interpreted the talk of inefficiency as a dig at Shannon Airport corporate. I believe that it is a dig at Aer Lingus's workforce and loyal employees who stood by the com-

pany for many years. The fact remains that if one took up employment with Aer Lingus 15 months ago in Dublin then one is still employed. However, if one has worked with Aer Lingus for 30 years at Shannon then the attitude is “good luck”, which has pretty much been the attitude to date. What do Ms Mulholland and Mr. Clarke understand the term “inefficient” to mean? Is ageism involved? Does it relate to the payroll? Does it relate to pay and conditions at the Shannon base? Many things could be held culpable but we want to get to the bottom of the issue today. From an industrial relations point of view, Shannon has been singled out. The crisis has been used as an excuse to carry out what Aer Lingus has wanted to do for a very long time and that is to slowly withdraw from Shannon. Whatever we do as a Government and any supports that we provide from here on must be conditional on certain strings attached *quid pro quo* in terms of support for Shannon, its workers and its routes. What does inefficient mean from the point of view of the cabin crew in Shannon?

**Ms Mary Mulholland:** I thank the Deputy for his questions and I thank the Chairman for the opportunity to speak. As I am attending remotely I am not as protected as the rest of the witnesses, and I know that the Chairman noted that aspect in his earlier comments.

**Chairman:** Yes.

**Ms Mary Mulholland:** Yes, it is a fact that the crew in Shannon are being targeted, which is probably the wrong word to use because it is very specific. The crew who will be made redundant are significantly senior in the company. I am number 82 in the company and the members will all know how many people are in the company. The most experienced people with the longest service, the most loyal and the ones who have put their shoulder to the wheel so far and rolled up their sleeves, as Ms Connolly said earlier countless times are the ones who are being targeted in this position.

**Mr. Gerry Clarke:** I thank the Deputy for his questions and I thank the Chairman for the chance to speak today.

Ms Mulholland has alluded to the 81 employees with long service ranging from 20 to 34 years and that is the only inefficiency that Aer Lingus is targeting but it is not one. People should remember that in 2013-2014 we introduced the 757 aircraft, which made us right sized and efficient. It was the right-sized aircraft that had high load factors and was in service until 2019. From 2019 onwards, we had the A321 Neo that had even further fuel efficiency of anything up to 25% on a round trip to Boston or New York.

The targeting of the base has been gone on for a long time. When a crisis happens Shannon is targeted by the company, unfortunately, and we never know the reason. We have become efficient.

For the mid-west region, €3.8 billion was the economic impact in 2019 and that must mean something to the Government. It should have meant something to Aer Lingus but it seems that it did not, which means that the company is not in tune with the balanced regional development of this country. The revenue means the base has the highest economic percentage impact per passenger coming through the airport. From the perspective of the cabin crew, this aspect should be a very important point for the retention of the cabin crew base.

The national planning framework states that Galway and Limerick should have a population growth of up to 50% up to 2040. That is not going to happen. Regardless of Aer Lingus saying that it will operate out of Shannon, it will not be without a cabin crew basis so one cannot plan

a viable operation that will see a decent level of economic activity because, more than likely, there will not be early morning flights and there will be no arrivals in the evening.

In terms of the transatlantic sector, if this issue is not rectified then the mid-west region is going to crumble and there is a severe possibility that the US Customs and Border Protection, CBP, in Shannon will close down and Shannon will become like a mothball thus making it completely unattractive for anybody to fly into. This issue is a huge concern.

On behalf of the cabin crew and their families, I thank the Chairman for the opportunity to speak.

**Deputy Cathal Crowe:** It is a long-established principle of last in, first out in any company.

**Chairman:** Deputy, we are all working together on this issue but I am very conscious of time. We can follow up on the matter but I am conscious of the time and I fully appreciate how frustrated everyone must feel. Deputy Carey has two minutes.

**Deputy Joe Carey:** A really serious situation has developed in Shannon and I thank Ms Connolly for her presentation. We, as a committee, have raised the aviation sector at every opportunity with the powers that be in the Government and continue to do so. I raised this issue with the Taoiseach on the floor of the Dáil today again and raised the specific case of the cabin crew in Shannon. The decision has been made under the cover of Covid and it needs to be reversed. Without doubt the longest serving and most loyal people in the company are being targeted. We have engaged with the cabin crew. I know many of them personally so I know the care and dedication that they have put in over the years. It is a sad indictment of Aer Lingus that it would target the most loyal and hardest working people in the company.

I seek an explanation of the following. The Neo aircraft brought a new opportunity for Shannon, which was recognised across the company. The cabin crew is the same. Yet Aer Lingus has mentioned in its statement that the cabin crew has been out of line for a long time, was inefficient and was not working. The decision has been made at a time when the reopening plan for aviation is due to be announced next Friday. I strongly believe that Aer Lingus has used this opportunity to target Shannon yet again. What is Mr. Clarke's view on that?

**Mr. Gerry Clarke:** As I mentioned previously, the NEO has up to 25% greater fuel efficiency compared with the 757, which is the equivalent of up to 12 tonnes of fuel. I will not go into fuel hedging issues now but it is very important to note that the efficiencies are based on data from 2013 onwards. In Shannon, we had a situation where there were routes to Malaga and Faro but we were not using them because we were told there were not enough crew members. In 2019, prior to the pandemic, we were supposed to do Barcelona and Paris but were told that crews from other bases were needed for those routes because we did not have enough crew. I do not know where the inefficiencies are coming from, given the fact that the operation did not allow us to fulfil the full schedule in 2019. We had to be supplemented from the other bases. I do not know where the inefficiencies are coming from and to me, that still has to be proven.

**Deputy Darren O'Rourke:** This committee has been asked to do a number of things. We have been asked to call for the base to be protected, for jobs to be maintained, for the decision to be reversed and for no redundancies or offshoring to happen. This is something we should do and I support that proposal.

**Chairman:** The Deputy can take it that will be done.

**Deputy Darren O'Rourke:** I have a question for Ms Connolly and I ask her to respond from the point of view of Cork, Shannon and Dublin. My sense of it is that some of this is, at the very least, strategic. Previous contributors suggested that this is a strategy on the part of the company which is possibly using Covid-19 as a cover. Reference was also made to the extent of State supports. What does the future hold in terms of the prospect of offshoring? Is it happening already or is the threat of it there? In terms of the supports that are in place, there is a concern that there will be a cliff edge. In terms of short-time work supports, for example, a number of cabin crew have already contacted me because they have moved over to jobseeker's allowance. These are people who have liabilities. I ask Ms Connolly to give us a sense of the concerns of workers and the future direction of travel for Aer Lingus in particular.

**Ms Ashley Connolly:** I thank the Deputy and will try to answer both elements of his question. First, offshoring is a real risk. Aircraft can be moved to any base and airlines will move their aircraft to more profitable bases with less stringent restrictions. Offshoring is a very real risk. We are seeing bases opening up but we are very concerned about what travel in Ireland will look like in the future. Will we be able to maintain the routes we currently have, never mind expand? In pre-Covid times we were hearing statements to the effect that Ireland will be an island at the centre of the globe but now we will be lucky to maintain what we have. There is much talk about the need for FDI but we will shut off half of Ireland if the bases at Cork and Shannon close. What will happen then? Everything will become more centralised in the east, which is not what anybody wants to see happening.

I welcome the Deputy's question on income supports. Every day I deal with cabin crew members who are extremely worried. They are trying to engage with their banks and to address their own personal outgoings. Some have children doing their leaving certificate this year and they do not know if they will be able to afford the college registration fees that are due in September. To put it in perspective, in March 2020, people were earning 100% of their salaries but, since then, their earnings have ranged from 30% to 60%, depending on their base location. Imagine losing 50% of one's income for that length of time, with no timeline for when one will recover that income. How is one supposed to plan? How can one's family be secure? People are making very harsh decisions every day. There is an obligation on the Government to put income supports in place and in doing so, to underline the fact that such supports are contingent on employment being protected, with no compulsory redundancies. Then we could actually ensure, through engagement, that our members in Cork would not have to be laid off but could remain on the payroll with the use of these supports. The issue is the lack of certainty. I cannot reassure my members who are asking what they will be earning on 1 July. The company cannot reassure them either because it does not know what supports will be in place on 1 July, which is only 30 days from now.

**Deputy James O'Connor:** I will begin by confirming that I am within the Leinster House complex. I thank the witnesses for attending and for providing us with an important opportunity to discuss the issues facing cabin crew and others working in aviation. I have been very clear about my position on these issues and on what we need to do. Very important decisions will be made when the Cabinet meets this Friday. The Government needs to carefully consider the Ferguson report. Professor Mark Ferguson, the director general of Science Foundation Ireland, produced a phenomenal report on the benefits of antigen testing. If we want to avoid a situation where even more workers are laid off and are left in the unfortunate position of being without a job, then this committee must do everything it can to encourage NPHET and the Government to consider antigen testing so that people can get back to work and those who have lost employment can regain it.

The witnesses have hit the nail on the head in terms of sector-specific supports and it is incredibly important that this is looked at in more detail in the context of aviation. There are very few industries that have been hit as hard as aviation. Many aviation workers are now facing the prospect of losing their jobs. We must ask if it would be beneficial to consider sector-specific supports for aviation workers who will hopefully be back to some degree of normality in a number of months. There would be huge benefits in doing that and I have made that point to the Minister for Finance at every possible opportunity. I agree with the witnesses on that point.

I have one quick question. What is the witnesses' message to Government *vis-à-vis* its decisions on the reopening of aviation? I am particularly interested in a response from the representative from Fórsa.

**Ms Ashley Connolly:** Our message is clear. We are asking the Government to send a very clear message, rather than the conflicting messages that it has sent out to date. We want to see the adoption of the EU digital green certificate and we want it to be implemented immediately, from day one. We want discussions to take place on a travel corridor with the USA, a high-value market for international travel. That needs to be done in parallel with the implementation of the European digital green certificate. We also need clarity on the common travel area with the UK. What is the position on that? I accept that public health is an absolute priority for Government. It is also a priority for our members but certainty is needed now. The time for inconsistency and a lack of certainty is past. Jobs are on the line. Decisions must be made, and fast. Otherwise, I will be here again in another few weeks to discuss further bad-news announcements by other airlines.

**Senator Jerry Buttimer:** I confirm I am in Leinster House. I thank our guests for being here. I concur with everything that has been asked by members. We are all supportive and have been working hard to ensure there is an equitable playing field. Our bigger battle is with the management of Aer Lingus, who should not be able to use a pandemic to make widespread changes. To be fair to the Government, Ms Connolly might note it has agreed to sign up to the digital certificate. The Minister for Foreign Affairs, Deputy Coveney, and the Tánaiste have been clear about the common travel area and engagement with the US. We agree completely with Ms Connolly that we need to sign up to the green certificate from the beginning. My only concern, following on from what happened in Shannon, is that the temporary lay-off in Cork will be permanent. I hope we can all work together because we are on the same page. I commend our guests. This committee is very much of the view that we should protect and work with our aviation sector to protect and preserve jobs. I am fully committed to that.

**Ms Sarah O'Leary:** Cabin crew in Cork are concerned about the lay-offs. At the moment, they are temporary lay-offs for ten weeks but, as we can see from what has happened in Shannon, there are no protections for us at the moment. Nobody has confirmed the lay-offs will only last ten weeks. Nobody has confirmed the pay rate to which we will be returning or on what date we will resume. If these works run over and if anything happens between now and then, there are no protections for us. It has been an extremely worrying time. Over 100 cabin crew are being laid off at this time.

**Senator Jerry Buttimer:** Is it unusual that no date has been given for a return?

**Ms Sarah O'Leary:** Dates have been given for the works but my concern is these works may not run along the timescale we have been given.

**Senator Jerry Buttimer:** Is it unusual that cabin crew have not been given dates by Aer

Lingus? It is important that the crew are given certainty.

**Ms Sarah O’Leary:** I have not been in a lay-off situation before. This is the first time for me and, as far as I am aware, they have never closed Cork Airport to do runway works in the past. This is a new decision and it is negatively impacting on the base and on me and my colleagues. We are being laid off with no pay. As I say, there is no certainty about what is to come in the winter if there are further lockdowns due to Covid-19, delays due to the works, weather events or anything else. We will then be heading into Christmas. We are paid two weeks in arrears so even if we go back on the roster at the right time, we will not get a pay packet until January. People are putting their children back into school from September to November. They have to pay for books and uniforms. There is already so much pressure on people. As Ms Corcoran said, we have been on reduced pay for 15 months. It has not been a case of staff taking a pay cut for a couple of weeks, we have taken a pay cut for almost 16 months. The effect on all cabin crew at all bases is huge but, as can be seen from the announcement, 81 families in Shannon are now facing into redundancy. They have moved to the next stage and it is very concerning that Cork could be next.

**Senator Jerry Buttimer:** The fundamental point is that Cork could be next. As we have heard, we must be careful of the knock-on effect. That is why it is important that Aer Lingus is held to account.

**Chairman:** I will say to Ms O’Leary, Mr. Clarke, Ms Mulholland, Ms Barry and Ms Jones that we will be firmly putting those points to representatives of Aer Lingus when they are before us next Wednesday. Our guests have the committee’s full support.

**Deputy Duncan Smith:** I will not cover the points that have already been raised about the work that needs to be done for job protection and recovery, although they are of vital importance. I will pick up on a point that has not been discussed yet. It relates to the protection of staff who will, I hope, be flying in the not-too-distant future. Will our guests expand on testing for staff and the testing regime that has been provided by the company for the protection of its staff? Have vaccinations been discussed in any way? I imagine an awful lot of the staff, including the cabin crew, are young and among the last on the list for a vaccine through the national roll-out scheme. Given the unique nature of travel and exposure or potential exposure to variants etc., what kind of discussion is taking place between the union, the workers and the company on those issues?

**Ms Ashley Connolly:** I will allow enough time for my colleagues also to respond. We have sought engagement with the Department of Transport to ensure that a vaccination programme for essential workers is included in the roadmap for travel. We have also spoken to the company about combined lobbying to ensure testing and vaccination are available to the most essential workers. Those workers are at the front line every day in a small, confined space. I will not eat further into the time to reply and I will pass over to my colleague, Ms Barry.

**Chairman:** Ms Barry appears to be on mute. We will go first to Ms Jones and come back to Ms Barry.

**Ms Catriona Jones:** The reality is that cabin crew have been essential workers throughout the pandemic without the protection of vaccination or other protections that can be put in place in a normal workplace. Aircraft cannot be altered in the same way a shop floor or till area can be. You cannot simply put in screens. We have gone to work each day and been exposed, as such. The nature of the regulations that govern workplaces do not, unfortunately, always apply

to the aviation sector. It has left us exposed. Many cabin crew do their jobs as a vocation and are passionate about what they do. Many of them do not think twice when they go out there and they know that many people are travelling for essential reasons at the moment. They are travelling for emergencies and deaths, to visit people who are sick and for absolutely essential business reasons. We are conscious of that and want to be there to support people who want to travel.

The Deputy raised an important point. Much of our workforce is quite young. I understand the rationale that is being used to prioritise age during the roll-out of vaccines. However, our workforce is exposed in a way others are not. It would be great to get recognition of that from the vaccination programme. Many of those in our workforce are in their 20s and, as we have known throughout the pandemic, someone of that age is not necessarily immune to the effects of the disease. It is important to us. We want to continue delivering safety in the service about which we are passionate. At the same time, we want the protections we need. We will need those protections more than ever if aviation can take off shortly, as we hope will be the case.

**Ms Liz Barry:** I echo the sentiments of Ms Jones. As crew, we feel very vulnerable and would like the best protection possible. We very much feel that we need to be as protected as possible. We want to ensure that rules and regulations around protection for cabin crew are followed. We go into work each day and feel that our full protection must be ensured. That is all I have to say.

**Chairman:** Ms Barry's basic point is that if vaccination becomes a key feature with the digital green certificate, cabin crew should also be vaccinated.

**Ms Liz Barry:** That is absolutely so.

**Deputy Michael McNamara:** As somebody who represents the Clare constituency, I completely understand the shock and anger that is out there. Many people have said this situation is solely attributable to the pandemic, that this would have happened regardless of anything the Government did and that Aer Lingus' loyalty to Shannon, in particular, and to its workers more generally, leaves a lot to be desired. To what extent do our guests think the policies adopted by the Government, in comparison to those adopted by other countries, contributed to the situation? If they did not contribute to it that is great but if they did, what can the Government now do to seek to have the decision reversed? I thank Senator Craughwell for that speaking slot.

**Chairman:** We all thank Senator Craughwell. I will bring in Ms Connolly to be followed by Ms Clarke and Ms Mulholland. I am conscious we are tight on time but this is an extremely important matter.

**Ms Ashley Connolly:** I will not take much time. I would make two points. There are significant differences across member states in what other ministerial areas and jurisdictions put in place. For example, there is conditionality attached to state funding or loans and that has protected employment. In the case of one airline within the International Airlines, IAG, group the respective country enforced conditionality on the funding that was made available.

**Chairman:** Which airline was that?

**Ms Ashley Connolly:** It was a Spanish airline. There is also conditionality attached in Portugal, but conditionality is also attached in other jurisdictions. I would also like to state we are very aware of the State supports in place, and I would have spoken of those at previous meetings of the committee, and we would make reference to those. I would have provided in-

formation to all the Ministers on the German scheme and the 80% of pay that is ensured at all levels. There are better supports across the region in the other European member states. I will pass over to Ms Mulholland and Mr. Clarke, as I do not want to eat into the time.

**Chairman:** I will bring in Mr. Clarke and then Ms Mulholland to respond on the regional dimension.

**Mr. Gerry Clarke:** I will speak from the perspective of the situation in Shannon. Following on from what Ms Connolly said, if we had introduced a proper support model for aviation workers, especially airline workers, who have been even more affected than workers in some of the other aviation areas, and had something like the German model, Aer Lingus might not have to make the decision it made last week. It would have been able possibly to make a decision to keep us in receipt of supports and on the payroll and we would have been able to pay our mortgages, be part of society and have some standard of living but we have no such standard now. We are living on the pandemic unemployment payment and have to go to the banks all the time to see if we can have a chat with them. Even if we get to have a chat, the banks will add on the extra expense to our mortgages. In response to Deputy McNamara's question, we have been too slow to act and, as a result, Shannon cabin crew could potentially lose their jobs.

**Ms Mary Mulholland:** I thank Deputy McNamara for raising this point which I had my hand raised to make. Rather than attributing blame to somebody for our being in this position, I want the members to advocate on our behalf to get us out of this position. In doing so, they will take the pressure off the Government. It might seem shortsighted to say only 83 families will be discommoded slightly by losing their jobs. I have three sons. I am not just one person affected by this. When I lose my job I will become a different drain on the Irish economy. I have a family of five and am only one of 83 people who have families dependent upon them. They will very quickly become dependent upon the State. That is what is happening. A total of 83 families is affected by this, not to mention the western region. We are being shortsighted in only thinking about now; we should be looking at the bounce back in the industry. I have been around for a million bounce backs. I have seen how they come. They are swift. When there is a bounce back housewives go shopping to New York, families go to Eurodisney and families finally has enough money to take their children abroad, for example, to the Wet and Wild water park in Orlando. When that bounce back comes it will be too late for me. I will be gone and my job in the west will be lost. My contribution to the community in the west will be gone. It will be too late for me. I ask the committee to advocate on my behalf and on behalf of my other 82 fantastic colleagues in Shannon who have worked very hard for the last number of years for this good company.

**Chairman:** I thank Ms Mulholland for that. I will move on to Senator Dooley who has two minutes.

**Senator Timmy Dooley:** To follow on from Ms Mulholland's last point, this is about the workers in the company and the region. I could spend an hour giving out about Aer Lingus and its approach to Shannon over the years. I am deeply frustrated with its activities but that would be a pointless waste of the few minutes I have. I am equally frustrated with the Government, of which the party I am a member of is part. I was frustrated with the mandatory hotel quarantine, the focus on non-essential travel and I continue to be frustrated with the lack of a coherent plan that gives certainty to airlines. I am also frustrated that for some time now the lesson of the separation of Shannon from the national aviation authority has not been addressed. With their intimate knowledge of the region and the difficulties Aer Lingus and other airlines have had, do Mr Clarke and Ms Mulholland think it is time for bringing the three State airports together and

forgetting the notion of airports competing against each other? Should they instead work effectively as a block and let the airports challenge the airlines to ensure they meet the critical regional development we desperately need? If we leave Dublin Airport to compete with Shannon Airport during this recovery phase, one does not need to be a Mensa scientist to know full well – and this is not being negative towards Dublin – they will consolidate their activities because of the significant costs and where the population resides. In addition to the Government needing to come forward with a plan, we should link whatever future moneys are provided to Aer Lingus to the retention of the base and of the employees, thereby ensuring Ms Mulholland and her 82 colleagues will not lose their jobs. My questions are simple. Does the Government need to link future supports to the airline to maintaining those regional bases and employees outside the east coast? Do they think it is time for the re-establishment of a national aviation authority or a national airport authority where the three airports are managed under the one umbrella?

**Chairman:** I will bring in Mr. Clarke and then Ms Mulholland.

**Mr. Gerry Clarke:** The way I see it is that, irrespective of whether they are all linked, there is a fundamental problem. I will respond from the perspective of Shannon Airport. Regardless of how much money is put into the airport, it will not attract the airlines. That has been proven straightaway. Even though moneys have been given to Shannon Airport and I am not denying that, it still does not attract airlines to the region. There is only one way that should and can happen. That is with airline aid under EU state aid. A section of the Act allows for airline aid. Airlines such as Aer Lingus should be incentivised to fly routes out of Shannon Airport, which would have a major economic impact on the base and the region. The more people who come through the airport, the more footfall there is and the more jobs are created. The way to go is to have airline aid and incentivise the airlines to fly out of Shannon Airport. If we do not go down that road soon all the money, similar to the water leaking from pipes throughout the country, will leak out somewhere and we will not know where it is. At least if the airline has it, we will know what it is doing with it.

**Ms Mary Mulholland:** I agree totally with Mr. Clarke's point. I would bring it to an even more basic level. I would say to Senator Dooley that anybody who has ever travelled to Dublin for the early morning Malaga flight and who has gone to Shannon for an early morning flight will know it is like chalk and cheese. Just before Covid struck us all, in 2019 Dublin Airport was bursting at the seams. It was at capacity and unable to put on any more routes or fly any more aircraft in or out of the airport. It was over capacity with security, immigration and everything else. Our Customs and border protection, CBP, in Shannon was perfectly right-sized for the number of people going through that airport. It was a very easy day to go wherever you needed to be, whether you were a business traveller or somebody going on holidays. I predominantly worked on a Boston flight and the number of businessmen I would have had in my cabin who did not know that Shannon Airport was so close to Galway, Limerick or Kerry would be hard to believe. If they were going golfing in Adare or if they were going to Old Head, they did not know how close Shannon was to these other places and their travel agent booked them by accident into Shannon because the first thing that came up on all the search engines was Dublin. Dublin is not the be all and the end all, and I am not anti-Dublin. There is enough work for everybody. There is enough airspace for everybody. There is enough if the will is there to distribute between the three airports and link the three.

I do not care how the Senator links all of this. I really do not care what language one is using to link it or how we get a foot in the door but time is of the essence. Link it any way the Senators likes. I am behind the Senator every step of the way.

**Chairman:** I thank Ms Mulholland. As for myself, I will be quick. We fully agree that any State supports that come to Aer Lingus must be conditional on the retention of the base with the staff and also in terms of the Heathrow and transatlantic connectivity out of Shannon Airport. That is key.

Can I ask two quick questions to both Mr. Gerry Clarke and Ms Mary Mulholland because they are in the Shannon base? If cabin crew staff are based in Shannon or they are not based in Shannon, what are the implications for early morning flights to Heathrow and transatlantic flights?

The cabin crew staff have been on the pandemic unemployment payment only for the past number of months at no cost to Aer Lingus because it was provided as a State support to ensure airlines could come through with their staff intact. As Ms Mulholland said, there will be a recovery but we have to be certain that the infrastructure, including the cabin crew, is still based in Shannon. When they went on the PUP payment, what did Aer Lingus say to them? Did Aer Lingus indicate that this situation that has arisen now about the closure of the base might arise or did the company tell them at the time that they were put on the PUP to ensure they could come through intact as an airline with the staff so that Shannon could resume flights? First, does it make a difference having a cabin crew staff based in Shannon and, second, what did the airline tell them at the time when they went on the PUP payment?

We are fully behind the witnesses. We will bring up their points with Aer Lingus and we will take them up with Government as well. It is just those two quick points. I will go to Mr. Clarke first and then Ms Mulholland. I am conscious of the time. We have to be out of here in two minutes.

**Mr. Gerry Clarke:** The way I would see it is that if an airline bases aircraft in an airport, it has a cabin crew base. If it does not have a cabin crew base, the aircraft are coming from possibly other destinations, it is difficult to have early morning departures and late evening arrivals. You do not know where the aircraft is coming from and if there are delays, there is such disruption that it becomes unviable. Having a cabin crew base there means that you have a bit of efficiency and control over a good operation.

**Chairman:** What did the airline, Aer Lingus, tell Ms Mulholland at the time when staff were put on the PUP payment? Was there any question of a closure of the base or was it, as the payment is intended, a State support to bring the airline through the pandemic with the staff intact?

**Ms Mary Mulholland:** Initially, as everybody will recall, this was a snowballing effect. We went almost from roster to roster. For the layman, we get our roster maybe two months in advance of when we are to fly. Each two months the roster would come out, or a month sometimes, and then they would be delayed. You would not know whether you were coming back to work or not. We have locks on our roster that tell us when we will be off, when we are due holidays, when we are due into training or when we are due to fly. We never knew, from month to month, whether we were coming back to work or not. That, in itself, as Ms Connolly alluded to earlier, plays on your mind and the mental games that were being played-----

**Chairman:** Were staff given any indication by the airline?

**Ms Mary Mulholland:** No. I am not blaming the airline for this. What I am saying is, because of the snowballing effect of Covid in itself, nobody knew when we were to fly again but at

no stage was Shannon being closed. I would have made different decisions about my own life but the PUP payment, as far as we were concerned, was a stopgap. It was a get-out-of-jail free card to keep me and my colleagues going until we rode out this storm. As there is a glimmer of hope on the horizon, the rug was pulled out from under us.

**Chairman:** I thank everyone for attending today's meeting and engaging with the committee, in particular, Ms Ashley Connolly, Fórsa national secretary; from the Shannon base, Ms Mary Mulholland and Mr. Gerry Clarke; from the Cork base, Ms Sarah O'Leary of the cabin crew, and Ms Liz Barry and Ms Catriona Jones from the Dublin base.

Aer Lingus will be in before us next Wednesday. We will be putting those points to Aer Lingus and will take them up with Government. We are very supportive. We want to retain the base and the vital staff in Shannon, and equally, in Cork, and we are conscious of Dublin. This is a matter we will continue to come back to. What we want to ensure here is that when the international aviation takes off - we would like to see it happening sooner rather than later in Ireland with the digital green certificate - we have all these experienced staff in play to ensure they can continue that vital role they play in bringing business people and tourists in and out of Ireland. I thank all the witnesses very much for today. Apologies for being quick on time but it was important we had them here today.

The next meeting of the joint committee will be a private meeting at 4 p.m. on Tuesday, 1 June 2021.

The joint committee adjourned at 2.47 p.m. until 4 p.m. on Tuesday, 1 June 2021.