



DÍOSPÓIREACHTAÍ PARLAIMINTE
PARLIAMENTARY DEBATES

SEANAD ÉIREANN

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

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SEANAD ÉIREANN

Dé Céadaoin, 12 Iúil 2017

Wednesday, 12 July 2017

Chuaigh an Leas-Chathaoirleach i gceannas ar 10.30 a.m.

*Machnamh agus Paidir.
Reflection and Prayer.*

Business of Seanad

An Leas-Chathaoirleach: I have received notice from Senator Kevin Humphreys that, on the motion for the Commencement of the House today, he proposes to raise the following matter:

The need for the Minister for Health to reinstate the grant for the baby-friendly hospital initiative to ensure that our maternity hospitals meet international standards.

I have also received notice from Senator Victor Boyhan of the following matter:

The need for the Minister for Health to outline the total number of persons on the current cataract waiting list and the waiting times involved; and when he intends to publish the primary eye care report.

I have also received notice from Senator Martin Conway of the following matter:

The need for the Minister for Health to outline the current position on the review of management structures and other matters in the ambulance service.

I have also received notice from Senator Niall Ó Donnghaile of the following matter:

The need for the Minister for Foreign Affairs and Trade to outline the Government's position on the implementation of a rights-based, stand-alone Irish language Act in the North, as agreed at St. Andrews.

I have also received notice from Senator Maria Byrne of the following matter:

The need for the Minister for Health to give consideration to providing medical cards to people aged over 66 who are caring for loved ones at home.

I have also received notice from Senator Frank Feighan of the following matter:

The need for the Minister of State responsible for mental health and older people to outline the plans under way to progress the planned new 90-bed unit at St. Patrick's hospital in Carrick-on-Shannon and the new 50-bed unit at the Sacred Heart Hospital in Roscommon town following the announcement of capital funding for both projects in January 2016.

I have also received notice from Senator Trevor Ó Clochartaigh of the following matter:

The need for the Minister for Foreign Affairs to provide an update on the progress being made in regard to plans to hold a referendum to allow Irish citizens abroad the right to vote in Irish presidential elections.

I have also received notice from Senator Keith Swanick of the following matter:

The need for the Minister for Health to explain the current delay in the reimbursement applications for new medicines.

I have also received notice from Senator Tim Lombard of the following matter:

The need to ask the Minister for Finance and Public Expenditure and Reform, in light of the report on the cost of motor insurance, to initiate a review of the increasingly high cost of insurance for the agriculture and business sectors as to ensure insurance premiums remain affordable.

I regard the matters raised by the Senators as suitable for discussion. I have selected Senators Humphreys, Boyhan, Conway and Ó Donnghaile and they will be taken now. The other Senators may give notice on another day of the matters that they wish to raise.

Commencement Matters

Maternity Services

Senator Kevin Humphreys: The Minister of State, Deputy Jim Daly, is very welcome. This is the first time I have had an opportunity to congratulate him in the House. I wish him the very best of luck in his endeavours.

I wish to raise the issue of the baby-friendly health initiative, which has been operating in Ireland since 1999, with 100% of maternity hospitals participating. Fifty-three of these hospitals meet the international benchmark. The initiative is very important and is worthy of support. Knowing that a hospital has received or won an international award designating it as baby friendly, which all our maternity hospitals should get, gives a certain comfort to the parents when going in. The initiative is supported by the World Health Organisation. It is the only international benchmark to which Irish hospitals operate. It is particularly disappointing to see that the funding for the baby-friendly health initiative has been withdrawn. There has been a lack of discussion and consultation with the organisers. We are at a stage where we cannot allow this to happen. The baby-friendly health initiative supported the staff in these hospitals and the management to improve their standards, not through a slap of the hand but in co-operation and collaboration. It is certainly the way to go. We are fighting at present to try to increase the breast-feeding rate in Ireland. The rate is very low by European standards. There is only

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one other country behind us, the United Kingdom. We need to increase our efforts. Currently, 56% of women initiate breast-feeding in our maternity hospitals, but this drops by 10% within 48 hours.

I am certainly interested in hearing the Minister of State's views on this matter. Why has the funding been withdrawn and why are we no longer participating in the baby-friendly health initiative?

Minister of State at the Department of Health (Deputy Jim Daly): I thank Senator Humphreys for raising this important issue and providing the opportunity to discuss it with the House today.

Increasing the rate of breast-feeding in Ireland is an important national health policy objective and is emphasised in the Healthy Ireland framework, the national maternity strategy for the period 2016 to 2026, the national obesity policy and action plan for the period 2016 to 2025, and the recently published National Cancer Strategy 2017-2026. The baby-friendly hospital initiative was launched by the World Health Organization and the United Nations Children's Fund, UNICEF, in 1991 and is a global effort to implement practices that protect, promote and support breast-feeding. In Ireland, the baby-friendly hospital initiative has been in place for 20 years and nine of the 19 maternity hospitals countrywide have baby-friendly designation. The initiative is funded by the HSE, which in 2016 commissioned a research team at Trinity College Dublin to undertake a review of the initiative. The review, which highlighted a number of issues, recommended the need for a revised model to be developed in line with the maternity strategy and the HSE national breastfeeding action plan 2016-20. A key finding of the Trinity review was that there was no difference in breastfeeding rates in hospitals that had achieved baby friendly designation and those that had not achieved this designation. Following completion of the Trinity review, the HSE initiated engagement with the baby-friendly hospital initiative and other stakeholders on developing a revised model. While the HSE has made the decision to pause the existing initiative and it is not being funded for 2017, I understand that funding is available to that group to participate in the process to develop the enhanced model.

The national women and infants programme is actively working with the HSE health and well-being division, the HSE lead midwife and other key stakeholders to address governance and other issues and explore models to support the implementation of the World Health Organization-UNICEF ten steps to successful breastfeeding, which is the basis of the baby friendly hospital initiative. There is ongoing engagement and communication with maternity services and other key stakeholders as part of this work to ensure we have a model suitable for the promotion and support of breastfeeding in Ireland. This approach will also examine the option of an all-island approach. I support the position of the HSE and I am satisfied that the work to develop a revised model will support the aim to increase breastfeeding rates in Ireland and enable more mothers to breastfeed their babies.

Senator Kevin Humphreys: Can the Minister of State tell me if Trinity engaged with the baby-friendly health initiative during that review? The baby friendly health initiative is an international benchmark and I am concerned as to whether there has been adequate consultation in this regard. I know some of the voluntary hospitals are continuing with the baby-friendly health initiative, which is not just about breastfeeding, but about supporting and developing best work practices in our hospitals in so far as babies are concerned. Pardon the phrase, but we have policies coming out of our behinds with regard to breastfeeding but very little action. We have one lactation specialist for every 8,000 babies born whereas the recommendation

worldwide is to have one for every 1,000 births. The Limerick hospital is the exception in this country in terms of best practice.

I ask the Minister of State to at least ensure the HSE engages with the baby-friendly health initiative. I would like to see further details in regard to the Trinity study, in particular who exactly was consulted. As I said, the baby-friendly health initiative is not just about breastfeeding and if it was reviewed within that narrow prism, that is why we got the result we did. I question why something that was maintained right through the austerity years is being cut at this stage.

Deputy Jim Daly: The Senator has raised valid points and asked pertinent questions, and I will get answers for him. While I do not know the answer on the level of consultation the HSE had with the baby friendly health initiative, I will find that out for the Senator. I will also find out how far the Trinity study went with its consultations and how widespread they were. I appreciate that the answer I read out is not entirely satisfactory, although it does cover the basics, which is that there has been no change in the ratio of breastfeeding in the hospitals that had the initiative running and those that did not. Other than that, it does not give us the answers to the questions the Senator is asking and I undertake to get those answers and revert back to him. I will re-engage with him when I get those answers in order to try to get this back up and running and make sure we achieve what we all want to achieve, which is an increase in breastfeeding rates across the country.

Acting Chairman (Senator Ned O'Sullivan): As this is my first opportunity to do so, I congratulate the Minister of State on his appointment.

Deputy Jim Daly: Thank you.

Hospital Procedures

Senator Victor Boyhan: I welcome the Minister of State, Deputy Jim Daly, to the House. I put down this Commencement matter some time back. There are two aspects. One concerns the primary eye care report, which has been published, so I do not need to dwell on it. I thank the Minister and the Department for issuing that report. It was long-awaited and I understand it is currently being studied.

The next aspect concerns the definitive lists in regard to cataract procedure waiting times, which are enormous. While we have heard suggestions anecdotally about the number of cases, I have the latest numbers as I made contact with the National Treatment Purchase Fund this morning. These numbers are quite shocking and show we clearly have a major crisis in the whole area of ophthalmology. To share some figures with the Minister of State, this very day there are 36,581 people on the NTPF list for the outpatient specialties, with the longest waiters - those waiting 18 months and over - numbering over 5,500. The NTPF assured me this morning that these people could be waiting two, three, four or five years.

The Minister of State might take this information back to the line Minister. The NTPF has a format in regard to reporting, which goes from five months all the way up to 18 months, but after the 18-month category, there is no other category. There is a lot to be said for extending this to include the two-year, three-year and four-year categories. We need to find out the facts. The NTPF mandate is to treat those waiting longest for treatment, and I believe this is very important.

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I want to also share the statistics for inpatient case specialties. There are approximately a further 13,000 people waiting for inpatient treatment, of whom 825 are waiting more than 18 months. While these figures do not all relate to cataracts, but to ophthalmology generally, I am advised that a very high percentage of those people have cataracts. What is really disturbing for these 36,000 people who are waiting on the outpatient list is that many of them have not been seen - they have never met a consultant to have a full eye assessment. Time is everything with the eyes, as with health in general, as the Minister of State knows.

I am concerned. I would like the Minister of State to share his knowledge and that of the Department on the exact numbers on the cataracts list. Has the NTPF been mandated to ramp up its capacity through funding resources and beds, given many of these are day procedures, to deal with people who have cataracts and cannot see? It is a very simple procedure and could be ramped up with very little intervention.

To conclude, there are three points. First, there is the issue of the lists. Second, can we look again at how ophthalmology is reported in the NTPF's database so we can specifically see the figures for cataracts? The final point is that there is a crisis and it needs to be addressed quickly. To have people waiting a substantial number of years without an assessment is unacceptable. I ask that the Minister of State would bring this back to the Department to see whether it can put in place specific measures to ramp up an initial assessment for everyone who presents and has been referred for an ophthalmology procedure.

Deputy Jim Daly: I thank the Senator for the opportunity to update the Seanad on current initiatives ongoing to address ophthalmology waiting times and the primary eye care report. I acknowledge that ophthalmology waiting times, including those for cataract procedures, are often unacceptably long and I am conscious of the burden and quality of life issues for these patients and their families. However, work is being undertaken to address ophthalmology waiting lists nationally.

Reducing waiting times for the longest waiting patients is one of the Government's key priorities. It is for this reason that €20 million was allocated to the NTPF in budget 2017, rising to €55 million in 2018. The NTPF is currently rolling out its day-case initiative, which is focused on those waiting longest for day-case treatment. The NTPF has advised that, to date, nearly 3,000 patient files have been transferred to private hospitals under this initiative, close to 900 patients have accepted an offer of treatment and some 400 patients have received their procedure.

With regard to patients waiting for ophthalmology procedures in particular, over 1,800 who were offered treatment under the NTPF initiative and nearly all 400 who accepted treatment were ophthalmology patients. As a result of this initiative, the number of patients waiting longest for ophthalmology procedures nationally has decreased this month from 1,065 to 825. Furthermore, to reduce the number of long-waiting patients the Minister for Health asked the HSE to develop waiting list action plans for 2017 in the areas of inpatient day-case, scoliosis and outpatient services. These plans have been published and their implementation is ongoing.

The primary care eye services review group report was published on 28 June 2017. The report examines the primary care eye services currently provided to children and adults nationwide, including HSE directly-provided services and contracted primary care services. The report sets out models of care and referral pathways for the management of most eye care conditions and has determined that there is a need to move from community ophthalmic physicians

managing all referrals to a model centred on a primary eye care team based in a primary care location, with optimum accommodation facilities, equipment and resources and supported by an IT patient management system. The HSE has estimated that the establishment of the primary eye care team will require investment of €20 million by the HSE over a four to five-year timeframe. It will be a matter for the HSE to prioritise the available resources to deliver the optimal health outcomes and the Minister for Health looks forward to the HSE implementing the report's recommendations.

In addition, the Minister, Deputy Harris, is supporting other initiatives to address ophthalmology waiting times. Last week, he opened a new theatre at the Royal Victoria Eye and Ear Hospital which will enable an additional 1,150 cataract procedures to be performed between July and December this year. It is envisaged that an additional 3,000 procedures will be carried out in both 2018 and 2019. This will see the elimination of waiting lists at the hospital by the end of 2018 and the elimination of the Ireland East Hospital Group's waiting list by the end of 2019. This new theatre also has the potential to provide significant additional capacity to help address the waiting list for cataract procedures nationally.

Senator Victor Boyhan: The plan outlined by the Minister of State is not ambitious enough in terms of the number of additional procedures that will be carried out in 2018 and 2019. I am disappointed with the reply. I accept the Minister of State is only setting out the facts but as I said the plan is not ambitious enough.

Let us deal with the facts. This morning, the National Treatment Purchase Fund, NTPF, circulated its list for the period up to 29 June 2017, which shows that there are 49,711 awaiting ophthalmology procedures. That is an enormous task. The Minister of State referred in his reply to an additional 3,000 procedures being carried out and to the elimination of lists. The Government has not even considered the ongoing additions to that list. We cannot predict additional need but we can categorically say that, as of today, there are 49,000 plus people on the waiting list. As I said, the Minister's plan is not ambitious enough and it is not good enough. I ask that the Minister of State convey that to the Minister.

I can assure the Minister of State that following the summer recess I will raise this matter monthly until it is addressed, and I expect other Senators and Deputies to do likewise. There is no comfort in this plan for the 49,000 plus people who are awaiting treatment under what was supposed to be a ramped up scheme. It is disappointing.

Deputy Jim Daly: I will pass on the Senator's very passionate views on the issue. I agree with him that as public representatives it is our duty to raise these issues to keep the focus on them and to keep the pressure on the system to deliver. That is our core function as politicians. We cannot carry out the operations but we can keep the focus on this issue and hold the HSE accountable in this regard.

I welcome the Senator's commitment to raise this issue monthly and I will be more than happy to come to this House every month to respond to him on the issue. The removal of cataracts is a small procedure. I understand that it is this area rather than the wider ophthalmology services that is of particular concern to the Senator. People who have cataracts, particularly elderly people, are often unable to drive or move safely around their homes and this has a huge impact on their quality of life. This is an area on which the focus must be increased to ensure greater delivery. I will support the Senator in his continued efforts to keep the focus on the issue and to ensure it remains a priority within the HSE.

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Ambulance Service

Senator Martin Conway: I welcome the Minister of State, Deputy Daly, to the Seanad and I congratulate him on his appointment, which in my view is well-deserved.

I rise today to raise the extremely important issue of management of the ambulance service. There has been a lot of media coverage in recent years, particularly in recent months, of the ambulance service in regard to response times, ambulance service provision in particular areas and the drafting of ambulances from one county to another owing to the lack of paramedics on duty at any given time, as a result of which patients are left exposed. Every year, many thousands of people visit County Clare. To say that the ambulance service in County Clare is poor is an under-statement. More often than not, paramedics are on sick leave and so on. As I said, there has been much media coverage on this issue.

I understand that a review has been undertaken of the management of the ambulance service. I think the review was carried out by Mazars but I am not 100% sure of that. I understand also that there are significant recommendations in the report in terms of the failings at management level within the ambulance service and what should be done and that this report was finalised some time ago but has not yet been published. I am asking the Minister of State to give a commitment today that if he and his officials have not yet had sight of the report, they will seek a copy of it and that it will be published. I am concerned that it has not been published because there is some retro-fitting going on in terms of management trying to implement the recommendations before the report is published.

The purpose of a review is to identify problems and shortcomings and what needs to be done to resolve them. Why would any organisation be afraid of publication of a critique of how it does its business? I am sure it cost a lot of money to produce the report. To allow it to remain on a shelf unpublished is unacceptable. As in the case of every other organ of the State, the ambulance service has a responsibility to be transparent. It is my contention that until such time as this report is published there will be a lack of transparency on the service. We all rely on a good, effective, efficient, fast responding ambulance service. Any of us could need it at any time. Many of our citizens need it on a daily basis but unfortunately their needs are not being met. Citizens do not have confidence in the ambulance service and, unfortunately, many of the people working on the ground within the service do not have confidence in it either.

If nothing else comes from this engagement other than that the report is published it will have been a good day's work.

Deputy Jim Daly: I thank the Senator for his welcome and good wishes. They are much appreciated. I also thank him for raising this issue, which gives me the opportunity to provide an update to the House on the reform of the National Ambulance Service, NAS. The NAS has undergone a significant process of reform in recent years and a number of important developments have taken place. The National Emergency Operations Centre has been established. This centre receives the emergency calls and dispatches the emergency resources. The NAS now has visibility of all available paramedic resources and vehicles in real time, ensuring that the closest available resource is dispatched to an emergency. In addition, the NAS has developed the intermediate care service to provide lower acuity hospital transfers, which frees up emergency ambulances for the more urgent calls. I should also mention that a permanent emergency aeromedical support service has been established to provide a more timely response to persons in rural areas.

This ambulance reform programme is taking place against the backdrop of the HIQA review of ambulance services, which was published in late 2014 and the NAS capacity review which was published last year. The HIQA 2014 review of pre-hospital emergency care services recommended that the NAS review management structures to ensure managers at all levels are supported to deliver their goals.

HIQA advised that job descriptions should be reviewed against business requirements and current management capabilities ought to be assessed against revised job descriptions. It was also recommended that training be provided to managers in a number of core areas.

In response to the authority's review, the HSE commissioned the consultancy firm, Mazars, to carry out a review of the organisational design of NAS in 2015. Mazars was requested to develop plans regarding human resources, organisational structure and workforce.

11 o'clock While I understand that this review has been completed, it has not yet been published. The question of publication, and the timing of same, is an operational matter for the HSE. In March 2017, HIQA published its review of progress made to implement the recommendations of the 2014 review of pre-hospital emergency care services. The review commended the progress made in terms of the management structure in the NAS. A key change was the appointment in 2015 of a dedicated HSE national director of ambulance services and emergency planning. The creation of this role has helped to facilitate the required reform at an appropriate level within the HSE. Additionally, the appointment of a NAS quality and patient safety manager has resulted in an improved focus on risk management, incident reporting and the management of compliments and complaints.

The Senator also raised other matters regarding the ambulance service. I am pleased to inform him that the NAS has taken a proactive approach to service development, including the recruitment and training of additional staff, a revised fleet replacement policy, the development of alternative care pathways and the implementation of new technology such as the electronic patient care record. A total of €7.2 million in additional funding was provided in 2016 for the NAS, which included €2 million in development funding. This year, an additional €3.6 million has been made available, including €1 million for new developments. Development funding will be used to increase the number of paramedics and intermediate care operatives in line with the capacity review recommendations.

Senator Martin Conway: I thank the Minister of State for his comprehensive reply. He confirmed what I know about the 2015 review. We are now in the middle of 2017 and one can assume that this review has been completed. My challenge to NAS management is to ask what they have to hide. I would also like to know why they will not publish the report. I acknowledge that this is an operational matter, as the Minister of State pointed out. The NAS should publish the report. What has it got to hide?

Deputy Jim Daly: I concur with the Senator's sentiments. This is an essential and valuable service for everyone. It is not just about those who have had the experience of needing an ambulance but it could happen to us, or any one of our loved ones, any day. This issue affects every person in the country. It may not be someone's problem today to have to rely on an ambulance but it could be some day. We want to make sure the service is 100% right and people have genuine fears. The Senator has a responsibility to bring this to the House's attention and he has done that well. I support him in seeking transparency and openness. There should be nothing to hide in a service as critical as the ambulance service, irrespective of the operational matters. With the Senator's blessing, I will ask the HSE for a more comprehensive reply as

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to why this report has not been published to date, and when it intends to publish it. It is in the public interest that this would be published and I will revert directly to him with the information as soon as I can get it.

An Teanga Gaeilge

Senator Niall Ó Donnghaile: Cuirim fáilte roimh an Aire Stáit. Tá a fhios agam go bhfuil ról nua aige ón uair deireanach a bhí sé anseo. Déanaim comhghairdeas leis. Gabhaim buíochas leis as a bheith linn ar maidin.

The reason I tabled this matter is the recent remarks by the Minister for Foreign Affairs and Trade regarding the Government's support for a stand-alone, rights-based Irish language Act to be implemented in the North, which was the position agreed at St. Andrews more than ten years ago. A majority of MLAs - 50 out of 90 - have declared their support for such an Act. The United Nations has called for rights-based legislation that protects Irish speakers and the EU's committee of experts has also called for rights-based legislation in the form of an Act that would protect rights and entitlements and afford greater opportunities for engagement between Irish speakers and those who wish to live their lives through Irish and the Executive and the state the North.

It is an important commitment and thousands of people took to the streets of Belfast recently in a colourful, diverse, open campaign about this. It included many families with children going through gaeiloideachas calling for the fulfilment of this agreement. It is positive and significant that the Minister has been so overt and clear in his public statements on this issue thus far. It is important, however, that we hear from An Taoiseach in this regard to reaffirm, highlight and, indeed, reassure Irish speakers in the North that this is a matter the Government takes seriously as the highest level and that it wants, along with the thousands of people who took to the streets and a broad shade of political and civic society, the implementation of a stand-alone Acht na Gaeilge under the St. Andrews Agreement

Minister of State at the Department of Arts, Heritage and the Gaeltacht (Deputy Joe McHugh): Gabhaim buíochas leis an Seanadóir as ucht a chuid focal. Táim fíorbhuíoch as an seans labhairt leis an Seanad inniu ar an ábhar seo. Tá sé thar a bheith tábachtach.

I thank the Senator for raising the important matter of an Irish language Act in Northern Ireland, as provided for under the St. Andrews Agreement. The Government's firm position is that the Good Friday Agreement and subsequent agreements, including the St. Andrews Agreement, must be implemented in full. This is reflected in the programme for partnership Government.

As a co-guarantor of the Good Friday Agreement, the Government is unstinting in its work to achieve the full implementation of all outstanding commitments. Respect for linguistic diversity and the Irish language are central to the Agreement and, indeed, can be seen as something of a litmus test for mutual respect. The 2006 St. Andrews Agreement explicitly provides for an Irish language Act for Northern Ireland, to be enacted by the British Government. Unfortunately, to date, there has been no agreement within the Executive to take this now devolved matter forward. Successive Irish Governments have advocated in favour and the Government has continued to do so over the last number of years. In the Stormont House negotiations in late 2014, the then Minister for Foreign Affairs and Trade and other Government representatives sought that the commitment to an Irish language Act be honoured and implemented. Re-

grettably, it was not possible at the time to reach agreement for such an explicit undertaking. Nevertheless, in the final text of the 2014 Stormont House Agreement, the Government and the British Government, recalling commitments from previous agreements, endorsed the need for respect for and recognition of the Irish language in Northern Ireland.

At successive review meetings for the Stormont House Agreement in 2016, the then Minister for Foreign Affairs and Trade specifically raised the issue of outstanding commitments from other agreements, including that relating to the Irish language, and suggested there should be regular consideration at future review meetings to ensure that they remain on the political agenda. Most recently, in the discussions at Stormont Castle that began in March of this year to support the formation of a new Executive, the Government made consistently clear to the British Government and to all the political parties our strong support for a statutory basis for the Irish language in Northern Ireland, as envisaged under the St. Andrews Agreement. In this regard, the Government also underlined to the British Government the leadership role that both governments must play in ensuring that all provisions of previous agreements are appropriately respected and that the focus remains on achieving full implementation.

The talks process at Stormont Castle concluded without agreement on 29 June. However, the Minister for Foreign Affairs and Trade has made it clear that the Government will spare no effort in fulfilling its solemn duty as co-guarantor of the Good Friday Agreement. This includes continuing to work to ensure the effective operation of all of its institutions and also the implementation of outstanding commitments, including an Irish language Act. The Government will continue to work to this end with the British Government to support and facilitate the parties in their efforts to reach agreement on the formation of a new Executive. The Government wishes to see this achieved as soon as possible.

Finally, I wish to note that the Government will continue to support the Irish language on an all-island basis, including through financial support for the work of Foras na Gaeilge be it in the area of the Irish language itself and also the Ulster-Scots Agency.

Senator Niall Ó Donnghaile: Gabhaim buíochas leis an Aire Stáit. Aithním, agus táim fíorbhuíoch as, an tacaíocht, commitment agus grá den teanga atá ag an Aire Stáit féin. Maidir leis a chúlra féin, tá a fhios agam go n-aithníonn sé cé chomh tábhachtach agus atá an t-ábhar seo agus atá saol trí mheán na Gaeilge do a lán daoine ó Thuaidh.

The Minister of State will know and appreciate from his background and work, not least as former Chair of the Oireachtas Joint Committee on the Implementation of the Good Friday Agreement, that the Irish language, rights and entitlements for the Irish speaking community are vitally important to a broad range of people. In the past number of years this issue represents the broader issue of Irishness. There are people who simply see themselves as Irish, want to be part of the Irish nation and live their lives in that way.

I had intended to ask the Minister of State about the Irish Government's engagement with the British Government as co-guarantors. We all recognise and appreciate the dynamic that exist in the North at present. We all know that a lack of respect for an Irish identity and Irish language is at the heart of the reason we do not have a functioning Executive.

I wish to reiterate to the Government, through the Minister of State, how important this matter is to many. The issue will not go away. It continues because it is necessary, concerns rights and equality and because it is an issue that was agreed. I do not say the following to be overly

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dramatic but it is true that rights delayed are rights denied. There is an obligation on all of us to redouble our efforts to ensure that the very just and legitimate demand for an Irish language Act, regardless of the climate in the North, is fulfilled as part of agreements reached.

Deputy Joe McHugh: Tá cúpla focal gasta agam. Chonaic mé an athbheochan cúpla bliain ó shin nuair a chuaigh mé ar mo thuras féin. Chas mé le cuid mhór daoine ón Tuaisceart, mar shampla fear ó dheisceart Ard Mhacha ar chas mé leis i nGleann Cholm Cille. D'fhoghlaim mé cúpla focal uaidh ag an am. Bhí cuid mhór oibre déanta ar an talamh. Chonaic mé na rudaí a rinneadh sna Gaelscoileanna agus sna bunscoileanna agus rudaí maidir le cúrsaí oideachais fosta. Ba é Béal Feirste ceantar an fhir féin agus is ceantar Linda Ervine é. Bhí sé ag múineadh agus tá sé fós ag múineadh faoi láthair. Tá cuid mhór deiseanna ann. Tuigim go bhfuil deacrachtaí agus míbhuntáistí ann maidir leis na demands fadúda an teanga sa Tuaisceart faoi láthair. Aontaím le tuairimí an Seanadóra féin maidir leis na deiseanna agus na buntáistí atá ann don teanga amach anseo.

I acknowledge the Senator for raising this issue. It is so important that there is enlightenment about the language in Northern Ireland and Southern Ireland. People must realise that it is a gateway to our past and allows us to discover more about our traditions. As a Government, we recognise all traditions and cultures for which we have formulated policies.

In 2014, I resumed learning the Irish language and my eyes were opened to a lot more than just the language. My learning journey has changed my approach to politics and life. Learning the language has deepened and enriched my understanding of who we are as a country and as a people. The ultimate objective for us as legislators, and we can only speak on behalf of the Members of Dáil Éireann and Seanad Éireann, is to reassure people that they should not be afraid of the language. We must convey to them that it is part of all of us, it is part of who we are and it is part of our history and heritage. We must work together, as legislators, to break down any fears that people have about the language.

I understand why people fear the language, particularly in Northern Ireland. It is our job, as legislators, to break down those fears and barriers. I am glad to say that many people are thinking about learning the language. Ms Linda Ervine has done a tremendous job of teaching the Irish language in east Belfast and many people from a wide range or strata of society have availed of the opportunity.

Tá an dualgas orainn uilig. We must allay negative perceptions, fears, inhibitions and nuances exist. We must convey to people that the language is much greater. It is bigger than the current narrative about obstacles, disadvantages and fears. Anybody that I know who speaks Irish or is learning it has been enriched by the experience. Everyone in these Houses can work together and we have a duty to break down fears and inhibitions. I am happy to work with Senator Ó Donghaile.

I have a lot of plans, especially in my new role in the Creative Ireland programme. Culture, heritage and the Gaeltacht are part of my Department's remit. I will examine ways to transform and develop the Irish language in this country. As we learned from the 2016 commemorative events, when people start looking back it might help us to position ourselves as we look forward.

Senator Niall Ó Donnghaile: Can I comment further?

Acting Chairman (Senator Ned O'Sullivan): The rules do not allow it. Is trua liom. Tá

an Seanad ar athló go dtí 11.30 a.m.

Sitting suspended at 11.20 a.m. and resumed at 11.35 a.m.

Order of Business

Senator Jerry Buttimer: The Order of Business is No. 1, statements on school transport, to be taken at 12.45 p.m. and to conclude no later than 1.45 p.m. with the contributions of group spokespersons not to exceed seven minutes and the Minister to be given four minutes to reply to the debate; No. 2, motion re the Seanad Special Committee on the Withdrawal of the United Kingdom from the European Union, to be taken at 2 p.m. and to conclude no later than 4 p.m., with the time allocated to Senator Neale Richmond when moving the motion not to exceed six minutes, the contribution of the Minister not to exceed 12 minutes, the contributions of group spokespersons not to exceed eight minutes and those of all other Senators not to exceed five minutes. Senator Richmond will be given three minutes to reply to the debate; No. 3, Autism Spectrum Disorder Bill 2017 - Committee and Remaining Stages, to be taken at 4 p.m. and to adjourn no later than 5 p.m., if not previously concluded; and No. 39, motion 23, Private Members' business, to be taken at 5 p.m. with the time allocated to the debate not to exceed two hours.

Senator Catherine Ardagh: I ask the Government to be cognisant in the forthcoming budget of the financial struggles that will be placed on hard-pressed families come September. They will be hit with a three-pronged attack of massive price hikes to basic services. There will be higher electricity charges, higher waste charges for those unable to recycle, and back to school expenses. The hike in electricity costs will be caused by the Government's public service obligation levy, which will result in an increase in bills. Will the Minister for Communications, Climate Action and Environment consider blocking or decreasing this increase? Will he also ask service providers to insert an affordability clause into their contracts? I mentioned previously that the Minister is sitting on a report on the implementation of a national waiver scheme for waste charges. I ask the House to call on him to publish the report without delay.

The second issue I would like to raise, which I raise at least once a week, is the housing crisis and the property bubble. In particular, I refer to the use of family hubs in Dublin. We are witnessing a frenzy again in the property market. Buzz words such as "gazumping" are being bandied about again for the first time since the Celtic tiger era. Prices jumped by 12% between January and May with an unprecedented hike in April, according to recent housing reports. There are serious concerns about history repeating itself with another property bubble given the inflated house prices. This is ultimately caused by the big white elephant in the room, which is supply. The Government needs to urgently bring in measures to reduce VAT, streamline and cut the cost of building regulations and development levies, and introduce a "use it or lose it" tax. Yesterday, I mentioned our feminised homeless population and today I would like to flag my concerns about the use of family hubs in Dublin to house our homeless families. I envisage these hubs to be the direct provision centres of the future in which we house our own citizens. I do not agree with this policy. We are creating mini-ghettos where mothers are unable to dictate the pace of their child's development with no privacy, autonomy, or basic ability to provide a home cooked meal for their child. It is envisaged that families will spend more than three months in these hubs. This is unrealistic given our huge supply issue. I call on the Minister for Housing, Planning, Community and Local Government to act expediently on this matter and on

the supply issue in the State.

Senator Victor Boyhan: Will the Leader seek clarification from the Government regarding the judicial council? All of today's national newspapers report on the Government's plan for a three-person group to recommend the next Chief Justice. The current Chief Justice, Ms Susan Denham, will retire in the next month or so. She has consistently called for a judicial council during her time in the post. Lost in the great debate about the Judiciary, judicial appointments and the proposed commission has been the bigger issue, which is the judicial council. My first Private Members' motion related to the appointment of a council. The then Minister for Justice and Equality, Deputy Frances Fitzgerald, made a commitment to establish an independent council. She stated: "It is what the Judiciary want. It will deal with education, training, governance, compliance with governance, discipline and various appropriate issues relating to the Judiciary." Surely this has become lost in the wider debate about how judges should be appointed. It has got lost in the debate on who is to be a judge, whether decided by independent recommendation or otherwise. I do not want to dwell too much on that. Suffice it to say, the independence of the Judiciary is a central tenet to our democracy and is very important. When the then Chief Justice in 2000, Mr. Justice Ronan Keane, undertook to do a report to deal with the various issues, he made various recommendations. In 2010, Dermot Ahern, the then Minister for Justice, introduced a general scheme for a Bill for the judicial council. It was proposed that this judicial council would deal with excellence and the exercising of judges' judicial functions. It would ensure high standards of conduct among judges, it would deal with effective and efficient ways of use of judicial resources and it would continue ongoing training among the Judiciary.

I will wrap up by saying that in an article published in October 2016, which I again considered this morning, in the Law Society of Ireland *Gazette*, Chief Justice Susan Denham said the lack of action in establishing a judicial council was "a matter of real concern, both for the Judiciary and the State". As this Chief Justice leaves office, I think it appropriate and befitting that we highlight again her call for a judicial council and that the Government recommit itself, or at least say initially if it is still committed, to the introduction of a judicial council. This House, Seanad Éireann, passed a motion calling on the Government to do so. The Minister of the day gave a commitment that a Bill would be brought before the House within weeks. Nothing has happened. It is disappointing. Let us not lose sight of the objectives and the mission of a judicial council and what it sets out to do. Remember that it has the full support of the Judiciary. It has our support in this House, as we demonstrated last year. Let us have the Government come into this House after the recess and explain where this potential Bill is now.

Senator Rose Conway-Walsh: I congratulate Ms Aoibhe Carrabine from the Geesala Boxing Club for her wonderful win in the European championships. She is a wonderful young woman from Bangor Erris who is a credit to her family, club, county and her country. I wish her well for the future and congratulate the other five medal-winners at the European women's youth and junior championships. I also congratulate the volunteers in the Geesala Boxing Club and, indeed, all the boxing clubs involved for their dedication to the development of young people so that they can reach their true potential. This volunteerism brings out the best in communities and creates a spirit of togetherness, equality and excitement in these communities.

On the other hand, I condemn those who put a coffin bearing the image of the late Martin McGuinness on an east Belfast bonfire. This is a blatant display of hatred and bigotry which propagates sectarian divisions in our country. If there is one thing that Martin McGuinness showed us, it was how to accept and embrace those with different opinions, creeds and cultures

from ours. He showed us the importance of reaching out and of the reconciliation phase of the peace process. It is not acceptable that unionist politicians fail to show leadership in refusing to condemn this hate crime. Through being guarantors of the Good Friday Agreement the British Government and Irish Government have a legal obligation to ensure that the elements of that Agreement and other agreements are fulfilled, because it serves to tackle all these hate crimes. I hope also that those in the South who make little and seek to score cheap political points on the back of Sinn Féin's insistence on equality and parity of esteem in underpinning the political institutions will now have a deeper understanding that these political institutions cannot hope to serve the people of the North if they are built on a sandpit of inequality and sectarianism.

Senator Niall Ó Donnghaile: Hear, hear.

Senator Rose Conway-Walsh: We must take the lead from Emmett McGuinness who tweeted last night that he was very thankful that he was raised by parents who taught him never to hate anyone or anything, and that Michelle O'Neill was right in saying that the annual display of hate must end.

I request that the Taoiseach come into the House next week to discuss his vision and plans for Seanad reform. As we are the only House sitting next week, it is a perfect opportunity for him to discuss the long-promised reform for this House.

Senator Trevor Ó Clochartaigh: Hear, hear.

Senator Rose Conway-Walsh: I hope he can accommodate us in that, because it is not just the Sinn Féin Party that wants to see this reform on the agenda. I know the Independent group and many individual Senators within this House want to see it. There is an opportunity for the Taoiseach to come to the House next week and I hope that will be acceptable to the Leader.

Senator Colette Kelleher: I would like to move an amendment to the Order of Business to take No. 13 before No. 1. This is a simple Bill to provide for refugees to apply for members of their families to be reunited with them and for them enter and reside in the State. Given that there are 22 million refugees worldwide and with our commitment to support 4,000 by the end of 2017, this is a very important issue I hope the House will support.

Senator Ivana Bacik: I remind all Members that this evening we have our Labour Private Members' motion on equal access to education. I thank those who came to the briefing we hosted yesterday in the AV room with a number of speakers in support of the motion, including Professor Kathleen Lynch from University College Dublin, UCD, and representatives from the Union of Students in Ireland, USI, and the Services, Industrial, Professional and Technical Union, SIPTU, and the Coalition for Publicly Funded Higher Education. Recall that the Cas-sells report on the future funding of third level education, which was published last year, recommended three options. Income-contingent loans was only one of those options. Another option which we would support is the option of a fully publicly-funded third level education system.

We are very disappointed to see amendments put down by Fine Gael and Fianna Fáil that appear to leave the door open to the loans option, which is our concern, and which has been so clearly criticised on the basis of evidence from elsewhere by USI, SIPTU, leading academics and others. We ask colleagues to support our motion this evening and reject the amendments. We are very disappointed to see those amendments. Professor Lynch spoke before about third level education and the concept of a publicly-funded third level education system as being as crucial to our society in the 21st century as publicly-funded secondary education was in the

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20th century and publicly-funded primary education was in the 19th century. I ask Members to recall that and I thank those who will be supporting the motion.

I ask the Leader for a debate on the summer economic statement. I know it will be published today and that there has been a good deal of discussion about it already. It appears to be a missed opportunity for greater investment in capital infrastructure and, in particular, in housing infrastructure - I know others have spoken on that already - and on health, transport and education.

Finally, we ask for the Minister, Deputy Shane Ross, to come into this House to clarify his comments about the Olympics. I understand that he is basking in the success of a Rugby World Cup potentially being held here, but I think we might all be concerned and do not want to see a stadium in Stepaside. A Garda station is probably enough.

Senator Gerard P. Craughwell: There is room there for a stadium.

Senator Ivana Bacik: The Minister, Deputy Shane Ross, might well be losing the run of himself. We might ask him for clarification on that.

An Cathaoirleach: I am sure the Senator will get that in due course.

Senator Frank Feighan: I concur with Senator Conway-Walsh in condemning the actions at the bonfires last night. The pictures of the former Deputy First Minister, Martin McGuinness, along with many other candidates from the SDLP and Sinn Féin on bonfires across Northern Ireland must be condemned. I will be raising this at the British-Irish Parliamentary Assembly plenary in Kilkenny next Sunday. This is not in the spirit of the Good Friday Agreement. I remember that we had a Love Ulster march here in 2006 and the gardaí were not in a position to arrest people, but three or four weeks later, after reviewing video evidence, they knocked on people's doors. There has to be video evidence of this and I urge the PSNI to be able to get to the bottom of this very sinister development when things calm down.

Senator Bacik rightly commented the issue surrounding the Olympics. I raised this important issue at the meeting of the Joint Committee on Transport, Tourism and Sport today. We talk about how sport can be a unique opportunity to unite people, and it is a unique opportunity to showcase the island of Ireland. I stated this because the Durban Commonwealth Games have now been cancelled. There is a wonderful, unique opportunity for the 2022 Commonwealth Games, which will certainly be located in the United Kingdom, to be located in Northern Ireland. We can cross the Border and all lines with it. It is a great time to showcase the island of Ireland, with our facilities, including Croke Park, Windsor Park, Casement Park and the Aviva Stadium. I call on the Northern Ireland Executive, when it meets, to propose that the Commonwealth Games could be located in Northern Ireland. What better showcase for the island of Ireland? It would be a great preview of the 2023 Rugby World Cup, which we in the House supported yesterday. The dream of locating the Olympics on the island of Ireland could yet come to pass. This is a wonderful opportunity and we should embrace it.

Senator Ned O'Sullivan: I ask the Leader to invite the Minister for Transport, Tourism and Sport to this House to initiate a debate on our seaside resorts. We are very fortunate in this country to have some of the finest, healthiest, cleanest and most natural beaches in the world. We have them right around the country, from Ballybunion to Salthill, from Bundoran to Skerries and right down to the Leader's native Cork. A debate on this matter is long overdue. For a long time Irish people regarded the local beach as a holiday venue. We are now in the era of

cheap flights, however, and there is nothing we can do about our weather so people are now inclined to head for the Costa del Sol than somewhere like Ballybunion, for example.

It is time for us to initiate an action plan to enhance and promote Irish beach holidays. We could invest a lot more in the infrastructure of our beaches, along with a variety of activities such as swimming, walking, fishing, thalassotherapy, seaweed baths and so on. Some of this is happening already but it could be more co-ordinated. The days when day-trippers could be satisfied with periwinkles and seagrass are long gone. We have to do better than that now and I ask the Minister to examine this. It is a huge area and there could be substantial investment in it. We have many safe and well-known blue flag beaches in this country. Unfortunately we have a very short season, with many people trying to make enough profit in two and a half months to last them for the rest of the year. We frequently talk about giving aid to sectors like agriculture when they are in trouble, so why have I never heard much here about the people trying to eke out a living in our beach towns over the short summer season? Perhaps the Leader might organise something on that. It would be useful.

Senator Gerard P. Craughwell: I read this morning in *The Irish Times* of Michael Hayes's "courageous apology" for the IRA bombings in Birmingham in 1976. How hollow that reads. How is that courageous? This man allowed six men to languish in jail for 16 years-----

Senator David Norris: Hear, hear.

Senator Aodhán Ó Riordáin: Hear, hear.

Senator Gerard P. Craughwell: -----and kept his mouth shut. He had, no doubt, colleagues who assisted him. This was an attack on a pub where people were enjoying a social evening. Many things happened during the Troubles but this was one of the most disgusting of all. What is even more disgusting, however, is that this hollow apology is now being seen as a somehow courageous act. What is courageous about it? Can he give the Birmingham Six back the 16 years he stole from them? Can he take back the hugely degrading treatment they suffered in prison? No, he cannot. This is disgusting. A man of courage would have gone over to England, handed himself in and told the authorities to let those six innocent men out because he was responsible for what happened.

Senator Neale Richmond: Hear, hear.

Senator Gerard P. Craughwell: When I saw the bonfires being prepared last night - every year these massive goddamn bonfires - I was able to understand why there was conflict in the North of Ireland and why it degenerated into what it did. What I cannot understand, however, is a coward like this, who comes out now when it is safe claiming that he is sorry and apologising to the relatives of the Birmingham victims. He did not apologise to the six men who spent 16 years of their lives in jail. I am sure that those men carry psychological damage today that nothing will ever repair. I want it put on the record that I detest the claim made in the article. Perhaps we could invite the Minister for Justice and Equality in for a short debate on this matter at some stage.

Senator Maria Byrne: I rise today to welcome the good news that Limerick Institute of Technology was granted its requested planning permission this morning. The new €14 million development at Coonagh Cross will be great, not only for the students and teachers, but also for the greater Limerick area. This comes on top of the good news that the Department of Education and Skills announced during the week that €578,227 would be put towards electri-

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cal apprenticeships. It is great to see, not only the expansion of LIT, but also that the college has expanded into another part of Limerick city. A knock-on effect will be the creation of 134 construction jobs in the development of the building and a further 100 jobs upon its completion. This is to be welcomed. As we can see from announcements like this one, the Department is investing in education.

Senator Trevor Ó Clochartaigh: Ní minic a aontaím leis an Seanadóir Ardagh ach aontaím léi ar phointe amháin a d'ardaigh sí ar maidin. I agree with one point raised by Senator Ardagh. We are seeing a Fianna Fáil-style bubble in the property market once again. The recently released CSO figures showing that residential property prices have increased by 11.9% in the year up to May are startling. There is an 18.2% increase when we look at the figures for the west.

I find the statement by the Irish Human Rights and Equality Commission raising its concerns over the provision of emergency accommodation, with a particular focus on the development and use of family hubs, absolutely alarming. For a member of Fianna Fáil to have the audacity to condemn IHREC, when it was Fianna Fáil that designed and implemented the direct provision system, a system of therapeutic incarceration, is quite astounding.

Senator Paul Gavan: Hear, hear.

Senator Trevor Ó Clochartaigh: That system needs to be dismantled. It is very worrying that this new system is being compared to direct provision. This morning's presentation by Dr. Rory Hearne and Dr. Mary Murphy of Maynooth University on their report, Investing in the Right to a Home: Housing, HAPs and Hubs, was very important. Whenever we raise housing issues in this House we are told of certain initiatives brought forward by the Government as steps forward in the right direction. What the report points to is that Government policy is actually regressive. It is actually creating more problems in its design than it is solving. Dr. Hearne and Dr. Murphy look at issues around HAP and judge that it is not a valid mechanism to meet the right to housing. They look at issues around the family hubs etc. and point to successive Governments' heavy reliance on the private sector to provide social housing as a factor contributing to the problems now facing the State.

They also told us this morning that this problem will definitely get worse. The crisis will disimprove unless we address the issues. We need to have the Minister, Deputy Eoghan Murphy, in to this House as soon as possible. We need to examine this report, Investing in the Right to a Home: Housing, HAPs and Hubs, and have statements on it in the context of Government policy. The authors of this report state that Government policy is adding to the crisis rather than doing anything to solve it, and that is a very important debate for us to have here.

Senator Frances Black: I agree with my colleague, Senator Ó Clochartaigh, on the current homelessness situation. Last night I was very upset by seeing on Twitter a young child talking about what it was like for her to experience homelessness. It was heartbreaking to see and this is one of the reasons I welcome this report. There is huge injustice in this country today. This is one of the wealthiest countries in the world, but the reality is that we have children who are homeless and will not be sleeping in a home tonight. This is wrong. The report refers to:

...a core tension within Irish housing and economic policy - with policy trying to address the social housing crisis while encouraging and relying on the private market to deliver investment in housing. Absence of investment in social housing negates the housing rights of

the most vulnerable in Ireland. We are not at the peak of the contemporary housing crisis and we expect the housing crisis to escalate over the next five years, a frightening scenario for many families and a scenario that should be unacceptable for Irish society and the Irish Government.

I ask that we get the Minister in here to talk about this unbelievable crisis.

I want to refer to the horrendous symbolism of placing an effigy of Martin McGuinness's coffin on a bonfire on a recent evening. I know the family very well and they are going through enough as it is. It is a hate crime that must be condemned and it should be condemned by our Minister for Foreign Affairs. He needs to do that, it is not right. What is going on up there is horrendous and something needs to be done about it.

I second Senator Kelleher's motion. If any Members missed the launch of the housing assistance report this morning, Senator Kelleher will hold a seminar tomorrow in Trinity College Dublin, at which Dr. Rory Hearne will speak. I encourage everyone to go to that.

An Cathaoirleach: I acknowledge the presence in the Visitors Gallery of three councillors from Galway, Ollie Crowe, Michael Crowe and Peter Keane. They are most welcome.

Senator Tim Lombard: I rise to discuss our agricultural industry and where we are going with it. It is of great importance to our country. We are in the middle of a nitrates review and it is very important for Ireland to ensure we have sufficient capacity to ensure our agricultural community can sustain its growth. Government policy has seen a major growth in dairy and beef but we need to press ahead. The nitrate review which happens every five years is in full swing. Between now and the end of October there will be EU proposals on our capacity to spread nitrates. I hope that the Minister for Housing, Planning, Community and Local Government, Deputy Eoghan Murphy, will take on board the proposal that we need to keep the current derogation for the future of our agriculture sector. This derogation is a key part of ensuring we can deliver policies such as FoodWise 2025 which is a real driver for the economy in rural areas. In my part of the world in Cork, there are more than 2,550 derogations, out of 7,000 in Ireland. A change to the derogation policy would have a dramatic impact on the agricultural community in Cork. I hope the Minister could come to the House, if not prior to the recess, then in the first weeks of September, so we can debate this vital issue for the agricultural community.

Senator Aodhán Ó Riordáin: I join others who have referred to the disgusting images in Northern Ireland. Any culture built on hate is not a culture at all. Some of the racist and sectarian imagery on these bonfires is quite disturbing and a statement from the Irish Government to this effect would be welcome.

I praise Senator Ó Clochartaigh. It is refreshing to hear the questions of asylum seekers and homelessness raised simultaneously. In this country, when one raises the question of refugees or asylum seekers or related issues, one is often flooded with comments asking about the homeless from people who never have any interest in issues of homelessness otherwise. It is important that Senators in this House raise the two and note they are all part of the same social justice agenda.

There is an issue on which the Minister for Transport and Tourism, Deputy Ross, needs to come before us. It was raised on the radio this morning and relates to legislation that needs to be amended quickly. An issue arose in the court in Ballinasloe where an anomaly in the road

traffic legislation emerged. It relates to the absence of the word “or” in the current legislation, which no doubt was an error when the Bill was amended. Under the previous Bill, if a garda intercepted someone they had to be guilty, or perceived to be guilty, of 1, 2 or 3 - I will not outline the offences - but in the current Bill the word “or” is missing, and the implication is that the individual must be guilty of all three offences before they can be arrested. This was accepted by the judge in Ballinasloe and has been referred to the High Court. A simple amendment by Government could solve this or else all traffic offences or drink driving offences will clog up the courts and it will be impossible to deal with these issues in the short term. A practical solution would be for the Minister for Transport, Tourism and Sport to come here, propose an amendment himself in Government time to react to what happened in the Ballinasloe court and ensure that the courts are not clogged up. We can have another debate on his other Bill and matters around that but this is a practical measure that Senators could support and that would make a real difference in the legislative provisions that this House oversees.

Senator Keith Swanick: Everyone knows people in their communities or families who are able to stay in the comfort of their own homes rather than a nursing home or hospital. Often only minor adjustments are required to allow this to happen but each day I encounter inordinate delays to home care packages. Six months ago, my Fianna Fáil colleague, Deputy Willie O’Dea, introduced legislation to provide for a statutory right to a home care package. The Government kicked this down the road for six months and we still have not seen this. I want to know where is this legislation and where is the priority? Last week we were asked to rush through and underwrite a bid for the Rugby World Cup, which I support 100%, but where is the same urgency to deal with the scandal of home care packages? This needs to be debated. The savage cuts in the past six years to housing adaptation grants for older people and people with disabilities, as well as mobility grants, is a scandal. In 2010, at the height of budgetary cuts, this area was protected. In 2010, the Exchequer provided approximately €77 million to local authorities for this vital work. This fell to about €36 million in 2014, causing some local councils to effectively close down the scheme. It has risen slightly in recent years. I read the press release from the former Minister for Housing, Planning, Community and Local Government when he announced €59.8 million for 2017 but the real figure from the Government is only €47 million, as the larger figure includes 20% local authority funding. We need more transparency. This is the type of creative accounting that was exposed in the banking inquiry. The Exchequer funding for 2017 is €30 million less than 2010. A sum of €30 million would help many families get wheelchair ramps, grab rails, hoists and other basic adaptations. We need to have a debate about this because, as local councillors will attest, funding remains too low. I have often said that the mark of a society is how we treat our old people, our sick and our young and our Government is failing in this regard.

Senator Paul Coghlan: I listened to Senator Boyhan with interest earlier as he spoke about a judicial council in a somewhat critical tone but, as he knows, such a Bill is in process. He also seemed to be critical of the three-person body established to advise the Government, and/or recommend, regarding the appointment of a suitable candidate to be Chief Justice. I believe it to be an eminent three-person body ideal to advise and recommend on such a subject. As we know, a Judicial Appointments Bill is in process. Constitutionally, and in the absence of the Bill, the appointment is a matter for Government. It is an excellent way to proceed while we await that legislation. Unless Senator Boyhan was mixing up the two pieces of legislation, I do not see his point. I do not think there is anything amiss here. I am not saying he said that but he might have implied it.

An Cathaoirleach: The Senator's observations are noted.

Senator Paul Gavan: The International Trade Union Confederation has asked parliamentarians to raise the crisis of migrant workers trapped in Qatar and Saudi Arabia. This is the result of sanctions that have been imposed by Saudi Arabia and the UAE coalition against Qatar. Both Saudi Arabia and Qatar run kafala systems which mean that the migrant workers require permission from their employers for an exit visa if they wish to leave the country. It is a truly horrific system. According to recent information from Qatar, the government is cancelling exit permits for foreign workers and rejecting individuals' rights to freedom of movement. With the blockade of Qatar, fresh food is increasingly scarce, prices have effectively doubled which makes it extremely difficult for the migrant workers who are paid as little as \$70 weekly to sustain themselves and, in many cases, it is impossible for them to send money home. Multi-national companies are also understood to be drawing up contingency plans to reduce or shut down operations in Qatar as the availability of construction materials is constrained. There is a high risk that migrant workers will be left stranded as is already the case for domestic and agricultural workers employed by Qataris in Saudi Arabia. While their employer sponsors have been expelled from Saudi Arabia, employees remain stranded there, in many cases with no money or means to return to Qatar or to go home. The governments of both countries can act to eliminate the requirement for an exit visa. This would allow international agencies and the governments of sending countries, particularly Asia and Africa, to facilitate the return of migrant workers trapped by the Kafala system.

Two years ago, our national flag was lowered following the death of the brutal dictator, King Abdullah of Saudi Arabia. I hope that the Minister for Foreign Affairs and Trade will have the courage to act immediately in relation to this issue. Given that it is unlikely the Minister will be able to come to the House before the recess next week, I ask the Leader to ask the Minister to write to the Saudi Arabian and Qatar authorities calling on them to immediately withdraw the requirement for exit visas.

Senator David Norris: I join colleagues in deploring the throwing of a coffin bearing the image of the late Martin McGuinness onto a bonfire in the North of Ireland last night. I find it very sad that anyone should rejoice in the death of another human being. I also think these bonfires are out of control. I have seen photographs of some of them and they were enormous. One of them was located next to a petrol station, which is madness. The Government in Northern Ireland should put in place proper controls and limitations in regard to these bonfires.

I also ask that the House note that Royal Dutch Shell has announced that it is selling its stake in Corrib gas to a Canadian company for €1.08 billion.

Senator Paul Gavan: Hear, hear.

Senator David Norris: The initial process and series of transactions involved in the Corrib gas field were a disgrace to this country.

Senator Trevor Ó Clochartaigh: Hear, hear.

Senator David Norris: There was something very fishy about that process and I would like somebody to get to the bottom of who was paid off and whose palms were greased in this nasty little deal. The €1.08 billion accruing from that sale should go to the Irish taxpayer and not Royal Dutch Shell.

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Senator Trevor Ó Clochartaigh: Hear, hear.

Senator David Norris: This shows how much money is involved and how much the Irish people have been cheated of.

Senator Kieran O'Donnell: Yesterday, I raised the issue of the M20 Limerick to Cork motorway. Since then, the chambers of commerce in Limerick and Cork have reported on the findings of an Indecon study and a RED C poll in regard to the merits of this project. The Indecon report makes a number of key findings, including that if the project goes ahead approximately 5,400 jobs could be created; the number of accidents on that route could be reduced by up to 118 - the number of accidents on this route having been a source of concern for many years; and €125 million would accrue to the Exchequer. The report has been referred to the Departments of Finance, Public Expenditure and Reform, Transport, Tourism and Sport, and Jobs, Enterprise and Innovation. I note from the summer economic statement that there is to be an additional €500 million per annum in capital investment between 2019 and 2021.

I believe that the M20 is the most important infrastructural road project in Ireland. If we are serious about balanced regional development, this project must be progressed. I welcome the additional funding being provided by the Government and I hope that the M20 project will benefit in that regard. Following on from a suggestion I put to the Minister, Deputy Ross, last January, €1 million was assigned to this project and, as such, the National Roads Authority, NRA, and Transport Infrastructure Ireland, TII, are already doing the work.

I pay tribute to Martin Molony, who passed away this week at the age of 91. He was one of the first jockey super stars. I attended school with his daughters and other members of his family. He was a superstar of his day, both as a flat and a jump jockey. I also pay tribute to his late brother, Tim.

Senator Niall Ó Donnghaile: A number of colleagues have already referenced what happened in the North last night in terms of the bonfires and what was depicted upon them. While I was incredibly saddened by the image of the late Martin McGuinness and others, I was not surprised given the history of these particular powers. They have become a manifestation of the lack of respect and equality that Sinn Féin has been talking about in a political context over the past number of months. The unionist parties and unionist leaders have gone to ground. They are more than willing to take endorsement from Loyalist paramilitaries in advance of elections but when it comes to this issue, they are reluctant to go on the airwaves. The last public statement I heard Arlene Foster make was to oppose an Irish language Act because it would risk cultural supremacy without a hint of irony in terms of what is being forced upon many communities. I feel sorry for my unionist and loyalist neighbours who have to endure these health and safety risks and have these disgusting, racist, xenophobic, sectarian depictions inflicted upon them. This mindset is one of the reasons Sinn Féin has stood firm and said there can be no return to the *status quo* unless there is an end to disrespect and inequality.

I note the very sincere and genuine comments made by Senator Craughwell in his contribution. Another issue on which Sinn Féin has stood firm is the legacy issue and the need for conclusion and resolution for all of those victims, all of the complexities and all of the different experiences. We have said that the British Government's veto around national security is not good enough and that funds must be released to deal with legacy inquests and inquiries and to deal precisely with the type of impassioned experience outlined by Senator Craughwell. It is a shame that some parties are telling Sinn Féin to park those issues, to forget about them and to

set them aside in order to return to what went before and what passed for the *status quo*. Sinn Féin will not be doing that for all of the reasons I have outlined and for all of the reasons Members know we have good reason and cause not to.

Senator Michelle Mulherin: I ask the Leader to invite the Minister, Deputy Naughten, to the House to debate the introduction of a renewable heat incentive scheme. The public consultation on the design and implementation of this scheme closed at the end of March. This is a very important scheme, which if introduced in the right way could potentially reduce heating costs for farmers, big business and small and medium enterprises but they need to be supported and the scheme incentivised. It is also important that there is a sufficient supply of biomass to ensure the scheme is successful. There are many issues arising in relation to this scheme. It has been talked about for a long time. It is needed, particularly for businesses whose margins in light of Brexit are ever decreasing. This is an important issue.

Another important issue is the renewable electricity support scheme. If we are to meet our renewable electricity targets, and if they are to be meaningful for communities and individuals, we will need to support micro-generation, be it wind, solar and so on. There is a plan being considered by the Department, about which I would like to hear more. While we need big companies investing in renewable energy, we also need to bring communities and individuals along with us so that everybody benefits and our renewable electricity and heating targets are achieved.

An Cathaoirleach: I welcome Senator Buttimer's father, Ms Kay Redmond and Ms Helen Duignan to the Visitors Gallery. It is nice for the Leader that his father, who gave a lot of service to the co-operative foundation, is here today. I also acknowledge the presence of the Lord Mayors of various counties, including my neighbour, the newly elected mayor of Cork County, Declan Hurley, and Councillor Sheehan from Kerry, whose brother was a former Member of the Seanad. I cannot see all of the faces. I think that the Lord Mayor of Cork, Councillor Fitzgerald, was welcomed earlier. I apologise if I have forgotten anyone but my sight is failing. I welcome everyone to the Chamber and call on the Leader to respond.

Senator Jerry Buttimer: I join with the Cathaoirleach in welcoming our distinguished visitors. They include the Lord Mayor of Cork, the mayor of Cork County and the mayors of all of the counties. I can see Councillor Phyll Bugler is present as well. I welcome them all. I must be careful with the Order of Business as I am being watched by our visitors.

I thank all of the members of the House for their contributions. Today is a very important day in the context of our country.

An Cathaoirleach: I urge the Leader to be a little more restrained.

Senator Jerry Buttimer: I shall do my best. Today the summer economic statement will be published and it will show the Government's intent for capital infrastructure and investment. We will debate the summer economic statement in the House next week. As I said yesterday, all Members will have an opportunity for their proposals to be scrutinised next week. I look forward to the Sinn Féin Party revealing its high tax and high spend policies and we can hold them to account.

Senator Ardagh made reference to family hubs. The former Minister for Housing, Planning, Community and Local Government, Deputy Coveney, announced the unveiling of the family hub concept. It is a good idea in principle. As Senator Ó Ríordáin mentioned, none of us wants

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family hubs to become a long-term solution. The Government seeks to provide a wraparound support service to people and families. As many as 18 hubs will be located around the city of Dublin. They are being unveiled and announced as we speak and will cater for 634 families.

Ms Emily Logan is the chief commissioner of the Irish Human Rights and Equality Commission and we should reflect on the comments that she made this morning. The opinion outlined by Senator Ó Clochartaigh and others stems from two academics. It is their opinion and they are entitled to their opinion. Other people hold a different viewpoint about the model of government in terms of the provision of social housing.

Senator Trevor Ó Clochartaigh: That is why we want a debate.

Senator Jerry Buttimer: We will have the debate. One of the first acts by the new Taoiseach has been to ask the new Minister for Housing, Planning, Community and Local Government, Deputy Eoghan Murphy, to review the action plan called Rebuilding Ireland. What gets lost in translation is that the Government aims to have created more social housing and have an investment plan for the Rebuilding Ireland action plan by 2021. This is the only Government to provide multiannual funding for social housing under the heading of Rebuilding Ireland. Never once has Sinn Féin welcomed that fact.

Senator Trevor Ó Clochartaigh: How has the plan gone this year? How many social housing units have been built this year?

Senator Jerry Buttimer: Never once has Sinn Féin said that the Government has put money into social housing.

Senator Trevor Ó Clochartaigh: How far off target is the Government?

Senator Paul Gavan: The Leader has no facts to back him up.

Senator Jerry Buttimer: Never once has Sinn Féin said that the Government has put money into social housing.

Senator Trevor Ó Clochartaigh: How far off target is the plan this year?

Senator Jerry Buttimer: Let me give Sinn Féin some good news that the Senators can convey to their constituents in the party's next newsletter.

In terms of planning permission, as many as 16,375 new homes were granted in 12 months at the end of last year, which is an increase of 26%. In terms of commencement notices, as many as 14,192 notices for new homes nationwide were submitted up to March of this year, which is a 38% increase. House incompletions, as measured by the ESB and not the Government, showed that there were 15,684 homes across the country, which is a 20% increase on last year.

Senator Paul Gavan: That is a discredited measure.

Senator Trevor Ó Clochartaigh: It was discredited. We need more space.

Senator Jerry Buttimer: I urge the Senators to listen to my good news. They may not like to hear it but do not tell us that the Government has done nothing. The last Government and this Government were committed and are committed to ensuring that we build and create more houses for people. Let me outline one fact.

Senator Trevor Ó Clochartaigh: That is why we have housing hubs.

Senator Paul Gavan: It is the Government's housing crisis.

Senator Jerry Buttimer: I urge the Senators to listen to my good news, I know it is hard to take at times.

An Cathaoirleach: I ask Senators to please respect and address remarks through the Chair.

Senator Jerry Buttimer: The Government has committed to invest €5.35 billion to deliver 47,000 new homes by the end of 2021.

Senator Paul Gavan: Where are they?

Senator Jerry Buttimer: Judge us on our record when we reach 2021.

Senator Paul Gavan: The record is bad.

Senator Trevor Ó Clochartaigh: How many houses have been built this year?

Senator Jerry Buttimer: Senator Ardagh mentioned the budget. It is important that the task that to which we are committed in government is to ensure that we have a fair and just society. That is why we will see and have seen an increase in-----

Senator Paul Gavan: Inequality.

Senator Jerry Buttimer: -----the number of people in work. Again, it is good news that Sinn Féin does not want to hear. A reduction in income tax will take place, the USC will be cut and the minimum wage will be increased.

Senator Paul Gavan: By 10 cent.

Senator Aodhán Ó Ríordáin: Wow, 10 cent.

Senator Jerry Buttimer: We will maintain core social welfare payments. The party opposite cut them but we have not.

Senator Paul Gavan: The 10 cent Government.

Senator Jerry Buttimer: Judge us on our record.

Senator Trevor Ó Clochartaigh: How many other payments were cut?

Senator Jerry Buttimer: Senators Boyhan and Coghlan referred to a judicial council. I join with them in congratulating and thanking Mrs. Justice Susan Denham on her tenure as Chief Justice.

The Government has published the heads of the judicial council Bill that Senator Boyhan raised. I agree with the Chair of the Bar Council that the Judiciary must maintain high standards. There is also a need to see independence between the Government, the Executive and the Judiciary. I hope that will form part of the discussion on the Bill proposed by the Minister for Justice and Equality on the appointment of judges and the judicial council Bill.

Senator Diarmuid Wilson: The legislation should be known as Minister Ross's Bill.

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Senator Jerry Buttimer: No. Deputy Ross is the Minister for Transport, Tourism and Sport.

Senator Diarmuid Wilson: The Minister should stick to his own Department.

Senator Jerry Buttimer: The Senator must be fair and accept that the Minister has done a good job.

Senator Diarmuid Wilson: I do not accept that.

Senator Jerry Buttimer: I presume the Bill will be published in the autumn. We will debate the legislation here in this House. We all accept that there is need for a debate.

Senator Coghlan mentioned the appointment of the Chief Justice. I agree with him that the establishment of a three person judicial council is a good concept. We look forward to the results coming back.

Senators Craughwell, Feighan, Conway-Walsh, Norris, Ó Ríordáin and Ó Donnghaile made reference to the celebrations of 12 July in the North and the bonfires. None of us, as Members of this House, will join in any way in approving the burning of emblems of the national flag or effigies or posters of politicians. We all work to serve our communities and people. The burning of flags, etc. has no place in politics whether it is in the North or South of the island. That applies to all members on all sides of the political divide in this country. Today is a day of celebration for the Protestant community. We are an island of different traditions and cultures and I believe that we all share an aspiration for a united Ireland. I hope that there will be a sense of calm today in the North and that common sense will prevail. I discussed this matter in the House yesterday.

Senator Craughwell referenced the interview by Mr. Michael Hayes on the Birmingham pub bombing. I think Mr. Hayes has a duty to present himself to the police or the Garda if he has information or was party to that hideous crime. I listened to the families of the victims of the Birmingham bombing speak on radio and television during the week. The coverage reminded us all about the distress and turmoil in their lives. As Senator Craughwell rightly said, six people were wrongly imprisoned for the crime and they will never get their time back again. The Senator was right to highlight that fact.

I join with Senator Conway-Walsh in congratulating Ms Aoibhe Carrabine on her successful achievement in the European Women's Youth and Junior Boxing Championships. I welcome and congratulate all of the winners. The Senator mentioned Geesala, which is also the home of Henry Coyle. Geesala is a great sporting area in County Mayo.

I am happy to accept Senator Kelleher's proposal to amend the Order of Business.

Senator Bacik mentioned a Private Members' Bill, which will be debated in the House tonight.

Senators Bacik and Feighan made reference to what the Minister for Transport, Tourism and Sports said about the Olympics. I shall not get into a debate about the merits of joining the Commonwealth Games. We can debate the concept of hosting the Commonwealth Games in Ireland on another occasion.

The Seanad will meet next week to debate the summer economic statement. It will afford

Senators an opportunity to express their views of the statement.

Senator Ned O'Sullivan highlighted the importance of seaside and coastal communities and he was right to do so. A huge amount of work has been done by county councils, in particular, to maintain, prepare and provide ancillary services for coastal communities. Recently the Minister for Arts, Heritage, Regional, Rural and Gaeltacht Affairs, Deputy Humphreys, announced that €20 million would be provided for rural Ireland. There is merit in what the Senator has suggested should happen in our seaside and coastal communities. I suggest we invite the new Minister of State at the Department of Transport, Tourism and Sport, Deputy Griffin, to the House to debate the matter in the autumn. I wish to give Members notice that it is my intention next week to focus on legislation predominantly, because there is a raft of legislation that we have to get through before the summer recess. If members would indulge me in that, we will try to endeavour to have much of that done in order that we can ensure that we can come back-----

Senator Aodhán Ó Ríordáin: Better late than never.

Senator Jerry Buttimer: It is new politics. We see a new alliance between the Labour Party and the Green Party over plastic cups. Great things are happening.

Senator Maria Byrne made reference to Limerick Institute of Technology and commented on the planning.

Senator Ó Clochartaigh made reference to housing as well. It is my intention that the Minister for Housing, Planning, Community and Local Government, Deputy Murphy, will come to the House in the autumn. I spoke to him yesterday. He is committed to coming in to us. A fire happened in a house yesterday. We have had an awful tragedy again in this country. It is important given the issue of Grenfell Tower that buildings standards are not left to fall away. I am glad the Minister will be able to come to the House in the autumn for that debate. Senator Black also made reference to housing.

Senator Lombard spoke about the review of the EU nitrates directive. This is an important review taking place at the moment. This afternoon the IFA is having a briefing for Members of the Houses of the Oireachtas. It is important that the nitrates directive review can help to get the Government, through the Minister for Agriculture, Food and the Marine, Deputy Creed, to place our agriculture community on a sustainable growth path. It is important to look at the way in which we need to arrest the decline in our soil fertility. The agri community has a major export business worth €11 billion to our country in net value, not to mention the amount of jobs being created. Senator Lombard rightly made reference to derogations around the issue of the dairy and livestock farming communities. It is important that the Minister, Deputy Creed, would come to the House to have a discussion as part of the review. I would be happy to invite him for that as well.

I am not familiar with the issue Senator Ó Ríordáin raised relating to the court ruling on legislation and the anomaly in the road traffic legislation. However, when I go back to my office either Orla in my office or I will check with the Attorney General's office whether there is an anomaly that needs to be rectified as a matter of importance.

Senator Swanick raised the issue of home care packages. I was amused at Senator Swanick. He mentioned 2010. As Senator Wilson and everyone will know well, it was the Government he was part of that cut all the aging supports for people. This Government is beginning to re-invest in our elderly, in elder care and in home care packages. I accept there are issues around

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the provision and that more needs to be done. To be fair to Senator Swanick, he has been very much involved in his local community.

Senator Diarmuid Wilson: Ten plus what?

Senator Jerry Buttimer: It was 2010, yes.

Senator Diarmuid Wilson: Ten plus what is 17?

Senator Jerry Buttimer: If Senator Wilson wants to start at 2008, we can do that.

Senator Diarmuid Wilson: It was seven years. What has the Government done in seven years?

Senator Jerry Buttimer: I remind Senator Wilson-----

Senator Ned O'Sullivan: Here comes the history lesson. Fine Gael took the shilling off the old age pension? Does he remember that? That was Mr. Blythe I think.

(Interruptions).

Senator Jerry Buttimer: If Senators want to have a history lesson, I would be happy to go back to 2007.

Senator Diarmuid Wilson: It is a mathematical lesson that Senator Buttimer needs.

Senator Jerry Buttimer: I know it is embarrassing for both the Senators, because they were part of a Government that did that and wrecked the country.

Senator Diarmuid Wilson: Senator Buttimer should try looking in the mirror. That is an embarrassment.

(Interruptions).

Senator Jerry Buttimer: The important point is that the new Government economic policy is about creating a fairer and just society. This will allow us to invest in home care packages, keep people at home longer and living longer. We want to invest in more sustainable lives and keep people rooted in their communities. I accept the concept of what Senator Swanick was saying. However, we have increased the respite care allocation.

Senator Trevor Ó Clochartaigh: It was cut by five hours in Galway.

Senator Jerry Buttimer: We have increased home care packages.

Senator Trevor Ó Clochartaigh: Fine Gael cut the home care in Galway.

Senator Jerry Buttimer: I will get the Senator the figure if he wants it afterwards.

Senator Trevor Ó Clochartaigh: I will send Senator Buttimer the one with the cuts-----

Senator Jerry Buttimer: Senator Gavan raised the important issue of migration and migrant workers, in particular the issue of Qatar and Saudi Arabia. I share the concern of Senator Gavan. It is a source not only of worry but of absolute angst that people are being refused exit in situations. The Minister for Foreign Affairs and Trade, Deputy Coveney, is in the Middle

East at the moment. I would be happy to have him come to the House. Also, I would be happy to have him-----

Senator Ned O’Sullivan: Deputy Buttimer would be happy to have him stay there.

Senator Jerry Buttimer: I would be happy to have him take up the matter.

Senator O’Sullivan will be glad to hear that, home and away, the Minister, Deputy Coveney, and I work very well. I would prefer to stay at home, as Senator O’Sullivan can imagine.

Senator Norris raised the issue of the Corrib gas field and the Royal Dutch Shell sale. That is a matter for other parts of the world, but not for me.

Senator Kieran O’Donnell raised the issue of the M20 Cork to Limerick motorway and the publication of the Indecon study by the Limerick and Cork chambers of commerce. I hope that road will be very much a part of the capital infrastructure programme and I imagine the Cathaoirleach does too. The south-west axis is central to creating a counterbalance to Dublin. As Senator Gavan from Limerick and Senator Byrne will know, that road needs to be upgraded.

(Interruptions).

Senator Jerry Buttimer: It is a matter of absolute importance for all of us. I join Senator O’Donnell in paying tribute to the late Martin Molony. Senator O’Sullivan knows the story well, but for Members who are not aware, Martin Molony was a jump and flat jockey who was a superstar in his time, as Senator O’Donnell said. I want to pay tribute to him. He was one of the most prolific and profound jockeys of his time. He died at the relatively young age of 91. At a time when national hunt and flat racing were tough sports – they still are – he was in the pantheon of jockeys. He was one of the best. I wish to pay tribute to him and his family.

Senator Mulherin raised an issue relevant to the Minister for Communications, Climate Action and Environment, Deputy Naughten, and relating to the renewable heat incentive scheme. The public consultation process has closed. The Minister, Deputy Naughten, and his Department officials are undertaking a review of the submissions made. I will be happy to have him to come to the House in the new term.

I am happy to take Senator Kelleher at the end of the Order of Business.

An Cathaoirleach: Senator Colette Kelleher has proposed an amendment to the Order of Business: “That No. 13 be taken before No. 1.” The Leader has indicated that he is prepared to accept this amendment.

Amendment agreed to.

Order of Business, as amended, agreed to.

International Protection (Family Reunification) (Amendment) Bill 2017: First Stage

Senator Colette Kelleher: I move:

That leave be granted to introduce a Bill entitled an Act to provide for a refugee or a person eligible for subsidiary protection to apply for members of their family, including a

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grandparent, parent, brother, sister, child, grandchild, ward or guardian, to enter and reside in the State.

Senator Frances Black: I second the proposal.

Question put and agreed to.

An Cathaoirleach: When is it proposed to take Second Stage?

Senator Colette Kelleher: Next Tuesday.

An Cathaoirleach: Is that agreed? Agreed.

Second Stage ordered for Tuesday, 18 July 2017.

Sitting suspended at 12.40 p.m. and resumed at 12.50 p.m.

School Transport: Statements

Acting Chairman (Senator Diarmuid Wilson): I very much welcome the Minister of State, Deputy Halligan, to the House.

Minister of State at the Department of Education and Skills (Deputy John Halligan): I thank the Seanad for allowing me this opportunity to discuss the issue of school transport. To put things in context, I should explain that the school transport scheme is an administrative scheme established in 1968. It was created to facilitate equality of access to primary and post-primary education for those children who, because of where they reside, might otherwise have difficulty in attending school regularly. It is a national scheme, the purpose of which continues to be to support the transport to and from school of children who reside remote from their nearest school. It is not an absolute right, and requires minimum numbers of eligible children residing in a distinct locality before the service can be established and retained. It provides what is called a reasonable level of school transport service in the context of the scheme nationally.

Senators are familiar with the fact that school transport is managed by Bus Éireann on behalf of the Department. During the 2016-2017 school year almost 116,000 children, including 12,000 children with special educational needs, were transported in more than 4,000 vehicles on a daily basis to primary and post-primary schools throughout the country, covering more than 100 million km. In 2016, the total cost of school transport amounted to €182 million. This included direct transport services, grant payments and funding to schools for the employment of escorts to accompany children with special educational needs, whose care and safety needs are such as to require the support of an escort.

In general, children are eligible for school transport if they attend their nearest school and satisfy the requisite distance criteria of 3.2 km for primary children and 4.8 km for post-primary children. Families of eligible children, for whom no school transport service is available, are eligible for the remote area grant towards the cost of making private transport arrangements. No distance criterion applies for children with special educational needs, but these children must meet the Department's criteria for special educational needs and must also be attending the nearest facility that is, or can be, resourced to meet their special educational needs. Children who are not eligible for school transport may avail of school transport on a concessionary basis

only. Concessionary transport is subject to a number of terms and conditions, including the availability of spare seats after all eligible children have been catered for and payment of the charge, even if the child holds a medical card.

Again, many Senators are aware that changes to the school transport scheme were announced in budget 2011 and derive from recommendations in a comprehensive value for money review of the scheme. This is the scheme under which I am obliged to work. The changes announced included the cessation of the closed central school rule at primary level, the cessation of the catchment boundary areas system to determine eligibility at post-primary level, and an increase from seven to ten in the minimum number of eligible children required to establish or retain a service. As a consequence of these changes, the school transport approach now complements the overall Department policy, which is to ensure that specific school accommodation needs for defined geographical areas are addressed in an orderly fashion.

It is important to note that children who had an eligibility for school transport prior to the introduction of the changes retained this eligibility for the duration of their education at that school, provided there is no change in their circumstances. However, all new children, including siblings of existing eligible children are assessed for school transport eligibility under the revised criteria. Therefore, the school transport scheme is in a transitional phase. One result of the transition phase is that children in the same family or, indeed, area may have school transport eligibility to different schools. This transition period has also seen an increase in the number of children receiving concessionary school transport. The majority of these children have chosen to attend a school other than their closest school under the terms of the scheme.

The programme for Government committed to a review of the concessionary charges and rules element of the school transport scheme. This review was published in December 2016, and I decided, on consideration of the review, to continue with the current position regarding charges for concessionary transport. In addition, following consideration of the review and discussions with the cross-party Oireachtas group I established to feed into the review process, I decided there would be no planned programme of downsizing school buses in the 2016-17 school year. However, a detailed analysis of school transport services as they currently operate is now required, and I accept this. This analysis will involve an examination of existing routes and how these routes relate to the location of eligible children.

The major policy changes introduced from September 2012 will take a full post-primary cycle of six years and a full primary cycle of eight years to feed through the respective schemes. Given that those eligible children already in the system when the new rules were introduced retained their eligibility, we are now nearing the point where all eligibility is under the post-2012 school transport criteria. This means the number of eligible children on a significant number of services at primary and post-primary level is falling below the minimum number of ten for September 2017, and from September 2018 it is likely that there will be no new eligible children on these services. My Department has been working with Bus Éireann to assess the likely number of services due to be withdrawn because there are fewer than ten eligible children on the bus. As just explained, given that the transition phase from the old to the new criteria for school transport eligibility is nearing an end, it is very unlikely that the services falling below ten eligible children will reach ten eligible children in the future.

Having reviewed the position as outlined, I have decided that no service will be withdrawn in the coming school year where an eligible child is availing of the service, and there will be no planned programme of downsizing school buses for the next school year, from 2017 to 2018.

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There will be route changes and variations in line with normal operational decisions that occur from year to year, and any impacts in terms of increases or decreases of available places nationally is expected to be marginal, in line with what occurs every year. Significant changes will be necessary from September 2018 to ensure value for money in the school transport scheme and to ensure that school transport services are designed around eligible children on an equitable basis nationally. In light of this, I have asked the Department to work with Bus Éireann to carry out a detailed route analysis identifying where there will be substantive changes to the route network or vehicle size from September 2018 to reflect eligible children and put together a comprehensive communications plan to inform all parents of likely changes that will be implemented from September 2018.

Outside of the issue of concessionary school transport, the cross-party Oireachtas group made a number of submissions on the scheme generally. While a number of the submissions cannot be progressed because of the policy implications and the impact on the budget of the scheme, there are a number of areas where further examinations were made. These are options on instances where errors occur in categorisation of eligibility; a process around the refund of charges paid in cases where a ticket does not issue; options on the implementation of the minimum numbers required for the retention a service; a review of the guidelines for the School Transport Appeals Board; and options to improve customer service.

Bus Éireann continues to engage with officials in my Department on improving customer services and is examining the process around the refund of charges. I have agreed proposals on errors in categorisation under certain conditions to allow children retain eligibility for the remainder of their education at the school. In regard to the withdrawal of services, where a school can provide evidence that the minimum number will be attained within two years, then the service will be left in place, at my direction. The review of the School Transport Appeals Board has recently been submitted and I am considering this report.

To reiterate, the school transport scheme is significant. It transported more than 116,000 children on a daily basis over the last school year, and 12,000 of these children had special educational needs who were provided with a door-to-door service.

This scheme costs €180 million and it is applied equitably on a national basis. Since I took over responsibility for the school transport scheme, I have endeavoured to do all I can possibly do. I have met all Oireachtas Members who asked to meet with me. I have met with representatives from their constituencies, families or others to do what I can do, but I am restricted by the criteria set down in 2011 and 2012 under the legislation. One of the big issues has been the minimum of ten children on a bus. Against the direction which I was asked to take in the matter, I decided not to take any bus off its route if the school could show that ten children would use the bus in the following year. I have set up an Oireachtas group for representatives from all parties to meet and make their suggestions on school transport. Many such suggestions have been made.

This system, which caters for 116,000 children, 12,000 of whom have special needs, is a very fine one. Are there flaws and small hiccups in it? Of course there are. When we are transporting so many children on so many vehicles for so many hours over so many miles - 100 million km every year - of course there will be some faults, but it has always been my aim for every eligible child to be transported to and from school. I ask Senators to bear all this in mind. As I have said, my plan is to continue to meet Members of the Oireachtas and to meet with the committee which I have set up. I have never turned down a

request to meet with any Oireachtas Member, family, councillor or Minister to speak about the school transport scheme. I compliment the authorities which work with me. It is a difficult and complex scheme to run. It requires monitoring every day of the week to make sure the children we transport get to their destination and that every child with a special educational need is given the same rights as every other child. We successfully transport 12,000 such children every day.

Senator Robbie Gallagher: Ba mhaith liom fáilte a chur roimh an Aire Stáit inniu. He is very welcome to the House this afternoon to discuss this very important issue. I am heartened by his comments and his commonsense approach to this issue. We are all at one in singing the praises of this scheme. That is taken as a given. The merits of the scheme are well known. Unfortunately, there are issues with it, some of which the Minister of State outlined today. I am a member of the Joint Committee on Education and Skills. We held a discussion on this issue yesterday, at which a number of stakeholders appeared before the committee to outline their concerns and issues in respect of the scheme's administration. It was very worthwhile. What I took from it was that we have a lot in common in respect of this issue. We all want to ensure every child gets to school and that no child is left standing along the road. There are a number of issues which probably need a little bit of tweaking.

This is my first year as a Senator. When I came back here in September of last year, it was absolute mayhem. I am sure it was the same for every Member of both Houses. There was a lot of confusion among families because children were being left behind. There seemed to be very little co-ordination in respect of the entire set-up. The Minister of State undertook a review of the school transport system at the time. I am sure he received many representations. He lives in a rural constituency and I am sure he is not immune to the issues which affect us. That review took place but unfortunately nothing has come out of it, as far as I can see. I hope I will be proved wrong in that regard and that when we come back here in September there will not be the same problems which we discovered last September.

Some issues with the scheme arose from the meeting with stakeholders yesterday and I will touch on a number of them briefly. The first is in respect of the concessionary issue whereby a child could be left behind. It is disappointing that there seems to be very little leeway and that the administration of the scheme is very straitjacketed. When appeals are made it seems to be a kind of a *fait accompli*. There is very little movement from the Department's side in respect of appeals. That issue arose from the representations which we received yesterday and it is definitely an area which needs to be looked at. The other area which came up yesterday in respect of the concessionary seats was around people with medical cards. There is an anomaly whereby, in the school transport scheme at the moment, vulnerable families with medical cards have to pay for concessionary school transport. Perhaps that is something the Minister of State might look at for us.

We also heard a presentation which touched on the area of special needs. The Minister of State outlined that some great work has been done in that respect, and there is no doubt about that. The witnesses touched on a number of issues yesterday. One lady described how a child had a bus journey of more than two hours. That is very disappointing. Perhaps there are issues to examine in terms of routes. That is also something the Minister of State could look into. They also touched on the issue of the buses themselves, some of which are not wheelchair accessible. That is also an issue the Minister of State might bring on board. This witness also touched on ensuring that the drivers of these buses are especially sensitive to the any special needs children might have and that they are conscious of, and experienced in, handling situations which might arise on the bus.

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The other issue was route reviews. A question about how often a route is reviewed by the Department was asked yesterday. The answer we heard was slightly vague. It basically said that they were reviewed on an ongoing basis but we were not sure whether that meant every one year, every two years, every five years or whatever. I know of a case in County Monaghan, where I live, where it has been more ten years since a route was reviewed. The family situation in that area has changed quite dramatically, as I am sure the Minister of State can appreciate. Perhaps that issue of reviews is also something he could take on.

I fully accept it is a good system but there are issues that need to be looked at. Based on the presentations we heard yesterday at the committee and the contributions which I am sure the Minister of State will hear today, I trust he will take those issues on board and that when we come back here in September, there will not be absolute mayhem again. I hope it will be calmer this year and that we will have learned from the mistakes of last year so that things will run a bit more smoothly for all concerned.

Senator Victor Boyhan: I warmly welcome the Minister of State to the House. Any time I have made contact with his office he has been more than forthcoming in facilitating a prompt and speedy response to communications on this matter, and other matters, and in facilitating meetings with parents, stakeholders and county councillors. They were impressed and they appreciate that the Minister of State gave up his time and did not delegate that function to anybody else but rather oversaw it himself. I acknowledge that because it is important.

I welcome the Minister of State's comprehensive report today. I particularly note that he stated that, having reviewed the position, no school service will be withdrawn for the coming year. That is also to be welcomed. The Minister of State said that he is reviewing the School Transport Appeals Board. It would be interesting to have some feedback on that, once he has reviewed it, and to see what the review recommends. It is interesting that the Minister of State said in his opening remarks that this scheme was first established in 1968. He began by mentioning equality of access to school. I will cite a particular case which I have raised with the Minister of State's office before. It is an issue which Councillor Nicholas Crossan of Donegal County Council raises with me. It is about a particular family whose children are at post-primary school level. It is a family of three and its oldest child had gone on to a school which was not the closest school to their home. There was a difference of approximately 1 km between two schools, one in Buncrana and one in Carndonagh. There are two routes. It is important to give an example to try to illustrate what I am saying. The family have chosen to send their three children to the school in Buncrana. There is a kilometre in the difference in the distance to the two schools. The school in Buncrana is the family's choice. We talk so much about choices in education. The choice may be made for a range of reasons, including ethos, disability and special needs. We have to treat everyone equally, but the family in question have been refused. I understand that to be eligible under the scheme, one must be within a distance of 4.8 km. I also understand that if one has a medical card and attends the nearest school, the service is free. If, however, one has a medical card and attends the school of one's choice farther down the road, it is not free. If one has no medical card and attends the nearest school, one must pay €350. What on earth are we doing in this day and age charging people to attend a school? Why are we talking about our commitment to invigorating and supporting rural communities if this is occurring?

I happen to live in Dún Laoghaire in south County Dublin. There are 15 national schools nearby and certainly eight or nine secondary schools, be they private, single-sex, multidenominational, of no denomination or Educate Together. I am not complaining, but people around the

country do not have these choices. It is really important to acknowledge this.

I spoke to somebody in the location in question who told me that they were Church of Ireland and that their child could avail of the service for free. As I am Church of Ireland and a member of the Church of Ireland tradition, I have no difficulty in making this point. Church of Ireland children can travel for free based on their religious background and choice. That surely cannot be right in a republic in 2017 and I would like to hear what the Minister of State has to say about it. If we are talking about choice based on tradition, different models of education or younger children wishing to attend the school of their older siblings, we surely need to support those concerned, but the scheme is not flexible enough. I accept what the Minister of State is saying in that regard. He has inherited a scheme, but it is not flexible enough. It is important that there be equal access to education and that we respect parents' choices.

The Minister for Education and Skills was here recently talking about special status in the context of the baptismal arrangements for schools. Again, the pupils associated with the Church of Ireland, of which I am a member, have received preferential treatment and I am not afraid to say it. Is this right in a republic in 2017? I suggest it is not. All people should be treated and respected equally and given equal access to health, education and community services, as well as every other service in the State.

The payment of the family who have decided to send their children to a school 1 km farther than the nearest school, that is, in Buncrana rather than Carndonagh, is capped at €650, the maximum figure. Why are we asking people in isolated communities in rural areas to pay to gain access to a State school or the State education system? It is fundamentally wrong. I accept that considerable money is being spent, but funds have to be put in place to support families who wish to have their children educated. Ideally, there would be community schools open to all, embracing all traditions, cultures and backgrounds. That, however, is not the reality on the ground, particularly in rural areas. I acknowledge that I have been making broad statements, but this is a genuine issue. We cannot make a case for one child over another.

With regard to the situation in Buncrana-Carndonagh, is there any room for change based on road infrastructure, the fact that school buses have not been able to travel on some roads for up to two months in the winter and the fact that families want to continue to send children to where their older siblings go to school and where they have built relationships in order that they may all come home together? People, including parents, are flexible. Are we seriously saying that in 2017, under a Fine Gael-Independent Alliance Government, the priority is to rebuild, consolidate and support rural communities? If so - I do not doubt the Minister of State's commitment in that regard - we need to start in the areas of health, education and community services. This issue needs to be addressed in the interests of fairness and equality.

Senator Maria Byrne: I welcome the Minister of State and acknowledge his passion for and commitment to his role in respect of school transport. He stated the system had been brought about in 1968 and further changed in 2012. There are 116,000 children availing of school transport daily, including 12,000 with special needs. I understand there is a recommendation that everybody on a school bus, including the special needs assistants and driver, should receive some training in dealing with children's needs. Each child has his or her own difficulties. It is important, therefore, that everybody associated with school the transport scheme receive full training. I would like to ensure this.

Where there is no transport service available in rural areas, there are grants available for put-

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ting in place private transport arrangements. I acknowledge the role of the NCSE which advises on school transport needs. Ultimately, we want all children to get to and from their destination in a very safe manner. That is most important.

That there were 410 new services put in place in 2016 is significant. The Government has committed to not cutting any route, certainly this year, which is most commendable.

Yesterday I attended the meeting of the education committee which was referred to by Senator Robbie Gallagher. Somebody in Tipperary was on to me about 12 children who attended a certain school but who had to be driven 2.5 km by the parents to connect with the bus service. As Senator Victor Boyhan said, common sense has to prevail in tweaking some of these routes. The Minister of State has said he is available in that regard and I will certainly be back to him about it. There are 12 children affected attending the school in question. Each morning the parents have to operate according to a rota to drive the children to the bus collection point. I have come across a number of such examples.

Gaelscoil an Ráithín in Limerick is to relocate from Garryowen Rugby Club to Mungret. The distance is over 4 km, but it is not at the 4.8 km threshold. The new school is being built and pupils will be moving to it in September. Bus Éireann currently runs no bus service on the route. There is actually no public transport service on the route to the new school. The school and the parents were on to Bus Éireann, which has not committed to putting any service in place. People were able to walk the children to the school at its current location, or they were able to get the bus from relevant areas, but there is no bus route to the new school. This certainly needs to be considered and I am sure the Minister of State is willing to take it on board. Other examples were raised at the meeting of the education committee and come back to common sense. I acknowledge the Minister of State's commitment in that regard.

Many routes are operated by private companies under contract. There are children who live on one side of Limerick and attend school on the other because their needs are such that they require smaller classes. The private bus operator has been contracted to pick up passengers in the centre of the city to take them to the school, but the bus driver actually passes the 12 children who congregate every morning for their parents to pick them up at a central point. Since they are not on the contracted route, the parents must transport them. I commend the Minister of State for all he is doing, but it is welcome news that there will be no cutbacks under the school transport scheme.

Senator Rose Conway-Walsh: I thank the Minister of State for coming to the House. He is genuinely trying to tackle the problem of school transport. There are major problems in that regard. The word "tweaking" was mentioned, but far more needs to be done. I do not lay the blame on the shoulders of the Minister of State because I know exactly what happened. I am one of the probably few people who read the report of the former Minister for Education and Skills, Mary Coughlan, in 2009 or 2010 on school transport. Reading it and between the lines, it was obvious that an assumption had been made that households had two cars and no longer needed school transport. The approach taken was to consider how the school transport scheme could be worked out of the system and that is what was planned. In the budget for 2011 a cost was introduced to try to charge people out of the system. As the Minister of State knows, the charge is now €100 per pupil in national school and €350 for secondary school pupils. I am not heartened by what the Minister of State said because there are huge problems with his plans. As I mentioned, affordability is a huge problem for households because they have to pay so much money. I have received a text message from Bus Éireann to pay €650 by the end of July or

my child will not have a seat on the bus. The fee has to be paid and is being demanded. Many households do not have the money because they are trying to pay all of their other bills.

The nearest school rule is splitting families by forcing pupils to attend different schools. One might question whether siblings attending the same school is a luxury and it is sometimes suggested it is a parent's choice, but to understand rural schools and the subject choices that may be available in one school but not another, one could take the example of a parish called Ballycroy of which the Minister of State has probably never heard. For decades, half of the children of the parish attended schools on Achill, while the other half attended schools in Belmullet. That worked perfectly fine and people had a choice, but they are now being forced to measure from their door to one school or another, never mind that it may not meet the choices, skills and abilities of their child. The rule is splitting families, forcing children into a school that may not be suitable for them and splitting the parish in two.

The increase in the minimum number of pupils, from seven to ten, for a school bus to be provided has caused huge problems in rural areas where there are insufficient pupils. I acknowledge and it is welcome that if a school can show that its numbers will increase in the following year, a certain flexibility will be allowed. School buses come in all shapes and sizes. Why can there not be a school bus that fits the needs of the route of the parish of pupils it needs to pick up? Branding children as being concessionary and eligible passengers and so on is irrelevant. These are children who want to go to school to access education. Surely the size of buses can be adapted to meet the needs of children rather than the other way round.

Concessionary students are in a really vulnerable position. They are forced into a lottery system. They are paying in, as many did last year, and do not know whether they will have a seat on the bus come September. The number of concessionary students has hugely increased since 2011. This must be considered and taken into account, as must the fact that concessionary students are not counted when it comes to a decision on the retention of the school transport route. It does not matter if a school has 20 concessionary students. Although it is not within his remit, the Minister of State knows that the threshold for medical cards is absolutely ridiculous, but to have school transport judged on these ridiculous levels is nonsense. The inflexibility in terms of how the Department has handled the issue is atrocious.

The Minister of State has said no service will be withdrawn, which has been welcomed. However, I note that he said that no service would be withdrawn for eligible pupils, which is not to say no service will not be withdrawn but only those for eligible pupils.

This issue has been considered in terms of reviews and value for money reports. It is not about value for money. What is being done in terms of school transport is not value for money. It is economic and social folly in putting barriers in the way of children going to school and having such inflexibility on routes that cannot be adapted to meet the needs of children. I acknowledge that the budget has been cut, but it is not making real savings when one considers the future impact on rural communities and children in accessing education. I hate to say it, but I believe the Government is hiding behind the legislation. Members are legislators and it is our business to legislate to change the system for these children. That is why we are here. It is not good enough for the Minister of State to say he must work within the parameters of legislation. Legislation can be changed for all types of issues, many of which are not nearly as important as children being able to access education. It would cost a mere €7 million extra to provide every child with a seat on a bus. Today, we have seen Royal Dutch Shell selling its stake in Ireland's natural resources to a Canadian pension fund for €1 billion. For heaven's sake, what are we at?

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It is to receive €1 billion for that stake, yet the Government cannot find €7 million to provide seats for children on school buses. Forcing parents to reduce their hours because they have to pick up their children and so on does not make economic sense either.

I know that the Minister of State is open to change on these issues and would like him to come back to the House having identified the legislation that needs to be changed and having a plan for how Members can work together to change it in order that every child will have a seat on the bus, regardless of whether they are eligible, concessionary or have any other label that might be put on them.

Senator Aodhán Ó Ríordáin: I welcome the Minister of State. I appreciate that when dealing with his ministerial responsibilities he has inherited a system and must do his best to manage it. This is an incredibly important scheme. I benefited from this type of scheme when I was a young boy in travelling from Malahide to attend primary school in Baldoyle and I am well aware of its benefits.

I raise an individual case which has been raised with the Minister of State by my party colleague, Deputy Sean Sherlock, relating to a Church of Ireland child in Mallow, County Cork. However, the main issue I wish to address is that I have listened to other Senators saying what an important scheme this is and how supportive they are of it. However, the Minister of State is aware, as am I, of rumours, allegations and question marks in parts of the country regarding contractors, subcontractors and so on. Perhaps it might be time for an external review of the entire system. It is an incredibly important service and access to education is fundamentally important to the State. The ability of children to access a school is hugely important, as is the ability of the State to provide the service. The Minister of State knows as well as I do that in certain parts of the country there are whispered allegations of who got what contract, how they got it and so on. This is Ireland, after all. Is the Minister of State aware of local tensions or rumours about local contracts to provide school transport?

Would the Minister of State be willing to discuss the possibility of having an absolute root-and-branch investigation as to how the service is being rolled out? At €180 million annually it is a lot of money but it is money that needs to be spent to ensure that children can access their schools. At the same time, is it being spent effectively and can we find a mechanism so that everybody has trust in the system? It is my understanding from listening to colleagues around the country - and I do not believe I am saying anything here that would shock anybody - that there tends to be a level of rumour and speculation as to how and why somebody got a contract, how it is being done and how safe that individual transport agency is.

I wish to raise an individual issue, which I believe the Minister of State has come across already, that relates to a child who attended a Church of Ireland school in Mallow. I know the Minister of State has corresponded with Deputy Sherlock on this issue. The child in question is Sharon Dawson, the daughter of Rachel Dawson. This is on the public record and I am not naming anyone who has not previously been named. The daughter was attending a Church of Ireland school in Mallow, County Cork, but the school is no longer in existence. The arrangement during the school closure was that the entire enrolment of that school be moved to the community national school, Scoil Aonghusa, a move which places this child outside of the 3.2 km zone for eligibility for school transport. She is being encouraged by the Department to attend a different school even though the entire enrolment of her Church of Ireland school has now decamped to the community national school. The child does not qualify, technically, for the free school transport scheme.

Deputy Sherlock, the parents and others who advocate on behalf of the child are saying that the religious background of this child is militating against her. This situation could be easily rectified. It was a decision of the patron, in conjunction with the Department of Education and Skills, to move the entire student body from school A to school B, and this child was attending that school. It would make perfect sense, therefore, that if the decision was made the child would be facilitated with the school transport scheme to enable her to attend the school. The Department, however, feels otherwise.

Our education system is a complex one and is interwoven with all sorts of issues. It is very problematic with patronage and all the rest of it. Religion and faith is all woven within that. It is the system we have, is the system we have inherited and is the system we must work under. It is reasonable that if the child is part of a school body that is moved to a second school, and she is willing to attend that school, then the school transport would be provided as a result. I know the Minister of State has corresponded with Deputy Sherlock on this matter and I know the Minister of State is particularly sympathetic to the situation, but the situation persists. Will the Minister of State look at it? I also have correspondence from Canon Eithne Lynch who feels strongly about the matter. Perhaps the Minister of State could raise the issue and get it resolved. Obviously, come September it would be great if the child could be facilitated.

The overall issue is that it is an incredibly important system. It is important that across the House we all acknowledge that children must be able to access school. That is fair enough. I do not think, however, that we can dismiss outright the rumour mill that happens in various parts of the country. I always get concerned when the State cannot absolutely 100% provide for services and they have to be outsourced. There is any amount of potential for conflicts of interest, for accusations and for diminution of standards. When the State is involved, at least then one can have an over and back, there is accountability and a row can be had with the Minister or the CEO of the agency. When it is sub-contracted out there is always a question mark over standards, safety and all the rest. We do not really need to go down that line again; we have had too much pain in that regard in the past.

Without putting too much pressure on the Minister of State, my party and I believe that the time has probably come to make the case for an independent or external review - or whatever phraseology is needed - of the entire system and how it is working so people can have faith in the system, in the way the tenders are given out, in the way the sub-contracting arrangements are made and if they are actually fit for purpose. I appreciate that the Minister of State is dealing with a situation that he feels strongly about. I know that he is happy to meet with any delegation and any Member of the Oireachtas to deal with certain issues of concern. I ask the Minister of State to give his own reflections on whether or not a root and branch review is needed of how the entire system is being operated. I feel strongly about the situation of the child in Mallow, County Cork, and the representations made to me by Deputy Sherlock. Perhaps that matter could be resolved.

Senator Tim Lombard: I welcome the Minister of State and I acknowledge his commitment to this project, which is especially important in rural Ireland. The school transport service for our primary and post-primary students has worked well since 1968. It is important that we keep the service going and do our best to provide the service, in many ways in greater amounts and in key areas.

There have been significant changes to the scheme, particularly in 2011 and 2012. Those changes are the key issues that I come across as a public representative. The change in the

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minimum requirement from seven eligible children to ten eligible children is a huge issue that I come across in most of the rural schools in my part of the world. The concessionary basis is another issue but the eligibility requirement for ten children for buses to small rural schools is an issue. Those changes to the legislation in 2011 and 2012 had a knock-on effect. In so many ways that is the key and the nub of it for me in my part of the world. I am talking about schools with three or four teachers and 70 or 80 students. The change in eligibility requirements is a huge issue for them. In time I would like us to look at that legislation again. I realise the Minister of State is tied by that legislation, but the eligibility requirement increase from seven to ten children is a very high requirement at the moment.

Other Senators have spoken of the costs. It is far from free education; €650 in July is a significant figure and it is a burden on families. Have the Department or Bus Éireann ever looked at the possibility of a stage payment process for the €650? Paying it up-front at the end of July is a fair amount to ask of people. Are we going to look at a process whereby that €650 could be paid on a monthly or a quarterly basis? Perhaps this process is happening at the moment but I have not been made aware of it. Perhaps the Minister of State will clarify this and tell us his views on the €650 payment.

Minister of State at the Department of Education and Skills (Deputy John Halligan):

I thank all the Senators for the information they have dispersed to me today. Some specific cases have been brought to my attention here. Rather than take these individually I would be delighted to meet with Senators on those particular issues. If we can facilitate it I am prepared to come back to Dublin over the next couple of weeks. I am, unfortunately, up to my eyeballs tomorrow and I know the Dáil is finishing up this week. If Senators could make themselves available next week, or the week after, I will come to Dublin to meet with Senators on the individual cases. I will try to have an official from the Department with me to see if we can work through the issues.

As I said earlier, since taking on the position of dealing with school transport I have been committed to making sure that every child who needs to be transported to school should have transport to school. If it was within my financial remit I would have every child, concessionary or otherwise, being brought to school at a reduced cost. There was an independent review and a comprehensive value for money review of the school transport scheme. I believe it was brought before the Dáil and the Oireachtas - I may be corrected in that if necessary but I believe it was - and this is where we are now operating from. We are also operating from a cost of €182 million annually.

I will go through some of the points made but first will give an overall view. It is a very significant scheme. The scheme was put in place to deal with children who were eligible to be transported to the nearest school. We now have, which we did not have initially in dealing with the scheme, 25,000 concessionary children who we try to move every year as best as we can.

Senators have spoken about medical cards. We probably should look at that. Concessionary children, whether in possession of a medical card or not, must pay. That, itself, could be a significant cost. I am willing to have a look at that.

According to an assessment that was done, the unit cost of transporting each child has been estimated at €1,000 whereas the maximum charge is €350.

Senator Boyhan brought up the case of a Church of Ireland school. Concessions were made

in 1967-1968 to allow for Church of Ireland children due to the dispersed nature of the schools. I take the point the Senator is making as whether it should matter whether a child is Church of Ireland, Presbyterian, Catholic, etc.

I was asked if there are procurement issues. As the Senators will probably be aware, the procurement is done through EU legislation. If there are suggestions of inappropriate tendering or trading, they should be brought to the Department of Education and Skills and should be investigated. I have not been made aware of any inappropriate tendering. Like everyone else, I receive letters every week on why a person did not win a tendering process, but nobody has said it to me. However, there is an appropriate authority to bring that to.

On bus sizes, this is the difficulty. I meet Senators and Deputies who say the bus size is for nine and they ask can we not allow nine. Based on the cost of running the scheme, where would we set an end point? If we were to bring it down to seven, I can guarantee a Deputy or a Senator would say that the bus is for six so why not allow six. If we brought it down to three, they would ask that it be brought down to two. I take on board what was said about the bus size. We should look at that to see if we can find an appropriate bus that would take the seven, eight or ten, but ten is the number set down. I have given advice to individuals who have asked me to go back to the school to see they can get somebody else on the bus. If a bus has eight or nine and cannot reach ten, it can say to the Department it thinks it will have ten next year. We will not remove that bus and it gives them a year to see if they get ten.

Senators spoke about legislation and reviews and whether the legislation needs to be changed. That can be done by all of us. For instance, if, in the budget next year, someone was to say to me that I had an extra €20 million for school transport, I can guarantee that in respect of many of the issues we have, such as the distance, the buses, concessionary eligibility, special needs and those helping with special needs, there would be no difficulty in transporting everyone we had to transport. Unfortunately, I am working under criteria which were not laid down by me but are in legislation. I have endeavoured within that process to make as many changes as I can with concessionary eligibility and with buses. I understand there are difficulties with routes. There is no way a child with special needs should be on a bus for two hours, and I will look at that. This is the first I have heard of that. That would be unacceptable to me, if that is the case. If any Senator or his or her colleagues have an issue at any stage, or if they want to bring a family to meet me, I will meet them. Over the holiday period, I am prepared to come to Dublin to meet any Member of the Oireachtas who wants to meet me. I repeat the point that I am sympathetic to the families involved who have some difficulties, whether it be monetary difficulties, geographical difficulties with the buses or otherwise but I must apply the same approach nationally. I must apply the scheme according to the criteria laid down for me in the legislation.

I understand the concern about affordability. It would be disingenuous of me to say there are not families which will find it difficult to pay €350 or €650, or even €100, to have their child taken to school. That is also a budgetary matter. If I was given an extra €5 million, I could allay the charge on a child going to school, whether he or she is an eligible child or a concessionary child. Maybe legislation needs to be introduced in that regard, but one should bear in mind that would involve an cost additional to the €182 million we are already spending.

Reviews and the appeals were mentioned. We have had a look at that, and I am reviewing it at present. I spoke to the Department on how we review contentious issues and I expect it to come back to me in the next couple of months in that regard.

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I have endeavoured to involve Oireachtas Members with a group I set up and to come back with ideas. I will take on board everything that has been said to me today. Can I change everything? It may not be in my remit to do that but everybody who has spoken today can meet me individually with whatever issues he or she has and I will endeavour to have somebody from the Department go through all these issues.

I was asked if we needed a complete review of the school transport scheme. I emphasise there are 116,000 children being transported twice a day, 12,000 of whom have special needs, and that the vast majority of families say it is a good scheme. Is it a bit expensive? That remains to be debated. The monetary value of the scheme is a debateable issue. However, the vast majority of families think it is a fairly good scheme. I ask Senators to consider what I said in my initial remarks, namely, that 116,000 children, including 12,000 children with special needs, are transported twice a day, that 5,000 special vehicles take children with special needs and that 100 million km are covered every year.

Of course, there will be difficulties and there are routes that should be reviewed. Mention was made of a route that has not been reviewed for ten years. That is unacceptable. I have spoken to Bus Éireann consistently about reviewing routes. If a route changes or if a mountain area becomes overgrown and the road becomes impassable, that should be looked at and reviewed. We try to do that.

Sometimes we can be critical of the Department. I suppose when I was in opposition, like many of the Senators, I could be like that. However, one of the Department officials is with me. The officials are really conscientious and compassionate about every issue. There is not an issue on which they do not sit down with families or individuals to talk it through but they also are restricted by the cost of the scheme and the criteria laid down in the scheme from 1967-1968 to 2011-2012 and the concessionary review. This is the difficulty we face.

I will take on board everything Senators have said. I will not walk out of here and say I got an easy ride today, no hassle and no argument. I believe passionately in this scheme and I try to do my best every day of the week to ensure every child, eligible or otherwise, gets to school. As a parent of three daughters myself, I chose the school I wanted my daughters to attend because I thought it was the best school. If I had my way as Minister of State I would transport all children to the school which their parents wanted them to attend but that would involve an astronomical cost. If one looks at the schemes across Europe, the Irish scheme is regarded as being pretty good and pretty effective. Other countries have looked at the Irish scheme and at how it works. They continually look at how we run school transport and they are amazed at the amount of children that we transport.

I thank all the Senators for their contributions. I have written down everything. Ms McElduff from the Department is here. She is excellent. We will go through everything and we will meet all the Senators individually. They only have to contact me. They all have the office phone number. I give my guarantee that I will meet them on any individual case before the summer is out.

Sitting suspended at 1.51 p.m. and resumed at 2 p.m.

Report of Seanad Special Select Committee on the Withdrawal of the United Kingdom from the European Union: Motion

Senator Neale Richmond: I move:

That Seanad Éireann notes the Report of the Seanad Special Select Committee on the Withdrawal of the United Kingdom from the European Union entitled “Brexit: Implications and Potential Solutions”, copies of which were laid before Seanad Éireann on 30 June 2017.

I thank the Minister of State, Deputy Helen McEntee, for coming to the House today and I wish her well in her very busy new brief.

The report of the Seanad Special Committee on the Withdrawal of the United Kingdom from the European Union is the product of nearly 50 hours of public meetings with a range of important stakeholders and interest groups. Since the people of the United Kingdom made their fateful decision to vote to leave the EU just over a year ago, we have been hit by a wall of noise looking at the various impacts that Brexit will have on Ireland, the UK, the EU and the wider world. What this report seeks to do is to provide a selection of possible solutions to some of the problems that have been highlighted. The report deliberately does not prioritise or exclude certain solutions. Literally everything that was suggested by witnesses or through written statements has been included in this report. It is ultimately up to the European Commission, negotiating on behalf of all 27 remaining EU member states, to take on board what it deems feasible. As a committee, we took the decision that while some of the proposed solutions might be quite easy to implement, others might not be suitable, while it is aspects or parts of other suggested solutions that might be best placed to be used in the final agreement.

I would like to take this opportunity to highlight a few areas from the report that look at solutions that I believe are low-hanging fruit, issues where there are apparently simple solutions that will be mutually beneficial to all involved. The first of these relates to air travel. As was pointed out again by Ryanair CEO, Michael O’Leary, in the European Parliament just yesterday, it is vital that an early EU-US-UK open skies agreement is agreed. This must be done in advance of the actual Brexit in order to allow 2019 schedules to be sold into the market in 2018.

Another early agreement that can and should be sorted very quickly is a revised version of the existing tripartite agreement between Ireland, the UK and France covering the horse racing industry. It is also vital that all efforts are made to secure Ireland’s future energy requirements through the speedy completion of the proposed Celtic interconnector between Ireland and France.

While I know the suggestion met with a bit of push-back from the Central Bank, I still maintain that we need a more aggressive and co-ordinated approach to attracting financial services to Ireland from the City of London in the post-Brexit era. We need to attract as many of these jobs and companies as possible in order to offset the overall negativity of Brexit. The proactive role being played by the Central Bank of Luxembourg cannot be dismissed.

We on the committee would share the view of many that there is a deep challenge in making the Border with Northern Ireland work as smoothly as it does now. We were reassured by engagement with officials from the Department of Justice and Equality and others that while they may not be fully formed yet, there is clear scope for solutions to be found when it comes to the movement of people across the Border. How to make the movement of goods work is much harder. We know that no one wants the imposition of a customs border with all the trappings, and somehow we have to find a way to make it so. The committee looked at a number of different potential solutions, some of which may currently be seen as naive, but we would be clear

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that they all need to stay on the table, such as, for example, the UK, or at the very least Northern Ireland, remaining within the customs union or Single Market, or joining the EEA, either in the long term or the short term.

One theme that came through clearly is the level of uncertainty out there in which people and organisations are having to make decisions. The negotiators already have a very short time in which to complete their work and it is quite likely they will go to the very last minute. That is to be expected. However, it is unconscionable that people and organisations would live with this level of uncertainty for two years and then, within just weeks, have to implement radical change to their lives or to how they operate as organisations. Depending on the final solution, it seems only logical that the more radical the change, the more there would be a need for a transition period or a phasing-in period - the name does not matter, but there must be time for people to prepare properly. All sectors of the economy need to prepare. The committee believes that many of them are taking stock of their level of exposure but they also need to be helped to do that, which means appropriate supports must be put in place by the Government.

I am sure my colleagues from the committee will raise a number of key issues that arose from this report in the context of our work over the past few months. Before they do, I would like to place on the record of the House my gratitude to the committee clerk and her secretariat for all the assistance they have given to the committee over the past number of months, particularly as this was done on top of their existing work. To conclude, I would like to offer my thanks to the members of the committee and all the substitute members for the proactive and imaginative approach they took to this committee and the collegial manner adopted by all that allowed us to conclude our work with some ease.

Senator Mark Daly: I thank the Chairman for his great work on this issue. He has put in many hours of work in compiling the report and putting together the contributions of all the witnesses, which has been very beneficial to the House.

This report has highlighted issues that other committees have not been able to highlight and I want to touch on a few of those issues. One that came to our attention concerns the US airline industry. I was in the US Congress two weeks ago and found that the members of Congress have not discussed Brexit or how it affects the US. This is amazing, particularly given the position of the airline industry. US airlines use Heathrow as their hub and, of course, various EU airports such as those at Paris, Berlin and Schiphol are trying to take all that business away from Heathrow. It is a once in a lifetime opportunity for all of that industry to be moved away from Heathrow. This has a huge knock-on effect on the US in terms of the purchase of airlines and aircraft by its airline industry, but also in regard to US companies which sell not just to Britain, but to France, Spain and so on, products that are then sent on to Britain.

The lesson in that for Ireland is that we need to utilise our contacts in the US to make sure the US puts pressure on Britain to seek to make sure the *status quo* will be accepted, as best as can be arranged. What Britain is looking for, which is ironic in itself, is to make Brexit a success. This is diametrically opposed to the view in Europe, where the EU has to make sure Brexit is not a success because, if it is a success for Britain, then other members of the EU might say, "It worked so well for Britain, why do we not leave too?" I believe Britain will learn very quickly that Brexit is not going to be a success. In fact, the EU is going to make sure it is a failure. However, we have to utilise our connections in the US to inform the Americans not only about the effects of Brexit on Ireland, including the peace process and the Good Friday Agreement, but also about the overall effects Brexit will have on the US economy in terms of its

trade with Britain, its airline industry and its follow-on trade in terms of selling to EU countries that also trade with Britain.

The airline industry aspect is curious because, obviously, Ireland is one of the three issues that have to be resolved or advanced before there is any talk of a trade deal between Britain and the EU. The airline link between London and Dublin is the second busiest route between capital cities in the world, second only to the Taipei-Beijing route. Therefore, the open skies policy has to be part of that agreement, which would solve the overall European open skies policy. However, we will be left at a huge competitive disadvantage if our air bridge to London and, therefore, to the greater world is cut off or uncertain.

Second, it was amazing to see the Central Bank representatives sitting here in the House, telling us that, even though it had appointed someone 12 months previously in order to be Brexit-ready, it had no idea what other European central banks were doing in regard to Brexit. It was adamant that, because of the financial crisis, it was no longer going to be an agency trying to sell Ireland as a location for financial institutions, and it was simply going to be a regulator. It did not know what the Belgians were doing or what Luxembourg was doing. They would have known if they had bothered to telephone anyone in the insurance industry or any other banks. The next witnesses to come in told us that the Government in Luxembourg and its central bank are actively selling their country as a location for financial institutions. Our Central Bank does not only not do it, but did not know what the others were doing. It is a shocking indictment that our own Central Bank - while we are talking about financial institutions - has not changed its policy. It is not a European policy, but its own policy. It has changed the policy and needs to change it again.

On Northern Ireland, we had the Secretary General of the Department of Justice and Equality here talking about Northern Ireland and the Border. We discussed the issue of the free movement of people across the Border in the Joint Committee on the Implementation of the Good Friday Agreement. That is entirely up to Britain. It is up to Britain as to whether it puts checkpoints on its side of the Border. We do not have to and it is up to us as to whether we do. It is for the United Kingdom to decide what to do on its side of the Border. That is because Northern Ireland could be used as a backdoor into Britain and those concerned are fearful of people flying into Dublin, going to the North and then going to Britain.

The simple solution is for the UK to upscale Operation Gull. Operation Gull is a tragically racist policy whereby people getting onto aeroplanes in Derry and Belfast and the ships in Larne are profiled to see if they are likely to be non-EU nationals trying to get into Britain through the backdoor. Some 792 people have been arrested under that policy in Northern Ireland. We say that if the United Kingdom wants to secure its border, that is the place to do it. There is no point in trying to put 40,000 troops back on the Border again, such as in the Troubles. The Border could not even be sealed when lives were on the line. Now that it is an immigration issue, there is no point in stopping 40,000 people trying to go over and back across the Border to work and to school every day. Implement Operation Gull and do immigration checks between Northern Ireland and Britain, as was done between 1939 and 1952. For political reasons, the DUP says that it is not going to accept internal border checks within Northern Ireland. It is a simple solution to a practical problem but unfortunately, politics is the issue that might stop it.

I thank the clerk to the select committee and all the staff involved, and all the witnesses who came in. We agreed with some and disagreed with others. Their information and insight are valuable. The airline industry matter is something that we need to use. We need to assist our

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colleagues in the United States, and to highlight to our colleagues there that we need to work together with them to ensure that the deal that Britain gets is in our best interests as a country, and in the best interests of the United States.

I ask the Minister of State to engage with the Central Bank again and for it to stop its high-minded, holier-than-thou attitude by engaging with the City of London and financial institutions which are looking to other European countries, and to compete with the central banks in Luxembourg, Belgium and the Netherlands, which are all going out to sell their countries. Ours is doing nothing by comparison. When we look back at this in a few years' time and ask why companies did not locate in Ireland, the critical issue will be that of the Central Bank not selling Ireland as a location.

In the 1950s, Britain was unable to retain control of the Suez Canal. That was its end of empire moment. Every country under its control was then able to say that Britain was no longer a world power. Brexit is now its economic version of a Suez Canal moment. Britain is no longer an economic power. It has done itself harm by withdrawing from the biggest trading bloc the world has ever seen, and has now decided to make Brexit a success. The tragedy for us is that while Brexit will not be a success for the UK, it will do serious damage to Ireland,. However, there are things that we can do now that are within our own capability and that we should do to make sure that we take advantage of what can be taken advantage of and bring what businesses here we can and to act where it is in our capacity to take advantage of Britain's failure.

Minister of State at the Department of Foreign Affairs and Trade (Deputy Helen McEntee): I thank the members of the Seanad Special Select Committee on the Withdrawal of the United Kingdom from the European Union for their work on this report. I particularly welcome the report's focus on potential solutions and its efforts to point towards tangible outcomes. It draws on a range of views from a wide cross-section of participants and is an important contribution to the ongoing political and public debate on Brexit in Ireland. Engagement with stakeholders, including through the all-island civic dialogue, continues to form an important part of the Government's response to Brexit. In this regard, I welcome that the comprehensive document published by the Government on 2 May was taken into account by the committee during its deliberations. This document brought together the findings and outcomes of the extensive preparatory work and consultations undertaken to date by the Government at EU level and on the island of Ireland and it demonstrates how this work would be brought to bear in Ireland's approach to the negotiations. I am happy that many of the priorities and issues identified in the report resonate with the Government's approach. The Government will continue to prioritise outreach and engagement as the Brexit process proceeds and I welcome the opportunity to address this House as we approach an important period of the Brexit process.

The report notes that the committee had to complete its work within a very tight timeframe. However, this relatively short period of months also saw an acceleration of developments with regard to the process of the UK's withdrawal from the EU. In this regard, I believe it would be useful to take stock of how the Government's approach, as set out in the comprehensive document published on 2 May, has been implemented in practice and what has been achieved to date. As the House is aware, Ireland became aware earlier than most of the profound implications of Brexit for our Union, and of the unique and complex implications for Ireland. A key pillar of the Government's approach has been to share our perspective with our EU partners with a view to ensuring that our unique priorities and concerns have been heard and understood. I think there is often offence that we are only dealing with one particular issue or area, namely, our priority of engaging with our European counterparts to ensure that we were part of the set of

principles and guidelines that were outlined, but I do not think that has meant we have ignored other areas affecting our businesses, our domestic market and the international market.

During the course of well over 450 meetings at political and official level over the 12 months since the referendum in the UK, the Government has repeatedly underlined the importance of protecting the gains of the peace process and avoiding a hard Border on the island of Ireland. We have further emphasised the importance of maintaining the common travel area in the context of the Northern Ireland peace process and relations on the island of Ireland and with our neighbouring island. We have demonstrated the extent of our inter-connectedness with the British economy, with in excess of €1.2 billion in trade between the UK and Ireland each week, while 46% of all our food and animal exports go to the UK. We have highlighted the unique geographical position of Ireland, which means that many businesses are reliant on the UK as a land bridge through which they can export their goods to the rest of the EU. We have stressed that as an island, behind an island on the periphery of the EU, with one of the most open economies in the world, Brexit poses serious challenges to our connectivity, especially in transport and energy, which Senators have mentioned and which is vital for our trade and our economy. I welcome that these areas are also comprehensively addressed in the committee's report, including in its extensive chapters on the common travel area, on Northern Ireland and on key sectoral areas such as transport, energy, education and health.

I believe that this campaign of engagement has been effective and has delivered for Ireland. The EU's negotiating position incorporates the goal of protecting the Good Friday Agreement and the gains of the peace process, including the need for flexible and imaginative solutions to avoid a hard Border on the island of Ireland. It recognises the need to maintain bilateral agreements and arrangements between Ireland and the UK, including our unique common travel area. It acknowledges the need to take full account of the situation of Irish citizens residing in Northern Ireland who will continue to enjoy rights as EU citizens. It also recognises the need to address issues arising from Ireland's unique geographic situation, including the transit of goods to and from Ireland via the UK. The EU's lead negotiator, Mr. Michel Barnier, put it succinctly during his address to the joint sitting of the Houses of the Oireachtas last May. He said that "Ireland's interests will be the European Union's interests".

A further important matter raised and identified in the committee's report, which has also been reflected in the Government's approach, is the need to ensure that the UK's withdrawal from the EU would not impact on the unique constitutional status of Northern Ireland. In this regard, at the European Council on 29 April, Ireland secured the acknowledgement of its EU partners that the Good Friday Agreement expressly provides for an agreed mechanism where a united Ireland may be brought about through peaceful and democratic means, and in accordance with international law, the entire territory of such a united Ireland would thus be part of the European Union. Engagement with our EU partners will continue to be a central priority for the Government, not only in terms of promoting and protecting Ireland's interests within the context of Brexit, but also in advancing another important goal identified in the committee's report, namely, building new alliances and partnerships with our fellow remaining EU member states and countries outside the EU.

Looking beyond the negotiations themselves, it is clear our wider response to Brexit must also be set in a wider context of engaging with our EU partners as a committed member of the Union. The Government is determined that Brexit cannot and should not derail or dominate the important day-to-day business of the EU itself, which is so necessary to the security and stability of our continent and the prosperity of our citizens. The future of Ireland is very much at the

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heart of the EU and we will continue as one of 27 in our approach. This is an approach that clearly enjoys the support of the Irish people. Despite the challenges posed by Brexit, support for our membership of the EU remains exceptionally high, with the most recent survey stating it is 88%.

Over the past week, the contention by one commentator that Ireland's best interests might be served by following the UK out of the EU has drawn some attention. I note that the committee, during its deliberations, also heard from one contributor with a similar standpoint. While many might not agree with the sentiment, it is not a question of dismissing such ideas out of hand. It is extremely important to have a continuing debate about our EU membership and listen to the opinions and views of others on what it does for us as a country. However, it is clear, not least from the report we are discussing, that our continued membership of the EU must lie at the heart of our approach to Brexit.

As the complexity, challenges and consequences of Brexit have become steadily clearer in the year following the referendum, it is noteworthy that at the same time support for EU membership has increased across all member states. We have seen this in national elections. The Government's approach is delivering for Ireland but, as made abundantly clear by Michel Barnier last week, we are at the beginning of what will be an extremely lengthy and difficult process. The committee's report identifies significant challenges that face individual sectors, such as transport, aviation, energy and the environment. These issues are known to the Government, and we will continue to elaborate our understanding and response through the ongoing conversations we are having with industry and society, through engagement with our fellow EU partners, and through our internal Government analysis and co-ordination that involves all Departments and many of our agencies.

There is no doubt the implications of Brexit for our economy will be profound, and this is set out clearly in the report. The Government's position has been clear and consistent. We want to see the closest possible future relationship between the EU and the UK, including on trade. This objective is shared by the EU and the UK. However, it will take some time to conclude such an agreement and it is for this reason Ireland supports the need for an effective transitional arrangement that bridges the gap between a withdrawal agreement and a future relationship agreement, which is different to what Senator Richmond discussed, but as we move into phase 2 we will begin to discuss many of the issues raised by Senators. It is important that once the issues are addressed there is a smooth transitional period.

One of the EU's core objectives in these negotiations is to prevent legal vacuums on the day the UK leaves the EU and to address, as far as possible, uncertainties for our citizens and our businesses. Transitional arrangements will be vital to achieving this, especially for sectors such as aviation, financial services, health, energy and agriculture. Therefore, I welcome the select committee's findings and conclusions in this respect. While the Government will work hard with EU partners to achieve a close partnership with the UK, supported by robust transitional arrangements, we also need to be clear that Brexit, however unwanted, will have consequences. It is a UK policy and not an Irish or EU policy. Therefore, member states and businesses must be prepared. The Irish Government has been preparing for this for some time. We have already taken important steps to prepare our economy, including in budget 2017, in the Action Plan for Jobs 2017 and in our new trade and investment strategy. We have an investment of €150 million for our agrifood industry and for additional personnel in many key organisations to work with enterprises.

Brexit will be a critical factor in our longer-term economic strategy. A new ten-year capital plan is in preparation. We are revising our Enterprise 2025 policy and we are in active discussions with the European Investment Bank for a potential increase in investment in the country. We are also exploring existing EU measures that could potentially assist Ireland in mitigating the effects of Brexit on Irish businesses and economic sectors, while also making a strong case at EU level that Ireland may require further support that responds to the fact the UK's withdrawal represents a serious disturbance to the Irish economy. In this regard, one of the most recent surveys shows only 5% of Irish businesses are actively engaging on Brexit-proofing, so it is extremely important they engage with Departments, statutory bodies and organisations. If they do not know the right questions to ask we must work with them as closely as we can to ensure they are Brexit-proofed.

These are issues that are also addressed in the select committee's report. As the Government prepares a further paper on the economic implications of Brexit, building on the recent Government strategy document released on 2 May, the proposals of the report will be a very useful contribution. While preparation at Government level to Brexit-proof our economy is extremely important, businesses, and in particular SMEs who trade with the UK, must also begin preparing. It is concerning that in a recent InterTradeIreland survey, 95% of businesses surveyed had no plan for Brexit. The Government is also seeking to support these businesses. The Government's enterprise agencies continue to work with companies, helping them to deal with Brexit, making them more competitive, diversifying market exposure, and up-skilling teams. The Government has put in place a trade and investment strategy, Ireland Connected: Trading and Investing in a Dynamic World, while Enterprise Ireland and Bord Bia have also been strengthened so they are better placed to assist food producers and exporters face the challenges of Brexit. I encourage companies to avail of the free Brexit services available from Bord Bia, Enterprise Ireland and the local enterprise offices and to start preparing for Brexit.

In terms of next steps in the Article 50 process, what is most critical in the immediate term is to ensure that the withdrawal negotiations proceed in a constructive manner that will enable sufficient progress to be made on the key issues identified for the first phase. I welcome that the negotiations formally got under way on 19 June, and that an overall structure for the first phase of talks between the EU and the UK has now been agreed. In this regard, I welcome in particular the creation of a separate high level dialogue on Ireland and Northern Ireland under the authority of the negotiation co-ordinators. It is encouraging that the resolution of these issues will be the task of the most senior officials in the negotiating teams.

It is critical this positive momentum is maintained so that progress is made as quickly as possible on the many complex issues facing the negotiators. By continuing this constructive approach, a successful outcome, in the interests of all, remains achievable. In particular, we must make progress on the priority issues of citizens' rights, the UK financial liabilities and the set of issues on Northern Ireland, including avoiding a hard border. The sooner progress is made on these issues, the sooner discussions can begin on future relationship issues, including with regard to trade and customs arrangements, as well as transitional arrangements.

The next round of negotiations will take place on 17 July, and will continue over the coming months in advance of the European Council in October where decisions will be made by the Heads of State and Government on whether sufficient progress has been made, including on Irish specific issues, and on whether the conditions exist to move to phase 2, opening parallel discussions on the future relationship issues. Over the coming months, I will support the Minister, Deputy Coveney, and the Taoiseach in their continued engagement with the process,

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with a view to securing the best possible outcome for Ireland. I welcome the continued support and engagement demonstrated by both Houses of the Oireachtas, including the valuable and detailed work of committees such as the Seanad special select committee, and I again acknowledge its report as a valuable contribution to our continued analysis and debate. I thank all of those involved for their work and I look forward to working with the committee on Brexit. We have done more than any other country and we will continue to work with all stakeholders to ensure Ireland is impacted as little as possible.

Senator Gerard P. Craughwell: The Minister of State is very welcome to the House. As I said to her at a meeting of the select committee last week, she has a tough job ahead of her. I know she is up to it and I wish her all the best. Much groundwork has been done by the Government on Brexit and as an Independent Senator I acknowledge this work. Perhaps the citizens would be well served if they were given more information. I realise little enough can be done.

When the committee was first proposed by the Independent Senators, we realised we were taking on a huge task trying to compress it into a very short period of time. With the help of the excellent officials in the Oireachtas at all levels, the committee was established quickly and it started its hearings. I compliment the Chairman, Senator Richmond, on pushing us through the various hearings in a timely fashion, ensuring we stuck as rigidly as we possibly could to the timeframe. I wish to address the plight of the parents of EU citizens living in Northern Ireland who are not entitled to dual citizenship under the Good Friday Agreement, specifically ex-patriots who went there, some of them 20 or 30 years ago, to practise as doctors or university lecturers or to open businesses there. They number approximately 100,000 people and are extremely concerned that, post-Brexit, they will be isolated as British citizens with children who have freedom of movement throughout the European Union. When representatives of the Department of Foreign Affairs and Trade attended the House, they did not see any huge difficulty in resolving that issue. I ask the Minister of State to commit to follow through on that issue. Those 100,000 people are entitled to be looked after by the State, given that their children are citizens of it.

There is much negativity concerning Brexit and probably rightly so. However, opportunities that may arise must also be considered. That will be occupying the Minister of State over the coming weeks and months. As she said, she will be considering how to minimise the impact of Brexit as much as possible. Senator Mark Daly adverted to difficulties in terms of air traffic. Dublin Airport is being developed, albeit there are some serious planning issues in that regard. There is an opportunity to make it the link between the Far East and the United States and that should be pursued with vigour. Why should that opportunity be allowed go to Schipol, Heathrow or anywhere else? It needs to be followed up on as hard as possible.

There are several deep sea ports in Ireland, in particular those in Waterford and Cork. European funding is available in that regard. The transport industry has some concerns about the length of time it will take to cross from Waterford or Cork to France but the cost of tariffs may determine the optimal route. In that regard, Members now need to consider how those ports can be developed rather than doing so in five years' time. As the Chairman of the Seanad Special Committee on the Withdrawal of the United Kingdom from the European Union, Senator Richmond, and Senator Mark Daly said, the European Investment Bank is very much on message in respect of the availability of funding for investment in anything the State needs. There is also an opportunity to develop Dundalk or Drogheda ports for North Sea traffic and that must also be considered as best it can.

There are opportunities in education which need to be considered, as I learned while leading a delegation to Berlin two weeks ago. Once Brexit has been fully triggered, Ireland will be the only English-speaking country in the European Union and there is a consequent opportunity for teacher training programmes, which were discussed during my visit to Berlin, and exchange programmes. The idea is that Irish teachers of French, German, Italian and Spanish would be able to complete part of their training in those countries and teachers of English from those countries would be able to come to Ireland and, under the Irish Teaching Council rules, do part of their training here. Exchange programmes between students could also be facilitated. The greatest deficiency in our system in a post-Brexit world is the lack of language skills in the country. The Minister of State has travelled extensively. When one goes to a place such as Finland and a 12-year-old child tells one that he or she speaks Swedish, Finnish, German, English and Russian but his or her Russian is a little rusty, one starts to think about where Ireland's system has gone wrong. The State must start investing heavily in language education. That can be done in a partnership agreement. Other countries in the European Union are amenable to that.

There are a couple of issues of particular concern in the area of European trade. The British Government is doing what it does very well, which is prodding to see where it can find a crack. The recent announcement in regard to fisheries was a deliberate attempt to scare the horses to see if the resolve of the 27 could be broken. That is where the Minister of State and her colleagues in Europe will have to stick rigidly together. When such announcements are made by Westminster they will have to calm down whoever is scared by whatever issue is raised. The issue of fisheries can cause Ireland huge problems. I want a guarantee that the fisheries industry will be looked after post-Brexit. If that means European Investment Bank money is needed, given that the British Government is likely to close off 40% of our prawn or mackerel catch area, that needed to be worked on from last week and certainly not after it happens.

I will not reprise the impact Brexit will have on agriculture. We need to consider how we can diversify. Some of our agricultural output simply cannot be diversified as there is no market outside Britain and Ireland for certain agricultural products and we must therefore consider how to get such sections of the industry to change. For example, cheddar cheese has a limited market and there must be an exploration of what can be done to change that.

Post-Brexit, Europe has to be rock solid. There are a number of impediments coming down the road, one of the greatest of which is the lack of belief of citizens in the European project. The belief that people had in the 1970s when I was a young man and Ireland was entering the European Union and it sounded like a great idea has disappeared over time and the European Union has been turned into the devil incarnate and been blamed for everything that has gone wrong in every economy, whether that be in Britain, Ireland or elsewhere. Excuses have been made that the European Union imposed this, the European Commission imposed that and there is a directive on the other. Members must begin taking responsibility for what we negotiate and bring the message back to citizens. It is a tough message. I had to bring such a message to my union when I was president of the Teachers Union of Ireland and the first Lansdowne Road agreement was negotiated and thereafter I had to meet my members and explain that I had just negotiated a pay cut for them and it was the best deal I could get. Members must do the same in respect of negotiating with Europe.

It would give citizens great faith in Europe if a situation such as the cost of drugs in Ireland were addressed. I can go to Lanzarote and fill my prescription for the year at a fraction of what it would cost me in Ireland. The European project has to work across Europe.

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I will finish on this point-----

An Leas-Chathaoirleach: The Senator should do so because he is in injury time.

Senator Gerard P. Craughwell: I thank the Leas-Chathaoirleach. I ask the Minister of State that by autumn of this year there be direct communication with citizens to reassure them of where Ireland is going. I am delighted that she is in her new post and look forward to seeing her getting on and off planes across Europe and defending Ireland everywhere she goes. She will do that well. I thank her for coming to the House. I also thank the Chair of the Seanad Special Committee on the Withdrawal of the United Kingdom from the European Union, Senator Richmond, and the officials that supported it.

Senator Michelle Mulherin: I acknowledge the significant hard work of the Chairman, the clerk and secretariat of the Seanad Special Committee on the Withdrawal of the United Kingdom from the European Union. I will not mention the members because self-praise is no praise but everybody contributed and-----

Senator Gerard P. Craughwell: The Senator can mention me.

Senator Michelle Mulherin: I might mention others before Senator Craughwell. Senator Mark Daly would get a gold star for being the most consistent attendee. It was a very helpful exercise and has produced a considerable body of work and taken on board the views of the many affected sectors. There is the potential for major economic disruption to Ireland and the UK, not to mention the rest of Europe, from Brexit. However, all Members know that Ireland will be uniquely affected.

Senator Craughwell has left the Chamber. I wish to set the record straight. The genesis of the Seanad Special Committee on the Withdrawal of the United Kingdom from the European Union came from the Seanad Committee on Procedure and Privileges and was proposed by Senator Paddy Burke. Senator McDowell proposed a rolling debate on Brexit from time to time but the establishment of the committee was the suggestion of Senator Burke and it has shown what the Senate can do if it is put to work. That is aside from any suggestion in relation to reform. The Seanad has much to offer, but that has not been fully explored. The production of this report is evidence of this.

The Minister of State, Deputy McEntee, referred to an idea in Britain, that we should join the United Kingdom in leaving the European Union. We saw the manifestation of this in the British research organisation Policy Exchange which commissioned our former diplomat Mr. Ray Bassett to produce a report that refers to the big price that Ireland will have to pay, and suggests that we should leave the European Union. I would like to put a question to the Minister of State, which she might be able to answer. We see that the divorce bill the United Kingdom is being asked to pay for Brexit by the European Union is €100 billion. They are not too happy about it. Mr. Boris Johnson is on record as saying the EU can go whistle, but that is not unusual for him.

I would like to know what our divorce bill would be, and there is no mention of it, because it would cost us as much to leave the European Union as it would cost the British. That is aside from all the other issues. I know for the most part, the mainstay of opinion is that we remain in the European Union and equally the EU supports us in the difficulties that we will no doubt encounter in the process. We have already experienced difficulties in the mushroom sector, with the fall in the price of sterling and how that has impacted on agricultural exports. That is

just the tip of the iceberg.

Does anybody have any idea of the price tag if we were to leave the European Union? Some simplistic ideas are being thrown forward, but let us face the fact that the Brits do not know what they are doing but want us to join them. That would be a case of the blind leading the blind, and it would be blind to join the United Kingdom at this stage.

I would like to refer to the Government's approach as outlined in the report. A number of recommendations in the report that apply to all sectors is a recognition that small and medium enterprises and agrifood trading companies will be impacted upon and that they will need financial and other supports to help them find new markets, to diversify their offering and to negotiate the rules around customs. I know from the evidence of the haulage companies that there could potentially be an additional charge of €100 on the cost of transporting each load of goods. One of the proposals put forward to address this is that we would seek a derogation from state aid rules, so that we could support businesses. Without doubt, there will be a fracturing of the Single Market. We will experience extraordinary circumstances and I think we need an extraordinary response.

We saw the setting up of a temporary framework during the banking crisis to address issues arising from that crisis. This can present itself as a crisis, notwithstanding all the very good efforts that are being made, which I wish to acknowledge.

I have two further points, the first of which is the issue of connectivity infrastructure. I know there has been consultation by the Minister for Finance and Public Expenditure and Reform, Deputy Paschal Donohoe, on the mid-term capital review. We will need more fiscal space to invest in connectivity infrastructure. I mentioned Ireland West Airport Knock a number of times and we need to invest also in ports and roads that badly need to be improved. We will be more peripheral than ever with the United Kingdom leaving the European Union. We need that sort of support and we need the support of our European Union neighbours.

We know we are constrained in the availability of fiscal space because we have major debts but nonetheless we have to take certain actions to try to assist businesses and the State in navigating these stormy waters. Is there a plan to seek a derogation from the stability support mechanism and the fiscal rules that are confining and to which we are adhering? We have been playing our part.

Will the Minister of State outline the strategic plan? I know a couple of the recommendations would take quite a while to get through. Are we going to do that? Is that part of our plan of action?

An Leas-Chathaoirleach: I call Senator Niall Ó Donnghaile. The Senator has eight minutes.

Senator Niall Ó Donnghaile: Gabhaim buíochas leis an Aire Stáit as a bheith linn don díospóireacht thar a bheith tábhachtach agus suntasach seo a bheas againn faoi tuairisc an choiste speisialta den Seanad.

I thank the Minister of State, Deputy McEntee, for joining us for this important discussion.

I wish to take the opportunity at the start to thank the Leader for allotting time for this debate. It is critically important that we bring this important debate to the floor of the Chamber

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because under the guidance and leadership of our Chairman, as other members have said, we have put in a significant body of work in order to put the report together. I want to add to the words of thanks to Senator Neale Richmond, to the committee clerk and secretariat and to all the people who shared their very different views and experiences during the course of the committee's work.

I do not wish to rehash what has been said already. I say that respectfully. The opening statement says it all, namely, that Brexit is bad for Ireland. I do not say that to be overly simplistic but I say it because I think it encompasses the reality that has been forced upon us against our will. None on the island of Ireland has consented to Brexit and the negative implications that will result from it. None has consented to an alteration of the constitutional status or indeed very important agreements, as outlined in the report, which were voted on in a referendum and endorsed by people North and South.

In the midst of the economic, agricultural and societal difficulties, one has a very clear overt political threat hanging over the island of Ireland. It is unilateral and has been forced upon us against our will. What we need to hear is the understandable and right economic responses to Brexit, and we also need to have a very open and sincere conversation about how we will offset the real and overt political threats facing us in the time ahead. Senator Craughwell mentioned the threat from the status of non-EU migrant citizens, who are living in the North. I raised this under a Commencement matter with the Minister for Justice and Equality, who has responsibility for citizenship issues and while I respect the Minister's position and will engage with him positively in the future, I was not particularly encouraged by the response that I received on how we offset this particular negative on those people who wish to avail of Irish citizenship but because of a small anomaly they are not entitled under the terms of the Good Friday Agreement which grants citizenship to people born on the island of Ireland. This situation is more pronounced along the Border communities where people may have been living for 30 plus years, have raised their families and have set up businesses, contributing to the peace and reconciliation process and who view themselves as Irish and part of Irish life. Their children attend the Gaelscoileanna, play football and hurling for the local GAA club. The normal process for them which is referred to as naturalisation can be very bureaucratic, complex and costly. While I appreciate that it may not be the Minister's specific kick in that regard, it may be something that he will factor and talk to his Government colleagues about. I think we owe those people a duty of care alongside everybody else because of the pronounced uncertainty around their status.

I have touched on the issue of the agreements which I have raised consistently. The report reflects rightly and appropriately on the issue of the Good Friday Agreement and subsequent agreements. The current Minister for Foreign Affairs and Trade was very straightforward, overt, clear and concise in his public remarks on the imaginative and creative solutions to the question of the Border at the launch of the Good Friday Agreement committee's report on Brexit, sentiments which I share.

The Minister for Foreign Affairs and Trade who has special responsibility for dealing with Brexit issues was very clear that there should be no change in the status of the Border. I do not wish to appear naive or give the impression that I do not appreciate the complexities or nuances of this issue because I do. I do not want to see any border on the island of Ireland; I would like it to be removed, but in the meantime, as a state, a Government and in the Houses of the Oireachtas, we must do everything we can to ensure there will be no change to its current status. There is an onus on the Government to stand firm on the issue and look at the examples of other countries, not least Spain, in the further Brexit negotiations. Spain is doing what is best for its

people and in its own national interests.

I share the Minister of State's desire to see the Executive re-established in the North. When the Executive was in place, the British Government was very much limited in its influence and ability to have a direct influence or say and often ignored, but there is now a different political dynamic in the North because the main unionist party champions Brexit, foolishly and recklessly. The Minister of State should be certain that the 56% who voted in the North to remain, of which I was one, look to the Irish Government to be their clear voice. They come from every walk of life, political, cultural and societal tradition and firmly look to the Irish Government. That is why there has been a huge increase in the number of Irish passport applications from some of the most staunchly loyalist communities in the North. Just across from me is the Lower Newtownards Road, the birthplace of the UVF in 1914 or 1915 and the population of which is staunchly steeped in the loyalist tradition. The post office on it ran out of Irish passport application forms in the days immediately after the Brexit vote. It says something about people who do not have the greatest affinity with Irish citizenship that they want to retain their EU citizenship and status. We have an obligation to ensure that will happen.

I appreciate everything the Minister of State has said and do not envy her in dealing with the challenges she faces in dealing with this issue. The report is a significant body of work. If it does one thing, it is that it shines a spotlight on these difficulties. I hope it will go some way to showing the Minister of State and her colleagues in government how to find solutions in stormy waters, as Senator Michelle Mulherin noted.

Senator Frances Black: I welcome the Minister of State to the Chamber to discuss the report and congratulate her on her new post. A huge amount of work and consultation went into the report and I am delighted to see it before the House. I commend Senator Neale Richmond for his work in chairing the committee and offer special thanks to the organisations and individuals who gave of their time and shared their expertise with us in the past month which was of huge help to us in our work. I also say "a special thank you" to the clerk and all of the committee staff involved.

The report is diverse, offering over 100 potential solutions across a huge number of fields. One of my key priorities was ensuring the focus would not solely be on economic issues. The very significant impact Brexit could have on trade and investment has been very well documented, as many researchers have outlined. It is very important that we be prepared, but trade is not the only issue. As I do not think matters such as environmental protection had received enough attention previously, I am delighted that they are included so strongly in the report.

I am very passionate and adamant about the need to avoid a hard border, which is vital. CSO data show that about 15,000 people cross the Border daily. We have to make sure this flow is not disrupted. We are talking about people's lives, their relationships, businesses and everything else that depends on moving from the North to the South and *vice versa* easily. We need to look at securing special status for Northern Ireland and making the need to avoid a hard border a key part of the negotiations.

It goes without saying that in all of this we have to make sure the provisions of the Good Friday Agreement will always be respected. The Agreement has been the bedrock of peace, stability and reconciliation in Northern Ireland, of which any final Brexit deal needs to be mindful.

On cross-Border co-operation, many community groups came forward to express significant

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concerns that after Brexit, regulations and protections on either side of the Border might end up out of sync. We cannot allow this to happen. It is vital that we maintain common standards and approaches across the entire island in key areas such as environmental protection, health care, education and human rights. This is particularly clear when it comes to the environment. It seems very possible that post-Brexit the United Kingdom may no longer be bound by key EU environmental directives. This has caused a great degree of uncertainty. By their nature, environmental issues transcend borders. There is a big overlap in dealing with issues such as biodiversity, waterways and air quality. We need a co-ordinated and consistent approach across the entire island which should be treated as a single bio-geographic unit in realising rivers cross borders. The British Prime Minister, Mrs. Theresa May, has said the United Kingdom will remain a “leading actor” on climate change. We have to make sure this means that there will be no slip in standards.

Similarly, an “all-island” approach must be taken to human rights protection. If the United Kingdom withdraws from the EU Charter of Fundamental Rights or the European Convention on Human Rights, we will have to ensure they are not replaced with a Bill of Rights that is watered down and less far-reaching. We cannot row back on people’s rights. Human rights protections must be equivalent on both sides of the Border, as outlined in the Good Friday Agreement which we need to maintain.

There are also significant concerns about the rights of EU citizens living in the United Kingdom, as well as of UK citizens living throughout the European Union. We have to be humane and empathetic to the people concerned and their families during the negotiations. We cannot play with people’s lives and use them as bargaining chips. I urge both sides to the negotiations to remember this and make reciprocal rights a priority.

On education, it was clear during the hearings that so many opportunities, particularly for young people, were being jeopardised by Brexit. The committee heard that students from Northern Ireland might be excluded from programmes such as Erasmus or could end up having to pay tuition fees of up to €20,000 to attend Irish universities. They may no longer be eligible for key maintenance grants from SUSI which offer vital support in assisting lower income families into higher education. These changes could affect people’s lives and opportunities hugely. As such, we need to oppose them. Similarly, we should try to maintain strong cross-Border collaboration between Ireland and the United Kingdom in the area of scientific research. To date, researchers in Ireland have won EU funding of €386 million as part of Horizon 2020, but this funding may suddenly be jeopardised post-Brexit. This is a perfect example of the projects that might be threatened by a hard Brexit. The reality is that EU funding has been vital for many community services and initiatives in the North of Ireland. We cannot let these projects just fall away once the United Kingdom leaves the European Union. This is particularly clear in the area of mental health services, an issue very close to my heart, as it is to the Minister of State’s. As it stands, the EU-funded PEACE programme has provided over €2.2 billion for cross-Border projects in the areas of education, young people, shared spaces and relationship building. It has played a hugely important role in addressing the trauma and legacy mental health issues associated with the conflict. Unless they are properly addressed, they can be long-standing and do untold damage to families and communities.

I want to highlight some specific figures which really bring home the reality of what Brexit might mean for so many. As part of the PEACE III programme 6,999 people received trauma counselling; 190,000 attended events to address sectarianism, racism and conflict resolution; 45,000 attended events aimed at directly assisting victims and survivors; 25,000 attended over

2,000 conflict resolution workshops; while almost 3,000 participated in initiatives aimed at addressing physical and non-physical barriers to deal properly with the past. Cuts in public expenditure will impact on existing high levels of debt, the rate of unemployment, poor mental health outcomes and suicide rates. It is essential that the work done in supporting and empowering victims and survivors of the conflict continue as individuals begin to address unresolved trauma.

Despite the formal end of the conflict in the North, a substantial proportion of the adult population continues to suffer the adverse mental health effects of chronic trauma exposure. It is likely that the legacy of poor mental health associated with the conflict will endure for many years if not adequately addressed.

We simply cannot have a situation where those cross-Border, community-building initiatives fall away because EU funding is withdrawn. We have to ensure that these projects are maintained.

Senator Joe O'Reilly: I welcome the Minister, Deputy McEntee, and congratulate her on a very important appointment at a crucial point in the history of our country. I wish her well in the role and I know that the Taoiseach would not have made this appointment lightly. I also thank and pay tribute to my colleague, Senator Richmond, for his chairmanship of the Special Seanad Committee on the Withdrawal of the United Kingdom from the European Union, which he carried out with great professionalism. I was proud to be one of three Fine Gael members on that committee. Along with all of the other members, we worked extremely hard. It was a good committee and the work was well done. The gravity of the issues concerned and of the impact on the country was not lost on any of us and this affected our approach to the committee and our attendance at it.

I represent the Border community of Cavan-Monaghan, which stands to be particularly adversely affected by Brexit. Every day an estimated 30,000 journeys are made between the North and the South for reasons of work, school, hospital appointments, or kinship. There are many reasons people travel up and down across the Border. Agricultural produce is sourced by processors on either side of the Border. Where I live in Bailieborough, for example, Lakeland Dairies processes milk sourced in Northern Ireland. One finds this right across the area. Pigs travel from the South to be processed in the North and *vice versa*. There is a lot of interplay and business connection across the Border, with many people travelling for business.

There is also a lot of farming across the Border. Overall, the sector most vulnerable to Brexit is agriculture because of the level of agricultural exports to the United Kingdom. That sector is so important for jobs, be they on or off the farm, and is effectively the main employer in the area. Therefore, this is a crucial debate for my area and it is crucial that we get the right outcome. There are two elements to this outcome. The first thing that is needed is the maintenance of the common travel area and all that goes with it. People need to be able to travel across the Border uninterrupted and in a normal, seamless fashion. This needs to be maintained, North and South and east and west. There is great confidence at this stage that we will achieve that, and let us hope that this confidence is well-founded. This is the first leg of the operation.

In that context, I add that one of the great achievements of this Government is that it has created in Europe an acceptance and understanding of the Irish position and a willingness to prioritise it. As a member of the main Government party, I am particularly proud of this. I recently had the privilege of leading the Irish delegation to the Council of Europe and when I met

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people from right across the continent I could recognise that there is a very high consciousness of our domestic position here. That is a great achievement and one that the Minister of State, Deputy McEntee, will no doubt build upon and maintain.

The first important element is, as I said, the maintenance of the common travel area and the seamless Border. What is also important, however, is the customs area. We need to maintain a free trade situation and avoid the imposition of customs duties. This is slightly more problematic. We need to resolve this and to preserve the unique position of Ireland, North and South and across to the UK. Let us hope that a free trade arrangement can be made between the UK and EU, much like the Norwegian model. If we do not achieve this there will have to be a relaxation of fiscal and competition rules within the EU so as to give special support right across the country, but particularly to Border areas such as my own. Areas like Cavan-Monaghan will need special support for indigenous industry and processing and so forth to be able to maintain jobs in a hard Brexit situation. Let us pray that that does not arise. If it does, however, we will need the necessary supports and relaxation of rules.

Our main objective is to maintain the *status quo* to the greatest possible degree. The shifting political sands in Britain may also help. If we do not succeed in maintaining this *status quo*, let us hope that we get support from Europe in this very important area. I am interested in hearing the opinion of the Minister of State on that specific issue of European support in the event of a hard Brexit.

Senator Paul Daly: I also welcome the Minister of State and congratulate her on her appointment. I also join in congratulating and complimenting the special committee Chairman, Senator Neale Richmond, and all of the committee members. As the Chairman mentioned at the outset, we sat through more than 50 hours of meetings. More than 99% of the dialogue was of a pessimistic and negative nature, which may have affected all of us. Very few positives were predicted by our witnesses, if any. That is very daunting and frightening. As has been mentioned here today, we inherited Brexit. It was neither our decision nor of our making, but we are the nation that stands to lose the most and is most affected by the United Kingdom's decision to leave the European Union. That applies to every single sector of society and community across the board. While there is the possibility of international banking companies coming to Ireland, as highlighted by my colleague, Senator Mark Daly, we do not seem to be acting very positively to enhance this opportunity or encourage them to come here.

Like Senator O'Reilly and others, I am most interested in the agrisector. There is no need to rehash old figures, but we export 37% of all our agrifood to the United Kingdom. That figure includes 50% of our beef, 26% of our dairy, 90% of our mushrooms and 80% of our cheddar cheese. Our report is now complete and the talking is over. Our potential and proposed solutions have been flagged in this report. The time for talk is over and it is now time for action. I hope that the action we take will be more pro-active and effective than has happened in the past. Other than the United Kingdom itself, we were the first nation to be affected by the vote of 23 June last year. As I have already stated, we export 90% of our mushrooms to the United Kingdom. In the months immediately after Brexit, we lost €7 million and 130 jobs in the export sector. No action was taken on this whatsoever. If our record to date is anything to go by then, I am not overly optimistic over how we are likely to handle Brexit when it kicks in properly.

Bord Bia has stated that the agricultural sector lost €570 million in 2017. If sterling were to hit 90 pence, and as of last night it stood at approximately 89 pence, we stand to lose €700 million a year as well as a possible 7,500 jobs. This is happening today, in the here and now,

and to be quite honest I do not see any action. Bord Bia has been allocated four additional staff and the Department of agriculture has been allocated three. These are within existing resources. Given the figures I have mentioned, this matter is not something that will kick off if and when the divorce proceedings are over. It is already happening. The agriculture sector was already in crisis before the Brexit vote in the UK. The actions that the Minister mentioned were taken in last year's budget and are proposed in the context of this year's budget in regard to the agriculture sector in particular were badly needed irrespective of Brexit. We need to take more serious action into the future. The Minister mentioned that in terms of Brexit Ireland has had more dialogue and done more than any other country, and rightly so in the sense that Ireland is the most exposed to Brexit. We have had kind words, recognition and sympathetic remarks from all contributors on the Brexit scenario but of what good will these remarks be to the people who are suffering. At the first meeting of consequence on Brexit, Spain got a veto on Gibraltar. All we got was kind words, sympathy and recognition of our uniqueness in terms of Brexit.

Senator Niall Ó Donnghaile: Hear, hear.

Senator Paul Daly: The time for talking has come to an end. What action is being taken by Government on the issues flagged by the witnesses to the committee as priorities, including State aid rules and Northern Ireland special status? What negotiation is taking place in that regard? As mentioned previously, Ireland has a tripartite agreement with France and the United Kingdom in relation to the horse racing industry. What has the Government done to ensure this will be maintained in light of the fact that this is not a matter of concern to any of the eastern European countries?

Since publication of the report, the United Kingdom has announced it will be withdrawing from the London fisheries convention. I appreciate that Ireland is one of 27 countries. I would like to hear how the negotiations with the other 26 countries are going.

With regard to fisheries, there are land-locked countries that have no interest in fisheries. What will Ireland have to give in the negotiations to get the best deal for us? How will we get the best deal possible for Ireland without that deal being seen by the remaining 26 countries as the best deal possible for the United Kingdom? In my opinion, following on from the result of the elections in the United Kingdom, the remaining 26 countries see it as being in a weak and vulnerable position and they will probably be tempted to go for the jugular and we will be the big losers. I would welcome more detail from the Minister of State on where we are in regard to Brexit. Brexit is not something that will happen at the end of divorce proceedings it is already happening and I would like to know where we stand in that regard.

Senator Pádraig Mac Lochlainn: I commend the Seanad committee on its tremendous work in terms of the number of hearings it held and in regard to the compilation of this report. I particularly welcome that the report calls for special EU status for the North of Ireland and for the Good Friday Agreement to be protected.

I would like to focus my contribution on the announcement by the British Government that it intends to withdraw from the London fisheries convention, which will be a two-year process. This was an intentionally provocative move, which is of major concern to the fishing communities around our coast. This is a wake-up call for the Irish Government in terms of how Brexit will proceed. I was surprised by this announcement in some respects, but not surprised in other respects. The election result in Britain did not endorse the desire of some within the Tory Party for a hard Brexit. As the Tory Party did not get the endorsement it wanted, I thought it would

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have had some reflection on that. On the other side, the Secretary of State, Michael Gove, MP, who made the announcement is a Brexiteer. As I said it was intentionally provocative. It is clearly part of the UK's negotiating ploy. For us, it is a reminder that we need to be steely in defending the interests of all of the Irish people.

The majority of people in the North of Ireland did not vote for Brexit. As part of the Good Friday Agreement, we insist that the status of the North of Ireland remain the same until the majority of the people of the North say otherwise. We insist on the majority dictating the future status of the North, but yet in this case we ignore and resist it. I welcome the findings of the committee and the recommendation of special status for the North, which I believe respects the wishes of the people of the North of Ireland as democratically voted for. We need to be more bolshy on this issue. If the Government had any doubt about whether soft diplomacy in terms of the British Government was not working, the announcement in regard to the London fisheries convention points to it.

Last night, at a meeting of the Joint Committee on Agriculture Food and the Marine I discussed the London fisheries convention with the Minister for Agriculture, Food and the Marine, Deputy Creed, and pointed him to the need for a review of the common fisheries policy. Of all the sectors in our economy, the fisheries and agriculture sectors are the most threatened by Brexit. We need to open up the discussion of what the UK's proposed withdrawal from the London fisheries convention means for the common fisheries policy. At that meeting senior Department officials were about to tell us the level of catch by Irish boats in UK waters, which is very substantial and worrying, but, alarmingly, they could not tell us the level of catch by the Irish fleet in Irish waters. They could not tell us the overall percentage in terms of catch from Irish waters by fleets from other members states of the EU. This is a huge issue for our coastal communities. They feel they were sacrificed in the past for what governments regarded as the greater good. They do not have confidence, in light in particular of this announcement by the British Government, that their interests will be protected.

I ask the Minister of State to give a commitment that in co-operation with her colleagues she will defend the interests of our fisheries communities around the coast and to confirm that regardless of what emerges from the Brexit process, including the UK withdrawal from the London fisheries convention, the Government will seek a better deal and a fairer deal for our fisheries communities than was secured for them in the past. I again commend the committee on its excellent work.

Senator Grace O'Sullivan: I welcome the Minister of State, Deputy McEntee, and I wish her well in her new brief. I echo Senator Mac Lochlainn's point regarding the importance of the fisheries sector in terms of Brexit. I commend and applaud Senator Richmond on the excellent job he did as Chairman of the committee. I had the pleasure of substituting for Senator Black at the last meeting and I thought his leadership was superb. Senator Richmond mentioned that this was an evolving document, which I will hold him to later.

On the London fisheries convention, Britain showed its teeth. We were all shocked. It did so on a Sunday when we least expected an announcement to be made on fisheries. The announcement sent a shockwave throughout Ireland. The issue of fisheries has not been addressed sufficiently in the report. In fact, it is not addressed at all. It is one of the many moving parts involved in Britain's withdrawal from the EU that should not be overlooked. Fisheries for Ireland within the Brexit debate centres on two core issues: continued access to British waters and securing Irish fishing quotas there. With 32% of all Irish landings occurring in British

waters fishermen are right to be concerned about whether they will have access to these stocks following Brexit.

In regard to the UK's withdrawal from the London fisheries convention, we do not yet know the extent and scope of the framework with which the UK will replace the EU common fisheries policy. The concerns of fishermen are real. In the case of mackerel, 59% of our total quota in 2015 was taken from outside the EU's exclusive economic zone, EEZ. While fisheries has a unique set of Brexit challenges on access and quotas, it still faces overlapping issues as outlined in this report, including trade to Britain, the second largest EU destination for Irish sea food. These and other issues were raised at the meeting with the Minister yesterday. The Minister was present at the meeting to hear the concerns of fishing communities, but following the UK announcement two weeks ago we seriously need to consider making an addendum to the report to address specifically the issues of fisheries and Brexit. I call on Senator Richmond to consider facilitating this move.

Another issue of concern for myself, my group, Civil Engagement, and my party, the Green Party, is the area of environmental protection. I am very grateful to my colleague, Senator Black, for her work to ensure the inclusion of this issue in the report. The worst-case scenario for the island of Ireland and the UK would be to see the United Kingdom begin a race to the bottom on environmental protection. Greens on either side of the Border will work tirelessly to ensure that this does not happen and that the fruitful co-operation that has resulted from the Good Friday Agreement will continue.

Senator Richmond said it is an evolving document. As such, I would appreciate if the issue of fisheries were considered as well as fishing communities and the impact of Brexit on their livelihood.

Senator Jerry Buttimer: I welcome the Minister of State at the Department of Foreign Affairs and Trade, Deputy McEntee, to the House. I wish her every success in her new job and role. It is an important position that she now occupies and I know she is very much committed to it. I know from talking to members of the EPP last week in Minsk that they are very impressed with the way she has handled her brief. I commend the Minister of State in that regard.

I wish to pay tribute to all members of the Brexit committee. They took on their role responsibly and participated diligently in the process. The report is testimony to the work they did on a cross-party basis. I thank the members of the committee for their work and endeavour. As Leader of the House, I wish to acknowledge and compliment Senator Neale Richmond on his stewardship of the committee. It is easy to put together a committee. The difficult task is to compile a report and ensure that the basic rudimentary aspects of a committee are acted on in terms of due process, fair hearing, an extensive witness list and an outcome that all people can live with. Senator Richmond has done that and I commend him for it.

From watching and observing the Brexit committee and from reading the report, I gathered a sense of the extraordinary interaction and engagement, wide consultation and the willingness of so many who wanted to participate. This is a significant step for us as a Parliament in shining a light, as all Members have said, on the potential consequences and ongoing consequences of Brexit. It is important to build on the sectoral committee work that is being done.

As Senator O'Sullivan said in her speech, the committee and report are evolving in nature and perhaps we should not simply shelve the Brexit committee in its entirety, even though its

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terms of reference have expired in terms of its work. On a different day perhaps we can look at how we can use the model that we employ in this case on Europe with a view to ensuring that the House can hold future debates on Council meetings. There are reports in the Dáil on this matter. As Leader of the House, I am very much of the view that we should have regular contact with the Minister of State and An Taoiseach regarding the issue of Europe. Certainly, we need to look at the debate on the future of Europe and the issue of EU scrutiny. In the past when I was Chairman of the Joint Committee on Health, EU scrutiny was part of our remit. As part of the new Government, the new Minister of State might look at how we can change that interaction. I wish to pay tribute to the former Minister of State at the Department of Foreign Affairs, Deputy Dara Murphy, who did extensive work before the change of Ministers of State. I thank him for his work in Europe as well.

The Government is very much committed to the consideration of Ireland and its unique position. That is evidenced by the outcome of the 29 April declaration in respect of the ongoing commitment of Government. We need to put that in perspective.

Many Senators made observations and remarks on agriculture, tourism and fisheries. The Government has been very proactive in these areas. We should also pay tribute to the Iar-Taoiseach for the way in which he travelled across the continent of Europe pursuing the Irish question and impressing the need for Ireland to be recognised with especial status as well as for his work to ensure the acceptance and understanding of the Irish position.

It is critical that we do not simply park Brexit now, but that we continue to shine a light across the continent of Europe. We need to ensure an awareness and understanding of the unique position of the island of Ireland. Central to this is the protection of the Good Friday Agreement and the peace process. We have had extensive discussion on that already today. It is critical that we inform rather than assume and that we go out, as we have done in recent months, to push hard across Europe. I have listened to the Members on the potential consequences and they have been articulated. However, to say that Government has not been engaged or involved is wrong. There have been some 450 plus meetings across Europe, extensive consultation and a declaration recognising the importance of Ireland. The EU Council, EU Heads of State and Council of Ministers were not simply drinking coffee and thinking that Ireland was a great place or whatever. They were told. They were listened to and cajoled by the Iar-Taoiseach, Deputy Kenny, the Minister of State, Deputy McEntee, and the Taoiseach. We must continue to do that. We must continue our charm offensive across Europe and build on the capital earned and delivered by Deputy Enda Kenny.

Fine Gael has always been as a member of the European People's Party and has been a party of Europe. We have stood in the centre of Europe, fighting for our country and its interests. We will not be found wanting. I am confident that the Minister of State will play a key role in that regard. I wish her well. Mar fhocal scoir, déanaim comhghairdeas le gach ball den choiste as ucht a chuid oibre. Tá an tuarascáil seo ar fheabhas ar fad.

Senator Kieran O'Donnell: This is the first opportunity for the Minister of State, Deputy McEntee, to come before the Seanad. I congratulate her on her post.

I commend Senator Richmond and all his colleagues on a comprehensive report. It is wide-ranging and cross-party and it is the way a report should be. The implications for Brexit are significant. We have the unusual situation at the moment whereby if a vote took place in the UK, then, more than likely, Brexit would be turned down. We have a situation whereby people

are not fully aware of the consequences. It is a little like an old mainframe computer with 1,000 wires coming out of it. No one actually knows what is going to happen. We have to prepare for all eventualities. I hope that reason will prevail in the UK and that the people in the UK would be allowed to express another view on Brexit. Brexit was turned down for a variety of reasons. People in the UK did it for their own reasons. However, I believe that on balance there is a belief that the majority in the UK now believe Brexit will not be in their interests.

There is a danger that we are looking to reinvent the wheel and that several years from now we suddenly find that the wheel will be a different brand but still the same wheel. We have an unusual situation in the UK politically at the moment. Let us work through all the areas, including trade, the common travel area, health education and energy. The implications are astounding. The EU is negotiating on our behalf with the UK and there is a long lead-in period in terms of getting to a point of formal negotiations. What I would like to see is that there might be some level of responsibility among the political classes within the UK to allow the people, if they wished to have another say on the matter, to be granted that.

Senator James Reilly: I thank the Seanad committee and its Chair, Senator Richmond, for all the work it has done on this issue.

Echoing what Senator Buttimer had to say, the Government has done a considerable amount of work on this issue. Lest Senator Paul Daly be under any illusion otherwise, it is reflected in the communications from both Europe regarding Brexit and the letter from the British Prime Minister, Theresa May, to Europe on her plans for leaving the EU in terms of the special mention of Ireland and the special relationship, and the special difficulties that this creates for this island and for our Republic as well.

We know the big issues include agriculture, agribusiness, tourism and many other challenges, as my colleague, Senator Kieran O'Donnell, has just pointed out. However, there are opportunities. One of those opportunities that immediately springs to mind, and was in the newspapers today, is the European Medicines Agency. I see our colleagues in Holland are making their play for this agency. To my mind, we are a natural fit for this agency. We are the only remaining English-speaking country, if one excludes Malta, in the EU. We have a long history and a well-respected Irish medicines agency, now called the Health Products Regulatory Authority, HPRA. On top of that, we have a well-educated young population and we have two sites on offer where it could be located. The one which I would obviously have a preference for is at Dublin Airport where we already have planning permission for four large office blocks, each capable of housing 1,000 workers. Clearly, it has the connectivity to the rest of Europe and the United States with over 100 flights a week in that direction. It also has considerable connectivity nationally because of the motorway network.

Obviously, for those who would be leaving the UK and looking forward to settling in a new home, this location would provide an easy place to move to and, with the early morning flights and connectivity to so many different airports in Britain, allow them to remain and not have to move their families move for some time until they can meet the necessary arrangements. We have the educational facilities. We have excellent universities, such as DCU, UCD, RCSI and Trinity, and many other facilities around Fingal and the Dublin area which would be very attractive. I could not let the opportunity pass today when we are discussing Brexit without mentioning this, as I saw that report today.

On a broader note, we have had many meetings on Brexit at the Joint Committee on Jobs,

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Enterprise and Innovation. We invited in all the various stakeholders, as did the Seanad. I was here at some of the meetings in the Seanad as well.

There clearly are challenges. The Government is alive and alert to them. It has done a significant amount of preparatory work but we can never be sure what the future holds. Therefore, we must remain alert and that is what the Government is doing.

I commend my colleagues on the Seanad committee. I welcome the Minister of State, Deputy McEntee, to the Seanad in her new role and wish her well. It is a serious challenge ahead, but one that I am convinced she is more than equal to.

I believe that we do not take anything for granted. We must be alert to the problems and the challenges coming, but that focus must never remove our vision for the opportunities that will come our way.

An Cathaoirleach: Senator Richmond has three minutes to respond.

Senator Neale Richmond: I will attempt to get everything in in the three minutes but the Cathaoirleach will forgive me if I go a minute or two over.

I thank the Minister of State, Deputy McEntee, for her engaging address to the Seanad. I also thank the other members of the committee and other Senators present for their kind words which are embarrassing and unnecessary. I commend the entire committee membership and substitutes for their proactive approach to this body of work over the past few months.

As regards a few of the specific issues that were raised, I just have to make a small point. Senator Paul Daly will forgive me. To pick up on the issue of mushrooms, it is worth noting that the Government has made available €150 million worth of low-interest loans to the industry. Some €2.6 million has been provided to Bord Bia to allow for market diversification and a €5.4 million capital investment has been made by the Government in horticulture, particularly regarding the mushroom industry.

It is a little unhelpful to compare the situation of Spain, Gibraltar and the UK with the Good Friday Agreement, which is an internationally binding legal agreement. We spent a great deal of time rightly focusing on this document and it is the cornerstone of Anglo-Irish relations going forward. Something on which we must reflect is that there is a reason it is in the top three issues for both the UK and the EU going into the negotiation process.

I welcome the forthright response of the Minister for Agriculture, Food and the Marine, Deputy Creed, to the disappointing announcement by the British Minister, Mr. Gove, on the UK's decision to withdraw from the 1964 London Agreement on fisheries. I suppose that opens up a wider issue on fisheries but also Anglo-Irish relations in general in the future. We find ourselves in a unique situation. Ireland is obviously, as Senator Paul Daly stated, the most affected of the member states, including the UK, by Brexit. The further east one goes, the less Brexit becomes an issue and it becomes all about Russia, the migrant crisis or the refugee crisis. We are in that unique position that we can institutionally lean on and discuss with the UK where other member states cannot, through the British-Irish Ministerial Council and the British-Irish Parliamentary Assembly. I would call on the Minister of State, as we mentioned in the report, to take back to the Government that these meetings need to become more regularised and more formalised. Prior to 1973, British and Irish diplomats, officials and Ministers met sporadically. Now they meet at least once a month at the European Council or Council of Ministers. We need

to see the British-Irish Ministerial Council meeting once a month. We need to see the British-Irish Parliamentary Assembly meeting more often and we need to see greater interaction between parliamentarians from Westminster, the Oireachtas and all the devolved Administrations.

I suppose a disappointing aspect is that the committee is being disbanded. It is being stood down. The document has been laid before the House. However, that cannot stop the discussion about Brexit in this House or in the wider Oireachtas in the future. I call on the Minister of State to make it her business after the recess to commit to coming back to the Seanad to take statements on each European Council and to take regular updates on the negotiating process. That is something we would all welcome. We are not all members of the Joint Committee on European Union Affairs, the Joint Committee on the Implementation of the Good Friday Agreement or the Joint Committee on Foreign Affairs and Trade, and Defence. We can use this Chamber for its rightful purpose.

Senator Mulherin mentioned a potential Irish exit and what the cost might be. The up-front cost might be, I suppose, €10 billion compared with the bill that has been issued of €100 billion to the UK but the cost is far greater for a smaller county than just the initial divorce bill. The cost is our membership of the European Union which gives us access to the wider world. It allows us, a small peripheral island country, to be part of one of the largest economic trading blocs in the world. It allows us to be powerful. It allows us a seat at the top table, at the G20 and at the G8. It allows us to be able to look to entities such as Germany, France, Spain and Poland, saying they are our equals.

One of the phrases the Minister of State used is that Ireland is often seen as “an island, behind an island”. It is a phrase that absolutely cuts the marrow because that is one of the exact phrases used by the then EEC to dismiss the original Irish application to join the ECC in the early 1960s. Ireland could never be considered for joining the European project initially because the UK did not want to. Now we are at a point where the UK, for whatever reasons, has made the decision to leave the greatest peace project in the history of humanity. We are no longer an island behind an island. We are an established equal member of the European Union. Our future is at the heart of that Union and we must commit to that Union in the strongest manner possible, consistently engaging with other member states and consistently engaging with the wider world and, indeed, the United Kingdom, as part of that Union.

I commend this report to the House. I thank the Cathaoirleach for his indulgence and I wish the Minister of State and the entire Government all the very best over the coming weeks.

Question put and agreed to.

Sitting suspended at 3.40 p.m. and resumed at 4 p.m.

Autism Spectrum Disorder Bill 2017: Committee and Remaining Stages

Sections 1 and 2 agreed to.

SECTION 3

Acting Chairman (Senator John O'Mahony): Amendments Nos. 1 to 4, inclusive, are related and may be discussed together.

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Senator James Reilly: I move amendment No. 1:

In page 4, line 33, to delete “team of medical professionals comprising” and substitute “cross-functional team of medical professionals comprising for example”.

I have tabled amendment No. 1 to make it very clear the list of professionals to be involved is not exclusive. I hope Members will agree to making it as inclusive as possible, depending on the circumstances of the individual involved.

Amendment No. 2 proposes to delete lines 3 and 4 on page 5 and substitute the following:

- (v) a behavioural therapist,
- (vi) where indicated, a social worker, and
- (vii) other professionals as may be deemed appropriate...

Again it is to ensure we would have a provision that would be as inclusive as possible, given the circumstances of any individual involved and the different professionals involved. There may also be others who may be involved.

Amendment No. 3 proposed to delete on line 7 on page 5 the word “annual” and substitute “at least annually”. In some ways, it is self-explanatory because it is very clear that in certain circumstances people will need to be reviewed more frequently than annually. The inclusion of the phrase “at least annually” would make sure there would be an annual review. In many circumstances they might be a need for more frequent reviews, but I did not want the amendment to be misconstrued in any way.

Amendment No. 4 proposes to delete on line 21 on page 5 the words “of care”. This is important because, on reflection and in discussions with the Department, we were concerned that it would only be seen as a care issue and that other issues such as employment, housing, transport and so on would not be included. We want a clear pathway for the person who looks at all issues in terms of his or her ability to lead as independent a life as possible.

I hope Members, as well as the Minister, can agree to include the amendments in the Bill.

Senator Keith Swanick: As a medic, I am delighted to wholeheartedly support the Bill. It is good, pragmatic, solution-driven and concise. The Fianna Fail Party is happy to see it proceed through the respective Stages as it provides for a cross-departmental, multi-agency strategy. We are happy to support the principles behind an autism spectrum disorder strategy which seeks to address the specific needs of people with autism using a cross-departmental approach.

During the debate on Second Stage Senator James Reilly said - I wholeheartedly agree with him - that while we had excellent medical experts, as well as allied experts in speech and language and behaviour therapy and other areas, the experts on a child were his or her parents. In my own practice on many occasions I have seen parents who are so frustrated because they know what their child requires, but often he or she never receives a service. They are the ones who spend every waking moment with their child and know what he or she excels at and with what he or she may need help. They are crying out for assistance, whether it be in the area of education, health or welfare, to give their son or daughter a greater quality of life which is what it is all about at the end of the day. We are here to improve the quality of life of children who suffer from autism.

A national review of autism services was undertaken by the HSE in 2012. It concluded:

Geographically, current services can vary from robust, comprehensive and integrated to isolated, patchy and ineffective. This model is no longer appropriate or sustainable in providing equity of access and intervention.

“Isolated”, “patchy” and “ineffective” are the terms with which I would be most familiar when speaking to parents. Across Ireland there are different models and approaches to the provision of health services in local health office, LHO, and HSE areas, but this is no longer appropriate or sustainable in providing for equity of access and intervention. There is no joined-up thinking, but I hope there will be after the passage of the Bill which offers an integrated approach to meeting the needs of people with an autism spectrum disorder, as well as generic health needs, which can be met at primary care level and which should be addressed by primary care teams. I am delighted with Senator James Reilly’s amendment No. 2 which would be very inclusive of all of the agencies and experts involved. Where specialist knowledge, skills and expertise are required, a child should be referred to specialist services, including in education. A strategy that cuts across all Departments and acknowledges that every Department has a role to play will ensure a more streamlined approach is adopted.

In summary, we are very happy with the Bill and I commend Senator James Reilly for bringing it before the House. I am delighted that it is receiving cross-party support.

I take the opportunity to welcome to the Visitors Gallery a delegation, all good friends of mine, from Doohoma, County Mayo.

Acting Chairman (Senator John O’Mahony): I also welcome the Senator’s friends from Doohoma. I know that part of the country.

Senator Máire Devine: I welcome Senator Reilly’s Bill. Hopefully, it will go through smoothly today. Senators may be aware that the Seanad has been holding public consultations on Thursdays with all stakeholders in the area of child mental health. We hear harrowing stories from parents and also stories that are not so harrowing - but maybe they are glossed over by the HSE. We know the state of the child and adolescent mental health services, CAMHS, in the country and we will be compiling a report. Today’s session was dedicated to those parents who did not feel that they could go public. One of the very powerful testimonies was from a parent with a child who was also diagnosed on the autism spectrum. To marry the two is extremely difficult; they are worlds apart. Nobody will touch the case in mental health and no-one will touch it in the autism area because both areas are not integrated and they fall through the cracks. The report will be out in the autumn and hopefully we will be able to discuss it in a lot more detail then. It will be quite revealing and it is informed by the parents on the ground. With their experience it is they we take as the experts and we take their lead.

I wanted to ask Senator Reilly about amendments Nos. 1 and 5.

Acting Chairman (Senator John O’Mahony): Amendment No. 5 comes later. We are discussing amendments Nos. 1 to 4, inclusive.

Senator Máire Devine: On amendment No. 1, there is a minimum requirement of medical professionals that must be present for individual assessments. Is there a minimum requirement in the context of the amendment? Amendment No. 2 allows for the widening of the scope of professionals as may be deemed appropriate. This is a welcome provision. I would ask for

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clarity on amendment No. 1 because I have a slight concern that inclusion of the words “for example” leads to the discretion being open to going the other way, which could result in assessments being conducted without a representation of a full team of professionals. Perhaps Senator Reilly could clarify if this is an aspect of the legislation for which amendment No. 1 refers, in the context of it being a requirement or a suggestion? I am concerned that the amendment of inclusion of “for example” would indicate that it is, indeed, a suggestion only. That might weaken the legislation. Perhaps the Senator could put my mind at ease.

Senator Grace O’Sullivan: I apologise that I was late arriving to this meeting. I commend Senator Reilly’s Bill. The Green Party very much supports the Bill. I have nothing to add other than full support. As Senator Reilly knows, my own daughter who is 26 is on the autism spectrum. She was born in the Netherlands where we got great support and great services. This Bill is going quite some way in achieving that and in giving supports and rights to people with autism. I very much commend the Bill.

Minister for Health (Deputy Simon Harris): I welcome these amendments. I thank Senator Reilly and all the parties in the Seanad for their support for this important legislation. With regard to Senator Devine’s point, while the Bill outlines where we wish to see the strategy go, it is important that it does not try to become the strategy. In fairness, just like the Seanad has been doing through its public consultation around mental health, as Senator Devine has said, the idea of this Bill is to enable and ensure the development of a strategy. As we put the strategy together, it is very important that we will not have been overly prescriptive in the primary legislation in order to enable the voices of the parent and the child or adult with autism to be heard on what they need to happen. I am conscious, in putting together this important legislation, that we have not yet reached the part where their voices are heard. The amendments are balanced and fair in that regard, in making sure there are no unintended consequences by leaving somebody out or by having the Bill misread. At the same time they need to leave enough flexibility for the strategy to actually evolve as we engage with the community.

Senator James Reilly: I thank the Senators for their comments and their support. I will answer the question on amendment No. 1 and the term “team of medical professionals comprising” being changed to “cross-functional team of medical professionals comprising for example”. There are extra words in there. The term “cross-functional” would be much more inclusive of many other people who might have a role to play. “For example” makes sure that it is not exclusive. That was purposely done under legal advice to make sure those concerned would have available to them the full number of professionals and paraprofessionals required to input into the his or her care and pathway of care for the future. There is no intention at all to dilute that down.

It is important to re-emphasise what the Minister has just said. This is about putting into law a Bill that would demand an implementation plan for a national strategy. It is not going to design the strategy itself. That would be pre-emptive. We want people and all stakeholders to come together and have a say in this, especially families and those with autism who are able to speak for themselves, although we know that some are not able to. I thank Senator Devine for her support and I reassure her that this amendment is to improve the Bill and to improve the latitude available within the national implementation strategy rather than to curtail it in any way or to dilute it.

Acting Chairman (Senator John O’Mahony): Does Senator Devine wish to come back in?

Senator Máire Devine: No, but I thank Senator Reilly for the clarity.

Amendment agreed to.

Senator James Reilly: I move amendment No. 2:

In page 5, to delete lines 3 and 4 and substitute the following:

“(v) a behavioural therapist,

(vi) where indicated, a social worker, and

(vii) other professionals as may be deemed appropriate.”.

Amendment agreed to.

Senator James Reilly: I move amendment No. 3:

In page 5, line 7, to delete “annual” and substitute “at least annually”.

Amendment agreed to.

Senator James Reilly: I move amendment No. 4:

In page 5, line 21, to delete “of care”.

Amendment agreed to.

Acting Chairman (Senator John O’Mahony): Amendments Nos. 5 and 6 are related and may be discussed together. Is that agreed? Agreed.

Senator James Reilly: I move amendment No. 5:

In page 6, between lines 1 and 2, to insert the following:

“(3) The Autism Spectrum Disorder Strategy shall include a costed implementation plan which may be incremental.”.

The inclusion of “costed implementation plan” makes it much more real and more palpable to people that this will be done and that it will be properly costed. It does not necessarily imply that there will be increased costs. There may be increased costs - who is to say? - because within a budget of €13 billion or €14 billion into the future there is plenty of latitude for movement and for reorganisation. The reason we say that it may be incremental is to allow it to be implemented as quickly as possible and allow for more money to be put into it if that need becomes apparent as the strategy is implemented.

Amendment No. 6 states:

In page 6, line 4, after “Strategy” to insert “, in consultation with other relevant Government Departments”.

This is for clarity and to emphasise that this is not a Department of Health issue alone. This goes right across Government. If we are to have any chance of success the Departments covering education, transport, housing, the environment must be involved and consulted. Virtually anything one cares to mention is going to be impacted because people with autism, no more

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than the ordinary citizen, are in all walks of life, in all parts of the country in all sorts of geographical settings. Their needs in this area must be addressed. No Department will be without responsibility here, but if everybody is responsible then nobody is responsible. This is why the Minister for Health will be responsible. The purpose of amendment No. 6 is to emphasise the fact that all the Departments will have an obligation to consult and support the Minister.

Senator Keith Swanick: With regard to the cost of the implementation plan, I see from the notes that the strategy would be published at least every three years. Would it be the Senator's wish and intention to have this as an annual publication to keep both Houses up to date with progress?

Senator James Reilly: There is nothing to stop the Minister from giving an annual report. There is nothing to stop anyone from the floor of either House seeking an annual report or an update. I did think long and hard about not putting that provision in, but having had the experience of being a Minister I wanted to avoid three of the 12 months being taken up by the Department in the preparation of a report for the end of the year. I want it to be implementing this and delivering service to people. There are parents in the Visitors Gallery. Senators who are parents, including me, and the Minister, who has personal experience in this area, realise we need to put the services in place and focus on that. We require coherent, organised services that deliver for those with autism and that enable their families to support them in reaching their maximum potential and becoming as independent as possible. I thank the Senator and understand the sentiment completely.

Senator Máire Devine: Amendment No. 5 is the most important and the success of the legislation depends on it. The cost of implementing it must be fully met by an increase in the overall budget for disability services. One cannot stretch the budget; it is already in crisis. I urge the Minister, Deputy Harris, to use the detailed legislation and plan for autism care to argue for the increase in funding for disability services overall.

The proposed section 5(4) states the Minister shall, not more than three years after the publication of the first strategy, prepare and cause to be published on the Internet a report that details progress made by each Department in contributing to the implementation of the strategy. That is very welcome. It is holding Departments to account and probably giving them a little push towards beginning to think about implementation in the areas in which they are involved, such as transport, education and housing, and on which action needs to be taken.

Amendment agreed to.

Section 3, as amended, agreed to.

SECTION 4

Senator James Reilly: I move amendment No. 6:

In page 6, line 4, after "Strategy" to insert ", in consultation with other relevant Government Departments".

Amendment agreed to.

Section 4, as amended, agreed to.

Sections 5 to 10, inclusive, agreed to.

Title agreed to.

Bill reported with amendments and received for final consideration.

Question proposed: “That the Bill do now pass.”

Minister for Health (Deputy Simon Harris): I am very pleased to be back here in the Seanad today. I thank the Acting Chairman for the opportunity to speak on this Bill, which deals with how we, as legislators, set about meeting the needs of those with autism. I join colleagues in the Oireachtas in thanking Senator James Reilly for his work and for his interest over a long period in this very important matter. I have been campaigning for a national autism strategy since the age of 15 or so. The Oireachtas and I, as Minister, now have an opportunity to make this a reality. We all share a common desire to have the best possible policies and services for all children, adolescents and adults with disabilities across this country. Both personally and as Minister for Health, I want everybody with a disability, including those with autism spectrum disorder to have access to the necessary supports to enable them to achieve their full potential and maximise their independence and live a rich and fulfilling life. It is easy to say those words but there is a lot of work we need to do as a country to make sure they are meaningful in the lives of so many individuals and their families across this country.

When we debated the Second Stage of this Bill in May, I highlighted the aspects that would need to be addressed in a considered fashion and with input across a number of other Departments. I am pleased to hear all Senators saying that. It is not just a health issue or an issue for the Department of Health. Since there was a short timeframe for the Bill proceeding to Committee Stage – I understand why – it has not yet been possible for proper consideration to be given to a number of areas across several Departments involved, and the appropriate legal input from the Office of the Attorney General. We have an opportunity, as this legislation moves to the other House, to have an input from other Departments.

In recent years, national policy has moved to focus on the services to be delivered to support the needs of the individual rather than the provision of services based on a specific disability diagnosis. The national strategies on disability, such as the forthcoming national disability inclusion strategy and the comprehensive employment strategy, have been led by the Department of Justice and Equality. This reflects the shift away from viewing people with a disability as a patient or solely the responsibility of the health services towards mainstreaming supports and services into communities and wider society.

The national disability inclusion strategy, which will be published this Friday, will take a whole-of-Government approach to improving the lives of people with disabilities. The strategy is envisaged as a “living document”. Its implementation will be supported by independent analysis and advice from the National Disability Authority, and also by periodic review and oversight by the Cabinet committee on social policy. This model of measured, well-thought-out strategy formulation ensures that the policy will fulfil all its objectives in an efficient and costed way.

I am very supportive of the overarching objective of this Bill, the preparation of a cross-Government autism spectrum strategy. I am a keen believer in the maxim that what gets measured gets done. I would add a corollary to that: what gets written down gets measured. In this regard, it should be noted that the forthcoming national disability inclusion strategy will include a specific action for the implementation of an action plan on autism, in addition to this

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legislation. I believe that this is the most equitable approach to ensuring that people, regardless of diagnosis, are provided with the supports required to reach their potential.

As Minister for Health I recognise the need for a strategic approach to enhancing the responsiveness and effectiveness of services to meet the evolving needs of people with autism spectrum disorder. At my request, the HSE has set up a working group to consider the effectiveness of existing services and identify models of good practice among such services to meet the needs of people with autism spectrum disorder. I have done this not only because I want to identify models of good practice but also because I want to identify, through this process, practice models that are not having a positive impact. It is important that we identify where in the country services are operating well and where they are not. We should map them out so we can identify the scale of the challenge in an organised way.

There is clearly a need for service providers to set up data collection systems to record the number of their clients with autism spectrum disorder in order to gauge the bigger picture of the resources required. With this in mind, I have asked my officials to initiate an epidemiological research study into the prevalence and future projections for autism spectrum disorder later this year. There is no point in planning just for the here and now; we need to consider the prevalence of autism now but also the projected level in the future so we can plan and future-proof our strategies for people with autism.

Subject to the advancement of both of these tasks, I intend to proceed next year with the strategy for enhancing the health service response to people with autism spectrum disorder. Importantly, I want to see that models of good practice are replicated. Equally, where the evidence does not support existing practice, I want it discontinued and replaced with models of good practice. This is where my own thinking overlaps with this important Bill. There are, however, some points of difference, most notably on the prescriptive nature of the Bill and the very broad scope, which goes beyond the health area, and which requires my consultation with Government colleagues. Let me be absolutely clear: I wish to see the development of an autism strategy and I will work to achieve this, including with Senator Reilly and all Senators, but there is an onus on me, as Minister, to set out some of the possible legal difficulties with the Bill before us, which I have discussed with Senator Reilly and on which we are committed to working together as this legislation proceeds to the other House. These include the fact that the proposed Bill, however well intended as currently drafted, confers additional rights to some individuals that persons with other disabilities would not have. This obviously raises serious equality concerns, which we need to address. Assigning an operational role to a Minister in respect of one disability would potentially undermine the statutory legal structure under which the health service is provided in the State. Under the governance structures laid down in the Health Act 2004, the Minister for Health has responsibility for developing policy and monitoring its implementation whereas the HSE has responsibility for all operational matters, including the implementation of those policies. The implications of the Bill for the Disability Act 2005, the Education for Persons with Special Educational Needs Act 2004, as well as any other relevant Act which may need amendment on foot of it, are yet to be determined. The Bill imposes a statutory mandatory duty on the Minister for Health for the actual implementation of the autism spectrum disorder strategy, including those parts relevant to other Ministers or bodies outside his or her area of statutory responsibility. This raises the potential for conflict with existing laws which set out these statutory responsibilities. It is important that this be teased out because I agree with Senator James Reilly that one Minister needs to take responsibility, but it must be ensured the statutory responsibilities of other Ministers will be aligned in legislation.

We also need to recognise that there will be additional resource implications attaching to implementation of the Bill. There will be costs in providing access to all of the services in the manner proposed. There is a need for a subject-to-resources provision in the Bill, notwithstanding that the explanatory memorandum purports to convey that the positive duties are intended to be carried out within existing resources. We need to be honest and ambitious in acknowledging additional resources will be required and that we need to work together to secure such resources to make the a strategy a reality. This obviously raises questions about the need for a money message as the Bill progresses through the Oireachtas.

There is no commencement provision in the Bill. This means that it will come into operation on its enactment, a proposition which will pose a difficulty if all aspects of practical delivery of what is intended under the Bill are not in place. In other words, if we pass the Bill, we need to get on with making the strategy a reality and consulting the community in its drafting. What is needed is detailed engagement and consideration by the Departments of Justice and Equality; Education and Skills; Social Protection; Jobs, Enterprise and Innovation; Children and Youth Affairs; and Housing, Planning, Community and Local Government. We will then build on the useful engagement my officials had with Senator James Reilly recently to see if we can further address the issues raised in the Bill with an input from across government.

I am not pouring cold water on an important Bill and a strategy which should be underpinned by legislation. Today, however, we are taking a big step forward with the passage of the Bill in the Seanad. It will then obviously be brought to the Dáil when I hope there will be an opportunity to engage in consultation with the various autism groups which would like to contribute their views. Perhaps that might happen at the relevant Oireachtas committee. We have a large body of work ahead of us, one for which we are all up in this House. We are taking a seismic step forward in making it clear that it is my wish and that of this House, on a cross-party basis, that we see the Bill being advanced under Senator James Reilly's leadership and stewardship and that we work together to put a national autism strategy in place. I thank Senators for their close attention to this complex legislation. I look forward to working with everyone in this as well as the other House to develop the legislation further.

Senator James Reilly: I thank the Minister for his comments. I was particularly happy to hear him use the words “evolving need”. There is no doubt that this situation is dynamic and that, as time passes, real change will be needed. The implementation strategy should be capable of addressing it.

I argue that costs do not apply to the Bill but will apply to the national strategy when it is implemented. At that point, there will a need for costings and it will then become a money issue. My view is that the Bill, as drafted, is not a money Bill. We purposely did not include a commencement clause because, as the Minister rightly pointed out, the Bill could be delayed *sine die*.

This is a good day. I thank Members and the Minister for their support, as well as the Department for its help. Yesterday Mr. Brian MacCraith, president of Dublin City University, told me how DCU intended in the forthcoming weeks to introduce an ASD-friendly campus, which I welcome as it is a further testament to the forward-looking attitude of the university. The Bill, when implemented and the strategy put in place, will give over 60,000 families greater certainty about the provision of autism supports. One in 68 children is on the autistic spectrum, meaning that over 60,000 families struggle every day to receive greater support for a loved one who has the condition. As a parent, I know the horrors of this and the uncertainty and worry that, with

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each passing day, one is losing ground and that one's child will not be given the opportunity he - it mainly affects males - or she may need. Adults who are affected more profoundly, as well as those who on the surface are less affected, suffer from all types of symptom and problem for which they require support. They cannot give of themselves and contribute in a way they would like without such support, yet when they do, their contribution can be remarkable. If nothing else, for those with the hard economic nose who might be listening, providing these supports can save money in the long term. The child who may have ended up in an institution could survive in sheltered housing. The child who may have needed sheltered housing might survive independently at home. The adult who would not have been able to work, might be able to attend a sheltered workshop or even enter the full workforce, as many do. Many parts of this process involve various Departments.

By nature, Irish people are generous and kind. I know this from my area, the peninsula of Portrane, Donabate and Lusk, where those with mental health issues are always welcomed with open arms. All they need is understanding and awareness. When they are on that wavelength, they are kind and make accommodations. That allows somebody with a difficulty more opportunities to explain what it is that is upsetting, bothering and causing him or her to behave in the way he or she is.

I am glad that we have made this decision today. I have mentioned before the strategies that are in place in many other countries. We need a concise plan to address what is becoming an increasingly common condition. Some even talk about it being an epidemic.

I thank the more than 21,000 people who signed the online petition. I appeal to them to keep trying to get more people to sign it. As the Minister pointed out, the Bill will have to go before the Dáil where a battle will have to be fought. We will all be watching and keeping the pressure on because this issue is not going to go away. We want children and adults with autism to have the best we can offer them, as well as giving them the best chance to give of themselves to society.

I must mention the Parliamentary Counsel, Mr. Brian Hunt, who did significant work on the Bill *pro bono*. In 2012 former Deputy Michael McCarthy introduced a Bill which was not quite the same as this to put in a place a national autism strategy. I wish him well in his new line of work.

I thank my colleagues in the Seanad for their unanimous support and the Minister for his help. Most of all, I thank the citizens on the autistic spectrum and their families for their perseverance and support.

We have been behind the curve. The Bill gives us opportunity to get ahead of it, not just for those with autism before for everybody with a disability. As we progress the Bill and develop the strategy, it should be merged with other strategies. It is not exclusive but must be inclusive. The needs of people with autism are particular and diverse. There are many others with a disability whose needs must be met too. I can only see good coming from this. There is no question of making the lot of people with autism better than the lot of others in a way that is discriminatory. I want the lot of all people with a disability to be improved. I have chosen this particular issue to champion for obvious reasons. It is what got me involved in politics on the health board 27 years ago and it is something that is still very close to my heart. I have a passion for it.

I thank everybody. I wish the Minister well in progressing the Bill through Dáil Éireann. He will have our constant support at his back and by his side.

Question put and agreed to.

Sitting suspended at 4.40 p.m. and resumed at 5 p.m.

Equality of Access to Education: Motion

Senator Aodhán Ó Ríordáin: I move:

“That Seanad Éireann:

- affirming its commitment to providing equality of access to education at primary, secondary and third-level;

- recognising the benefits, culturally and economically, of the historic decision to invest in publicly-funded secondary education in Ireland and recognising also that the introduction of publicly-funded third-level education further encouraged a generation of young people to attain the highest levels of education;

- acknowledging that, while publicly-funded third-level access no longer exists across the board, a significant number of people, particularly those from rural and lower socio-economic backgrounds, benefit from a publicly-funded path to third-level; and

- further recognising that a number of contributing factors have led to a significant gap in funding for the third-level sector and that, while this shortfall must be addressed, it cannot be at the expense of those most vulnerable in our society;

- calls on the Government to affirm its commitment to providing equality of access to education for all; to reject any move to implement an income contingent loan scheme to fund third-level education; and to adopt a policy of ending college fees.”

I welcome the Minister of State to the Chamber. The Labour Party is delighted to propose the motion on access to third-level education. We are disappointed in the amendments which Fianna Fáil and Fine Gael have tabled on this. They seem to be clinging to the idea of student loans as a way of financing individuals’ access to third level education in any way they can. Nevertheless, it is the responsibility of I and my party to lay out our vision for education in this country.

I went to university in the 1990s and benefitted from the free fees scheme, as it was then called. I paid full fees in 1994, half fees in 1995 and no fees whatever in 1997. When I left college, and when the Labour Party left Government in 1997 the registration fee was around £150. By the time Labour returned to Government in 2011 that had risen to €2,000. That is a registration fee, not a tuition fee, but the subtlety of calling something a registration fee or tuition fee is irrelevant to an ordinary working family.

Before the last general election, my own party made commitments which were not lived up to. I greatly regret that but one either stands by one’s belief in free education or one lets it lie and let the commitment dog one forever. What we managed to do in five years of Government was stop Fine Gael’s manifesto promise of having tuition paid for through a graduate loans

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system. That system still features in the Cassels report which contains a number of options, including a publicly funded option which is the one we propose.

A student loan system such as the one being advocated in various quarters has been proved to be devastating wherever it has been introduced, particularly in Britain where it has saddled ordinary middle-income families and hard-working families with debt and has devastated certain aspects of third-level education, especially the arts and humanities. I strongly assert that we must have a different view and vision of education. It costs the State around €16,000 each year that a student is in second level. No one would ever suggest that individual student attending second level should pay that back over a period. There is no statutory obligation for anyone to attend school beyond the age of 16 years. We would never say to a 17 or 18 year old that they have no statutory obligation to be in school, it is costing the State €16,000, and they should therefore pay it back over a period, because we believe in the ethos and aspiration of free second-level education, as we should. One frequently made argument relates to the children of multi-millionaires but the same argument could be made about primary or second level and we contend that argument does not stand up at third level. If one benefits from third level and one's income increases as a result, then one contributes to society through a fair and progressive tax system.

I do not believe that the current Government has the same belief system in education as my party. Our party believes education is the great liberator and the great leveller. It is something that can liberate and change an individual's life, their perspective of themselves, of their entire community. I feel passionately about the way it empowers young women. I taught in an all-girls' school in an acutely disadvantaged area for 11 years. I have told as many people as possible wherever I has spoken across the world, that the most powerful thing in the world is a girl with a book. A girl who can read changes her family. A girl who can read changes her community. A girl who can read can change her entire country. The power of education is incredible, it has no borders, so why would we want to tell someone who was addressing their leaving certificate that we would give them the opportunity to attend third-level education, but once they got there they would not only leave with a qualification but with a whole lot of debt to pay off.

We refute the idea that the free fee schemes introduced in the 1990s only benefitted a certain cohort. If one looks at the access rates in 1992, 34% of leaving certificate students accessed third level. It was an elite pursuit. It was unobtainable and had a mystique around it which many in the third-level sector wanted to maintain. They wanted to maintain the idea that only for a certain cohort in Irish society should benefit from third-level education. Ten years later, in 2003, 54% of those who had done leaving certificate or equivalent now attended third level. It did benefit many families who would otherwise have looked at the financial burden and said they could not send their children to third-level education.

We understand that my party has had a chequered history on this matter. We accept that and are willing to take the criticism but collectively we need to move on. We introduced the free fees scheme in the 1990s. It was hugely beneficial and it changed many young people's perspective on education. Do we fundamentally believe that it is free or do we believe that it is a commodity? I fear the ethos coming from the Department of Education and Skills which is also evident in primary level in the way in which the Minister thinks the most important thing for a child to learn is coding. We are not dealing with economic units that fit into an economy. Education is much more fundamental and important to a person's aspirations than that.

We should not commodify education. The idea that we send the young people of this country, the students, that they would be saddled with student debt that they must repay over years flies in the face of the ethos and vision that a modern republic should have. We want to change the whole basis of this argument. We want to change the thrust and where this debate is going. We have to stop the thrust of the argument going from how, can or should students pay to how the State should pay.

The current position taken on this issue is disappointing after everything we have gone through in this country in terms of the economic collapse and the social hurt and the wounds we have all experienced in recent years. When we speak to colleagues in the UK, we find the unquestionable and untouchable political principle of the collective system in the UK - the sacred cow of British politics - is equality in health. If we talk to anyone in Finland, we find the unquestioning sacred cow of their political system that everyone buys into is equality in education. For some reason, the unquestionable sacred cow of Irish politics is not equality in health or education but the 12.5% corporation tax rate. That is what we have reduced ourselves to. This is the thing we cannot discuss. It cannot be discussed at any level in the political spectrum. Maybe we should begin to ask these corporations, which benefit from highly trained, skilled and educated young people, to contribute.

There is a national training fund, as the Minister of State is well aware. It is paid for through employers' PRSI. It accumulates approximately €200 million and almost matches the estimated €222 million that it would cost to abolish third-level fees. We are suggesting that those who benefit from this highly trained and educated workforce should contribute by way of a graduate tax towards the funding of third-level education in this country. I do not believe for a moment the scaremongering and protests that they will go away and find somewhere else to base themselves. They are here for the 12.5% corporation tax. However, they are also here because we are soon to be the only English-speaking member of the European Union and we have a highly skilled and educated workforce.

Perhaps it is because of my background and where I taught. Perhaps it is because of the children who inspire me every day of my political life. I have seen how education, day by day, has improved their lives. It is often said that free fees or the abolition of fees would not affect access to third-level education by acutely disadvantaged communities and that it did not affect access in the 1990s. There are myriad overlapping and various reasons why access rates from those communities are not as they should be. The statistics are obvious in the Hart and Risley report from 1995. The average three year old from a welfare dependent family has one third the oral capacity and one third of the vocabulary of a three year old from a professional family. The gulf is there by three years of age. One third of children leaving DEIS schools after sixth class have basic reading problems. The issue in terms of access to third-level education in acutely disadvantaged areas is far more complex than a financial barrier. Financial considerations exist but, on account of the grant system, which almost 50% of students avail of, it is not the same. It is relevant for those who are always outside that cohort and outside any means test, those who year by year make a determination about how many of their children can access third level because of financial concerns.

I believe the Minister of State would have support from across this House, notwithstanding the disappointing amendments from Fianna Fáil and Fine Gael, if she made a strong statement. What we want is a strong statement from the Minister of State as the newly appointed Minister of State with responsibility for higher education who has an education background and who, like me, was a principal of a primary school. She sits at Cabinet and has an influential role in

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this Government. We want the Minister of State to make a commitment to the House that the Government has absolutely no intention of pursuing the concept of a graduate loan scheme and that the Government completely agrees with the vision of absolutely free access to third-level education.

We can understand that there are financial constraints and that it may take several years to achieve it. However, it would at least be an improvement if the vision was there, no more than any other social justice issue in this country, whether homelessness, housing, illiteracy or whatever. At least if the vision is there from within Government, there is a chance. Our aspiration is that access to third-level education would be absolutely free and that those who pay for it pay through general taxation. I do not believe that people should be taxed on the basis of their education. They should be taxed on the basis of their wealth.

If the Minister of State supported a graduate tax or a student loan scheme, she would be effectively taxing someone on the basis of their education and not on the basis of their wealth or income. Such schemes have been disastrous wherever they have been introduced. I want to live in a society of highly educated individuals, including nurses, doctors, teachers and, God help us, even politicians who are a benefit to the State every day of their working lives. They should not be saddled with debt. Education is not a commodity or a privilege; it is a right. Any proposed student loan scheme would be a barrier to that right. That is why we feel so strongly about this issue and that is why we have put down the motion this evening.

Senator Ivana Bacik: I welcome the Minister of State to the House and I wish to echo the words of congratulation from Senator Ó Ríordáin on her new appointment. The Minister of State has such a strong background in education and it is great to have her representing higher education at Cabinet level. That is good to see.

I welcome the many guests in the Gallery who are here to see the debate and who are involved in the campaign for publicly funded third-level education system. I am delighted to second the motion after the eloquent words of Senator Ó Ríordáin. The motion is framed to affirm the commitment, which I believe everyone in the House shares, to provide equality of access to education at all levels. That is our fundamental premise. We are also calling on the Government to affirm its commitment to providing this equality of access through making a concrete commitment, as Senator Ó Ríordáin has said, to reject any move to implement an income-contingent loan scheme for funding of third-level education, to adopt a policy of ending college fees and to implement a truly publically funded higher education system in Ireland.

We should recall that since the original decision by a Labour Party Minister was made in the early 1990s to abolish university fees, a significant number of people, especially those from rural backgrounds and lower socioeconomic backgrounds, have benefitted from the publically funded path to third level.

Senator Ó Ríordáin has talked about the history. Since the 1990s a number of contributing factors - notably, the recession - have led to a significant gap in funding for the third-level sector. We can see now, as the Minister of State is well aware, a funding crisis for our universities and colleges. It was in response to this crisis that the previous Government commissioned the Cassells report, published in July of last year, to look at future funding options for higher education.

A key conclusion of the Cassells report was that the current position, the *status quo*, is un-

sustainable. Cassells presented three options for future funding of third-level education. Each of the three options required an increase in state investment. This is an important premise on which the Cassells report was based. The key question was how to make that investment and to what degree other people should contribute. The first option is the option we favour. It involves a predominately state-funded system with no student contribution. It would involve no fees, in other words, as is the norm in many EU countries. The second option presented was that closest to the *status quo* and would involve increasing state funding and a continuing student contribution.

The third option, however, is the option we wish to focus on in this motion. We want to ensure the Government will affirm its commitment not to introduce this third option. That is the option that we fear may appear favourable to the Government. It is the option of increased state funding but with deferred payment of fees through income-contingent loans. Similar schemes operate in England, Wales, Australia and other countries. We are concerned that the amendments put forward from Fianna Fáil and Fine Gael leave the door open to the introduction of an income-contingent loan scheme. The evidence is clear, when one looks elsewhere and examines studies that have been done, that there are serious disadvantages to the introduction of such a loan scheme. We know from evidence elsewhere that loan schemes of this sort restrict access for disadvantaged students, who are traditionally more debt averse than students from more advantaged backgrounds. Loan schemes tend to incentivise graduate emigration, so that people avoid having to make repayments. Of course, those graduates who stay are left saddled with heavy debts.

The evidence presented to us at the useful briefing we hosted yesterday establishes that the experience of income-contingent loans in Australia, where they have now operated for over 20 years, shows that they do not eliminate student poverty while in college. Moreover, they do not ensure that students do not have to work while in college, which is a justification often put forward for them. Indeed, the Australian data shows that rates of participation there for lower income groups are now significantly lower than those for Ireland at present. Furthermore, the data shows that loans are most costly for low-income students and mature students, many of whom are women. This is because they have to borrow more, it takes longer to pay the loans back and have lesser access after graduation to higher paying jobs. There are a number of hidden disadvantages built into these loan schemes. In England and Wales, they have proved so ineffective and unpopular that their original architect, Lord Adonis, just last week expressed his regret in the British newspapers at having introduced such schemes. We know that these loan schemes do not work in eliminating student poverty or in increasing participation rates from under-represented and low-income groups.

These are the reasons, among others, why our motion seeks to categorically rule out the adoption of this kind of scheme. That is the reason we support the first option proposed by the Cassells report, namely, an increase in state funding to ensure a publicly funded model as per the European norm. We have received strong support for this option from the Coalition for Publicly Funded Higher Education, a grouping of five unions representing students and staff across the sector, including the Union of Students in Ireland, SIPTU and others. Many individuals involved with that coalition are here with us today. We have also received great support from the Irish Second Level Students Unions, which has a very clear interest in this and perhaps represents the most important stakeholders in the future funding of higher education. Speakers of the campaign have done a great deal of work on this, as have academics such as Professor Kathleen Lynch and Dr. Charles Larkin who have lined up to offer their support to our motion.

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We find it very regrettable that Fianna Fáil and the Government are opposing our motion and have tabled these amendments, but perhaps it is unsurprising. Professor Kathleen Lynch of UCD noted to us yesterday that there has traditionally been strong political resistance to free education at all levels. She reminded us that property owners in the 19th century expressed strong opposition to the introduction of free primary education on the basis that it would foment revolution among the people who would become literate as a result.

Senator David Norris: Which it did.

Senator Ivana Bacik: Indeed, as Senator Norris pointed out, perhaps it did. As recently as 1960, so-called Irish education experts argued against the introduction of free secondary education saying it would be “both financially unpractical and educationally unsound”. Donogh O’Malley is now widely commended by all parties and none for his role in introducing this very scheme. Nobody would contest the immense public good that free secondary education has served. While the view expressed in the 1960s may now sound laughable, the same argument is being put forward today against a publicly funded third level system. In reality, higher education is as vital to our society and economy in the 21st century as the introduction of free secondary education was in the 20th century and free primary education in the 19th. We need to see higher education as a public good and as an investment in society’s future rather than as a cost to the State.

We know from many international studies that there are significant and measurable economic, social and cultural returns on investment in higher education. Graduates earn more and pay more tax when they leave college because they enter higher-paid, better jobs with better career structures. The key to our recovery, as the Minister knows better than anyone, has been our highly educated work force and our extremely high level of participation in universities and colleges by our student population. This has been immensely important in generating jobs growth and the economic recovery. There is a strong economic case, as well as strong social and cultural cases for making higher education free at the point of access. We need to see this as part of a rights framework. We accept the idea that education is a right and it should not be seen as a privilege. This, however, should be true at all levels, primary, secondary and higher. That is why we believe education should be free from cradle to grave, as the old slogan goes. It should be free at the point of access and paid for indirectly through taxation. This is what our motion recognises and why we are calling on all Senators to support this motion and to reject the unfortunate amendments put forward by Fine Gael and Fianna Fáil.

Senator Maria Byrne: I move amendment No. 2:

To delete all words after “That Seanad Éireann:” and substitute the following:

“ - affirms its continued commitment to promote equity of access at all levels of the education system;

- recognises the benefits to society and the individual, culturally and economically, of the State’s investment in educational opportunities for all of its citizens;

- welcomes the continued investment by the Government in a range of supports that are specifically targeted at those groups in our society that may face particular challenges in accessing education;

- acknowledges the funding challenge that currently exists in higher education, as out-

lined in the 2016 Report of the Expert Group on Future Funding of Higher Education: “Investing in National Ambition: A Strategy for Funding Higher Education”, and the funding options outlined in that Report;

- welcomes the commitment by the Government to provide a more sustainable funding model for higher education, as evidenced by the fact that Budget 2017 provided the first increase in investment in higher education since 2009, involving €36.5 million extra funding in 2017 and €160 million extra over 3 years;

- welcomes the initiative by Government to explore the possibility of an employer-exchequer funding mechanism which could realise up to €200 million in additional annual funding;

- acknowledges that, in the area of funding higher education, doing nothing is not an option;

- notes that all parties have a responsibility to help develop sustainable funding sources for this crucial area of public service;

- notes that the Cassells Report finds abolishing student registration fees for undergraduate students while delivering the level of investment that the higher education system needs would cost the State €1.3 billion extra per annum;

- notes that there is a responsibility on any party which is calling for extra spending of this scale to state where they would get the money to fund it, either in terms of reduced spending in other areas or extra taxes; and

- further recognises the importance of building political consensus on the most appropriate future funding model for higher education, and supports the Government’s intention to await the outcome of the consideration of the Expert Group’s Report by the Joint Oireachtas Committee on Education and Skills before a policy decision is taken in this area.”

I welcome the Minister of State and thank her for coming here for this very important debate. While we would all like to support the Labour Party motion, and it is very welcome our colleagues are putting forward this aspirational motion, we also have to be realistic. The Government’s aim is to use economic success to build a fair and compassionate society. It has provided €450 million in funding to students, including SUSI grants. This has benefitted 80,000 students in 2017. It also includes funding for postgraduate studies and students with disabilities. Postgraduate funding has been stopped for quite a while, so this recent development is very welcome.

While there are significant challenges in higher education, I welcome the fact the Minister for Education and Skills, Deputy Bruton, and the Minister of State, Deputy Mitchell O’Connor, have acknowledged them and looked for extra funding. This year alone, there has been a funding increase of €36.5 million, the first increase since 2009. The Government is certainly moving in the right direction when it comes to the funding of third level education. There is a commitment for a further €160 million funding over the next three years.

We cannot sit by and do nothing but I have one question for the Labour Party Senators. Their proposal will cost approximately €1.36 billion. Were do they intend to get this money? The total budget is €9.56 billion. There is a need for additional investment in higher education

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but the additional €1.36 billion per year arising from this proposal would be funded by the State and thus at the expense of the taxpayer.

The Labour Party Senators are targeting the idea of a loan. The Joint Committee on Education and Skills has not yet finished its deliberations on this matter. This is a case of putting the cart before the horse, as far as I am concerned, because the committee is still going through the Cassells report commissioned by the former Minister, Deputy Ruairí Quinn. The Minister has made many proposals in terms of changes but he is looking for all-party suggestions from that committee as to which of the three options given might be preferable. The committee's work on this has not yet been completed.

I refer to the €200 million per year in terms of the capital review and extra funding. The Department's total budget for the year is €9.56 billion. Granting free higher education straight away would eat into much of that budget. I availed of free education in the past but, unfortunately, the money is not there at present to allow for full free fees. I again ask the Labour Party Senators from where they would get the money. Theirs is very much a populist approach.

The increase in apprenticeships and skills training is very welcome, and I have a keen interest in this area. The Minister announced funding of almost €600,000 for electrician apprenticeships in the Limerick Institute of Technology recently. This is very welcome, as some areas in education and skills had been left behind.

Senators Ó Ríordáin and Bacik referred to disadvantaged students, but there are incentives in place to help such students. If we were to use the Department's funding to give full free fees everybody, many people would be left disadvantaged. Money allocated for investment in third level education, for the development of different courses and for incentivising and helping people from disadvantaged backgrounds would be eroded and might not be available anymore. When looking at these proposals, we have to look at the bigger picture. There is certainly no easy way.

I note the Department is working with, and looking for investment from, employers, which is most welcome. I spoke to an accountant today who told me his firm was investing in some of the people it is taking on under apprenticeship programmes. It is paying their educational fees and a salary for working in the office. Most importantly, it is investing in apprentices' futures. The more of this kind of collaboration between employers and the Department, the better.

So far in 2017, the Department has provided nearly €1 billion for direct funding to higher education institutes for current and capital purposes. This is certainly a very significant sum of money. We would eat up a great deal of the allocation for education in terms of giving free education to everybody as a starting point. Certainly we could aim to do that down the road, but with the current financial restrictions, we cannot give it to one sector or to all at the expense of others.

The additional allocation budget 2017 to higher education is the first significant investment in higher education in recent times. A sum of €4.5 million is being given towards disadvantaged students. This includes €1 million for measures to support more lone parents to access higher education, €1 million for the introduction of the new 1916 centenary bursary scheme that will target groups that are under-represented at higher education level, and €2.5 million to incentivise higher education institutes to attract more students from disadvantaged communities. I think the money is being used very well to target areas from which people predominantly

would not have availed of third level education.

A sum of €3 million is being allocated to research. Investment in research is very significant because we have to look to the future. In conjunction with employers we need to look at areas where employment will be generated and then look at the courses that will be offered. Funding has to be provided to do that.

I would like to hear the response from the Labour Party on where they will find the money to fund their proposals. I think it is populist to call for free education at this time. While we would love to support the motion, we must think of the bigger picture. We have to think of those who are disadvantaged, the education opportunities for those with disabilities and the expansion of the types of courses on offer.

The student registration fee is €3,000, with the State paying the contribution on behalf of almost 50% of undergraduate students who qualify for funding under the free schemes. I know there is tax relief on student fees.

Senator Robbie Gallagher: Ba mhaith liom ar dtús fáilte a chur roimh an Aire Stáit, an Teachta Mitchell O'Connor, go dtí an Teach seo inniu. I would also like to extend a welcome to guests in the Visitors Gallery.

We are all in agreement on the merits and advantages of a properly-funded third level education system. There is no doubt that we have enhanced our reputation worldwide through the education qualifications of young Irish people who leave universities. Frankly, this comes at a cost. When one looks deeply at the cost of funding third level education, I have to compliment Mr. Cassells and his committee on the work they carried out on behalf of us all. Some of the figures in the report are quite startling. The Cassells report notes to maintain the level of quality in our higher level institutions we have in place today will require investment of between €100 million to €120 million per year over the next five years. He stated also there is a requirement of €600 million base funding in higher education institutions by 2021. In addition, approximately €1 billion annual funding will be required by 2030. That shows the scale of the problem in front of us.

The Labour Party tabled the motion we are discussing. It is quite ironic. I agree with the comment of Senator Ó Ríordáin in his contribution that the Labour Party lacks credibility on this issue, based on its past record. I know he has accepted that and I know on a personal level many Members in this Chamber had no act or part in that. We can remember the former Labour Party leader, Mr. Ruairí Quinn, making commitments to abolish student fees. We all know what happened after that. The motion lacks credibility in that regard. That is nothing personal against any of the members of the Labour Party in this Chamber.

The motion calls for the abolition of student fees. While it is something we would all aspire to, when we delve deeper, the motion lacks substance. I think the content of the Fianna Fáil Party amendment to the motion is more credible. There is a crisis in third level education and that must be addressed. The cost of third level education has already prohibited many students, especially those whose families are just above the income threshold for a student support grant, and consequently receive no financial State assistance whatsoever.

The Fianna Fáil Party is open to considering the possibility of introducing an optional low interest loan facility for people just above the income threshold for third level grants. A few months ago a lady from Letterkenny contacted me about the debate on the Cassells report and

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the funding of third level education. Both she and her husband were working and had three children at college, they were not on the breadline, thankfully, but every single euro they had was going towards their children's education. She did not begrudge one cent of it, but if there was an option for them whereby a loan facility was available, they would certainly avail of it, because their life was on hold while their children were in college. Going out for a meal or going away on a holiday were off the agenda. If a loan facility was available, she certainly would consider it. We cannot dismiss that aspect.

We need greater Exchequer support and increased funding for universities and ITs as well as significant capital investment. Significant Exchequer investment in universities and ITs is required to enhance quality, including improving student to lecturer ratios, with great teaching and research output. There has been virtually no State investment in buildings and research facilities since 2008. Now an estimated 40% of higher education system infrastructure is considered below standard according to a recent report by the HEA.

On the issue of income contingent student loans, while we should be open to evaluating the proposals put forward in the Cassells report, the public cost of these loan systems are extremely uncertain and can be very high. We must be very careful not to underestimate the true cost of the system to the Exchequer and potentially to the student in the long term. Experience in other jurisdictions such as the United Kingdom, as outlined earlier by other Members, shows that this model simply does not work. I call on the Government to further expand postgraduate maintenance grants in future, so as to ensure that students from more income categories are eligible. The removal by the then Minister, Ruairí Quinn, of grants for postgraduate education was certainly inconsistent with the then Government's stated policy that it was building a high skill, smart economy.

I ask the Government to make a commitment to increase both recurrent funding and capital investment to universities and ITs on a sustained basis for a number of budgets. If we look for extra money, we have to try to source where the additional money will come from. In that light, if the national training fund levy were to be increased by 14% each year for three years, it would reduce the gap by about €65 million a year. I realise this is a great additional burden on business, but I think the long-term benefits, not just to business but to society, would get over that difficulty.

The hits that students and their families have taken since 2012 have resulted in disjointed and inequitable access to education, creating an unfair advantage for families who can provide their children with financial support. Investment in higher education is necessary if we are to have a highly-skilled workforce and maintain our reputation as a country which is renowned for its research and innovation.

In summary, I think the motion, although well-meaning, is premature. I am a member of the Joint Committee on Education and Skills which is tasked with a body of work, listening to all stakeholders to try to get their opinions, whether we agree with them or not, so that we will collectively arrive at a consensus. That is why I believe the motion is premature. I would go as far as to say that in many ways it is disrespectful to the work of the joint committee. Labour could be accused of populism in regard to this issue - I think that is a fair accusation because the motion lacks substance, as I said earlier. The one key issue on which we are all in agreement-----

Senator David Norris: Fianna Fáil was never populist, of course.

Acting Chairman (Senator Diarmuid Wilson): Order, please. Senator Norris will have his chance to speak.

Senator Robbie Gallagher: In fairness, Senator Norris would be well qualified to make a comment on that particular subject, based on his contributions in this House.

Senator David Norris: I am extremely popular - very, very popular. That is why I top the poll every year.

Senator Robbie Gallagher: The larger the audience in the Visitors Gallery, the longer the contribution from the Senator.

Senator David Norris: Not at all. I have spoken in this House when it was empty.

Senator Robbie Gallagher: Indeed, he has. I have to commend him on that. His contributions were shorter but, yes, he has spoken.

Acting Chairman (Senator Diarmuid Wilson): Senator Gallagher is inviting interjections from Senator Norris.

Senator Robbie Gallagher: Gabh mo leithscéal. The one thing on which we are all in agreement is access. It is vital that whatever decision both Houses of the Oireachtas arrive at on this issue, the key point in all our minds should be that it allows access to third level education to the maximum number of people possible.

Senator John O'Mahony: The impression has been created by some of the speakers that the Government is in favour of a loans scheme. As far as I am concerned, that is not true. It was one of three options in the Cassells report and I personally will be lobbying within Government not to have a loans scheme.

Senator David Norris: Good man.

Senator John O'Mahony: I do not accept that the Government has made a decision and the Minister of State might clarify this later. We do not need to burden students with debt when they qualify because they will have many other demands at that stage. Having met the USI on numerous occasions, I know students are against it, and we need to take that into consideration. That is the basic point I want to make.

As Senator Maria Byrne said, funding has been increased for the first time since 2009. It needs to be further increased and I would expect it will be increased as a priority, but it needs to be increased in a responsible way. No Government wants to fall into a trap of promising something in a way that cannot be delivered on. These things need to be delivered on but that needs to happen in a structured way. I ask the Minister of State to clarify this point in her later comments.

Senator Paul Gavan: I want to welcome the Minister of State and congratulate her on her appointment to her new position. I want to welcome our guests in the Visitors Gallery. I also want to welcome this Private Members' Bill and, in particular, its clear calls for publicly funded third level education and a rejection of any notion of introducing student loan schemes.

I need to begin by addressing Labour's history on this, which is unfortunate, particularly in light of the progressive work that was done in the 1990s. When Labour secured the portfolio

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of education in government and broke the pledge in regard to fees, approving an increase in student contribution fees year-on-year for five years, it did not just do a disservice to tens of thousands of students and their families, or to the people who voted for Labour; it did a disservice to politics by encouraging the common belief that any politician's promise is not worth the paper it is written on. We all need to do better than that.

Under that Fine Gael-Labour coalition, State funding of third level education plummeted by an incredible 25%. Grants were cut, students who were dependent upon that assistance went months without help and many dropped out of college altogether - they were literally priced out of education. We now have a situation in which participation from those in the lower socioeconomic groupings in our society is at 26%, while we have practically full participation from those born into the higher professional grouping. At present access to third level is not on merit, it is a lottery based upon which family and which area you were born into, and that level of gross inequality is Government policy driven.

Education at third level is not a privilege; it is a right. It is the State's responsibility to ensure that all of our children should have access to that right, irrespective of socioeconomic background, disability, gender, ethnicity or age. As the largest party of the left in this country, Sinn Féin wants to build a consensus among progressive parties and garner broad support for an education system which should be fully publicly funded and accessible to all citizens. We support the call for a truly publicly funded higher education system and we are also committed to opposing any move to implement an income-contingent loan scheme to fund third level.

It is deeply concerning that this House is divided on the subject of income-contingent loans. That division is evident in the cynical political manoeuvring of Fianna Fáil's amendment and the ideologically driven Fine Gael amendment. We understand Fine Gael's opposition to the motion. It is a right-wing party so it will favour a student loans model. If Fine Gael had its way, it would hand over third level education lock, stock and barrel to big business to run as they see fit. I want to make it clear that we are fully aware of the politics at play here this evening and that Fianna Fáil - the flip-flop party - does not want to see a vote on Labour's motion because then it would have to show its hand regarding student loans. It is a joke that the Fianna Fáil counter-motion takes no position on the income-contingent loans model. Yes, it says it can be very uncertain but what exactly does that mean? The loans model is at the very centre of the Labour Bill and Fianna Fáil has cynically tried to avoid the whole issue.

I am sure we are all aware of the massive failure which these loans have been in every country in which they have been introduced. In England student debt rocketed from £12.2 billion sterling in 2001 to £86.2 billion sterling in 2016, and it is expected that 70% of those students will never pay back their loans. New Zealand has now made it a criminal offence to default on loans and officers are waiting at airports in Australia to arrest graduates flying home for funerals and weddings. What sort of a Ponzi scheme is that? The participation level of the lowest socioeconomic grouping in Australia has fallen to 16%, much lower even than our own, while in Britain, for the first time ever, 2013 saw a decrease in participation from the poorest section of society, those who are in receipt of the free school allowance. This model exacerbates inequality. Not only that, but fresh research from Trinity College Dublin has suggested that Ireland's economy and culture would be the perfect storm of chaos in which to introduce such a model.

This model will not work in a country that has, first, a history of emigration, as graduates will just leave, second, a culture of high levels of personal debt and, third, an economy characterised by low wages and precarious employment. Furthermore, research carried out by Larkin

and Corbet in 2015 suggested that, for such a model to work in Ireland, we would need at the most a default rate of 15%. Considering the British default rate is as high as 70%, this is really just fantasy economics. On the other hand, the empirical evidence on our side behind publicly funded third level education has been proved time and time again to be economically sound. There is a reason the Nordic countries pay their students to go to university. There is a reason Germany has free third level education, not only for its own citizens but even for those who live outside of Germany. The reason is that education is not simply a cost; it is an investment from which the State will see a return, that is, if graduates do not flee the country afterwards.

I want to address the questions submitted by Senator Maria Byrne, namely, how do we pay for a fully publicly funded education system? I have to put it to the Senator that it is about political choices. Fine Gael thinks its more important to fund corporate welfare, so it gifts the hotel industry €600 million per year via a VAT tax break so that tourists can secure a single bed hotel room tonight for €170, if they are lucky, and it gifts multinational corporations actual tax rates as low as 2%, as opposed to the official rate of 12.5%. We could introduce a third tier of income tax for those individuals earning over €100,000; in fact, that used to be Labour Party policy. We could also reverse the lowering of the threshold for inheritance tax, which would be a real statement of challenging inequality.

In conclusion, this debate is very welcome as it shines a light on the ideological divide in this Chamber. It is the progressive left against the hard right. All of us on the left need to be more ambitious. It is not good enough to settle for propping up one or other of the conservative parties in government. We need to work together to offer a real alternative to the electorate on education and a whole host of other key social and economic issues. I commend this motion, which will have our full support.

Senator Lynn Ruane: I welcome the Minister of State to the House in her new position, which is a much-needed role. I would like to start by thanking the Labour Party Senators for tabling this crucial motion and allowing us to debate what is essentially the heart of the question on the future of higher education funding in this country. I believe that how a state funds higher education reflects the values intrinsic to it and the importance that it places on the personal and social development of all its citizens. The social, cultural and financial benefit of education on society is much greater than the individual gain. What education provides to this State as a collective and all that it creates should result in it being Ireland's most powerful and worthwhile investment. Every graduate goes on to have an impact, whether they are nurses, social workers, artists, teachers or politicians. Education has a limitless multiplying effect on society. Education is a state's greatest investment and should never be viewed as a cost in the traditional sense. Even the individual benefit of an education has an impact on society, such as a person having improved health, paying greater tax, being less likely to need social welfare assistance, being more likely to have children who attend third level education and having more disposable income that will contribute to the economic activity of the country. Society benefits at every point from education. Education is a state's greatest investment, not our greatest cost.

The Union of Students in Ireland runs a campaign called Education Is where people are encouraged to share what education is for them and the impact that it has. For me, education is possibility. It makes change, success, this House, entrepreneurship, life-saving medicine, scientific breakthroughs, and our poets and artists possible. Education is possibility. Education is a state's greatest investment, not our greatest cost. Education is transformative and its transformative nature can change the world. It can transform poverty and people, it can transform helplessness into power and hopelessness into action, it can transform inter-generational pov-

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erty and it transforms possibility into actuality. It is only when we turn possibility into actuality that we have change. I only have to look at the transformation that it has had on my own life and that the impact that free fees have had on my life to know its transformative power. Education is a state's greatest investment, not our greatest cost.

Education is life-saving. Every day, students and graduates do amazing and incredible things. Graduates change and save lives, from legislation and policy to services for the most vulnerable. Every year, thousands of students graduate from university. They will change lives and impact on society positively every day for the rest of their days, not just affecting change here in Ireland but also responding to humanitarian crises and global challenges all over the world. Education is a state's greatest investment, not our greatest cost.

Plato believed that the highest goal of education is the knowledge of the good, and that is what education is. It is the highest form of all that is good and all that should be a public good. Plato also believed that the state is an educational community. The state itself is created by education and it can only survive on the condition that all citizens receive an education that enables them to make rational political decisions. It is up to us to make those rational decisions.

For me, education is a great equaliser and I think, as legislators, we have a political responsibility as well as a moral one to ensure the existence of an accessible and well-funded public education system that works for the betterment of society and all its citizens. That being said, we can probably always have the ideological argument over how we pay for third level education. However, when it comes to the central question that is before education policy makers today - whether to introduce an income contingent loan scheme - it is abundantly clear that the international evidence shows such schemes are bad policy, plain and simple.

Senator Paul Gavan: Hear, hear.

Senator Lynn Ruane: In all of my research into loan schemes internationally, as a member of the Oireachtas Joint Committee on Education and Skills, and during our debates on the Cassells report, I simply cannot find a jurisdiction where it can be claimed that such a scheme has even remotely been a success, no matter what metric is used to measure it. In Australia, which has had a loan scheme for 20 years, the rate of participation from low socio-economic groups in higher education is a full 10% lower than Ireland currently and yet we are told that introducing a scheme in this country would not hamper access. In the United Kingdom, the number of mature students and part-time students in higher education has fallen off a cliff with the UK's Independent Commission on Fees accrediting the introduction of fees with the strong decline in university entrants from non-traditional families. How can we maintain education as a challenger of socio-economic inequality if this trend was to be reproduced in Ireland? In the Irish context, recently published research shows that 50% of graduates could be unable to pay back the value of their loan over a 20-year period, and a loan scheme would greatly increase emigration rates among young people. By introducing one, we would be effectively telling students to take on huge debts, collect their degrees and get out.

I note in the Government amendment that a reference is made to anyone calling for public funding for higher education to be able "to state where they would get the money to fund it", which I presume is a crude implication that those who oppose student loans are in some way fiscally illiterate. I reject this because the fact is that we have options for funding. I recently made a submission to the Department of Public Expenditure and Reform related to the national training levy, which argued that since employers in this country benefit hugely from higher

education, it is a logical step that they should be expected to pay more to fund it. There are alternatives to loans. All it takes is the political will and courage to investigate them.

Ultimately, I do not think that income contingent loan schemes are the right course for Ireland. If an income contingent loan scheme had been the only option for me when I returned to college as a mature student and lone parent, I would not be standing in this Chamber today. Moreover, I am convinced that, considering the wealth of international evidence, such a scheme is bad policy. I think that we can do better by young people and people of all ages who wish to access the transformative power of higher education. To conclude, education is our greatest investment and not our greatest cost. I am proud to support the motion today and will be voting against the Fianna Fáil and Fine Gael amendments, neither of which rule out the adoption of loan schemes.

Acting Chairman (Senator Diarmuid Wilson): I thank Senator Ruane. As there is a vacancy in the next section of the rota, I am using my discretion as the Acting Chairman to allocate it to the father of the House, Senator David Norris. He has eight minutes.

Senator David Norris: I appreciate the Acting Chairman's generosity. I welcome the Minister of State to the House and I welcome the representatives of the education sector.

The amendment by Fine Gael, where it says that it affirms the commitment to equity in education, is a lot of blather. If it did, it would come out and say that it was in favour of free education. The whole phrase "free fees" is an oxymoron. It is a contradiction in terms and is an absolute nonsense. Universal education is either free or fees are charged for it. I remember talking with the students in UCD about this when fees were introduced and I suggested to them that the best thing they could do would be to look at the question of means-testing and ensure, because this is the political reality, that the means test was sufficiently high to ensure that everybody who needed access to education got it. That is where the real battle should have been, in my opinion. I accept that there are still economic stringencies here, but this motion is a wishful one. It puts down what the ideal position would be, and I honour the Labour Party for doing so.

If an income contingent loan scheme is introduced, it means that 80% or 90% of students will simply bugger off and leave without paying the debt, and I think they would be perfectly sensible to do so. It is rather a pity. We do not like emigration, but that is the fact. The loans will not be paid back anyway, so that information might as well just be absorbed. I paid fees for my first 18 months in Trinity College Dublin, because although I did particularly well in the leaving certificate and was entitled to a county council scholarship, it was only tenable at UCD. Only one old cousin of my mother's had ever gone to UCD. He went in 1916 to study Irish. That was a bit of a facer for the family as well, and paradoxically, he was the only member of the family in recent history to be attacked by the IRA, though he got his vengeance.

It would be a real pity to expect that students should start their professional lives with their hands tied behind their backs. That is what a loan is. Having to pay this off hobbles people for years. Free education has always been opposed by the vested interests. Primary education was opposed by the landlords in the 19th century, who thought the cost would be too much. It was opposed for secondary schools in the 1960s because of cost, and laughably, it was said that it was of doubtful educational value.

It was utter, complete and total nonsense.

I have been contacted by a large number of people and would like to give voice to their

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views. Sometimes this is one of the most valuable things we can do in Seanad Éireann.

I received an email from a young woman, a student in a secondary school. She is a member of the Irish Second-Level Students' Union and may be seated in the Visitors Gallery. She said:

6 o'clock I know that a loan scheme would be a barrier to education, especially for young people like myself. The idea of having to take out a massive loan to cover the cost of my education is certainly a deterrent for families like mine.

We, along with our parents, are extremely concerned at the prospect of student loans exceeding €20,000 per student, especially while some students' families are already struggling, impoverished, and cannot afford, or will be deterred by such a level of debt.

I say in passing to the Minister of State that every person who has spoken this evening has stated that, in principle, he or she is in favour of free fees. They have also stated, without exception, that they are opposed to student loans. I believe the Minister of State who is a caring and intelligent person will accept their views as being the views of Seanad Éireann.

I received another email from somebody in third level education. He said he had written to me to let me know that quite a large number of his friends and colleagues had dropped out of third level education "because they couldn't afford to buy the college textbooks." If someone could not afford to meet the cost of books then, how, in the name of God, would he or she be able to afford the price of education and university fees?

I received another communication from a man who said he would find it extremely difficult to afford third level education if this initiative was introduced. He said:

I am one of six children in the family. Three have gone to university and I hope that the other two will be able to do so as well.

He said that, in the nature of things, he would be unable to attend college if there were no free fees. I should not allow myself to use the obnoxious phrase "free fees" which I blame on Ruairí Quinn. He made an ass of himself in signing the initiative, but at heart he was a decent man. I am sure he wanted to have free education, but he was overcome by events.

The National Youth Council of Ireland which represents 49 national organisations has come out against this fees initiative. I have received communications from an officer of the Trinity College Dublin Students' Union and the education officer of the Irish Second-Level Students' Union, ISSU. I have also received a message from SIPTU stating: "We are absolutely convinced that the UK model of student loans is not the way to go". SIPTU is one of the largest, if not the largest, trade unions in the country. It has been estimated that the current level of indebtedness for a student in the United Kingdom is £50,000. How could anybody afford to pay such a sum? A person will be paying it off for the rest of his or her life. It is almost as bad as a mortgage.

A point has been made that is crucial to the debate - participation in higher education is not just a private good; it is also a significant public good. It is in the public interest to help to pay for education.

Let us compare the systems in place in Australia and Ireland. In Australia 24.4% of graduates have taken out commercial loans. In Ireland only 13% of graduates have done so, mainly from banks. Among the groups that are particularly hit by fees are women students who have

a particular vulnerability. In Ireland the participation rate among the lowest socioeconomic groups in 2012-13 was 26% for students from semi-skilled-unskilled manual working class backgrounds and 23% from non-manual working class backgrounds. In Australia the participation rate among the lowest socioeconomic group was 16.9%. There is a difference of 10%, which is very significant. In 2016 the participation rate among the lowest socioeconomic group was 18%.

Another point that needs to be considered, one about which nobody has spoken, concerns the impact on students with disabilities who are already at a disadvantage. I am glad to say that Trinity College Dublin deals with them pretty well, in advance of many other colleges. Students with disabilities also have very considerable difficulty in finding work after graduating which would allow them to pay off a loan. They, too, are at a very considerable disadvantage.

One accepts that there is a very difficult funding position for universities. It is one of the reasons Irish universities have dropped down the world league tables and the figures are astonishing. Between 2008 and 2015 the level of State aid given to third level education dropped by 21%. The figure was 73% in 2008 and 52% in 2015. It is a really serious problem. For that reason, I am glad that the Government has appointed a special Minister of State with responsibility for third level education.

Senator Gerald Nash: I will be in contact later with my colleague and good friend Ruairí Quinn. I will tell him that Senator David Norris was asking for him.

Senator David Norris: Give him my love.

Senator Gerald Nash: He will be amused by that message, but he will be even more amused to learn that Fianna Fáil Senators delivered their criticism of him with a straight face.

Senator Ivana Bacik: Hear, hear.

Senator Gerald Nash: They did so without any sense of irony or appreciation of the circumstances in which they left the country in 2010 and 2011.

Like the Minister of State, I am extremely passionate about education and convinced that the third level sector needs more State aid, not less. I was the first member of my immediate and wider family to have the privilege to attend university. My father was a factory worker who did not have that opportunity. My mother was a stay-at-home mam. She, too, did not have the opportunity and neither did my grandparents or anybody else in my family. The State educated me from primary to third level, a fact of which I am proud. I am proud because that is what this Republic does. I am proud that these Houses have decided continuously to do it for many generations. I am also proud of the Labour Party's historic decision in the mid 1990s to open up access to third level for everybody, regardless of from where one came from or one's income. It is arguable if I would be standing here were it not for the fact that I accessed free third level education. I do not know where I would be, but I am convinced that I would not be here. The opportunities I enjoyed with others broadened my horizons and those of my peer group in my community. Access to free third level education had opened up a host of opportunities that had been denied to my father and my mother, not because of a lack of ability but because of where they came from and their lack of income.

As my colleague, Senator Aodhán Ó Ríordáin, said, education is the great liberator and a great leveller. For that reason, I do not want any income contingent loan scheme to be intro-

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duced. As my colleague, Senator Ivana Bacik, said in reference to Andrew Adonis who made interesting remarks last week, he was the architect of the UK system introduced a number of years ago. I agree with him that, to use his quote, it is a “Frankenstein’s monster,” and that university tuition fees have spun out of control in the United Kingdom. Nobody is clear on the direction they are taking, other than it is upwards. The fear of accruing debts of between £50,000 and £60,000 in pursuing a three or four-year college degree in the United Kingdom is already having an impact on the number of undergraduates from lower socioeconomic groups choosing to participate in third level education. Anything that would narrow access to third level education for working class people and ensure that it would be the preserve of young people whose families are professionals or who come from the farming and business communities, frankly, should be taken off the table.

Even if one is ideologically predisposed towards introducing an income contingent loan scheme, it would be economically illiterate and there is evidence to prove my claim. The Institute of Fiscal Studies in the United Kingdom has estimated that about 77% of graduates will not pay back their loans in full. Earlier my colleague, Senator Paul Gavan, referred to an analysis which had been carried out by Corbet and Larkin. They believe the risk of default, should a similar system be applied here, would be so enormous as to make an income contingent loan scheme inoperable. From an economic point of view, the scheme would not even wash its own face. Apart entirely from concerns about loading young people with enormous levels of debt that they would have to carry throughout their working lives, the initiative simply does not work from an economic perspective.

I am surprised the Labour Party has been accused of adopting a populist position on this matter. God knows our history shows that is not the position the Labour Party, my party and a party I am proud to be a member of, has ever taken. We know the value of things but we also know the cost. I think nothing more populist has been done in these Houses in recent times than the abolition of water charges. It was done to allow the Government to continue in office - not in power, but in office. It is worth noting an article on the front page of today’s *Irish Examiner* where it has been claimed that a massive budgetary hole has been left in the Estimates this year and that the State needs to spend €200 million on its water service. Interestingly, with the stroke of a pen, that €200 million could abolish the student contribution charge for this year.

Senator Jennifer Murnane O’Connor: Most of the Senators have already raised my concerns. I view this matter differently because I am a parent who has sent her four children to third level education. I believe in free education but, unfortunately, there is no such thing. Primary school education is under-resourced and parents are seeking help. Secondary school students use iPads but, unfortunately, most families cannot afford them. Parents now find it hard to educate their children and that is a major flaw in the system.

At one stage I had to pay fees for my three children who were in third level education. Nobody here has mentioned recent increases in registration fees. Two years ago the fee was €2,750 but then it was increased to €3,000. We should have a system in place that does not charge €3,000 to register. People cannot afford to pay the fee. We must introduce a system that reduces the fee. Some colleges will take payment in instalments while others do not. All parents should be given the option of paying by instalments. Unfortunately, it is left to the colleges to decide whether fees can be paid in instalments, which is unacceptable. We must legislate and thus ensure that every third level college adopts a system of payment that allows instalments to be paid. We must also reduce the registration fee.

The Student Universal Support Ireland, SUSI, grants is another big issue that has not been mentioned today. SUSI grants are an absolute disaster. There is no such thing as an appeals system and PAYE workers are crippled. I know students who did not qualify for the grant because they were €5 or €10 over the qualifying threshold. I asked SUSI to make an exception but its staff would not budge. If these failings in the system are not addressed, how can we have free education? The reason half of the kids do not get to third level is because they are not given a chance by not being allowed to avail of a SUSI grant. The current system is not fit for purpose. We must reduce registration fees of €3,000. We need a payment system that allows instalments to be made and we need the SUSI grants to be reformed. Tomorrow is the last day one can apply for a SUSI grant and I have emailed many people about the closing date. The staff in SUSI are very good and answer all queries. My issue is that they can show no leniency no matter how much one appeals to them that a person is only €5 over the qualifying threshold.

Let us say two parents in a family are in work and one has a student who works at Christmas and during holiday period. All that income is taken into consideration. The money earned by a student working to earn enough to put himself or herself through college should not be taken into consideration when it comes to SUSI grants. The student's earnings are included on the P60 that belongs to his or her parents and, as a result, the student does not qualify for a grant. Students have cried in my office because they did not qualify for a SUSI grant and, therefore, could not go to college. We must address these matters first and then examine the bigger picture of giving free education. I am all for free education after putting four children through college.

The loan system is another issue. As Members will know, there is a shortage of doctors even though some of them will have availed of a loan system. There is a loan system in England and other countries but it burdens students with a debt even before they graduate. A loan system only works if a person is guaranteed a job, which I do not think will happen. I totally oppose the loan system as it does not work.

I have massive concerns about postgraduate education. More funding must be given to postgraduate education. I agree with the principle that students should not have to pay but we must be realistic. If the Government cannot resolve the current issues then how can we have no fees for students? I am surprised at the Labour Party's proposal. I am surprised that its Senators have not lobbied the Minister of State today for a better system or fought like I have done every day for an improved SUSI system and for fees to be reassessed. It is only after we have worked on the areas that I have outlined that we can examine the prospect of free education, starting with primary education. We must address the fact there is no such thing as free education.

I want to say to the students seated in the Visitors Gallery that I know where they are coming from on this matter as I have put my four kids through college. The Minister of State must resolve these matters before examining the issue of free education.

Senator James Reilly: Senator Murnane O'Connor made a very good contribution because she highlighted many of the issues that cause difficulty for people. Even with free education people struggle to meet the costs of travel and accommodation. It is very difficult to get accommodation in the larger urban conurbations, which is where all of our universities are located.

I will start at the beginning and touch on the same point that the last speaker mentioned. Let us remember that everybody goes to primary school and that we want everybody to go to secondary school but that not everybody goes to third level. When it comes to investment we must ensure the investment in the first two is right. I would like to see more focus on or at least

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equal status given to apprenticeships for carpenters, plumbers, fitters and various areas that are involved in business. As someone who has been through third level education, I believe there is a touch of intellectual snobbery when it come to trades versus the professions and others.

I agree with much of what Senator Ó Ríordáin had to say and that education is a great liberator, that knowledge is power and that education leads to knowledge and an ability to use knowledge. That is why I would personally like to see free third level education. However, this motion is premature in that it seeks to pre-empt the work of the joint committee which is considering how we can achieve the goal of making third level education available to all those who wish to avail of it. I do not want to be over political but I think it is wrong that the Labour Party would try to gazump the committee.

Fine Gael has been the party of a just society and equal opportunity. As somebody who believes in the basic foundations of our Republic in terms of equality and cherishing all of our children equally, I believe that everybody should get the same chance and that it should not be contingent on one's income. I am a parent of five adults. Having listened to Senator Norris I wish to say that two of my children went to Trinity. One of them is autistic and got great support there with the difficulties he faced because of his condition. He went on to graduate from Trinity so I commend that university for what it has done in this area. I also commend DCU for the initiative it is starting in the coming weeks to create an autism-friendly campus. This will support people on the spectrum, many of whom have tremendous talent. Many, however, are seriously challenged and third level is beyond their reach. I agree with my colleagues here. Of all the rights we have, the right to health care and the right to education are critical. These are basic rights that every citizen in our Republic should enjoy. We struggle with both and I would like to see both addressed.

The Labour Party motion addresses free third level education, which is something that we would all like to see. It does not, however, tell us how we are to achieve that. The Cassells report states that this would cost €1.3 billion per annum, while still providing for the level of investment needed by higher level education. There is a responsibility on any party calling for such a measure to show how that money will be acquired. I could go into a long list of areas competing for that money, but that would give the wrong message. The message I want to give here is that we need to be mature about this and give the committee time to do the work that we want it to do. We need to allow it to come back to us with its recommendation on how we can achieve the best outcome. I for one hope that that recommendation will indeed be that there be no fees. Young people face so many challenges in life already with the cost of accommodation, mortgages and child care. I do not want to see them with the further burden of a big student loan to pay off as they set off in life and look forward to starting a family. I do not want to see them looking forward to having the freedom to travel but then being afraid to come back.

I ask that we support the amendment so as to allow the committee, that all parties agreed to, to do its work. I do not understand where this motion is coming from when we have a committee in place to deliver what it is that we want.

Acting Chairman (Senator Diarmuid Wilson): I have to call the Minister of State at 6.42 p.m. and four Members have indicated to speak in the meantime. The next speaker is Senator Mullen who has eight minutes. If the Senator will stick rigidly to the time then everybody will get in.

Senator Rónán Mullen: Go raibh maith agat, a Leas-Chathaoirligh. Ba mhaith liom fáilte

a chuir roimh an Aire Stait agus, dála an scéil, fáilte a chur roimh an díospóireacht seo agus roimh cinnirí na mac léinn atá anseo linn sa Seanad inniu. I have no problem with the Labour Party jumping in ahead of the working group committee because I find it important that Members of the Seanad express their views on this important issue.

I canvassed views from friends and contacts with an interest in the area. One correspondent wrote back to me as follows:

As we speak many third level students are working around Ireland, Britain, Europe, and on J1 visas in America having left college two or three months ago. These learners have up to five months off between the calendar academic years and therefore have ample opportunity to earn some money to pay for tuition fees. During the college year many students work during the day, at night or at weekends to fund their study. Not every student can or does gain employment during the summer but the point remains — students do have a source of income during the length of their academic programme, and that also includes Leaving Cert. students who are about to start level six, seven or eight programmes.

This is not my view. I do believe, however, that students are responsible for their own learning. This means they attend regularly, they complete their exams and continuous assessment assignments to the best of their ability, and also that they pay a contribution towards their third level education. If students are financing their own higher education programme by way of proposed income-linked loans, it could mean they might be more accountable for their own academic lives and career prospects.

I do not say this with 100% certainty, however. What concerns me here today is that we stay with ideas. We need to be willing to accept that there are different legitimate points of view on an issue like this as we try to identify the common good and what it is that makes for the most just solution, having regard to finite resources. We need to be aware of the important value and privilege attached to a third level education. This is why I dislike the tone of today's debate. Competing parties, Sinn Féin and the Labour Party in particular, seem interested only in competing for the left-wing label. Listening to some of the Senators today, it sounds to me like they are less interested in student welfare and more interested in co-opting students as a lobby or demographic to be manipulated or taken ownership of. This lets down students and lets down this debate because there are legitimate issues here that need to be held in tension.

Knowing that one has to repay fees when one has reached a position of relative prosperity after college might help give students a real desire to achieve high grades by meeting all of the learning outcomes set out in their course of choice. I do not say that it definitely will, of course. It might perhaps create a healthier third level sector overall. Third level institutions are facing multiple challenges regarding growing learner numbers, funding provisions, and also retention and progression rates. Recent figures from the Higher Education Authority show that every year some 6,200 students, one in six, drop out during their first year in college.

These issues might be affected by the decision that we make here. At present students are taking out bank loans, with many being charged the associated interest fees. These loans are already a serious burden on the shoulders of learners. Income-contingent loans could be more equitable in that they allow students to pay back the State subvention when they reach a certain income threshold. My point is that we should not be afraid of ideas. We should not label as “ideological” ideas that are opposed to our own. I would rather hear the case being made for different ideas in an honest way that seeks to understand the point of view of the other side.

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What concerns me, however, is where we set this threshold. What threshold of income would a graduate have to reach before being required to pay his or her education back? This is the really relevant point here. If the threshold is high people have a fair chance to enjoy the benefit of their third level education and then give something back to society. A low threshold, however, would be less just.

We also have to be aware of the greed and ambition of higher education institutions. These institutions have sometimes inflated notions of their entitlements, not least to pay high salaries to their staff. Many of them are also becoming very conscious of their image in the international education marketplace but this is not always to the benefit of students. In the lead story in *The Irish Times* yesterday we learned yet again that some institutions have resisted declaring the millions of euro they hold in private trusts and foundations. We need to be very careful about the vested interests in education. We also need to be very wary of the possibility that the introduction of an income-contingent loan scheme could be taken advantage of by both institutions and, indeed, the State in order to ramp up fees and, by extension, the students' future debt.

Many students currently find themselves just outside the eligibility limits of the SUSI income indicators. They cannot get a grant, therefore, and must struggle financially through college or not go at all. At least the proposed loan initiative could help in this regard by removing the student's parental income, via the grants support system, as a significant factor. That could be fairer.

The idea of an income-contingent loan, one of three possible third-level funding options proposed in the Cassells report, could be a way forward. I am willing to state that and to engage with the ideas on that basis. I note that a recent sitting of the Joint Committee on Education and Skills was told by Dr. Aedín Doris of Maynooth University's economics department that a careful analysis of the fiscal implications of income-contingent loan schemes shows they are feasible in Ireland. She concluded that a scheme, "would allow a substantial increase in higher education funding without reducing access and at a lower cost to the Exchequer compared with other alternatives". If that is true then it needs to be considered. What we need to test is whether it really is true. There is a lack of realism in today's motion from the Labour Party and the way in which it is presented. It is just too ideological. The agenda is too much about co-opting students as a class with this superficially attractive idea. I agree, incidentally, that a significant number of people from rural and lower socio-economic backgrounds have benefitted from a publicly-funded path to third level. I come from a farming background and benefitted from it myself. An income-contingent loan scheme can also provide people from this demographic with the opportunity to go to college, upskill and compete in the labour market upon graduation. They will then be less vulnerable to future economic and social changes. The loan initiative need not force students to emigrate, cripple students financially for years after graduation, deter potential students from applying to go to third level nor leave the State with a large bill for unpaid fees. It all depends on how it is done.

The Minister of State has said that doing nothing about the future funding of higher education is not an option. It is estimated that the third-level sector needs an extra €1 billion investment and that has relevance to decisions to be made by the Oireachtas. Members must stay with the ideas and recognise that there are compelling arguments but that it has to be done right and cannot become an excuse for ramping up fees. It cannot become an excuse for the State not to invest in education. I am a firm believer in giving something back and that third level education is a privilege. If I thought that money could be more generously diverted to particular socially disadvantage areas that perhaps require greater investment, I would be very tempted to support

this concept. However, Members must not allow themselves to be manipulated by political parties that are only interested in clamouring for votes and attention. We should focus on the common good and where that might lie.

Senator Fintan Warfield: I welcome the Labour Party motion. I welcome the Minister of State and congratulate her on her appointment and I welcome the citizens in the Public Gallery.

I regret that Senator Mullen feels that a to and fro has developed between Sinn Féin and the Labour Party. I think what Senator Gavan has set out and what I will set out is a vision for a political system that does not make promises it cannot keep but rather keeps every commitment it makes. Sinn Féin and I have worked well with the Labour Party. That has certainly been the case on every occasion I have brought forward legislation in the past year.

This motion strikes to the heart of social inequality in the State. Sinn Féin and I believe that equality of opportunity is key to combatting classism and that education is the means to achieve that. Article 42 of Bunreacht na hÉireann, published in 1937, instills the right of every child in the State to a primary education. In 1966 the then Minister for Education, Donogh O'Malley, introduced free secondary education for all children. In 1995 the then Minister for Education, Niamh Bhreathnach, abolished third level fees. Throughout the history of the State, governments have realised the social deprivation caused by a limited access model and taken significant steps to address issues of access to education in order to break down the socio-economic barriers that exist.

It has been said in the House and at the Joint Committee on Education and Skills that the free fees model is no longer free and that the current model is unfair and undue fee rises are unsustainable. I listened to the presentations on this issue to the Joint Committee on Education and Skills and noted that no advocate for a deferred payment model made reference to a working international model, the fiscal flexibility of the State to incur such debt or the horrific and inequitable burdening debt that has been incurred by students in Australia, the United States and Britain. We currently have an access crisis with fees being among the highest in Europe, maintenance grants having been slashed and student assistance fund applications having surged as students and their families struggle to bear the rising costs of living. The arguments for a deferred payment model heard by the committee do not hold true and have been completely dispelled by Professor Kathleen Lynch of UCD and Dr. Charles Larkin of Trinity College Dublin.

I commend Senators Bacik and Ó Riordáin for bringing this motion to the House alongside the significant work done on the issue by representatives from various organisations such as the Union of Students of Ireland, USI, the Coalition for Publicly Funded Higher Education and the Irish Secondary Level Students Union. Progressive forces in this House commend their activism. The Oireachtas is nothing without the people and I thank those organisations for the arguments they have presented for a publicly-funded education system which I and progressive forces in the House believe have won. It will take political will and bravery for the Government to meet the aspirations of previous visionary Ministers for Education.

Senator Trevor Ó Clochartaigh: Cuirim céad fáilte roimh an Aire Stáit agus déanaim comhghairdeas léi ar a ceapachán agus cuirim fáilte roimh na haíonna sa Ghailearaí inniu.

I am a member of the Joint Committee on Education and Skills. I have no problem with this issue being discussed in the Seanad and coming off the fence, as I wish Fianna Fáil would, because the overwhelming body of evidence that has been presented to the committee is totally

against the income contingent loan model. There have been very few compelling arguments to support the other side. In the context of the third level education sector, in recent years there have been cuts to non-adjacent grants and post-grad grants, increases in registration fees and cuts to young people's social welfare payments. That drove tens of thousands of young people out of third level, out of the country and to places such as Canada, Australia and so on. That created a class divide because people with money in their back pockets were able to continue to go to third level. Those people will get degrees and be able to afford to do a post grad and will be more qualified when applying for jobs in the civil service and so on. We are creating a divide and one has been created. That is one of the arguments in favour of free third level education.

I have likened the creation of the income contingent loan scheme to an Irish Water model for third level. The cost of setting it up has not been clarified and the State would be pumping money into a model which has been seen to fail internationally. We should not put money into such a scheme.

A report of the Committee of Public Accounts has considered how money is spent at third level institutions. NUI Galway is sitting on a war chest of over €50 million while at the same time it comes in with one arm longer than the other seeking funding for students in colleges where labs do not have the proper equipment and supplies needed to teach students or are over crowded and so on. We should examine how money is spent in third level. There needs to be far more transparency in terms of fees paid to staff at high levels in the colleges. When cases such as the NUI Galway gender equality case arise there is no shortage of money to fight those legal battles, nor when it comes to hiring consultants. However, in terms of the conditions for university staff, many lecturers and teachers at lower levels are on contracts of indefinite duration, do not know when their contracts will end or whether they will be continued and are already struggling for money. There has been massive outsourcing of staff within universities as well and people on very poor pay and conditions are being employed as cleaners and so on.

Young people should not come out of college with a millstone around their neck because of the income contingent loan model. In relation to credit ratings, if a student graduates with a loan of €50,000 to be repaid and he or she wants get on the property ladder and take out a mortgage, buy a car or undertake further education or professional training of any sort and they go and look for a loan, the first thing the bank will do is ask him or her what his or her credit rating is and whether he or she has any other bills. The student will not be able to take out those extra loans etc. That will be a huge disadvantage unless he or she has someone who can offer financial support and if he or she has that disposable income.

Issues in respect of people taking the wrong courses at third level need to be addressed. Part of that reason for those issues has been the cut to guidance counsellors at second level. A full complement of guidance counsellors at second level is needed to put people into the right course in order that they stick with it.

Several third level institutions are operating subsidiary companies, some of which provide services like online training and so on. There needs to be an examination of how those companies are being run because they are bringing in a significant amount of money and many are operating under charitable status, which is questionable.

The Fianna Fáil amendment to the Bill is cynical. It is about time Fianna Fáil got off the fence. I am confused by its Jekyll and Hyde approach to this model. Its members need to tell us whether or not they are in favour of income contingent loans and stop trying to hide behind

an amendment that is going to get them off the hook.

It is condescending and sanctimonious of Senator Mullen to say that Sinn Féin is trying to steal the votes of certain people in the third level sector. Anybody I have met from the third level sector is well able to make up his or her own mind about who he or she wants to support politically. I am sure they will do that. We are very much in favour of this motion. I hope that Fianna Fáil and the Government will withdraw their amendments.

Senator Alice-Mary Higgins: I congratulate the Minister of State on her appointment and look forward to working with her. I welcome all the visitors to the House.

I strongly support this motion, but not the amendments. We have heard many nice words and many words about education across the House. Some practical proposals have been made, including on grants, but the nub of the debate today is where we, as public representatives, stand on publicly funded and supported education and, specifically, on the question of income-contingent loans. I slightly disagree with one of my colleagues on the other side of the House in that it is not a case that the income-contingent loans might lead to better or more equitable education outcomes because the evidence shows they do not. It is not a question of “might” but of “do not”. That evidence is not from people of left-wing or other ideological perspectives but from the very designers of the schemes. They put them into practice and the evidence shows they do not work. I will not go into all the figures because others have outlined them. With regard to access, to which everybody in this House says they are committed, the rate among the lowest socio-economic group in Australia, for example, is 16% while it is 23% in Ireland. In Australia, 70% feel they have to work part-time during their education because they are in debt from the beginning. They are chasing themselves all the way through their education. The percentage in Ireland is 41%. Therefore, there is no benefit in terms of freeing people to focus on their education. It does not lead to greater access.

In the United Kingdom, significant issues are associated with the fall-away in terms of access. One of the reasons we need to have this debate is the regrettable fact that the Cassells report did not dive deeper into the issues of equality. There is a considerable gender aspect. Women are deeply disadvantaged in this. There is a huge drop-off in participation by women, particularly part-time and mature students. The figure is very stark. Ireland is currently one of the world leaders in terms of the number of mature students who participate in our education system. In the United Kingdom between 2010 and 2015, there was a 40% fall in the mature student number. This is massive. Those particularly affected are those who feel they cannot go back to education after a certain period, including carers. We have a child care system in Ireland in which women are carrying that burden. Those who have had an education face an issue in going back into education. Women from ethnic minority backgrounds are affected. We have heard about disability. All the evidence, when drilled down, shows that inequality features right across the spectrum.

A point I wish to make in addition to that on individual access concerns the public good. There is a considerable public good associated with education - we have heard it talked about passionately - but there is also a danger in incentivising migration and encouraging people to stay away. Vulnerable departments, such as humanities departments, face real risk because we do not have in Ireland the same scale as in the US or UK. There is a real danger that we will see vulnerable departments, crucial to innovation and creativity, not getting students because of a more utilitarian route being forced upon them.

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The dividend comes out in different ways. We need to have a progressive taxation system. Absolutely, if one has benefited from education and is earning high wages, something should kick in. It should be a progressive taxation system. When one is earning is when one should be paying back. Getting it at that end rather than at this end means we can recognise there can be social dividends. In respect of our institutes of technology, for example, the dividend students give back may not involve an arrangement as simple as paying back a loan to a financial institution, probably abroad and probably not paying tax itself. It may be that they would give back through the community, social change, the kind of innovation about which the Minister of State is very passionate, and the kind of creativity that is the foundation of long-term growth.

I cannot support the Government amendment. I have many ideas for how one could pay. Some of the research and development tax breaks associated with the knowledge box would be number one for me. I recognise Fianna Fáil is coming towards this position but I cannot support the motion because it involves too much of a process.

Minister of State at the Department of Education and Skills (Deputy Mary Mitchell O'Connor): I welcome this opportunity to address the House. I look forward to engaging with Members of both Houses as we seek to address some of the important challenges that are currently facing the higher education sector. I look forward to engaging with colleagues from all parties and none on the Oireachtas Joint Committee on Education and Skills, which has a most important task regarding higher education. It is examining the Cassells report, commissioned by the former Minister for Education and Skills, Ruairí Quinn. I really hope it can reach broad agreement on the most appropriate sustainable future funding model for higher education.

Until the committee concludes its work, it is premature and disrespectful to the committee and its members to discuss the funding options for higher education at this point. Many of the committee members spoke today, including Senators Ó Clochartaigh, Ruane, Gallagher and Byrne. I believe Deputy Joan Burton represents the Labour Party on the education committee.

Senator John O'Mahony asked me a direct question as to whether the decision was made regarding the income-contingent loans. May I say loud and clear that this Government has not made a decision? What we have done is tasked the education committee, which is cross-party in nature, with examining this issue. If our Oireachtas committee system is to work, it is right that the Government should await its deliberations.

I have listened very carefully today and have heard excellent contributions. I do not want this debate to be divisive, based on left-right politics, or to be ideological; what I want is the committee to come back to me. We will respectfully consider its deliberations. As Minister of State responsible for higher education, I will do so.

The motion, as tabled, contains a number of sentiments with which I am in total agreement: the importance of promoting equality of access across the education spectrum for all citizens; the benefits that accrue to individuals and the wider economy and society as a result of increased access to educational opportunities; and the recognition that there is a significant funding challenge in higher education, clearly identified in the Cassells report, that must be addressed in order to provide a more sustainable future funding model for higher education. I do not agree, however, that we should be seeking to pre-empt or undermine in any way the work of the Joint Committee on Education and Skills. Today, I met the Chairman and learned there have been many hours of deliberations with the stakeholders. The committee is currently considering the funding options that are contained in the Cassells report.

A key role of the joint committee is to build political consensus on the most appropriate future funding model for higher education. I do not believe that the motion, as currently tabled, contributes towards that objective. For that reason, I will not be supporting it. That does not mean a decision has been made, however. I do not want the message to go out that we have made a decision. We have not.

As Minister of State with responsibility for higher education, I am committed to promoting access to third level for all of our citizens. However, in recognition of the importance of education as a key enabler in breaking down cycles of disadvantage, the Department is promoting access and widening participation across the full education continuum.

In the early years sector, the Department works closely with the Department of Children and Youth Affairs to ensure children have the best start available in terms of their educational and social development. This includes universal provision complemented by specific supports for children from less advantaged backgrounds. While Members spoke about primary and secondary schooling, preschool is important, as well as third and fourth level, lifelong, apprenticeship and skills training.

In the school sector, the Department is investing more than €100 million in 2017 to support the Delivering Equality of Opportunity in Schools, DEIS, plan. DEIS is the Department's main policy initiative to tackle educational disadvantage in schools. It provides supports to learners to participate, succeed and contribute effectively to society in a changing world. The overall objective of the 2017 DEIS plan is to target resources at identified educational need by ensuring schools catering for the highest concentrations of children at risk of educational disadvantage are fully supported to optimise improved educational outcomes. The plan identifies more than 100 actions to contribute to that objective. Key actions include prioritising school leaders and teachers in DEIS schools for professional leadership training. All post-primary schools participating in the school support programme will have access to a dedicated career guidance counsellor. The plan involves strengthening the connections between preschools and primary schools. Schools will set specific targets, including targets for literacy and numeracy, and will evaluate these annually. A new school excellence fund will support the implementation of new interventions while book rental schemes will become mandatory for schools participating in the school support programme. There will be a greater prioritisation of the National Educational Psychological Service to DEIS schools and supporting transitions from school to further and higher education.

A critical element of the new DEIS plan is also the involvement of other Departments and agencies in the delivery of key actions. The new DEIS plan is also underpinned by a new identification process for educational disadvantage which provided a robust evidence base for the targeting of resources at those most in need. This new identification process resulted in over 70 new schools which will begin to receive supports in the 2017-18 school year. A further 30 schools will receive increased supports as a result of moving from DEIS band 2 to DEIS band 1. The new identification process is also more responsive to demographic change in school communities.

The Department is promoting educational opportunities through the further education and training sector for school leavers, as well as those who are availing of second chance education and upskilling opportunities or both. In total, the Government is investing over €800 million in further education and training annually through SOLAS and the education and training boards. Further education training programmes are delivered nationwide in a wide range of settings

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including post-leaving certificate and further education colleges.

We are also investing in apprenticeships as a pathway to sustainable employment. The programme for Government commits to providing 31,000 apprenticeship places by 2020. The Action Plan for Education states 50,000 people will be enrolled on apprenticeship and traineeship programmes in the period to 2020. Last year, we saw the first of the new apprenticeships developed by the Apprenticeship Council, following its first call for proposals in 2015. Three further new apprenticeships got under way last month. A key commitment set out in the plan for this year is the issuing of a second call for proposals for new apprenticeships. As well as developments in new apprenticeships, registrations in the craft trades are rising as the employment and economic situation improves. Registrations at the end of June were almost 40% ahead of the same period in 2016.

In my area of higher education, the Department is active in promoting access and widening participation. Although access statistics show the position in most disadvantaged areas has still not improved, we need to do something different in this regard. The overall policy framework is provided by the national plan for equity of access to higher education. Its vision is to ensure the student body entering into, participating in and completing higher education at all levels reflects the diversity and social mix of the population.

The plan contains more than 30 actions to achieve these targets including: addressing the issue of non-progression in higher education; developing a system for recognition of prior learning; developing measures to promote participation in initial teacher education by target students; developing measures to engage directly with communities where participation in higher education is low; and developing a data plan to measure progress. Implementation of the plan is being supported by investment of approximately €450 million in 2017. The Department provides a suite of supports intended to assist students from disadvantaged backgrounds, as well as other under-represented groups, to overcome financial barriers to accessing and completing higher education. The main support is provided through the student grant scheme which will benefit approximately 80,000 students in 2017 at a cost of €380 million. Students in third level institutions experiencing exceptional financial need can also apply for support under the student assistance fund. More than 77,000 third-level students have been supported by this fund over the past six years. For students with disabilities, the fund for students with disabilities provides funding for the delivery of key services and reasonable accommodations. It benefits approximately 10,000 students each year.

Acting Chairman (Senator Diarmuid Wilson): I apologise for interrupting the Minister of State. However, the order of the House is that I should be calling Senator Ó Ríordáin at this time. To facilitate the Minister of State completing her speech and Senator Ó Ríordáin getting his five-minute slot, I propose we extend the time for this debate for it to conclude at 7.20 p.m. Is that agreed? Agreed.

Deputy Mary Mitchell O'Connor: The Minister for Education and Skills, Deputy Bruton, also secured additional funding of €8.5 million for access measures in budget 2017.

This will provide for new measures to support the national access plan. There will also be incentives for higher education institutions to engage directly with disadvantaged communities in order to attract more disadvantaged students. The maintenance grant will be reinstated for the most disadvantaged postgraduate students - a comment was made about postgraduate students - and there will also be measures to facilitate more lone parents in accessing higher

education, as well as a new 1916 bursary scheme. The Minister, Deputy Richard Bruton, and I will be in a position to announce more details of these measures shortly. The Department also announced earlier this year funding of €2.4 million to promote access to the teacher profession for students from under-represented groups. This has real potential to provide positive role models for disadvantaged students and contribute to breaking the cycle of disadvantage.

In terms of higher education funding as a whole, I welcome the recognition in the proposed motion that there is a significant funding challenge in higher education. The expert group on the future funding of higher education, under the chairmanship of Mr. Peter Cassells, *7 o'clock* was established to develop a strategy for funding the third level sector. It engaged in a thorough process of analysis and consultation, national and international. The report which was published in July 2016 outlines the funding challenges in the higher education sector and offers a number of approaches and recommendations for consideration in the medium term.

The expert group estimates that an additional €600 million per annum will be required to meet increasing student demographics and deliver high quality outcomes by 2021, with the additional annual requirement rising to €1 billion by 2030. The expert group identifies three funding options for consideration, including a predominantly State-funded system. This would involve a significantly increased core grant for institutions and the abolition of the student contribution. The expert group also identifies as options increased State funding with continuing student fees and increased State funding with the deferred payment of fees through income contingent loans. I again state no decision has been made in that regard. The report was referred to the Oireachtas Joint Committee on Education and Skills by my colleague the Minister, Deputy Richard Bruton, to build a political consensus on the most appropriate sustainable future funding model for higher education. I look forward to receiving the recommendations of the joint committee once it has concluded its consultations.

It is clear that doing nothing is not an option when it comes to the future funding of higher education. To this end the Minister, Deputy Richard Bruton, secured additional funding for the higher education sector of €36.5 million in budget 2017. It is part of a three year package, amounting to €160 million for the sector. It is the first increase in funding for higher education since 2009. The funding will provide for improved access to higher education, demographic increases, the reinstatement of the postgraduate maintenance grant for the most disadvantaged students and additional funds for research and skills.

The Department is also working closely with the Department of Public Expenditure and Reform to explore the potential for an increased employer contribution to further and higher education through the national training fund. This is a recommendation made in the expert group's report on future funding. In addition, the Higher Education Authority is reviewing the recurrent grant allocation model used to allocate funding to higher education institutions. It is expected that the group will present its report shortly. These are all important developments that will contribute towards a more sustainable funding model for higher education in the future.

I reiterate the Government's commitment to promoting equity of access and opportunity across the education continuum. This is evident in the level of investment being made to promote educational opportunities for all citizens. There is a key challenge in providing a more sustainable basis for the higher education system in the future, but we are taking steps that will contribute to a solution to this problem. We have committed to providing an additional €160 million. We are developing the employer-Exchequer investment mechanism. We are reviewing

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the resource grant allocation model. We have referred the funding options presented in the Cas-sells report to the Oireachtas joint committee for its consideration. At this point in the deliberations of the joint committee it really is not helpful to seek to rule out particular policy options as that would undermine the work of the committee which is trying to build a political consensus on this complex issue. There is a responsibility on all of us as policy makers to seek to work together to find the most appropriate future funding model for higher education. For this reason, I cannot accept the motion. The increased Government investment in higher education has been substantial. The ongoing exploration of a new employer-Exchequer funding mechanism could yield up to €200 million per annum. Doing nothing is not an option.

Senator Jennifer Murnane O'Connor is right - the closing date for the submission of applications to SUSI is tomorrow. I, therefore, ask Senators to get the message out through their contacts. SUSI has an appeals system and students can pay their contributions in two moieties. Postgraduate maintenance grants are being reintroduced for the most disadvantaged groups this September. These are the main points I want Senators to pick up.

Senator Aodhán Ó Ríordáin: I thank everybody who has contributed to the debate, particularly those Senators who are supporting the motion. I am a little disappointed by the negativity in the Chamber and those who are intent on engaging in a party political point-scoring exercise. If they read the motion, they will see that there is not one negative word in it. It is aspirational and seeks something better for young people and potential third level students. It does not attempt to criticise anybody or the current or any past Government. Contributions which sought to score cheap political points do not reflect well.

Having said that, I was a little taken aback when the Minister of State and representatives of the Government in the House suggested we should not even be discussing this issue because a committee was engaged in a wide discussion on it. We had a similar discussion yesterday, when the Government at very short notice had to ram through the Rugby World Cup Bill and we were told that we were being reckless and almost treacherous for even suggesting or raising questions as to why it was being done so quickly. It would be much appreciated by me, the Labour Party and everybody who supports the motion if the Minister of State gave her own view that she was against an income contingent student loan system. It would be extremely welcome if she, or the Minister, Deputy Richard Bruton, were to make that statement. The committee would very much appreciate knowing the parameters within which it would have to do its work. However, the Minister of State has not done this. To be honest, for her to state we should somehow be extremely appreciative or welcome the fact that she has not made any decision or that no decision has been made on the issue will not satisfy those in the Visitors Gallery who feel very strongly about it or those of us who feel very strongly about third level education. Again, I find the accusation of populism remarkable. As Senator Gerald Nash most eloquently said, the summer economic statement references the €220 million the Government wants to give in tax breaks. It matches exactly the amount of money it would cost to abolish third level fees. Therefore, claims about where the Government is supposed to find the money and accusations of populism fall down completely, even on the Government's figures. This is about choices. People say it is not about the left or the right or ideology, but it is. If the Government decides to give back €220 million in tax breaks, it is making an ideological decision that is more right wing than left wing.

Senator Paul Gavan: Absolutely.

Senator Aodhán Ó Ríordáin: These are choices the Government can make. If the Minister of State believes in free education, it is not good enough to say, "I believe in free education,

but...” If the Government believes in free education, it should put the money into the system. At this stage in the game no one in Ireland is going to be bought off with the idea of tax cuts; what they want is service provision.

I want to finish by referencing some of the contributions made yesterday at the briefing organised by Senator Ivana Bacik which was enlightening for anyone who was present. The last presentation was made by Mr. Kevin Donoghue, chairperson of Labour Youth. He referred to the glory of the sound of a pen on paper, the glory of the anxiety young people felt at examination time and the glory of the pride in the voice of parents when they spoke about their children going to college. People who have benefited from third level education and do not know anyone who has not gone to third level education and think everyone else is just like them do not understand the power of the words “college” and “university” or the bizarre fact that even examination time anxiety is so liberating.

Senator David Norris: It is not.

Senator Aodhán Ó Ríordáin: The folder under the arm of a student is such a powerful symbol for the family and everyone in the community of what that student is doing and learning and how he or she is being empowered through life. I put it to the Minister of State that the last thing a student needs, aside from a folder under the arm, is anxiety about how he or she will pay for education in the future. Instead, a student should feel the excitement and anxiety that come with a learning experience. I use the term “anxiety” because it is part of the entire university experience. It is part of getting through the system and working through examinations. I realise it was a strange example to give, but I understand exactly what Mr. Kevin Donoghue was talking about.

There can be no return to a situation envisaged in 2011 in the Fine Gael manifesto which referred to a student loan scheme to fill the gap. We must have a better vision. We have to look forward and aspire to having a free third level system. The Government’s amendment is not one we can support. I take the same view of Fianna Fáil’s amendment. Let us move beyond party political point-scoring. Let us accept that free education is a right and an aspiration and something to which we can collectively work towards. It would be beneficial if Ministers in areas of authority in the Department of Education and Skills could say categorically that a student loan scheme was out and that they believed in equality in and equality of access to education. It would be beneficial if it was clear that the aspiration of the Government was free access to education for all. Everyone in the House would support it in that regard.

Acting Chairman (Senator Diarmuid Wilson): Is amendment No. 2 agreed to?

Senator David Norris: Let me ask for guidance. Why are you putting amendment No. 2 before amendment No. 1?

Acting Chairman (Senator Diarmuid Wilson): Because it was moved first. It is the Government’s amendment.

Senator David Norris: Thank you for the explanation.

Acting Chairman (Senator Diarmuid Wilson): I am sorry if the numbers are confusing the Senator.

Senator David Norris: You confuse me terribly.

12 July 2017

Amendment put:

The Seanad divided: Tá, 23; Níl, 15.	
Tá	Níl
Burke, Colm.	Bacik, Ivana.
Butler, Ray.	Black, Frances.
Buttimer, Jerry.	Conway-Walsh, Rose.
Byrne, Maria.	Devine, Máire.
Coffey, Paudie.	Gavan, Paul.
Conway, Martin.	Higgins, Alice-Mary.
Davitt, Aidan.	Mac Lochlainn, Pádraig.
Feighan, Frank.	Mullen, Rónán.
Gallagher, Robbie.	Nash, Gerald.
Hopkins, Maura.	Norris, David.
Lawless, Billy.	Ó Clochartaigh, Trevor.
Lombard, Tim.	Ó Ríordáin, Aodhán.
McFadden, Gabrielle.	O'Sullivan, Grace.
Mulherin, Michelle.	Ruane, Lynn.
Murnane O'Connor, Jennifer.	Warfield, Fintan.
O'Donnell, Kieran.	
O'Mahony, John.	
O'Reilly, Joe.	
O'Sullivan, Ned.	
Reilly, James.	
Richmond, Neale.	
Swanick, Keith.	
Wilson, Diarmuid.	

Tellers: Tá, Senators Gabrielle McFadden and John O'Mahony; Níl, Senators Ivana Bacik and Aodhán Ó Ríordáin.

Amendment declared carried.

Amendment No. 1 not moved.

Question put: "That the motion, as amended, be agreed to."

The Seanad divided: Tá, 23; Níl, 15.	
Tá	Níl
Burke, Colm.	Bacik, Ivana.
Butler, Ray.	Black, Frances.

Seanad Éireann

Buttimer, Jerry.	Conway-Walsh, Rose.
Byrne, Maria.	Devine, Máire.
Coffey, Paudie.	Gavan, Paul.
Conway, Martin.	Higgins, Alice-Mary.
Davitt, Aidan.	Mac Lochlainn, Pádraig.
Feighan, Frank.	Mullen, Rónán.
Gallagher, Robbie.	Nash, Gerald.
Hopkins, Maura.	Norris, David.
Lawless, Billy.	O'Sullivan, Grace.
Lombard, Tim.	Ó Clochartaigh, Trevor.
McFadden, Gabrielle.	Ó Ríordáin, Aodhán.
Mulherin, Michelle.	Ruane, Lynn.
Murnane O'Connor, Jennifer.	Warfield, Fintan.
O'Donnell, Kieran.	
O'Mahony, John.	
O'Reilly, Joe.	
O'Sullivan, Ned.	
Reilly, James.	
Richmond, Neale.	
Swanick, Keith.	
Wilson, Diarmuid.	

Tellers: Tá, Senators Gabrielle McFadden and John O'Mahony; Níl, Senators Ivana Bacik and Aodhán Ó Ríordáin.

Question declared carried.

Senator Rónán Mullen: Under Standing Order 62(3)(b), I request that the division be taken again other than by electronic means.

An Cathaoirleach: As the Senator is not a teller, will the Members requesting the walk through vote please rise? As no Member rose, the result stands. When is it proposed to sit again?

Senator Jerry Buttimer: Maidin amárach ar 10.30.

The Seanad adjourned at 7.40 p.m. until 10.30 a.m. on Thursday, 13 July 2017.