



DÍOSPÓIREACHTAÍ PARLAIMINTE  
PARLIAMENTARY DEBATES

**SEANAD ÉIREANN**

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

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# SEANAD ÉIREANN

*Dé Céadaoin, 4 Deireadh Fómhair 2017*

*Wednesday, 4 October 2017*

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

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*Machnamh agus Paidir.  
Reflection and Prayer.*

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## **Business of Seanad**

**An Leas-Chathaoirleach:** I have received notice from Senator Frank Feighan 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 outline the plans under way to progress the new 90-bed unit at St. Patrick's Hospital in Carrick-on-Shannon, County Leitrim, and the new 50-bed unit at the Sacred Heart Hospital, Roscommon town, following the announcement of capital funding for both projects in January 2016.

I have also received notice from Senator Michelle Mulherin of the following matter:

The need for the Minister for Health to address the problem of the number of oncology patients in Saolta hospitals in counties Mayo, Sligo, Donegal and Roscommon awaiting transfer to the designated centre of excellence at University Hospital Galway for urgently needed cancer treatment, diagnostic procedures and access to the urology specialists.

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

The need for the Minister for Communications, Climate Action and Environment to outline his plans to examine a range of additional services which could be delivered through the existing post office network.

I have also received notice from Senator Alice-Mary Higgins of the following matter:

The need for the Minister for Employment Affairs and Social Protection to outline her intentions regarding the implementation of the recommendations of the social protection committee report on the position of lone parents in Ireland.

I regard the matters raised by the Senators as suitable for discussion and they will be taken now.

## Commencement Matters

### Nursing Home Accommodation Provision

**Senator Frank Feighan:** I am glad to have the opportunity to raise this important issue again and I thank the Minister of State for giving of his time to be present. One of his predecessors, Ms Kathleen Lynch, announced one of the most comprehensive programmes of investment in public nursing home facilities in the history of the State. As part of this €400 million investment programme by the Government, 33 existing nursing home facilities across the country will be replaced while 57 others will be refurbished or extended. Before this breakthrough announcement, many communities feared that some nursing homes would be closed because of a failure to meet the required HIQA standards. This naturally caused a great deal of concern and disquiet among communities throughout the country. However, with this significant funding programme, that will not be the case and, as a result of this investment, the future of these public nursing homes will be secured.

It also provides much reassurance for those living in these homes and their families. The excellence of the care received must be acknowledged but, unfortunately, for many years, the physical environment of these nursing homes required substantial improvement. The greatest beneficiary of this funding in my region last year was St. Patrick's Hospital in Carrick-on-Shannon, which received €60 million for a new 90-bed community hospital and the Sacred Heart Hospital in Roscommon town, which received €9 million for a new 50-bed unit.

Under this programme, it is proposed to deliver a new build community nursing home in Carrick-on-Shannon, which will replace existing beds where the physical environment requires significant improvement. The Sacred Heart Hospital project will comprise an extensive refurbishment of the building to provide residents with accommodation in *en suite*, single and two-bed rooms, along with suitable communal space and sanitary facilities. This good news announcement followed a long campaign by local stakeholders in both counties and this funding will ensure the facilities will be compliant with the environment aspects of HIQA standards by 2021.

I understand a great deal of preparatory work has been carried out by the HSE in deciding the most appropriate scheduling of projects for the period until 2021. However, I seek specific details regarding the Carrick-on-Shannon and Roscommon town developments. What preparatory work has been undertaken in respect of those two vital projects since the funding announcement early last year? I hope the Minister of State can provide some of that detail.

**Minister of State at the Department of Health (Deputy Jim Daly):** I thank the Senator. A vital element of these projects is to keep attention focused on them. It is the duty of public representatives to ensure that progress is maintained on such important projects and that the wider public continues to be informed that they have not been forgotten about and they are very much active and on the table. Although it is the Government's policy to facilitate older people to remain in their homes for as long as possible, there will always be a cohort of people who need long-term care. Quality residential care must continue to be available for those who need it. Residential care is provided through a mix of public, voluntary and private provision. It is

worth highlighting that the net budget for long-term residential care in 2017 is €940 million and the nursing homes support scheme will support about 23,300 clients by the end of the year.

The Health Service Executive, HSE, is responsible for the delivery of health and personal social services, including those at facilities such as the Sacred Heart Hospital, Roscommon, and St. Patrick's Hospital, Carrick-on-Shannon. Public residential care units are an essential part of our health care infrastructure. They provide about 5,000 long-stay beds, amounting to approximately 20% of the total stock of nursing home beds nationally. There are also about 2,000 short-stay community public beds.

The standard of care delivered to residents in these units is generally very high. We recognise, however, that many of our public units are housed in buildings that are less than ideal in the modern context. Without them though, many older people would not have access to the care they need. It is, therefore, essential they are put on a sustainable footing and that the fabric of the buildings from which they operate is modernised and improved. This is the aim of the five-year capital programme for community nursing units announced last year.

The Senator will appreciate all health care infrastructure developments, including these two, require a lead-in time to complete the various stages. These stages include appraisal, project brief, design feasibility, a review of costing estimates, and finalisation of financing. Under this programme, it is proposed to deliver by 2021 new community nursing units at the Sacred Heart nursing home, Roscommon, and by means of public private partnership at St. Patrick's Hospital, Carrick-on-Shannon. These projects will replace existing beds where the physical environment requires significant improvement. Both projects are currently at appraisal stage and are proceeding according to capital planning guidelines.

Based on this early stage of the development, the projected timelines for the Sacred Heart Hospital, Roscommon, are that the project will be submitted to the HSE's national capital and steering group for consideration and approval by the third quarter in 2018. The design, planning and tendering could be completed by the third quarter in 2019 and construction is projected to begin in 2020. The new community nursing unit is expected to be completed and occupied by the end of 2021.

The new project for St. Patrick's Hospital, Carrick-on-Shannon, is being delivered by means of a public private partnership mechanism, which is at an early stage of the development. It is not possible at this point to give a detailed timeline for the delivery of each stage of the project. It is, however, expected that the facility will be operational by the fourth quarter in 2021.

**Senator Frank Feighan:** I thank the Minister of State for his response. I am delighted our Government is fully committed to upgrading nursing homes across the country, including Sacred Heart Hospital, Roscommon, and St. Patrick's Hospital, Carrick-on-Shannon. I remember during the last Government, we went through many hoops to get this investment on the table. It certainly reassures residents and their families in these two counties.

When building the endoscopy unit at Roscommon hospital, it took four years from design, planning and tendering. Only that I saw it at first hand myself from sitting in on meetings nearly every week from the start of the project, I would not have realised how much of an undertaking it was for the HSE, staff and management team. I pay tribute to the management team and all staff at the hospital. Now there is a design team in Roscommon hospital working on a rehabilitation service for the west.

I again thank the Minister of State for his reassurance for residents and their families.

**Deputy Jim Daly:** I am glad the Senator is happy with this response.

I always welcome the opportunity to update him and his constituents on projects like this and the focus they keep on them. I also commend him on his work in the wider Roscommon area. The endoscopy unit is a great credit to people like the Senator who saw the future in the hospital at all times. He stayed the course to ensure that development, one of which many people can be proud, including the Senator's constituents.

### **Hospital Services**

**Senator Michelle Mulherin:** My Commencement matter arises out of the difficulty that oncology patients in counties Mayo, Roscommon, Sligo and Donegal have in accessing the designated centre of excellence at University Hospital Galway. I acknowledge the great work and dedication of the health care professionals in this centre of excellence, as well as those who work in the various other hospitals under the oncology speciality, often in difficult circumstances. The problem is not their work but patients being able to access the centre of excellence in Galway when they need to.

Recently, I received a communication from the Saolta hospital group telling me that quite a number of people in different Saolta hospitals are waiting to access the urology speciality at University Hospital Galway. Some of these are oncology patients. This matter arose because I was making a representation on behalf of an elderly man who is in Mayo General Hospital but who needs to access both urology and oncology treatments. He has been in Mayo General Hospital for the past two weeks because there are no available beds in University Hospital Galway, the only hospital where urology services are available. This situation arises again and again. Many people will not speak up or have me speak up on their behalf because they are afraid it will affect their treatment. I know it will not.

What is happening is that sick cancer patients are admitted to hospital, Mayo General Hospital in the case of the elderly man I know, where they hold up a bed when nothing can be done for them but just to keep them comfortable. The only solution they have is to present themselves at the emergency department at University Hospital Galway. I do not need to tell the Minister of State that there were 41 people on hospital trolleys there yesterday. Once they are kept on trolleys, most of these people would not be in a great medical condition. It is not good for a centre of excellence that the only way somebody might get treatment or a diagnosis is by going to the emergency department. This has been going on for years. Nine years ago, a family member of mine was in a similar position. They would not leave their hospital bed because, if they got sick again, they would have to go through the emergency department. Not only is cancer a debilitating illness, when one is getting radiology treatment, but one is in no fit state to be hanging around an emergency department.

This is a serious matter. If we are committed to the provision of a centre of excellence, we have to ensure that there are additional beds if cancer patients require them. We must also ensure that when cancer patients need to come back into the centre because of an infection, they should not be thrown into the emergency department. I know of one case where a woman from Mayo attended University Hospital Galway at 11 a.m. but, when I inquired later, she still had not got a bed in the evening. I do not think this is good enough. If I raise this for a par-

ticular patient, then something might become available. I am also told about clinical priority. However, when one is dealing with people who are ill, the notion of clinical priority is a bit of a fudge. There is no capacity. What about people in Donegal and Sligo in the Saolta hospital group? This is an expansive geographical area.

Is this the best way we can use beds? I have a note from the Saolta group stating that there are people in various hospitals waiting to get into Galway. Obviously, they are holding beds in those other hospitals.

What about those cancer patients who are not in hospital, do not have an infection but are waiting to get into Galway hospital? Those people also exist. The particular gentleman for whom I have been making representations was discharged from Mayo University Hospital this morning. It was his choice to leave. He still needs to get into University Hospital Galway. The man is seriously ill. Will something be done here? Can we deal with seriously ill cancer patients in a different fashion with regard to University Hospital Galway and what is going on at the moment and which has been going on for the past ten years at least?

**Deputy Jim Daly:** I thank Senator Mulherin for raising this very important issue which is clearly one about which she is very passionate and concerned. University Hospital Galway, UHG, is the designated cancer centre in the Saolta university healthcare group and provides specialist oncology services, treatment planning and surgery for patients with cancer. Other hospitals within the Saolta group also provide some cancer services under the direction of UHG. For example, medical oncology services are available in Sligo University Hospital, Letterkenny University Hospital, Mayo University Hospital and Portlinculla University Hospital, Ballinasloe.

The Letterkenny breast cancer service operates as a satellite of the symptomatic breast disease service in UHG. This arrangement was made in recognition of the particular and unique geographical circumstances applying to Donegal. All treatment is carried out to the same high standard as care provided in UHG and is planned in collaboration with clinicians in UHG.

The Saolta group has informed me that as of yesterday there were three patients in Mayo University Hospital awaiting transfer to UHG. On a daily basis, patients for transfer, together with patients awaiting treatment, are clinically prioritised by the treating consultant. There were no patients awaiting transfer from the other Saolta hospitals.

Following the establishment of the national cancer control programme in 2007, symptomatic breast disease clinics and rapid access clinics for lung and prostate cancer were established in each of the designated cancer centres, including UHG. Patients with symptoms suggestive of breast, lung or prostate cancer are referred to these clinics for diagnostic tests.

There are specific targets set for each of these clinics. To date in 2017, the rapid access and symptomatic breast disease clinics in UHG have performed very well. The symptomatic breast disease clinic has exceeded the target, with 97.5% of patients triaged as urgent being seen within ten working days. The rapid access prostate clinic has also exceeded the target, with 98.9% of patients referred to the clinic being seen within 20 working days. Some 91.7% of patients referred to the rapid access lung clinic were seen within ten working days, falling just short of the 95% target.

It must be acknowledged that the symptomatic breast disease clinic in Letterkenny University Hospital has struggled to meet the key performance indicators recently. However, the

Saolta university healthcare group has been working closely with the hospital to improve performance. In July this year, a locum breast surgeon was appointed, and this is expected to improve performance in the coming months.

UHG also provides radiation oncology services for the region. To date in 2017, 89% of patients who were referred to the radiation oncology service in Galway were offered an appointment within 15 days. As of November 2016, patients from Donegal can also be referred to the north-west cancer centre at Altnagelvin Area Hospital in Derry for their radiation therapy. This is a hugely important development as it ensures that patients can receive treatment as close to home as possible.

University Hospital Galway provides a range of high-quality oncology services, including diagnostic, surgical, medical and radiation oncology services. UHG also provides specialist cancer services for other hospitals in the Saolta university healthcare group. I assure the Senator that the HSE is committed to the continued provision of high-quality, timely services for patients with cancer under the care of hospitals in the Saolta university healthcare group. Saolta has assured the Department of Health that patients awaiting transfer, together with patients awaiting treatment, are clinically prioritised by the treating consultant.

**Senator Michelle Mulherin:** I thank the Minister of State. I understand full well the range of services and treatments which are supported in the other hospitals which work in conjunction with the centre of excellence. I am speaking about people who need to get into University Hospital Galway. I have given the Minister of State an example of such a case - a man who was waiting two weeks and who was told that he should try going to the emergency department in University Hospital Galway. As I have said, there are 41 people on trolleys in that hospital. No one will convince me that there is not a capacity issue in the centre of excellence in Galway. It needs to be addressed.

There was one point which the Minister of State did not address. Why should oncology patients who are discharged and who develop an infection be left to languish on a trolley in the same way as everybody else? There is no fast track if someone leaves and has to return. People are not leaving beds, and perhaps sometimes they could. They will not leave beds because of the manner in which they will be dealt with if they get sick again. They are, quite frankly, not up to it.

What am I supposed to say to the family of this gentleman? They have been clearly told that nothing can be done for him in Castlebar. He needs to see a urologist and he has now been waiting for 15 days. There is still no news for him. What am I supposed to tell him? It is not acceptable.

**Deputy Jim Daly:** With regard to the specific family, I am obviously not familiar with the case and I cannot speak on it. If the Senator wants to send me the details, I have no problem asking the HSE to furnish me with the details and an update on the situation on her behalf. Otherwise, as the Senator will appreciate, I am unable to comment on specifics, both because I do not know the detail and because it is not appropriate for me to comment on individual cases. If the Senator sends the details on to me, I am quite happy to find out how that system is working. The best way for me to figure out how a system is working is to look at an individual example. If there is a problem, I will have it investigated in full and will come back to the Senator on it. I invite the Senator to send me those details.

4 October 2017

**Senator Michelle Mulherin:** I have sent them to the Minister for Health and to the chief executive of Saolta.

**An Leas-Chathaoirleach:** I am sorry, I cannot allow further discussion. I thank the Minister of State and the Senator.

### **Post Office Network**

**Senator Keith Swanick:** I welcome the Minister, Deputy Naughten, to the House. I thank him for coming in to discuss this very important and worrying issue. Senator Conway raised this same issue during yesterday's Order of Business, which shows that there is cross-party support for immediate action in this regard.

As the Minister will know, there are 1,100 post offices throughout the State and reports have claimed that An Post intends to close 400 of these, in particular in rural areas. This is a frightening reality for many people in rural Ireland who are already witnessing a decline in the services offered to them. In Mayo, just before the summer, there was great anger over the closure of an Ulster Bank branch in Ballyhaunis which came just a couple of years after the closure of the AIB branch in the same town. It was commonly remarked at that time that older people in particular were disproportionately impacted by the decisions, as many preferred to go into their branch and deal with people rather than use online banking. That is, of course, understandable, especially in the older cohort of people. They now have to travel further afield to do their day-to-day banking. The exact same thing is going to happen with the post office network and there is going to be very real distress imposed upon people if the reported closures go ahead.

The Post Office Network Business Development Group, under the chairmanship of businessman, Bobby Kerr, looked at a range of additional services that could be delivered by the Government through the existing post office network, if the Government and indeed An Post were willing. Ample measures could be taken from the report. One of the recommendations related to the introduction of the option of paying for motor taxation in post offices. I know that this matter is under deliberation and I would like to know where the Minister's Department stands on this issue. The An Post network itself acknowledges that it provides many services for Departments and agencies but it believes that many more Government services can be provided through the post office network. Just the other day, the Irish Postmasters Union general secretary, Ned O'Hara, said:

The post office network is under huge pressure as postmasters' incomes are falling dramatically. The IPU's aim is to keep as many offices as possible open, to introduce new services and to develop the network's social function within communities.

The appetite to offer new services is there, the network is well established and the infrastructure in place. I commend my Fianna Fáil Party colleague on Kerry County Council, Councillor John Lucid, who has proposed that the National Driver Licence Service be asked if driving licence renewals could be made available through the post office network. In his own county, Tralee is the only location where one can renew one's licence. For some people that is a three-hour round journey. As I have said, certain cohorts of people are being disenfranchised, especially the elderly community.

*11 o'clock*

From my neck of the woods, Belmullet, it is at least an hour's journey to Castlebar. From Blacksod it is a three-hour round trip. It is something that needs to happen. I urge the Minister to consider the idea of the National Driver Licence Service being located in post offices.

**Minister for Communications, Climate Action and Environment (Deputy Denis Naughten):** It is Government policy that An Post remains a strong, viable company in a position to provide a high-quality, nationwide postal service and that it maintains a nationwide customer-focused network of post offices in the community. However, the An Post group lost €13.7 million in 2016, with the core mails business losing more than €30 million. The An Post network has just over 1,100 outlets, extends nationwide and reaches almost 1.7 million customers. It is the Government's front-of-office provider of choice for many of citizens and is seen as a trusted, local, reliable and friendly service. The four big strengths of An Post are its strong brand, the fact that the organisation is trusted by the public, particularly older people, its nationwide network and guaranteed delivery and collection five days a week, 52 weeks a year. These strengths have been built upon over the years by the postmasters and postmistresses in conjunction with An Post.

Given its nationwide reach, the company brings vans and postal workers to every single premises in Ireland five days a week, 52 weeks of the year. This is a valuable service, particularly in rural areas and for rural-based businesses. To protect this service, I repealed the cap on the price of a stamp because, despite advice to the contrary, I believe that a five days a week service is an asset to be developed, not undermined. The Government is fully committed to a sustainable post office network and sees it as a key piece of financial and social infrastructure for both urban and rural areas. Part of the strengths of the An Post brand and one of its selling points is that it reaches all parts of the country and can be accessed by anyone. I expect this to be a cornerstone of any future strategy for the company and indeed the post office network.

An Post has entered a period of structural change and decline in activity mainly due to the impact of e-substitution on mail volumes and post office transactions. The environment in which the post office operates is changing and the network needs to change to thrive, particularly with the move to digital transactions. This involves harnessing existing strengths, such as its trusted brand and the relationship of postmasters with individual communities, to build the network of the future. There will be opportunities to develop new or enhanced product lines for the network and I am keen that this would include the concept of "digital assist", whereby the post office would become a default option for the provision of Government services for those who are not comfortable in the digital space.

The post office plays an important role in serving the needs of business and domestic customers alike and this is at the forefront of An Post's mandate. I am acutely conscious of the value placed by communities in both rural and urban areas on services provided by post offices and am concerned to ensure that the needs of those communities continue to be met. The Government remains fully committed to a sustainable post office network, which it sees as a key piece of economic and social infrastructure for both rural and urban areas.

In response to the challenges it is facing, a strategic review of An Post including the post office network, which will identify the changes and restructuring necessary to maintain the company on a sound financial footing, was initiated and is nearing completion. All opportunities are being assessed by An Post in the context of the strategic review. Until such time as the review is finalised and assessed it is not possible to comment further. The Government will be briefed once a definitive strategy has been agreed.

On the issue of the driver licence, there were issues at the time of the tendering process in respect of the criteria that were used and the bid that was made by An Post. It is hugely frustrating, not just in counties like Mayo and Kerry but in my own county of Roscommon, where people have to travel to Roscommon town to avail of this service. It is a service that can and should be provided in the post offices. This contract will be coming up for renewal. There are many more services. The example we have given in the past is motor tax, which is only one of a myriad of services that could be provided. I am one of only five Members of the Oireachtas who made a submission to the Kerr report. Very few Deputies and Senators did so. I specifically focused on that point in my submission. I am determined to see it delivered upon.

**Senator Keith Swanick:** I thank the Minister for his comprehensive answer. As he said, An Post lost €13.7 million. The more services we provide in the post office, the more profitable it will be. At the end of the day, we are about serving communities and people who may not have a voice. It saddens me to think that elderly people are being disenfranchised because of the long distances. I acknowledge the efforts and the fact that there is a review process in place.

**Deputy Denis Naughten:** Senator Swanick has hit the nail on the head. The perception is that An Post should be a service for older people, particularly in isolated, rural areas. I disagree with that, however. I think An Post can be a service for the whole community in both urban and rural Ireland. We need to turn the post offices into places people visit regularly, particularly younger people, not just at Christmas and when they are going on holidays. Our own generation, that of Senator Higgins, Senator Swanick and myself - when do we go into the post office? We go in at Christmas to buy stamps to send Christmas cards, which many of us still send, or we go into the post office when we are renewing our passports or availing of foreign exchange. What do we need to do to make sure our generation is using the post office? That is the challenge. It is not just about the older generation.

We need to provide new and enhanced services and we can do so. We also need to expand the financial services, however. The banking network and banks across the country have abandoned provincial towns and rural Ireland. An Post can fill that void and provide not only the existing range of services but other, new, innovative financial services that have not been available heretofore. One in seven people in Ireland, young and old, has never used the Internet. Using websites like *bonkers.ie* or *switcher.ie* - as Minister with responsibility for energy I have to be conscious of this - people can save up to €300 a year, yet many of those who are in fuel poverty are not availing of this because they are not able or prepared to go online. That is a service that the post office could provide, which would be of value in urban and rural communities and which would benefit the public, the postmaster in respect of footfall, and the economy as a whole.

**Senator Keith Swanick:** When does the Minister think the review will be complete?

**Deputy Denis Naughten:** The review is ongoing. I expect to receive proposals from the board of An Post quite soon. Once I have them to hand, I will brief the Cabinet and we will engage directly with the company. I have already asked NewERA to engage with the company. It has done a complete financial assessment, which is of huge benefit to me in making the final decisions.

## Social Welfare Schemes

**Senator Alice-Mary Higgins:** This is a question for the Minister for Employment Affairs and Social Protection, Deputy Regina Doherty. It concerns the situation of lone parents in Ireland. We know from the CSO's survey on income and living, SILC, statistics that the figures on deprivation and poverty experienced by lone parents are hugely out of step with those for the rest of the population. According to the 2014 statistics, 59% of lone parents were experiencing enforced deprivation, meaning they had to go without some of the basics of life. In terms of consistent poverty, the figures for lone-parent families stand at a shocking 26%, almost five times the figure for two-parent households. That also means the children in lone-parent families are far more likely to be living in consistent poverty compared with two-parent households. The Government has a number of commitments going beyond the Department of Employment Affairs and Social Protection, for example, the better outcomes, brighter futures national strategy for children and young people and the commitment to lift 100,000 people out of poverty. These concerns are not simply about children. They are also about the women - it is largely women who are in lone-parent families - and the life chances they are afforded. The Committee on Employment Affairs and Social Protection, of which I am a member, produced a very comprehensive report. The Minister has previously indicated she has read that report and is very interested in its recommendations. What I want to know today is which of the committee's recommendations the Minister is planning to bring forward in the next six and 12 months. What is the timeline? How will they be implemented? Will they be adequately resourced? Will the Department be adequately resourced to be able to address these? It is particularly pertinent this week that the recommendations are not simply budgetary ones. Some of them relate very clearly to the budget and others are on qualifications, the criteria and conditionality attached and the obstacles that often come into play for lone parents.

There are over 30 recommendations but I will only mention five very briefly on which I want the Minister to comment specifically. The first is that the qualified child increase of €29.80 is not adequate, certainly not for teenage children. Can we expect an increase in it? One of the lone parents who wrote to me pointed out that €4 is not enough to feed and clothe any child let alone a teenager and when one is parenting alone that is all the more true. The research from the Department on minimum essential standards of living highlights that point. Can we expect movement on the qualified child increase? The second recommendation concerns complications that block education because the qualifications for rent allowance, the SUSI grant and FIS overlap with each other and create headaches where people have to choose between adequate part-time work and a chance to return to education or between rent allowance, security of their family's dwelling and returning to education. They are blocks for lone parents. There is a lack of part-time quality training and educational opportunities. Under jobseeker's transitional payment there is a recognition that people may not be able to work full-time. They may not be available to work full-time. We need to ensure there are quality options available on a voluntary basis not just to those on jobseeker's transitional payment, but to those who are receiving the one-parent family payment. They should be given voluntary access to quality, part-time training and education schemes. Another issue is the restoration of income disregard for lone parents to ensure they are encouraged to work and that the blocks to that are addressed. A crucial recommendation and one which will make a difference is ensuring that lone parents are allowed to stay on jobseeker's transitional payment until their child is 18 rather than as currently happens being moved onto jobseeker's allowance when their child is 14. The purpose of that recommendation is to recognise the reality that they are parenting alone and to acknowledge they are also trying to balance care for a child who is in their teenage years. The recommendations are enumerated in the report and I know the Minister has seen them. What are the plans? Can we expect the social welfare Bill to address many of these issues?

The research the Department committed to publishing before the budget has not been published. It is likely that the Department's Indecon research, which was a survey of 34,000 one-parent families, is likely to reinforce the message that not only have lone parents in Ireland been historically mistreated, but the 2012 changes have caused very serious further impacts on the lived experience of lone parents. I would like a very clear commitment. The Minister, Deputy Naughten, is representing the Minister for Employment Affairs and Social Protection. It is an all-of-Government issue. The Government and the Department of Public Expenditure and Reform have committed to gender and equality proofing of the budget. It is not simply about how we move the deck chairs in the Department of Employment Affairs and Social Protection, rather it is a whole-of-budget question. Will the Minister address how it will stand up to gender and equality budgeting if the issue of lone parents is not addressed in this budget?

**Deputy Denis Naughten:** I thank Senator Higgins for raising this important issue. Deputies meet this issue on a day-to-day basis and are aware of the very stark choices that people have to make. In the vast majority of cases, it is women who are involved. I apologise that the Minister for Employment Affairs and Social Protection, Deputy Doherty, cannot be here and I will relay the content of the Senator's contribution to her. The Senator is right about the issue of gender inequality. My colleague, the Minister, Deputy Katherine Zappone, has been pushing this at Government level and I have been very supportive of her in that regard. The Senator is correct that the issue goes right across Government. It is not an isolated issue for the Minister, Deputy Doherty, rather it is an issue that goes across Government. I am trying to deal with the far broader challenges that are there with regard to climate change. It is the same issue. It is difficult because one is dealing with Government in silos. The leadership has to come from the top, from Cabinet and Ministers, down. The Minister for Employment Affairs and Protection has my support on that.

The Minister, Deputy Doherty, is very grateful to the Joint Committee on Employment Affairs and Social Protection for the Report on the Position of Lone Parents in Ireland. I acknowledge the work undertaken by the committee to produce the report and thank it for its efforts. The Minister is aware that the report was based on the views of a range of stakeholders, including officials from the Department, who met with the committee and provided submissions. This has ensured the report represents a wide range of views and perspectives on the position of lone parents in Ireland.

In order to formulate policy that will improve the position of lone parents, it is important to look at the history of the one-parent family payment. In the past, income support for lone parents was passive in nature and involved limited engagement by the State with one-parent family payment recipients. The non-conditionality nature of the one-parent family payment, coupled with its long duration, over time engendered long-term social welfare dependency and associated poverty among many lone parents and their children. The need to tackle long-term social welfare dependency and associated poverty among lone-parent families in Ireland through an active labour market approach was addressed in detail in the OECD report, *Babies and Bosses: Reconciling Work and Family Life*, which was published in 2003. The report argued that passive income support policy towards lone parents until their youngest child was aged 18 years, or 22 years if in full-time education, was a significant contributory factor to lone parents' low levels of employment and high levels of poverty. The Department reached the same conclusion in its own report, *Proposals for Supporting Lone Parents*, published in 2006, which highlighted Ireland's outlier status in terms of the maximum age threshold for the youngest child as well as the need to bring the one-parent family payment scheme more in line with international stan-

dards where a general movement away from long-term and non-conditional income support and towards a more active engagement approach was gaining momentum. These recommendations formed the basis for the decision to gradually lower the maximum age threshold for the youngest child on the one-parent family payment scheme to seven years from 2011 until 2015 and also to enhance educational, training, and employment supports to lone parents through the Department's Intreo services.

It is also important when developing policy for lone parents to look at the supports that are currently available, in particular the jobseeker's transitional payment. This payment was introduced in 2013 as a specific measure for lone parents with younger children. It is available to lone parents who have a youngest child aged between seven and 13, inclusive. These customers are exempt from the jobseeker's allowance conditions that require them to be available for and genuinely seeking full-time work. As such, no lone parent with a youngest child aged under 14 years is required to take up employment in order to receive income support from the Department.

There is a requirement for all recipients of the jobseeker's transitional payment to engage with the Department's Intreo service. They receive a one-to-one meeting with a case officer from the Department who assists them in producing a personal development plan. The plan seeks to support the individual towards appropriate education and training opportunities with a view to ensuring they are employment-ready when their youngest child is 14. Should a lone parent on this payment wish to commence employment, he or she will be fully supported by the Department in making this transition. The jobseeker's transitional payment is therefore a crucial support for lone parents that allows these customers to balance their work and caring responsibilities and, significantly, reduces their requirement for child care while their children are in primary school. As a lone parent's youngest child reaches the age of 14, the need for child care is reduced. If such a parent moves to jobseeker's allowance, there is a progressive increase in the conditionality. This means the parent must be available for and genuinely seeking full-time work. However, a lone parent also has the option of working a minimum level of 19 hours per week and applying for the family income supplement, FIS, and also the back-to-work family dividend, BTWFD. These in-work supports provide the most advantageous option for working lone parents.

In addition to the committee's report, an independent review of changes to the one-parent family payment was agreed during the passage of the Social Welfare Act 2016. This review has been completed by Indecon Economic Consultants and is under consideration by officials in the Minister's Department. The review included one of the largest ever surveys targeting one-parent families in Ireland with 33,000 lone parents surveyed. Responses were received and analysed from almost 3,700 lone parents who were directly affected by the changes. This provided an excellent opportunity to gather the views and experiences of lone parents affected by the changes. The Minister, Deputy Regina Doherty, expects to lay the report before the Houses and to publish it in the coming days. I understand from officials that the report shows that there has been a positive impact on reducing welfare dependency and an increase in employment for lone parents affected by the changes as well as a negative impact on poverty among those lone parents who are still on welfare.

While there will always be differing views on the best way to support lone parents, both reports will greatly assist us to find the best way forward. While the Minister cannot pre-empt the outcome of budget 2018 discussions, I confirm that she remains committed to improving the position of lone parents as one of her priorities. It is a priority of the Government as a whole.

4 October 2017

**Acting Chairman (Senator John O'Mahony):** As we gave a lot of latitude on the initial contribution and as the Minister's reply was seven minutes, we have spent over 13 minutes on this matter. I will allow 30 seconds for one question, nothing more.

**Senator Alice-Mary Higgins:** Okay.

**Acting Chairman (Senator John O'Mahony):** It is a question.

**Senator Alice-Mary Higgins:** I am a little concerned that some of the analysis is similar to what we have seen before. It is about the language of passivity being equated with conditionality. The passivity in the past in all of those reports, which I have read, was with reference to passivity on the part of the State in offering supports to lone parents. It has switched into a narrative which suggests that lone parents are somehow passive and need to be pushed out the door. The conditionalities have been placed on lone parents, for example, in the area of maintenance.

**Acting Chairman (Senator John O'Mahony):** Could I have a question, please?

**Senator Alice-Mary Higgins:** I note for example the area of maintenance where women are being docked payments because of that. Is it instead going to become an issue and will the Minister be taking up our recommendation on maintenance?

**Acting Chairman (Senator John O'Mahony):** I call the Minister.

**Senator Alice-Mary Higgins:** The other recommendation the Minister mentioned on 19 hours-----

**Acting Chairman (Senator John O'Mahony):** Please, Senator.

**Senator Alice-Mary Higgins:** I might follow up in terms of specific recommendations with the Minister. Can the 19 hours per week be addressed as well?

**Acting Chairman (Senator John O'Mahony):** Please, Senator. I call the Minister. He has 30 seconds.

**Deputy Denis Naughten:** As constituency Deputies, we all meet the practical issues and challenges in this regard on an ongoing basis. Across both Houses, there is a determination to see if we can take lone parents out of the poverty trap and assist them, where feasible and practical, to get back to part-time or, preferably, full-time employment as their circumstances determine.

*Sitting suspended at 11.25 a.m. and resumed at 11.30 a.m.*

### **Order of Business**

**Senator Catherine Noone:** The Order of Business is No. 1, motion re arrangements for the sitting of the Seanad on Tuesday, 10 October, to be taken on the conclusion of the Order of Business, without debate; No. 2, statements on direct provision, to be taken at 12.45 p.m., with

the contributions of group spokespersons not to exceed eight minutes each, time can be shared and the Minister to be given four minutes to reply to the debate; No. 3, statements on well-being in schools, to be taken at 2 p.m. and to conclude no later than 3.30 p.m, with the contributions of group spokespersons not to exceed eight minutes each, all other Senators not to exceed five minutes each and the Minister to be given five minutes to reply; No. 4, motion re Europol regulations, back from committee, to be taken on the conclusion of No. 3, without debate; and No. 16, motion 46, Private Members' business, to be taken at 4 p.m. with the time allocated to this debate not to exceed two hours.

**Senator Mark Daly:** Before I begin, I welcome the members of Clare County Council who are in the Visitors Gallery. They are here on business on behalf of their constituents. We are delighted to see them in our temporary home. As we know from the Dáil Chamber, the National Gallery was told that it would only be taken temporarily, but the Dáil has been there for nearly 100 years. When the councillors visit us again, they might be back here.

**An Leas-Chathaoirleach:** It was remiss of me to allow the Senator in to steal my thunder.

**Senator Mark Daly:** Sorry.

**An Leas-Chathaoirleach:** I wished to welcome the members of Clare County Council.

**Senator Mark Daly:** On behalf of the Leas-Chathaoirleach,-----

**An Leas-Chathaoirleach:** They are most welcome to this temporary abode.

**Senator Mark Daly:** I would like the record to be amended to show that the Leas-Chathaoirleach has welcomed the visitors first. I will come second in the order.

**Senator Terry Leyden:** And so say all of us.

**Senator Robbie Gallagher:** Good man, Senator Leyden.

**Senator Mark Daly:** On behalf of my Fianna Fáil Seanad colleagues, we look forward to meeting the visitors later in another piece of the building that was temporarily acquired from the National Gallery, which is the Dáil bar, and has become a permanent home for some.

We will consider this matter later at the leaders' meeting but, instead of having statements, could we debate the reports published by Oireachtas committees? A number of valuable reports have been produced, yet they have not been debated in the Dáil because of a lottery system and have simply been put on a shelf. It is important that their recommendations be analysed and Members be able to contribute on them.

Will the Deputy Leader consider arranging for a debate on the farm safety report? Two Ministers - Deputies Fitzgerald and Creed - would need to attend to debate the issue. It is one of the biggest killers in Irish society. Tragically, we saw that during the recent ploughing championships when a former winner died on his farm.

Also in terms of reports from Oireachtas committees, will the Deputy Leader arrange for a debate on the national disability inclusion plan, which was announced with much fanfare by the Government? Once again, though, we see figures disimproving rather than improving. Of people with disabilities, 34.7% are at risk of poverty and 22% are in poverty compared with 14% in 2014. Despite great fanfare, there are 70,000 fewer hours available for those who need

home help. Three families are taking the State and the Government to court because they have not been able to access early intervention. The Government defines “early intervention” as within three months, which is the statutory requirement. Three of the 4,120 families that are seeking early interventions are going to court. This is not good enough. Instead of the Government looking to give tax cuts to the wealthy, it should try to address the issue of equality for those who need it. We cannot give people tax cuts when we demand day in, day out of the Minister of State, Deputy Finian McGrath, and others that they provide more services for those who need them.

As I have mentioned him, I thank the Minister of State for his support on the Recognition of Irish Sign Language for the Deaf Community Bill 2016. We have come a long way since the chaotic Committee Stage meeting in the Chamber and I hope that we will get a conclusion. Representatives of the Irish Deaf Society in Cork met Deputy Micheál Martin, and representatives of the deaf community in Dublin met Deputy Jim O’Callaghan to advance this issue through a Private Members’ Bill, which I am glad has received cross-party support. We hope to have that dealt with next week. However, with regard to the ongoing issue of how we deal with the time where we have no legislation coming through, despite the fact that my colleague has tabled the Registration of Wills Bill 2016, which is practical legislation-----

**Senator David Norris:** Around for a long time.

**Senator Terry Leyden:** Like the Senator.

**Senator Mark Daly:** -----no time has been allocated for it. Others Members have tabled Bills that would make a difference to people’s lives. All we are taking here, like the other House, is statements. Statements do not change the world. Legislation changes people’s lives and we need to pass some. It was remiss of me to usurp the Leas-Chathaoirleach in welcoming our colleagues from Clare County Council.

**An Leas-Chathaoirleach:** Not at all.

I remind the Senator that this is our temporary abode. He went further than that. We are grateful to officials of the National Museum and the OPW for allowing us access to this facility for however long it lasts.

**Senator Pádraig Ó Céidigh:** Déarfadh mé é seo i nGaeilge agus i mBéarla. Ba mhaith liom dá bhféadfaimis cuireadh a thabhairt don Aire Stáit ar a bhfuil freagracht as an nGaeltacht, as an nGaeilge agus as na hoileáin teacht isteach anseo le comhrá agus díospóireacht ceart a bheith againn ó thaobh na Gaeilge agus na pleananna atá aige don tír seo. Will the Leader invite the Minister of State with responsibility for the Gaeltacht and the islands to have a full and, hopefully, fruitful debate about the Government’s strategy on the Irish language and culture? We had a discussion on this during the previous session but a full, robust discussion would be helpful at this stage.

**Senator Rose Conway-Walsh:** I propose an amendment to the Order of Business that No. 12 on the Order Paper, the National Asset Management Agency (Amendment) Bill 2017 - First Stage, be taken before No. 1.

Yesterday, my party launched an alternative budget - and I look forward to the alternative budgets that will be produced by those who call themselves the Opposition in this House - although looking at the news on RTE last night, one would not have thought that any alternative

budget was launched. This alternative budget represents where we are as a party, what our priorities are and where we stand on the choices facing us such as tax cuts for those who are well off or investment in vital services. I commend my colleague, Deputy Pearse Doherty, and his team on the months of work they have put into preparing this fully costed alternative budget.

There is a stark choice to be made and the people need to know where the various parties stand and whose side they are on. We, in Sinn Féin, are clear that we stand with those who are continuing to struggle with poor services and severely stretched household incomes. This alternative budget is fully costed and works with the fiscal space of €650 million. It shows how only the top 3% of earners will pay increased personal taxation but that will give us €1.4 billion to invest in services. We present savings amounting to €102 million. This could provide us with a total increased fiscal space of €2.2 billion, which could be used for vital services.

Sinn Féin has chosen the side of the ordinary people who have yet to experience the economic recovery and who need a break. They were infuriated by the Government's slogan for the last election, "Keep the Recovery Going", because they could not see any recovery. They still cannot see a recovery. These are people in rural Ireland who have suffered because of a lack of infrastructure and who can barely afford to meet their bills, if at all. There are hundreds of people waiting on hospital trolleys. It is time for our economy to work for these ordinary people instead of just the few who always seem to win no matter what.

This budget means that with Sinn Féin in government, an additional 10,000 social houses and 4,500 genuinely affordable homes would be built to help tackle the housing crisis. The cost of child care would be halved as well as providing for increased pay for those working in the child care sector. We would tackle the crisis in our health service by providing an additional 500 beds, 2 million home help hours and 2,500 home care packages. This is in recognition of the role home care can play in keeping people out of acute hospitals, and long-term care in hospitals. This much needed investment would begin to reverse the savage cuts imposed by Fianna Fáil and Fine Gael while in government. In this alternative budget, Sinn Féin puts an average of €244 back into the pockets of the squeezed middle by abolishing the property tax.

**Senator David Norris:** Hear, hear.

**Senator Rose Conway-Walsh:** We provide for an increase of €450 in tax credits for the self-employed and for farmers. Senator Norris will be delighted with this.

**Senator David Norris:** I am delighted with the property tax. Sinn Féin is the only party taking that on.

**An Leas-Chathaoirleach:** I remind Senators there will be statements on the budget next week in the House.

**Senator Rose Conway-Walsh:** I am extremely disappointed we are the only party that has put forward a fully costed budget, which shows there is an alternative to what is being done at the moment economically. I am grateful for the opportunity to raise this and I look forward to the debate with the Minister.

Students have returned to college and householders are finding it extremely difficult to send their children there. We have shown how the contribution fee could be cut by €500. I look forward to the full debate but it was important to outline our alternative today.

**Senator Maria Byrne:** I welcome the news that the VHI has announced it will reduce the cost of 26 of its 78 plans. This is a positive development. I encourage people to shop around for their health insurance. This raises the question of whether there will be a price war among the different health insurance companies. The cost of insurance has often been referred to in the Chamber and, hopefully, this will be the start of price decreases. It is important that people have private health insurance but because the prices were so expensive, many were discouraged from purchasing. Hopefully, this is the start of things to come.

**Senator Diarmuid Wilson:** I very much welcome the news that the Taoiseach has appointed the former Senator, Mr. Jim D'Arcy, as a special adviser on Northern Ireland, the Border and Brexit. It is a welcome appointment as far as the people in the communities I represent are concerned because for more than four decades the Border region, including counties Cavan, Monaghan, Leitrim, Donegal and Louth, and the Six Counties, which are currently governed by the UK, have suffered. This appointment is welcome at a time we are facing uncertainty in respect of Brexit. Jim D'Arcy was born and reared and has lived all his life on the Border in County Louth and he is well aware of the difficulties that communities on both sides of the Border experience on a daily basis. I also welcome the fact that there have been calls from both sides of the House for a debate on the future of Europe and our part in that. IarSheanadóir D'Arcy could feed well into that debate. One particular area that I would like Mr. D'Arcy to cover in his portfolio or brief is a call on the European community to give a special structural fund grant to upgrade infrastructure, which has suffered on both sides of the Border for decades. A special fund would allow us to upgrade our infrastructure in order to cope with the potential damage that Brexit will do to our agricultural community. I very much welcome the fact that the Taoiseach has appointed former Senator, Mr. Jim D'Arcy.

Finally, I echo the call for regulation to be introduced to ban sulky racing on public roads by the Minister for Communications, Climate Action and Environment. Councillor Andrew McGuinness has championed a ban for some time and he has been in communication with all of his Fianna Fáil colleagues in this House. I welcome any progress that can be made in that regard.

**An Leas-Chathaoirleach:** The Senator has made very good points about former Senator, Mr. Jim D'Arcy. He is a very knowledgeable man on all matters concerning the Border.

As there is a gap, I call Senator Norris, the father of the House.

**Senator David Norris:** I thank the Leas-Chathaoirleach. He is very kind.

I want to ask the Deputy Leader a question. Why are we taking item No. 1 without debate? The issue raises questions. The Seanad normally meets on Tuesday at 3.30 p.m. anyway. I am not sure why there is a motivation or reason-----

**An Leas-Chathaoirleach:** At 2.30 p.m. The Seanad normally commences at 2.30 p.m.

**Senator David Norris:** I see.

**Senator Catherine Noone:** Commencement matters are taken at 2.30 p.m. which precedes the Order of Business.

**Senator David Norris:** Yes. The change of time-----

**Senator Catherine Noone:** The change is just because of the budget.

**Senator David Norris:** I understand.

**Senator Catherine Noone:** I apologise for that.

**Senator David Norris:** I thank the Deputy Leader. She is very kind.

**Senator Michelle Mulherin:** I wish to raise the issue of delays that people experience when they appeal a refusal of a primary medical certificate. I understand that the waiting times are at least, if not up to, seven months. That means after somebody is refused a primary medical certificate, he or she must wait at least seven months. To me, that seems an inordinate length of time. We can assume that some of these appeals might be successful. In the meantime, the situation means a disabled driver cannot access tax relief to purchase a suitably modified vehicle or tax relief for vehicle registration tax and VAT. Also, there is a fuel grant scheme. The aim of all of these initiatives is to help people with mobility problems. I know that the threshold to qualify is quite high but I definitely think that more resources are needed. I ask that the issue is raised with the Minister of State at the Department of Health, Deputy Finian McGrath, who has responsibility for people with disabilities, to make the system fairer. The current situation is unacceptable. Let us bear in mind that sometimes people submit their initial application without realising the extent of proof or supporting documents required. Unfortunately, it is only when an appeal is lodged that they receive assistance and the full case is laid before the person hearing the appeal. The issue needs to be addressed in the interests of disabled drivers receiving their entitlements and being helped to get on the road.

**Senator Paul Gavan:** I wish to raise the issue of education in the broadest sense and to call for a debate on funding. As Members will know, the Union of Students in Ireland, USI, will march today for education funding and I look forward to joining the march. Students already face very unreasonable fees and there is the threat of student loans. It is important that we recognise that student loans have not worked anywhere.

At the other end of the education sphere, I want to highlight the lack of funding for child care. Ireland is bottom of the league in Europe when it comes to funding for child care. We are so bad that the country beside us on the league table is Britain, but it applies four times as much funding as a percentage of GNP as we do. Therefore, Ireland really is bottom of the league.

I am glad to say that Sinn Féin has addressed the issue of not just the cost of child care, but the wages paid to child care workers. We have allocated €41 million to make sure that the appallingly low wages paid to child care workers is increased in the budget. I call on the other parties here to make similar commitments. In fairness to the Minister for Children and Youth Affairs, Deputy Zappone, she does at least seem to have acknowledged the problem. I am hopeful that there will be some progress not just in terms of the cost of child care, but the appallingly low wages. The average pay of a child care worker is €10.79 per hour. When one thinks about that, one quickly realises that one would be better paid working in a supermarket. The situation seems crazy in terms of our priorities. I hope the Government will address the issue. I compliment both IMPACT and SIPTU which are currently running tremendously effective campaigns in the child care sector. I hope the Government will pay heed and listen to their calls.

**Senator Terry Leyden:** Our colleagues from Clare may be gone but I welcome them to the House, particularly as Clare is the home of Fianna Fáil and the birthplace and home of de Valera.

**Senator Mark Daly:** And-----

**Senator Terry Leyden:** I am well aware of that.

I ask the Deputy Leader of the House to consider arranging a debate on airports, with a particular focus on Ireland West Airport Knock. The airport provides a tremendous service to the west and north west. Last year, it had 733,951 passengers, which is an increase of about 7%. The airport has been a phenomenal success. It is a credit to Monsignor James Horan and the one and only Charles J. Haughey who opened the airport and supported it in every way possible. We are very proud of our links to the airport and wish it to be developed more.

I invite the Minister for Transport, Tourism and Sport, Deputy Shane Ross, to visit Ireland West Airport Knock so that he can see the great progress that has been made. An application has been made for overlay and the rehabilitation of the main runway at Ireland West Airport Knock. The project will cost between €12 million and €13 million. At the moment, the airport can only receive 75% grant from the Government. The European Union will allow an application to increase the grant to 90%, which would be more economic from the point of view of viability and the work of the airport.

Furthermore, in light of Brexit the United Kingdom will leave the European Union in March 2019 with the possibility of a transition period of a further two years. Brexit may pose difficulties but there is an opportunity to form an export hub from the west and north west of Ireland straight to mainland Germany, for instance, to an airport like Baden-Baden, thus allowing very high value light goods to be exported from the region.

Brexit is also an opportunity to invite British companies or companies in the United Kingdom to come to Ireland, particularly Roscommon-east and Galway, to establish satellite plants that would serve mainland European Union countries via the Republic of Ireland. IDA Ireland and Enterprise Ireland should actively canvass for people to come here to the Republic to avail of 500 million customers in mainland Europe. Ireland could provide a subsidised service with very low rents or rates on buildings. I make that appeal today and I am actively pursuing the matter.

**An Leas-Chathaoirleach:** The Senator has had nearly a minute of injury time.

**Senator Terry Leyden:** The Leas-Chathaoirleach might be delighted to know that I am actively pursuing the matter-----

**An Leas-Chathaoirleach:** No. The Senator has made his point.

**Senator Terry Leyden:** -----with all of the interested parties. I hope the Deputy Leader will invite the Minister to the House to discuss the issues of Ireland West Airport Knock and all of the airports in this country.

**Senator Fintan Warfield:** When the interests of corporations are taken to such an extent as the Apple tax scandal, those interests come before workers' rights, the environment, investment in public services and the interests of weaker states. Today, in the past hour, it has been reported that the European Commission has moved to refer Ireland to the European Court of Justice for failing to recover from Apple up to €13 billion of illegal state aid. Fine Gael's response to the European Commission's ruling last year that Apple repay that €13 billion plus interest in unpaid taxes was cloaked in a narrative of national self-interest. The party's priorities, which lie

with corporations and big business rather than citizens in the Republic, were laid bare. Apple representatives have testified to a US Senate subcommittee that since the early 1990s the Irish government has calculated Apple's taxable income in such a way as to produce an effective tax rate which, since 2003, has been 2% corporation tax or less. A central pillar of Ireland's industrial strategy that attracts foreign direct investment through our corporate tax regime is now a liability as we build a reputation throughout the world as a state that facilitates massive tax avoidance by multinational corporations.

*12 o'clock*

Are we going to continue to side with multinationals and big business or are we going to take the side of citizens, communities and public services? Are we going to take the side of patients on trolleys and those who are homeless? Our reputation has been damaged and if the Government wants to repair that damage it should own up to the fact that successive Governments have facilitated massive tax avoidance. I am calling for a debate on foot of the news today from Europe. I am asking for the Minister for Finance to address Seanad Éireann and to answer for the fact that Ireland has failed to recover that €13 billion.

**Senator Keith Swanick:** All Senators will have heard me talk of investments of public moneys in the tobacco industry. It is something I have raised time and time again. For over a year I have been working with Deputy Seán Fleming, who has done great work with me to expose this hypocrisy. Colleagues here have unanimously passed motions on this topic and I thank them for doing so. Last year, through Deputy Jack Chambers, we received information about the Courts Service holding investments in the tobacco industry. I will read an extract from a letter which I received from Mr. Justice Peter Kelly, President of the High Court, in response to a joint letter sent to him by both myself and Deputy Fleming. In it, we appealed to him to assist in bringing an end to investment in tobacco companies by the Courts Service. His response stated:

Court funds are invested in accordance with the Trustee (Authorised Investment) legislation and a number of other legislative provisions. Should the Government determine a policy and or amend legislation as to how certain funds are to be invested, including the exclusion of certain stocks, the Courts Service and the Investments Committee, will, in conjunction with the Judiciary, take account of that.

This effectively says that the Courts Service would not invest in the tobacco industry if the Oireachtas made it illegal to do so. In other words, there is no law prohibiting it from investing in the tobacco industry and therefore it is okay. Well, it is not okay, it is a joke. Before last Christmas, it took the threat of legislation from myself to force the NTMA to divest all of its stock in the tobacco industry. Is this what it is going to take for the Courts Service to divest also? Will I need to threaten it with legislation?

Over three months ago, I wrote to the Minister for Justice and Equality, Deputy Flanagan, about the issue. I received an acknowledgment but no response. It is morally and ethically untenable for the Minister for Justice and Equality and his Department to turn a blind eye to these investments, when it is known from the World Health Organization, that one out of two users of tobacco will die from the product. I reiterate that just because something is not illegal does not mean it is acceptable. I ask the Deputy Leader to bring my concerns to the Minister, Deputy Flanagan, and to encourage him to give me a comprehensive response instead of this half-hearted fob off.

**Senator Alice-Mary Higgins:** While the Civil Engagement group has not produced an alternative budget such as others in this House have done, we have today issued a statement highlighting five principles which we believe should underpin the budget and should be considered very carefully by the Government. Budget 2018 should deliver joined-up thinking for sustainable development. Addressing Ireland's many urgent challenges in areas like housing, health care, education and climate change requires joined-up thinking and a collective rather than an individualised approach. We are reminding the Ministers that they are responsible for outcomes as well as opportunities and that they cannot talk about individuals taking their chances in a market that might provide. We need blueprints that are based on the sustainable development goals which Ireland helped negotiate at the UN and which are a model for inclusive and long-term development.

The second principle is that budget 2018 should prioritise investment in public services and social infrastructure. Public services benefit everyone and most people see access to decent health and education services as more important for their wellbeing than a few extra euro in their pocket. When we talk about public services, we should include social infrastructure such as child care and home care, which allow people to live with dignity and decency.

The third principle is that budget 2018 should address social, economic and gender equality and deliver, as I have often called for in this House, the gender and equality proofing which ensures that policies work for everyone, not only in the short term but in the long term. It is also about preventive spending so that we avoid problems in the future.

The fourth principle is that budget 2018 needs to be clear and transparent about taxation. Ireland is a low-tax economy with the exception of VAT, which everyone pays. The median income in Ireland is €28,500 and many of the tax measures proposed will benefit nobody below that income. I support the call for the Minister for Finance to talk about Ireland's tax policy with us in the Chamber.

**An Leas-Chathaoirleach:** There will be budget statements here next week.

**Senator Alice-Mary Higgins:** I will be contributing to them. The fifth principle is that budget 2018 should meet international standards and commitments, not just our fiscal targets but our commitments to the convention on disability and to climate change. We need to resource those areas as well as delivering rhetoric. I look forward to the budget debate and to teasing these issues out and testing budget 2018 against these principles.

**Senator Robbie Gallagher:** I wish to raise the issue of the North-South interconnector and the total disregard for the majority of Members in both Houses of the Oireachtas by the Government and, by extension, EirGrid.

**Senator Diarmuid Wilson:** Hear, hear.

**Senator Robbie Gallagher:** Back in February of this year, a Fianna Fáil motion, which was supported in the Dáil and the Seanad, called on the Government to ensure that no further work on the North-South interconnector took place until a full analysis of the true cost of undergrounding and a full community consultation were complete. This independent expert group study on undergrounding commenced in August and is due to finish in January 2018. That, we felt, was progress in respect of the issue. However, we have discovered that EirGrid has advertised a tender for the construction of the 400 pylons, which is due to close on 20 October. It is making a mockery of the decision of these Houses and of the people of counties Monaghan,

Cavan and Meath. It is effectively sticking the two fingers up to all concerned. It is very disappointing. More baffling is the fact that 100 of the 400 pylons on order are meant to be for Northern Ireland, where the planning decision is not even complete yet.

We need to get the Minister to address the House on this issue. I do not know where it leaves the future of democracy. I would like someone to explain to me the benefit of passing a motion in these Houses, and where that particular motion now stands. This has copperfastened the resolve of the people of those three counties to ensure that not one pylon lands on their soil.

**Senator Colm Burke:** I wish to raise the regulation of home care providers. I published a Bill on the matter which was debated in this House. It was my understanding that the Department was further considering it. It follows on from a report produced by the Law Reform Commission.

At the moment, anyone can set up a home care provider company. I know there is a code of practice for home care providers but there is no regulation or legislative structure in place. Would the Deputy Leader find out from the Department when this matter can be further debated in the House and when the Bill can progress to the next Stage? It is important that it is not parked *ad infinitum* and only considered when a major issue arises.

The number of people in home care is going to grow substantially in the next few years. It is important that there is proper regulation and proper structures and legislation to deal with it. I ask the Deputy Leader to bring the matter to the attention of the Minister.

**Senator Aidan Davitt:** I am looking for clarification on the Minister for Health's proposals on IVF treatment. One in six couples encounters problems with fertility. It could be larger than that. From what I have read, my understanding is that the Minister's proposal will only make it available to medical card holders. Working class people and taxpayers have had enough of being treated like third-class citizens behind the wealthy and privileged classes, and now behind medical card holders. I propose we encompass the working classes in this scheme.

As the average cost for this procedure is €5,000, will the Minister include the working classes? There is currently a 20% tax break for IVF. It should certainly be increased to 100% to help those just above the breadline who are working and hope to start a family. It would give them that break they need to start a family.

**Senator Pádraig Mac Lochlainn:** I second Senator Rose Conway-Walsh's amendment to the Order of Business.

My home area of Inishowen was badly affected by floods in August, particularly two important community amenities, Swan Park, Buncrana, and Glenevin Waterfall, Clonmany. In Swan Park, the old bridge in the middle of the park was destroyed, as well as all of the green and walking areas. Donegal County Council estimates the repair bill will be between €1 million and €2 million. This is an amenity used by elderly people and families. Can one imagine losing an amenity like this in any other part of the country, Dublin or any large town?

Unfortunately, the Government has committed no funding to support the restoration of Swan Park. I have raised this issue with the Minister for Rural and Community Development, Deputy Ring, and here in the Seanad last week. Will the Deputy Leader raise this matter again with the Minister for Rural and Community Development or with another relevant Minister? We need clarification on financial assistance for this amenity. Due to the huge bill the council is facing,

it will not be able to restore this vital amenity on its own.

Glenevin Waterfall, Clonmany, is a must-visit place on the Inishowen Peninsula. The walk up to the waterfall is stunning but it has been destroyed by floods. The facilities there are maintained by a community committee and the community has rallied together to fix it. It has made considerable progress but it urgently needs financial assistance from the Government. A grant of €10,000, €20,000 or €30,000 would be of significant help to this community.

I acknowledge considerable assistance has been given. Schemes were in place, based on floods which took place in other parts of the country. On the back of the fight made by those communities, those schemes have been re-activated in Donegal. We are grateful to those communities. In this case, we urgently need clarification from the Government. Will the Deputy Leader raise this with the relevant Ministers and ensure they will correspond with me to let me know what is happening?

**Senator Jennifer Murnane O'Connor:** We are all waiting anxiously for the budget. My concern is asthma. I have been speaking to several people, as have other Senators, about this condition. It is frightening to think 470,000 people in Ireland have asthma and up to 60% of those have an uncontrolled asthma, meaning they are at risk of an attack any time. Approximately, one person dies every week from asthma. Every 26 minutes, someone visits an emergency department because of asthma. Incredibly, up to 90% of asthma deaths are preventable. One in every ten adults and one in every five children have asthma. Adults miss an average of 12 days of work while children miss an average of ten days at school every year due to the condition.

Up to 5,355 people suffer with asthma in Carlow, as well as 9,212 in Kilkenny, nearly 15,000 people in total. People suffering from asthma are looking for a reduced cost of asthma medication, an improvement in primary care for people with asthma, schools and sports club to be equipped to support children with asthma and specialised secondary care provided for children. It is also about improving outdoor and indoor air quality.

These are serious issues. Asthma can never be cured, but it can be controlled. One person dies every week in Ireland from asthma but there is no need for it. This matter must be addressed by the Minister and there should be funding in the budget for the proposals I raised.

**Senator Catherine Noone:** I thank all Senators who raised issues today.

Senator Mark Daly made a good suggestion, which has been made before, about the Seanad scrutinising committee reports and their recommendations. It is a no-brainer to me. I am sure something can be organised in that respect. As Senator Mark Daly said, it would be more structured and more pointed, as well as making more sense than just taking statements.

He also raised the issue of farm safety. I have heard others calling for a debate on this matter over the past several weeks. I am sure we can facilitate it between now and November. He raised the issue of disability, poverty, equality and sign language for deaf people. I met them myself and support this. Hopefully something positive will happen on this issue. He raised the same point about legislation yesterday but I take his points on board.

Senator Ó Céidigh raised the issue of the strategy for the Irish language. There will be a debate on the Irish language next Wednesday afternoon in the House. It is always a welcome debate to have.

I am agreeable to taking Senator Conway-Walsh's No. 12 on the Order Paper in advance of No. 1. She went into detail about the Sinn Féin budget document published yesterday. We will have a discussion on the budget next week. All will be revealed then. I know as little or as much as she does about the budget. The journalists know more than the rest of us about what will be in it. I noted her comments about keeping the recovery going. Many of us in Fine Gael did not like it either. It did not work in many parts of the country.

Senator Byrne highlighted the reduced costs of many VHI policies and referred to the possibility of a price war between health insurance companies, which will be welcome as it can only benefit consumers. Many initiatives have been put in place to deal with general insurance issues and are now perhaps starting to bear fruit.

Senator Wilson acknowledged the appointment of a former colleague, Jim D'Arcy, as special adviser on Northern Ireland, the Border and Brexit. He will be an important adviser to the Taoiseach and there is no better man. Many of us will have heard him speak eloquently in the House on the issue before.

On Senator Norris's question about the delay in the schedule next Tuesday, it is because of the budget. He probably realised it after he raised it.

Senator Mulherin raised the issue of delays with primary medical certificates, which particularly affects disabled drivers. Senator Mark Daly also mentioned the issue of disability and it was raised yesterday. It might be an idea to have the Minister of State, Deputy Finian McGrath, in the House to raise these points with him. It is an important issue and we should be doing everything we can to facilitate disabled drivers who already find it difficult to drive due to their disabilities in many cases.

Senator Gavan raised the issue of education. I met the USI before the end of last term, as did many Senators. It is important we liaise with them. It will be interesting to see what happens in the budget in that regard. Having not had a loan myself, I think, as we have seen in many other parts of the world, it is quite difficult for people to carry the burden of that for years, so the Senator raises a legitimate point. This Government has taken many positive steps regarding child care, but I acknowledge that a lot more can still be done and I hope to see some positive adjustments to that area in the budget.

Senator Leyden raised the issue of Knock airport. Knock itself is about seven miles from Claremorris, where I am from. The airport is a huge advantage to the west. The Senator is right to raise the issue and it is only right that the Minister would go down and visit. Deputy Michael Ring was there on numerous occasions when he held the junior portfolio in that Department. The Senator mentioned the rehabilitation of the main runway, which is of vital importance, but it occurs to me that it might be a good idea to table this as a Commencement debate in the House because he would get a very full report that way. With the greenway and everything that is happening in the west of Ireland and the way it has been expanded, it brought in, as the Senator said, almost 734,000 people last year. It is a huge addition to the west of Ireland, so it is quite right that the Senator raised the matter in the Seanad.

Senator Warfield raised today's announcement regarding Apple. Ireland has never accepted the Commission's analysis in the Apple state aid decision. However, we are fully committed to ensuring the recovery of the alleged Apple state aid. Obviously, the Government is very disappointed that this action is now being taken by the EU.

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I would never disagree with Senator Swanick on the issue of tobacco. I would outlaw it entirely if I could and I think we should move towards that. However, I suppose making it illegal would create other problems. Not to fob the Senator off in any way, but it strikes me that if he is not happy with the responses he is getting, he should table a Commencement debate on the matter in order that he have the opportunity to tic-tac a little with the Minister on the matter. It is certainly something I agree with. Regarding those investments, we should not in any way as a State support the tobacco industry and we should fight it tooth and nail on plain packaging and all other such issues.

Senator Higgins made an interesting contribution in the area of sustainable development and outlined many very sensible proposals, including gender and equality-proofing. As I said - and I do not mean to fob her off either - what is in the budget will all be revealed next week, and I hope some of the items she has highlighted, especially in the areas of child care and home care, will be addressed in the budget.

Senator Gallagher raised the North-South interconnector and the motion that was before the House. He is very correct to do so, as far as I am concerned. I do not know as much as he knows about it but I will ask the Minister what the position is. This is my third time saying this, but it could be a sensible issue on which to ask for a Commencement debate. Perhaps he has thought of that already. Yesterday it was requested that the Minister, Deputy Denis Naughten, come before the House to discuss a variety of issues, so I anticipate we will get him into the House soon and I hope the Senator will get the opportunity to raise the matter then. However, it might be quicker in the short term to table a Commencement debate on it.

Senator Colm Burke raised his very good legislation. He has done a lot of work in the area of home care providers. I have an elderly aunt who is not well at present. It is a minefield of an area, and one would hate to think that anyone whom one loves and cares for would be in the hands of someone who really should not be taking care of him or her. The area quite rightly should be regulated. I would be supportive of getting the Senator's legislation to the next Stage in the near future and I will discuss the matter with the Leader on his return.

I have written down "Minister Harris" instead of the name of the following contributor to the Order of Business. It concerned medical card holders. Who raised that issue?

**Senator Aidan Davitt:** Minister will do fine - no problem.

**Senator Pádraig Mac Lochlainn:** Minister Davitt.

**Senator Aidan Davitt:** It has a nice ring to it.

**Senator Catherine Noone:** I have it now. I apologise. It was an accident. I do not mean to sound like a raging feminist saying this, but it is very good to see Senator Davitt, a man, raise this issue because it is one on which I have been very vocal over the past few years. I was very happy to see any advancement in that area because it is obviously a very expensive thing. I am interested to know the position myself, because the details have not been published in full yet, and I only know that because I heard it on the radio this morning. It is anticipated we will get the full details of the scheme by the end of the year, to the best of my knowledge, but it is something on which we should have input at this stage before it comes out and we are then critical of it. I agree that those who are going out to work would need more than a 20%-----

**Senator Aidan Davitt:** I agree with the Deputy Leader. The tax breaks-----

**An Leas-Chathaoirleach:** Senator Davitt is not allowed to contribute at this stage. I call on the Deputy Leader to respond.

**Senator Aidan Davitt:** I thank the Leas-Chathaoirleach.

**Senator Catherine Noone:** I feel very passionate about this area and I support the Senator in it but I do not think the details are available yet.

Senator Mac Lochlainn raised a very important issue in his area regarding Swan Park and Glenevin Waterfall, and what happened up there is tragic. There is a need for clarification. I am not privy to what the Minister, Deputy Ring, said to the Senator but I will have a word with him today when I see him and perhaps ask him to get his Department to send the Senator an email or give him a call about the matter because clarification is what the Senator is asking for, and that is not unreasonable.

Senator Murnane O'Connor raised the very important issue of asthma. One of my colleagues, one of the Fine Gael Deputies, has asthma and has held public meetings on this issue at which hundreds of people have turned up. It is an issue that affects not all families but a large proportion of families, and air quality and all of those issues are very important to asthma, as is diet, which can fundamentally help the condition once one takes care of it. Again, I am not privy to what will happen in the budget, but the Senator raises a very important issue.

**An Leas-Chathaoirleach:** Senator Rose Conway-Walsh has proposed an amendment to the Order of Business: "That No. 12 be taken before No. 1." The Deputy Leader has indicated that she is prepared to accept the amendment. Is the amendment agreed? Agreed.

Order of Business, as amended, agreed to.

### **National Asset Management Agency (Amendment) Bill 2017: First Stage**

**Senator Rose Conway-Walsh:** I move:

That leave be granted to introduce a Bill entitled an Act to amend the National Asset Management Agency Act 2009 and the National Treasury Management Agency (Amendment) Act 2014 to empower NAMA and the Ireland Strategic Investment Fund to contribute to the stability of the housing system through the provision of social and affordable housing.

**Senator Pádraig Mac Lochlainn:** I second the proposal.

Question put and agreed to.

**An Leas-Chathaoirleach:** When is it proposed to take Second Stage?

**Senator Rose Conway-Walsh:** Next Tuesday.

**An Leas-Chathaoirleach:** Is that agreed? Agreed.

Second Stage ordered for Tuesday, 10 October 2017.

### **Sitting Arrangements: Motion**

**Senator Catherine Noone:** I move:

That, notwithstanding anything in the Standing Orders relative to Public Business, the Seanad shall meet at 3.30 p.m. on Tuesday, 10th October, and Standing Orders 29 and 30 shall stand suspended.

Question put and agreed to.

*Sitting suspended at 12.30 p.m. and resumed at 12.45 p.m.*

### **Direct Provision: Statements**

**Acting Chairman (Senator Gerry Horkan):** I welcome Members and the Minister. Is this the Minister's first time in the new Chamber?

**Minister for Justice and Equality (Deputy Charles Flanagan) (Deputy Charles Flanagan):** It is.

**Acting Chairman (Senator Gerry Horkan):** The Minister is very welcome to our temporary new home. The Minister will first make a statement on direct provision, then group spokespersons will have eight minutes each to make statements. The Minister will then be called on to reply. He will have four minutes. Statements must conclude by 2 p.m.

**Senator David Norris:** Will we be given copies of the Minister's speech?

**Deputy Charles Flanagan:** I am sure the Senators will.

**Senator David Norris:** I thank the Minister.

**Deputy Charles Flanagan:** I am sure arrangements are being made to do that. My apologies for not having an advance copy distributed.

**Senator David Norris:** It is no problem.

**Deputy Charles Flanagan:** I take this opportunity to wish the Senators well in these new surroundings. I wish them every success in their deliberations. I am pleased to be here to speak on the important topic which the Seanad has raised, namely, direct provision. I thank the Members of the Seanad for this engagement. This is an issue in which I take a very personal interest as well as a professional interest.

At the outset, it is important to clear up some misunderstandings about the nature of direct provision. The regimes operated by some countries around the world are quite notorious and I feel it is often the case that assumptions are made that all countries use the same approach. In-

deed, some people believe that the accommodation offered constitutes a detention centre. This, of course, is not the case.

Direct provision is the system whereby State services are offered and directly provided to protection applicants through the relevant Department or agency. Hence the name “direct provision”. We do not know who or how many will arrive on our shores today or tomorrow. We do not know who may claim to be in need of protection within our jurisdiction. However, I can say that approximately 50 new applicants arrive in Ireland every week currently. What we do know is that all applicants, on behalf of the Irish people, are offered immediate shelter, full board accommodation and a range of services, such as health and education while their applications for international protection are in the course of being processed. Not every person who seeks international protection chooses to accept this offer, and many choose to live with colleagues, family or friends in communities across the country, as they are entitled to do.

If the system was simply disbanded, as some Members of these Houses and groups have been calling for, the risks of consigning vulnerable people, who know neither our systems nor our language, to poverty and exploitation are multiplied. It can only exacerbate the risks for unprotected people, as they will join the lengthy waiting lists for social housing or enter the private rental market with little hope of finding affordable and secure accommodation in the current housing crisis. The Government will not leave vulnerable people at greater risk while we are urged by some to abandon our international obligations to provide shelter and essential services to applicants.

The direct provision system is a guarantee that every person who walks into the international protection office today will tonight have a bed, food, showering facilities, medical care, information and access to a wide range of services. Such people will not be forced to spend the night on the streets or be left to their own devices to look for emergency housing, as in the early years under previous Governments. They will not be vulnerable to ruthless criminals stealing any welfare payment that would replace direct provision and leaving them in abject poverty. In almost two decades, I have yet to hear a credible alternative being proposed to the current system.

That said, the way the system operated for many years was unsatisfactory. It was beset by problems as the State sought to grapple with a large volume of asylum applications, something this country was not used to. The previous Government made important strides in improving the system, and my colleague, the Minister of State, Deputy Stanton, and I are committed to implementing fully the programme of reform initiated by this and the previous Government for the protection process and the direct provision system.

The landscape of our international protection process has radically changed for the better since we asked Mr. Justice McMahon and his expert group to report to us in 2015. I wish to place on the record my sincere gratitude to Mr. Justice McMahon and all of those who served on his expert group for their invaluable service to the State.

All systems require continual review and improvement. The Minister of State, Deputy Stanton, and I are working with our departmental officials and across the Government to enhance and develop the entire system continually in order that the best possible set of facilities and services can be provided to those in State care. We have published three item-by-item accounts on our implementation of the recommendations in the McMahon report. The final report in July showed the considerable progress made, with 98% of the recommendations advised as

being implemented in full or in advanced progress. The commitment in A Programme for a Partnership Government to reforming the system, with a particular focus on families and children, is further testament that Fine Gael and our partners in government are the ones pursuing meaningful reform throughout the protection process.

The key recommendation underpinning the McMahon report was to address the length of time taken to process applications, which consequently leads to long stays in State-provided accommodation. With the commencement of the International Protection Act 2015 on 31 December last year, we now have a single application procedure. This is the greatest reform to our protection process in more than 20 years. It means applicants will have all aspects of their claims, refugee status, subsidiary protection status and permissions to remain examined and determined in one process. Our intention is to provide first instance decisions in the shortest possible timeframe. I have put in place significant additional resources to facilitate this at first instance and appeal levels, and I expect further resources to be assigned over the coming period.

The landscape of processing and delay has changed substantially. When the McMahon report was published in 2015, 36% of applicants were in the direct provision system for three years or less. This figure is now 72%, which represents a radical improvement. We continue to work hard to improve the situation further. There is no room for complacency, and there will be no complacency.

Substantial reforms to the living conditions of applicants who are provided with shelter, accommodation and services in the centres have also been made. Most significantly, we have established a food hall in the Mosney centre where residents can obtain appropriate food that they can cook in their own homes. On a visit to Mosney's Friends of the Centre family day in July, Mr. Justice McMahon praised the centre, saying it provided a template for other direct provision centres to follow. Cooking facilities have also been provided in centres such as Kinsale Road, Clonakilty, Millstreet in Cork and St. Patrick's in Monaghan to enable individual families to cook for themselves if they so desire. This is an important part of everyday family life, and I am conscious of children in this regard.

An increase to the disposable income for adults and children living in direct provision was provided in August. Since the McMahon report, we have more than doubled the weekly rate of direct provision allowance for children. Adults who will soon have access to the labour market will also see their capacity for economic independence enhanced in line with the finding of the Supreme Court. Residents have been given access to the services of the Ombudsman and the Ombudsman for Children, which is an important step forward.

There has been a great deal of criticism of direct provision over the years. Much of it has been warranted and many experts have engaged constructively with Mr. Justice McMahon to deliver improvements in this regard. However, some of the criticism has not been warranted. All states have to set and implement rules about people coming to them. Asylum seekers must apply for international protection status under international law on clearly defined grounds. When asylum seekers come to Ireland seeking international protection status, they enter a legal process. It is during this time that we offer direct provision to those who choose to avail of it.

Alongside the asylum process, we have significant commitments to welcoming refugees fleeing harrowing conflicts in Syria and other regions. Refugees who come to Ireland under the Irish refugee protection programme are initially provided with shelter at emergency reception and orientation centres, EROCs. Regrettably, we have been experiencing some difficulties in

identifying suitable centres. My officials who work in this area every day are of the view that the blunt condemnations of the system of shelter is acting as a serious disincentive to people offering their properties for rent to the State. This means that vulnerable refugees whom we have already screened to come to Ireland under resettlement or relocation may remain in camps abroad this winter. That would be a most regrettable situation. My Department will shortly be publishing a call for tenders for the provision and management of EROCs, and I would like all Senators to assist in identifying suitable locations that they may be familiar with, in their constituencies or beyond, with a view towards encouraging possible applicants to tender for this important engagement.

I am open to following the European model and inviting NGOs who are active in this area to focus their coalitions towards providing practical support and positively responding to one of our open calls, for which have designated funding, to run a direct provision centre. Seventeen years on and three years into the current crisis, we are unique among the EU member states in this regard in that it is solely the State that offers such shelter and support. I understand that one NGO-housing association partnership has recently expressed some interest in exploring the possibility of becoming involved. I welcome this initiative and would encourage others to think along similar lines. If people want to effect change in their areas, we need practical partnerships and constructive engagement to deliver tangible supports and results. The management of a centre by an NGO or NGO grouping would provide an opportunity to embed the type of ethos that NGOs may wish to see implemented, funded by the Irish taxpayer exclusively from the State's resources.

*1 o'clock*

I say to NGOs that I welcome that co-operation which is the bedrock of so many other countries' humanitarian response to this international crisis.

I look forward to hearing the contributions of Seanadóirí this afternoon in this debate. While I appreciate that this is an emotive topic, we need constructive solutions. I urge colleagues to be mindful of the possible impact of their statements, particularly in respect of reinforcing stereotypes of a negative nature in respect of asylum seekers. It is important that Members are accurate in their statements and acknowledge the context both in Ireland and internationally.

I again emphasise the urgent need for a greater accommodation supply. I reiterate my absolute commitment to ensuring the McMahon report is implemented and that we operate a humanitarian system that upholds and respects the law and the international norm of human dignity.

**Acting Chairman (Senator Gerry Horkan):** I thank the Minister for his very comprehensive opening statement.

**Senator Lorraine Clifford-Lee:** I had some notes prepared prior to the debate but I am taken aback by the Minister's contribution today so I have decided instead to dissect the Minister's opening statement and to refer directly to that speech. It was bordering on the offensive, to be honest.

At the end of the Minister's statement he referred to "constructive solutions" and he reminded Senators not to engage in negative stereotyping of asylum seekers. I believe that the Minister's speech actually engaged in that negative stereotyping of asylum seekers. In the first half

of the speech the Minister said quite comprehensively that the State is doing a great job. This attitude from official Ireland towards asylum seekers actually creates this negative stereotype.

I understand where the Minister is coming from when he said that when asylum seekers come to Ireland, they are offered immediate shelter, full board, accommodation and a range of services such as health and education while their application for international protection is being processed. This shelter, however, is completely substandard and inappropriate to family circumstances. Asylum seekers are living in mobile homes in car parks for long periods of time. Their children are growing up sharing beds with their parents and living in very close quarters. While shelter is provided, it is completely substandard.

The Minister, Deputy Flanagan, said that many asylum seekers choose to live with colleagues, family or friends. I am not aware of this number being that great at all. In the next paragraph the Minister said: “We as a Government will not leave vulnerable people at greater risk.” I can tell the Minister that the actual risk is the direct provision system itself. It is completely inadequate. People are allowed to languish in this system for years and years on end. That is the problem with the system.

The Minister referred to asylum seekers being vulnerable to “ruthless criminals”. I believe the system itself is actually exposing asylum seekers and making them more vulnerable. I have heard many reports of asylum seekers turning to prostitution in order to be able to look after their children in the direct provision system. If that is not creating a whole cohort of even more vulnerable people, then I do not know what is.

The Minister said that in two decades he had yet to hear a credible alternative being proposed to the current system. I will propose a credible alternative, which would be a speeding up of the decision-making system. It is absolutely incredible that people have to wait in substandard accommodation with substandard services being provided to them, while we in official Ireland drag our heels.

The Minister spoke of the excellent report produced by Mr. Justice McMahon, which is almost two years ago. The Minister said: “I want to take this opportunity to place on the record my sincere gratitude to Mr. Justice McMahon and all those who served on his expert group for their invaluable service to the State.” The best way the Minister could show his gratitude to Mr. Justice McMahon would be the immediate and full implementation of the recommendations contained in his report. They are simply not being implemented. The Minister also said: “...98% of the recommendations [are] advised as being implemented in full or in progress.” I believe, however, that only the soft recommendations of the report have been implemented, and it is not good enough to say that the rest of them are in progress. The Government has had two years to do it and I want an update today on how many of the recommendations are actually implemented and not that they are simply in progress. That is a bit of a whitewash.

The Minister went on to say that the key recommendation underpinning Mr. Justice McMahon’s report was to address the length of time taken to process applications and that we now have a single application procedure. It took the Department long enough to implement that single procedure. The Minister said that this is resourced, but I understand that it is still not adequately resourced. One third of the applicants for a judicial review are actually successful. This indicates that there are many flaws in the decision-making process. When we speak about the direct provision system and the asylum system, people often throw out the opinion that asylum seekers “are always making applications for judicial review”. When one third of

the judicial review applications are successful, would we blame them for applying for a judicial review of a decision? That is a very high number of successful judicial review applications. The resourcing is not adequate in this regard.

The Minister spoke of the Mosney direct provision centre. The residents of the Mosney centre cannot apply for membership of their local library because the Mosney centre is not considered a permanent address. When this came to light, a number of constituents of mine in north county Dublin organised a book drive where they collected lots of books suitable for all ages, children and adults, because many of the Mosney residents were learning English and needed access to reading material. When they arrived at Mosney with the donation of books, they were turned away and told there was no room in the centre to house books. This goes to the core of the system being completely inadequate and inhumane. To turn away donations of books in circumstances where these people cannot join the local library is disgraceful.

Reference was made in the Minister's opening statement to different facilities that have enabled individual families to cook for themselves. The allowance provided by the Minister to asylum seekers does not allow the purchase of food or transport to and from shops with food. In effect, this is not really going to do the residents of direct provision centres any good. The Minister said that adults who will soon have access to the labour market will also see their capacity for economic independence enhanced. When will they have access to the labour market? What is the Minister going to do to transition people into the labour market? The back to education allowance is not available to asylum seekers because the time they spend in direct provision is not time accrued towards applying for the back to education allowance. A large number of people who have been in direct provision for a long time do not have any relevant work experience. Is the Minister going to propose any schemes to allow them to transition in to the workplace? Education and training will be very important in that regard.

Asylum seekers must apply for international protection status under international laws on defined grounds. This is true, but Ireland is failing because we did not have a properly resourced system to process asylum seekers' applications. Everybody knows the procedures are there but we are failing people by not adequately staffing the system - for a long time - and by not providing proper training for those in the system. We have been failing them. I could go on but I have been told that my time is up. I have pages and pages of things I would like to raise with the Minister but I may just put it in an email or write to him, or invite him back to the House for a Commencement debate on this issue.

**Senator Billy Lawless:** I welcome the opportunity to make a statement on direct provision. I welcome the Minister, Deputy Flanagan, to the Chamber. The Government and this House have a responsibility to listen to and legislate for a very important decision that has been delivered by the Supreme Court since this House last had a chance to speak on this matter. As Senators will be aware, the Supreme Court found that the ban on asylum seekers looking for work was unconstitutional "in principle". Section 9 of the Refugee Act 1996 provides that a person seeking asylum is entitled to enter the State and remain here while the application for refugee status is processed. However, section 9(4) provides, *inter alia*, that an asylum seeker shall not "seek or enter employment" before a final determination is made on his or her application for a declaration. Pending the determination of an application for refugee status, applicants are required to live in direct provision and are provided with an allowance of just €19 per week.

In delivering the Supreme Court judgment at the end of May 2017, Mr. Justice O'Donnell ruled that having no limitations on the prohibition of employment for a person who had lived

in direct provision for eight years was unconstitutional. In a judgment of profound significance and compassion, Mr. Justice O'Donnell stated:

In my view, the point has been reached when it cannot be said that the legitimate differences between an asylum seeker and a citizen can continue to justify the exclusion of an asylum seeker from the possibility of employment. The damage to the individual's self worth, and sense of themselves, is exactly the damage which the constitutional right seeks to guard against. The affidavit evidence of depression, frustration and lack of self-belief bears that out.

The Supreme Court provided a period of six months for the Oireachtas to remedy what it determined to be an unconstitutional state of affairs, but we await that legislation. As we lobby for the undocumented abroad with cross-party coalition support, we must have the moral fortitude to deliver for the undocumented at home.

**Senator David Norris:** Hear, hear.

**Senator Trevor Ó Clochartaigh:** Hear, hear.

**Senator Billy Lawless:** The Supreme Court has not called for the floodgates to be opened on an unrestricted immigration regime in Ireland. It has said that the State has an obligation to vindicate the right of asylum seekers in Ireland to have a limited opportunity for employment, rather than spending their lives in the purgatory that is direct provision.

While I applaud the Government for its willingness to put amendments of the people's document - the Constitution - to the Irish people, including a proposal to expand the electoral franchise to emigrant voters, we must implement the provisions of the Constitution that are already in existence as well as proposing new ones. This is not just a question of vindicating the rights of asylum seekers who have entered this country, in most cases fleeing intolerable danger. It is also about fulfilling the economic requirements of this State. This country has returned to net inward migration because the economy is growing again. We already have labour shortages in certain sectors. It has been estimated that we need an additional 76,000 construction workers to meet housing demand over the next four years. We need nurses, doctors and other professionals. Inevitably, we need more workers in the service economy.

It is universally accepted, including by the Supreme Court, that certain restrictions on asylum seekers obtaining employment might be necessary to avoid the floodgate effect of Ireland being used as a soft location for people seeking to enter this country purely for economic reasons rather than on legitimate grounds of asylum. As with many other issues, the answer lies not on either side of the extremes but in the middle. This country can protect its national interests, including its economy, while at the same time demonstrating compassion and pragmatism in dealing with people who have escaped unspeakable atrocities, particularly in Syria. This morning, the Joint Committee on Foreign Affairs and Trade met a delegation that included a young man from the Rohingya ethnic group in Burma. The atrocities being committed against the Rohingya people are unspeakable. I know we have 90 families here in Ireland. I ask the Minister to allow us to implement the recommendations without further delay, thereby vindicating the rights of asylum seekers in Ireland.

**Senator Martin Conway:** I welcome the Minister to the House. I am confused about

where Senator Clifford-Lee is coming from because I found the Minister's speech quite informative. It gave us a synopsis of the current position regarding the whole issue of direct provision. I have criticised direct provision in the past. During the early part of the last term, I joined a number of colleagues on a visit to direct provision centres organised by Senator Ó Clochartaigh. I was not at all happy with what I saw and I subsequently made comments to that effect in this House. One of the operators threatened to sue me but that did not materialise, thankfully, because I was protected by absolute privilege.

**Senator Trevor Ó Clochartaigh:** Say it again so.

**Senator Martin Conway:** I think we have made quite an amount of progress on this serious issue. The McMahon report has been mentioned. Mr. Justice McMahon is very pleased with the progress that is being made with the implementation of his recommendations. He should be thanked. The implementation of his report is an expression of such gratitude. The Minister mentioned that "98% of the recommendations" have been or are being implemented. I understand that 136 of Mr. Justice McMahon's recommendations have been implemented in full and a further 33 recommendations are in the process of being implemented. Two recommendations have been superseded by events, so they are not necessarily that relevant.

Mosney has been described as a centre of excellence. It is now regarded as a template. I agree with Senator Clifford-Lee that it is reprehensible that any outfit or individual running a centre would refuse to take books. It is recognised and appreciated worldwide that books are a critical asset in learning. I am sure the Department of Justice and Equality would not approve of books being refused anywhere. People in prisons and schools are given books. Books are the essence of learning. If that story is correct, and I do not doubt Senator Clifford-Lee's sincerity in this regard, the individual in question should hang his or her head in shame. Quite apart from the issue of direct provision, I find it unacceptable that a citizen would behave in this way. There are many countries where people are not allowed to learn. It would not be appropriate for this to happen in Ireland.

Overall, we have a journey to travel. Resources are still an issue in this country. We have just emerged from a difficult period in our economic history. I do not doubt that the Minister, Deputy Flanagan, who has many years of experience of advocacy, is negotiating intensely with the Minister for Finance and Public Expenditure and Reform ahead of next week's budget to get more funding for this area. I wish him well in that regard. If he succeeds in getting an increased budget, the lot of people in direct provision will improve further. Ultimately, the solution is to deal with their applications as part of a process that is as fast as possible. I know this is in hand.

I would like to mention something else that is worth noting. It came to my attention recently that just 50% of asylum seekers in this country are in direct provision. I think that answers a question asked by Senator Clifford-Lee. The other 50% of applicants are living with family members, friends or neighbours from their home countries, or are in other set-ups. When we talk about direct provision, we are dealing with just 50% of asylum seekers. A great deal of progress has been made. I am not sure whether Senator Ó Ríordáin, in his previous role, appointed Mr. Justice McMahon, but it was the correct thing to do. There was an independent evaluation, which resulted in a set of recommendations, the vast majority of which have been implemented. Nobody wants to live in direct provision and nobody should have to. Our obligation is to accommodate them in the most respectful way we can in the shortest period we can and that is the challenge. The direct provision model was introduced by a Fianna Fáil-led Government in 2001 as a result of a scenario they found themselves in that nobody would have

planned for. At the time it was probably the best response and it has evolved and been tweaked over time but, unfortunately, for many years it was an indefensible model. The accommodation was of a poor standard and so forth but there have been many improvements. I have no doubt that in 30 or 40 years a formal apology will be made to the children of those in direct provision between 2002 and 2014 prior to the McMahon report. Significant progress has been made and I wish the Minister and the Minister of State, Deputy Stanton, all the best in the budget negotiations that are taking place. I have no doubt that the remaining recommendations in the report will be implemented and there will be a speedier approach to dealing with applications in order that people's stay in direct provision centres will be kept to a minimum.

**Senator Trevor Ó Clochartaigh:** Cuirim fáilte roimh an Aire. Ní hé inniu an céad lá a labhraimid le chéile faoin ábhar seo. We have crossed swords on this issue on many occasions and we will do so again today. I will state clearly where I stand on direct provision. I see it as a form of institutionalised abuse and a State-sponsored model of incarceration. It needs to be scrapped and, notwithstanding the speedier processing of applications, the system is doing damage to the people in it. I welcome the change of tone from Fianna Fáil on the issue and I hope Senator Clifford-Lee will draft a position paper for her party to recognise her changed view of the-----

**Senator Lorraine Clifford-Lee:** It is not a changed view.

**Senator Trevor Ó Clochartaigh:** It certainly is. If the Senator checks the record, Fianna Fáil has-----

**Senator Lorraine Clifford-Lee:** I have been speaking on this issue for 18 months.

**Senator Trevor Ó Clochartaigh:** For the past six years, when Fianna Fáil has been asked to condemn the direct provision system, it has not done so. I would like to be constructive because we need to work together to get this system scrapped and I welcome the change in tone.

An injustice has been done to Mr. Justice McMahon. The terms of reference for his report were limited. They precluded an examination to institute changes to the direct provision system. In a way, he was used to justify the system on behalf of the Government. He did an interview with *The Irish Times* in July. It was reported:

Former judge Dr Bryan McMahon said anyone forced to live in a system that denied them the right to work or study and determined almost every aspect of their life without any indication as to when their circumstances might change “would go mad”.

Dr McMahon, who chaired the review group which published a landmark report on the system more than two years ago, said people were effectively being “incarcerated, locked away and [left] in a limbo of sorts”. More needed to be done to expedite cases, he said.

He should not be heralded as a great supporter of this system as that does him an injustice. That does not reflect the opinion of those in the system, those working with NGOs, etc. They feel circumstances have not improved that much because the fundamental structure is wrong and needs to be changed.

Around this time last year, the country looked on both shocked and appalled at Donald Trump's election campaign, and the discriminatory policies emanating from it. The Muslim ban was a vile tool, which gave licence and free rein to the American Administration to bla-

tantly marginalise foreign nationals travelling to their country. We watch idly as America burns the ideals of freedom and liberty that it claims to have been founded on. We condemn these practices, rightly so, and we speak against such utter discrimination, again, rightly so.

On 10 April 2000, Ireland embarked on its next dark period of the treatment of the most vulnerable within society. The then Fianna Fáil Minister for Justice, Mr. John O'Donoghue, had commenced a new programme aimed at tackling the issue of the country's dealings with refugees who had come here seeking asylum. These refugees, many of whom are fleeing war torn areas that were savaged by "western intervention", came to Ireland in search of safety, in the hope of escaping persecution in their country of origin. The system known as direct provision was seen as a way of housing these people and providing them with the basics they needed to survive while their asylum application was being processed. I doubt the then Minister envisaged what was to come, as it was set up with the intention of being a short-term measure. Today, 35 of these centres are active throughout the State. It is estimated that these centres house 4,500 people - young and old, rich and poor, and followers of many different creeds.

Much like Mary Shelley's depiction of Dr. Frankenstein's monster, this creation has grown to the point of being uncontrolled; a system which has now become a horrific mess. It has developed into a system that I believe to be much more sinister than was first intended. It has become an institution of the State, and like many State institutions, it fails in its aims to benefit those who most rely on it. We need look no further than the 1990s, and to mother and baby homes and county homes, to recall failings in State institutions, where civil liberties were placed on the back burner, as if they did not apply to those coming to our shores seeking refuge.

I welcome recent comments by the Minister of State, Deputy Stanton, and his commitments to the resettlement programmes as well as the promise of the Minister and the Government to admit 520 refugees in this calendar year. I understand that the process of resettlement cannot necessarily be circumvented, although it could be more efficient, despite the intricacies and complexity of such processes. Resettlement, in so far as is possible, is a viable way to approach the treatment of asylum and refuge. Integration into communities is an option that should be explored, with direct provision being phased out with a new and more humane system replacing it.

The Minister mentioned that no other models had been put to him over the years. I disagree with that because the Irish Refugee Council produced a lengthy paper on the options for a different process while Senator Conway and I visited a Portuguese centre. We do not say that he can adopt such a model and put it to work here but it seems to be much more humane than ours. I have mentioned the Portuguese model repeatedly over the years but no report was done on it. Perhaps a working group is needed to scrap direct provision. Let us get heads together with the NGOs and the Movement of Asylum Seekers in Ireland, MASI, which is the organisation representing asylum seekers, and put forward an NGO-based model, which would provide proper services. It would be a much better use of the €50 million being spent on the system currently on private companies, some of which do not even disclose the profit they make. It would be much better to follow such a model and I urge the Minister to establish a working group. Perhaps Dr. McMahon could outline his thoughts on that.

Direct provision has become a viable business with the majority of these centres being run on a for-profit basis, which at least seems unusual. To have profit, there must also be a deficit, and the deficits within this so-called business venture truly gall me. Like many private companies, and much like the private prison system in the US today, their business models do not

seem to centre around ethics nor morals, but rather how much milk can be squeezed from this cash cow. To the best of my knowledge, some of the companies that hold the contracts for private prisons in the US are also in receipt of moneys here for what is effectively the same service. I was speaking to a colleague of mine recently and he told me that despite FOI requests, none of the contracts that these companies hold is available to be scrutinised. Perhaps the Minister could clarify that. I understand the premise of commercial sensitivity, but I question whether these contractual obligations are being met, given some of the horror stories coming from some centres.

I welcome the fact the Ombudsman now has oversight of the direct provision system but HIQA oversight is also needed. The Minister needs to make a clear statement as to how he will implement the right to work decision of the Supreme Court. The right to education also needs to be implemented. The new single procedure has not been resourced properly to support people to fill in their application forms. Absolute consternation was created by those forms. There was a lack of legal support, translation services, etc. Family reunification remains a significant issue for people within the asylum system and it has to be addressed. I would welcome a response to the issues I have raised. There is a direct provision group within the Houses of the Oireachtas again. Perhaps the Minister and his officials could sit down with us, talk with us and have a look at some of the options we are putting to him.

**Acting Chairman (Senator Gerry Horkan):** I thank Senator Ó Clochartaigh. Before I go on to our next speaker, I welcome Deputy Jackie Cahill and the delegation he has brought to the Public Gallery today. They are very welcome to our new home. We will now continue with the debate. I call on Senator Black, who has eight minutes.

**Senator Frances Black:** I welcome the Minister. I am deeply sad that we still need to debate this issue. I disagree with the Minister in that I do not see direct provision as a way of protecting people. The system of direct provision is an absolute disgrace and something of which we should be deeply ashamed. The reality is that thousands of people are effectively warehoused and forced to live on €19 per week. They are unable to work, to provide for themselves or to continue in education. Many lack basic cooking facilities and sleep in small, cramped rooms with several others. This is institutionalised poverty and we cannot stand over it.

One asylum seeker described the conditions and the level of control exerted over him as like living in an open prison. He recently asked the Committee of Public Accounts whether it would consider that a home. If one is signing in to one's home every day, then it is a prison. We have to think about the mental health effects of this system. Research from the Royal College of Surgeons in Ireland has shown that depression and mental health problems are five times higher in the centres than in the wider community. We have designed a system which denies people the most basic human dignity and this is the result.

We should also note that there are currently more than 1,000 children living in these centres, many of whom were born there and are growing up there. Tanya Ward of the Children's Rights Alliance has spoken about the fear young children feel about being accommodated with large groups of older men, which is really sad. I recently met with a young asylum seeker who lives in Waterford and who told me about her devastation at not being able to continue her education like her friends. She is a beautiful young girl. Dr. Geoffrey Shannon, the Government's own rapporteur for child protection, has been clear on this. Direct provision is violating children's most basic rights and their ability to develop a normal life. It is just not acceptable. I know my colleagues in the Civil Engagement group are behind me on this and have made this case

strongly themselves. My colleague, Senator Colette Kelleher, worked as a volunteer in a direct provision centre in Cork throughout the summer.

For years people have been objecting to this, yet we are still talking about it. Efforts have been made to improve things, and that is really good, but if we are honest, it is just not good enough. In May, the Government published a new migrant integration strategy but there is nothing in it on asylum seekers. The people we are talking about today do not even warrant inclusion. How can we credibly talk about the integration of migrants in this country and just ignore the thousands of people in direct provision? What message does that send?

Much has been said about the new single application procedure, but I have met people going through that process who have found it almost impossible to navigate. Many have reported that the procedure is complex and difficult. Some of the translations available are so poor that they look as if they were taken straight from Google Translate. As legislators, it is our job to raise these issues and fix them.

One thing I strongly want to raise is the right to work. I am a member of the Joint Committee on Justice and Equality. Our recent report on this issue states clearly that “the denial of the right to seek paid employment is a serious infringement of the applicant’s human rights.” That is not a minority view. The report has full cross-party support, including from members of the Minister’s party. It was also a key part of the McMahon report in 2015 and, as the Minister will know, the Supreme Court recently ruled that the ban on the right to work is unconstitutional. We need the Government to act on this. I listened to the Minister of State, Deputy Stanton, debate our report in the Dáil last week. He said that a decision is being worked on by the Departments. Will the Minister please give us a clear indication of when we can expect a decision and whether asylum seekers are being consulted? I am worried that the response will be overly restrictive. We will see some minor right to work but it will be just enough to get the Supreme Court off our backs. I urge the Minister to push his officials not to go down this road. I realise that he is in a difficult position. He has spoken with passion on these issues previously. I know him to be a thoroughly decent man who sincerely wants to improve people lives. I ask him, therefore, to go with his conscience on this and give these people the chance to work.

I want to quote one man in the system who appealed to Mr. Justice Bryan McMahon. He said:

Just let me work. Let me get up in the morning. Let me put on my clothes and have my breakfast with my children, and come back in the evening and say - ‘today I worked’.

That is not someone looking for support from the State; it is a person who, like any of us, wants to be able to support himself. It is about basic human dignity and the ability to use one’s skills and talents. This Government likes to talk about a republic of opportunity. If, however, we deny people the right to work, then we confine them to poverty. Where is the opportunity in that?

I will finish by saying again that this system is shameful and will leave a legacy for which we will all have to answer. We look back at the neglect and the abuse inflicted upon people in the Magdalen laundries and other State institutions and ask how these things happened. Well, this is how it happens, through endless debates and reports but no significant change. Direct provision is a stain on the country’s conscience and a denial of basic human rights. If we believe in justice and decency, we cannot stand over it.

4 October 2017

**Acting Chairman (Senator Gerry Horkan):** I thank Senator Black. The Order of Business says that only group spokespersons are to speak, that they have eight minutes each and that their time can be shared. Senator Norris is not a member of a group but I am happy to exercise my discretion and allow him to speak for up to five minutes.

**Senator David Norris:** I thank the Acting Chairman. I very much welcome his ruling. I have raised this matter over many years, as the Minister knows. I welcome the Minister. I think he is a decent man. There have been some improvements but they have been gradual, painstaking and slow. I introduced legislation in this area to the House in 2014 and the then Minister, Senator Aodhán Ó Ríordáin, said that the whole matter would be resolved within six weeks. Two years later, it has not been addressed sufficiently.

I welcome Senator Billy Lawless's speech. He made important points about the Supreme Court judgment. It is refreshing that somebody who has campaigned so vigorously for the undocumented Irish in the United States, of whom there are 50,000, should see this as directly analogous to the treatment of asylum seekers in Ireland. This is a case that those of us who have been campaigning on the issue of direct provision have made over many years.

I would also like to point to the specific difficulties of gay people who apply for asylum. In the past they were asked questions about not looking gay or about being married. There is a compulsion on people in these societies to marry. It was the same in this country not so very long ago. If they are denied asylum, having acknowledged their sexual orientation, they face very considerable dangers when they go back home, amounting to death in some cases. One has to be terribly careful about the way in which these particular applications are processed.

It is ironic that the direct provision system was introduced on Human Rights Day in 1999, particularly as it has universally been seen as a breach of people's human rights. There has also been some improvement in the International Protection Appeals Tribunal. I very much welcome that. I look back to the days when Ms Justice Harding Clark, in a case involving a Sudanese asylum seeker, said:

Sometimes the court is called upon to review a decision which is so unfair and irrational and contains so many errors that judicial review seems an inadequate remedy to redress the wrong perpetrated on an applicant. This is such a case.

This is the history with which we are dealing. I am very glad that has been cleared up.

With regard to the Minister's speech, there are some good things in it but it is also a bit like the curate saying "good in parts". The Minister says that if refugees and asylum seekers got full social welfare and if some were outside the system they would be vulnerable to theft. Every citizen in this country who is in receipt of social welfare could be banged on the back of the head and his or her money taken. That is not a justification for the Minister at all.

Mr. Justice McMahon was mentioned. We really owe him a debt of gratitude for the work he has done. I see the Minister nodding in agreement. Mr. Justice McMahon is not uncritical of the system. Just last year he described the provisions as continuing to be - and he used these words - "narrow" and "mean". That is not unequivocal support for the Government's position. The Minister mentioned 98% of the McMahon report's recommendations. I have been through this several times with different Ministers. That figure conceals the fact that the Government is saying that they have been implemented or are in progress. The phrase "in progress" muddies the water. I do very much welcome the fact we now have a single application procedure. This

is a major advance and it would be very mean-minded not to acknowledge that.

The Minister said asylum seekers will soon have access to the labour market, but when? This is not the result of a Government initiative but of a Supreme Court decision. Residents being given access to the services of the Ombudsman is excellent. I am very glad of that. On the business of negative stereotypes being promoted in this House, I very much doubt that anybody in Ireland is watching this debate as it takes place so I do not think it is going to have a huge impact. I did introduce legislation, the Immigration Reform (Regularisation of Residency Status) Bill, in 2014 and again in 2016. Under section 7, which is the principal business, people would have been entitled to reside in the State and would have enjoyed the same rights to travel within, to or from the State as those to which Irish citizens are entitled. They would have had the same freedom to practise religion and so on. They would have been entitled to seek and enter into employment. There would have been the right to form or be a member of any association or trade union, to have access to the courts, and to have access to education. This is a very important point which has been delayed for far too long. It is urgent that it is now addressed because it is an extraordinary situation. People who have gone through the Irish education system up to secondary school and who apply to go to university are charged the same rate as people from outside the European Union. They are having to scrape together €10,000. On €19.20 a week - I note that my colleagues left out the 20 cent - it would take a hell of a long time to save up €10,000. This needs to be addressed urgently.

I would say the Minister has shown some progress but it is slow, painstaking, not quick enough and the aspect of the right to work, which is only a commitment so far, has only been entered into by the Government as a result of a Supreme Court decision. Thank God for the Supreme Court and the humane and decent men and women who serve upon it.

**Acting Chairman (Senator Gerry Horkan):** I thank the Senator. Another Deputy has decided to visit us today. Perhaps it is because we are so much closer to the Dáil Chamber. I welcome to the Gallery Deputy James Lawless, who is here with Dr. Neil O'Boyle from the school of communications in DCU.

**Senator Aodhán Ó Ríordáin:** The last time I spoke on this issue, the Minister described my contribution as bizarre and extraordinary. I hope my contribution is a bit more to his liking today.

I wish to inform the House that on the anniversary of the election of Donald Trump, 8 November, in Liberty Hall, there will be an event called Irish Stand, raising funds directly for young people in direct provision. There is a youth project with which the Irish Refugee Council is involved which is in danger of closure. Performers including Senator Frances Black and others will be performing on the night. On 8 November last year, everybody felt a little bit colder and the world seemed a little bit less generous.

I am very critical of the Government's attitude towards this issue, as the Minister knows. In the draft programme for Government there was a sentence in black and white, which I remember reading, stating that the Government would implement the recommendations of the McMahon report. When the actual programme for Government came out, that sentence had been deleted. I do not know who deleted it, if it was a political figure or somebody in the Minister's Department. It was certainly no longer there and the commitment was no longer in evidence.

As Senator Norris quite rightly said, it is to be welcomed that the Minister has announced

that the Government will move to enable people in the asylum system - not all of whom are in direct provision - to access the labour force. Again, as has been stated, that is on foot of a Supreme Court judgment and not anything that came from within the Government. I hope the Minister will not consider it bizarre or extraordinary for me to say that people should spend no more than six months in the system. If that were the situation, we would be able stand over the system as it is.

It is very difficult to stand over a system that allows people to languish in these centres for a prolonged period. I visited many of these centres, as I am sure the Minister has. If he has not, I encourage him to do so. The Minister of State, Deputy Stanton has visited a huge number of them. The stench of desperation, particularly for children, will persist in this country for an awfully long time. The aspiration of having a very short turnover in any centre must be held. I understand that the housing shortage is adding to the problems and that community welfare officers throughout the country are dealing proactively with those in direct provision who have their papers and wish to move on. The number of long-stay residents in the system has gone down. From 2015 to 2017 there was a reduction of 1,500 in the number of those in the system for more than three years. However, this should never have been allowed to occur in the first place. The system should have been reviewed five years after it came into existence, in 2005, or after ten years, in 2010. It was not until we had an agreement between Fine Gael and the Labour Party in 2014 that the system finally came to be reviewed and reformed properly.

The sentence was deleted from the programme for Government. I did not see any mention of it in the confidence and supply arrangement between Fianna Fáil and Fine Gael. Unless I am greatly mistaken, I do not remember any mention of the matter in the campaign manifesto of our current Taoiseach, Deputy Varadkar, when he was telling the nation why he wanted to lead us. It is important to note that this House has consistently and constantly raised the issue on a cross-party basis, regardless of our political background. We are keeping it at the forefront of our minds. We want to engage with the Minister on the progress of the McMahon report. Mr. Justice Bryan McMahon is quite critical of the Government's inaction on the implementation of his report.

Again, I am aware the Minister found it extraordinary the last time when I pointed out that this report was not sent out to consultants, independently written and then handed back to Government. It was signed off on by Department officials and was negotiated between Department officials, who were members of the working group, and NGOs. Sometimes when a report has been done by an expert group and handed back to the Government, people can dismiss it as being too idealistic or ideological or not being in the real world. This report was negotiated and tossed back and forth. When it was signed off on, there was an expectation that it would be implemented to the letter. Any problem the Department may have had with any of the recommendations had already been addressed. Many of the NGOs put their reputations on the line in going with the report as they had a mandate to end direct provision, and although the report was very much less than that, they were willing to go with it because they expected it to be implemented in its entirety. One of the NGOs walked away. If I were a member of any of those NGOs who acted in good faith in respect of this report, I do not know if I would have the heart to deal with the Department of Justice and Equality again. Although there was trust that the situation would be improved, over two years later we are still debating how many of the recommendations have been brought to fruition.

Can we at least have the aspiration that nobody in the system will spend more than six months in a direct provision centre? Can we ensure that the long-stay residents are moved out

of the system? I acknowledge that we have begun to roll out oversight, but can this be continued? Can we ensure that, when it comes to the report's implementation, we do not argue back and forth over what percentage of its recommendations has been implemented? The aspiration in what we are trying to achieve should not be a party political point-scoring exercise. Rather, it should be to achieve something for children in our care. Those children expect much better of the country of a hundred thousand welcomes.

**Acting Chairman (Senator Gerry Horkan):** Under the Order of Business, the Minister officially has four minutes to reply, but our next business is not until 2 p.m., so he can have up to ten minutes if he feels the need to use it.

**Minister for Justice and Equality (Deputy Charles Flanagan):** I thank the Acting Chairman. I also thank the Seanadóirí for their contributions. Not only did I listen carefully, but I was pleased to receive some of their suggestions. I thank Senators Clifford-Lee, Lawless, Conway, Ó Clochartaigh, Black, Norris and Ó Ríordáin. If I did not previously acknowledge the good work and contribution of Seanadóir Ó Ríordáin towards this process in his capacity as the Minister of State at the Department of Justice and Equality, I will do so now. I listened carefully to him the last time and today. It is important that we work together. Senator Ó Clochartaigh suggested that Seanadóirí meet together and form a group. Speaking on behalf of myself and the Minister of State, Deputy Stanton, I would be happy to engage with Senators-----

**Senator David Norris:** Good.

**Deputy Charles Flanagan:** -----to determine what practical effect we can give to-----

**Senator Martin Conway:** Here is to hoping.

**Deputy Charles Flanagan:** -----some of the points that have been raised today.

Initially, I had the opportunity of setting out at some length the improvements that had been made to date. I will not repeat myself but I am committed to delivering an international protection system in Ireland that provides for decisions on applications in the shortest possible timeframes. This issue has been raised. It presents a particular challenge. Regarding our judicial system, Senator Ó Ríordáin mentioned a period of six months. I would suggest an initial target of nine months and then see what we can do to reduce it, but I would like to see this issue addressed.

I will acknowledge a number of specific points that have been raised. It is important to recognise that 136 of the McMahon recommendations have been implemented in full, with a further 33 in progress. Of those 33, many are at an advanced stage. I would be happy to keep Seanadóirí fully apprised of improvements.

Senator Clifford-Lee stated that one third of judicial reviews had been successful. That was under the old legislation and I do not know of any judicial review under the current legislation that has been successful. It should also be recognised that there are fewer reviews under it. We should consider the current legislation rather than the ills and inadequacies of previous regimes. I am unsure what purpose doing otherwise would serve in terms of working together.

I wish to discuss the important issue of the right to seek employment. In this regard, I acknowledge the constructive contribution of Senator Lawless. My Department is chairing the interdepartmental task force set up by the Government to examine how best to give effect to

the Supreme Court judgment. We are working hard examining the judgment's implications for State services across the Government. I expect the task force to present its proposed solutions to the Government within weeks. I do not want to pre-empt the task force's deliberations by entering into speculation on what might be proposed as the best option for the State to comply with the judgment but the recommendations will be carefully considered by the Government before the State makes its submission to the court at the appropriate time. The granting of access to the labour market could also have repercussions for the system of direct provision as we know it. For example, if an applicant has economic security, the need to be dependent on the State will be somewhat alleviated. The task force is examining all of these issues and I look forward to receiving its report. The Minister of State or I will be happy to revert to the Seanad at the earliest opportunity.

I am working towards getting decisions made within a period of nine months, which is the European standard. Applicants are entitled to appeal and to have the subject matter of their appeals judicially reviewed. We have reformed and resourced the new International Protection Appeals Tribunal. In the Supreme Court case, the applicant had been delayed by the judicial review for almost half of his eight years in the system. The new Act ensures that such a scenario will not present a difficulty.

I regret that Senator Clifford-Lee had to bring the matter of the books to the floor of the Seanad. I agree with what she said, but I must point out that Mosney, which is the centre in question, recently received a consignment of preschool books from Meath County Library. We are not aware of books being turned away. In other centres, donations are only turned away if too many are offered. I do not suppose that was the case in the matter as presented, but I would be happy to have it investigated because it should not have happened.

**Senator Martin Conway:** Hear, hear.

**Deputy Charles Flanagan:** Senator Black referred to the rights of children and families. I agree with many of her comments. Recently, I had the opportunity to meet the Children's Rights Alliance, which welcomed a significant measure of progress on the McMahon proposals.

I acknowledge Senator Norris's long-standing interest in and leadership on LGBT issues and I take his point seriously. I would be happy to sit down with him if there are cases that he would like to bring to my attention. We are fully open to recognising the particular challenges facing gay people, many of whom are fleeing persecution in jurisdictions where they would be subjected to criminalisation and discrimination. We can discuss this matter.

Senator Ó Clochartaigh referred to significant profits, but I am not sure if that tallies with the Government's anxiety about providing reception centres when we are not flush with applications. I am not sure about the extent to which the Senator's commentary on profits in the private sector stands up.

**Senator Trevor Ó Clochartaigh:** Has the Minister seen the companies' accounts? He should examine them.

**Deputy Charles Flanagan:** The rates are €32.50 per person per day. That is the cost to the State. It acts as a disincentive to new people providing centres. If the companies are to be portrayed in public as large private sector profiteers, I am not sure that will stand up.

**Senator Trevor Ó Clochartaigh:** Has the Minister seen the accounts? Check them out.

**Deputy Charles Flanagan:** Mr. Justice McMahon was only allowed to consider changes to the system, not its abolition.

*2 o'clock*

I will repeat what I said in my earlier contribution. I am happy to receive submissions from Senators or outside agencies and bodies on the matter of a sustainable replacement system. I have not heard any from Sinn Féin, although it has referred to alternatives before.

**Senator Trevor Ó Clochartaigh:** I have mentioned them a number of times.

**Deputy Charles Flanagan:** I would be happy to hear from Sinn Féin. I acknowledge the contributions of Seanadóirí who have indicated that as far as they are concerned there has been a measure of progress. I have visited some centres. I have two in my constituency, one of which I have been visiting for many years since before my appointment as Minister for Justice and Equality.

As a State, we will continue to balance our immigration and protection systems to ensure there are legal pathways for economic migration. Our response to those in need of international protection will meet the highest international standards and will accord to acceptable international and national humanitarian standards. I am happy to engage further as Senators require.

### **Well-being in Schools: Statements**

**Acting Chairman (Senator Gerry Horkan):** Group spokespersons have eight minutes to speak and all other Senators have five minutes. The Minister must be called to reply by 3.25 p.m. at the latest and statements must conclude by 3.30 p.m. I call the Minister, Deputy Bruton, who is very welcome. Is it the Minister's first time in our new Chamber?

**Minister for Education and Skills (Deputy Richard Bruton):** Yes.

**Acting Chairman (Senator Gerry Horkan):** The Minister is very welcome to our new Chamber.

**Deputy Richard Bruton:** It is a very imposing Chamber. I am delighted the Seanad has chosen to debate this subject. Knowing that the Seanad is composed of many people who gave their lives to education before they entered the House, I do not need to tell them how important well-being is as a subject for concern in our education system. It is the key to young people realising their potential and being able to take care of themselves in their lives with all the challenges it throws up. It is key to coping with stresses which are all too prevalent in the lives of young people now and it is key to giving people a proper sense of belonging and purpose in their lives. In every dimension, a young person's capacity to develop well-being underpins their success. It is really important we think of it in positive terms. There are far greater pressures now on our young people than there were in our time. I speak as a relatively older Member at this stage, but it is true even for many younger people. The prevalence of social media, the expectations that young people put upon themselves, the role models they aspire to be like and their increasing savvy and expectations about the world around them have transformed the environment in which they work. While for many young people it is a huge and empowering

experience, there is no doubt it puts demands on young people's resilience. We have to look at how we achieve positive well-being. This subject can be more easily thought of in terms of what we do when things go wrong and how good we are at intervening and developing the services to catch things when they go wrong. As in many areas of public policy, we need to identify ambition and targets in a positive dimension of well-being rather than simply looking at our speed of intervention when things go wrong. That is where education can play a hugely important role. Our education services can feel they are expected to produce a response to everything, whether it is learning to drive or learning to cope with every pressure that exists. That can put pressure on our education system. The one thing I have learned since I started to engage in the area of well-being is how much people already working in our schools realise that this is an absolutely vital element of what they do. It is not one of the areas where people feel something is being put upon them. Teachers see every day of the week that these are the problems they confront in their classrooms and they need to know the coping skills to deal with them. I am very keen to put this in a positive dimension. I have spoken to representatives in other countries. None has really developed what they mean by well-being in terms of how we know we are delivering. It will be a challenge for us as we roll out our programmes.

I will speak about some of the things we are doing. There are a lot of very exciting things happening. Over the next five years, every school will have a well-being strategy. There are already guidelines at primary and post-primary level. We are now engaged in the active roll-out. It is supported by a number of national agencies and support services. There are six indicators of success which put front and centre the ambition that every child be active, responsible, connected, resilient, respected and aware. Those are six domains where a school can very positively contribute to the positive engagement of young people in their lives. There have been guidelines sent out to every school and they are now in the process of bringing them to life. There are a number of key support services engaged in helping schools to build the capacity to do this. It comes from the leadership service, the CPD service, the National Educational Psychological Service, NEPS, and the newly formed Special Education Support Service, SESS. The idea is that schools develop the capacity to do their own self-evaluation and planning and set out a programme looking at the various elements of school policy, culture, curriculum and relationships and the way they can impact on young people. It is a really positive programme. The second area in which we are very actively engaged is strengthening the whole guidance plan that every school at second level now has. We have restored 400 of the 600 guidance counsellors who were taken out of non-DEIS schools. DEIS schools retained them. DEIS schools have had some additional advantage through this roll out. DEIS schools are improving their resources while non-DEIS schools are seeing a restoration.

Very clear best practice is being evolved here. We have specifically piloted student support teams that look at the sort of structures and policies that can make the maximum impact. They have been piloted and are being evaluated. The indication is it is a very positive programme that has been developed. Each school will have year head structures, guidance counsellor led plans, mixtures of whole class, group class and one-to-one interventions. NEPS is supporting this pilot student support team approach within schools which we feel in the long term is the right strategy. We are now undertaking not just an evaluation of these pilot schemes but a survey of how we are deploying within that guidance counselling plan to see if we are getting the very best impact.

The Department has a range of support programmes to strengthen the capacity of teachers within the system to deal with the challenges in well-being. These include a six-year incredible

years programme, which is aimed at teachers and helping them to manage within the classroom. There is a two-day friends programme on pupil resilience. There are anti-bullying strategies and every school must have an anti-bullying policy in place. We are also deploying our inspectorate, which is looking at how to evaluate policies that are successful in the context of well-being within our schools. It is working with 28 schools on a pilot basis to seek to develop the indicators of success in this area. It is not seeking to impose from outside some externally created framework, but is working with schools on the ground to allow us to measure progress in this area.

The other huge initiative we are making this year is to roll out at junior cycle level for the first time a new well-being curriculum. At the moment it is being structured within each school and each school has had to develop its programme. The programme works off the core SPHE programmes but it also integrates those and adds additional curriculum content. The NCCA has issued guidelines, which have been very popular with schools in terms of how to do this. Importantly, it also emphasised the well-being of teachers if they are to be successful in delivering these programmes. Again, a lot of time has gone into CPD, as they call it in the jargon - the continuous professional development and upskilling of teachers to manage these new programmes. This represents a significant shift. The idea is that student support should have three levels of intervention. Every child should get intervention of a certain sort and there are many programmes around that. Some are appropriate at group level, some individual interventions are needed and there is also capacity and knowledge in regard to the range of services to which students should be referred.

This debate is an opportunity to hear back from Senators, who have immense experience in this area, so I will finish my contribution shortly. I should mention that my Department is a member of the youth mental health task force and we have been involved in the pathfinder project that was identified by Government. The mental health of young people is a crucial cross-Government area where the Government needs to become smarter at working across the traditional silos. We are very involved in the development of the youth mental health task force. We see a lot of what is being done as a really important contribution to a mental health strategy. By working together, not only can we ensure that better connections are built, both at local and national level, but we can learn from the expertise of other fields and bring them into the work we do with schools and colleges.

That gives a bird's eye view of the elements that are out there at the moment and that are in development. We have committed to a 25% increase in the National Educational Psychological Service, NEPS, which is a very important support service; we have just established the national centre of excellence of support for special educational needs and I am currently looking at the whole area of leadership and professional development to ascertain whether what we are now doing is best practice in this context. It is spread across a lot of different support bodies, including 30 or 31 local teacher education centres, as well as certain national centres of excellence. There have been criticisms as to whether it has sufficient coherence and direction and that is something I hope to evaluate in the course of the coming year with key stakeholders.

We want to make sure we are empowering both teachers and leaders, who are the most influential in any school in having an impact on a child's experience, in order to make sure we apply best practice in the way in which we develop their skills. We spend approximately 3% of payroll in this area generally but we need to make sure that 3% of payroll is getting the impact we would like and allowing for leadership. In any part of this sphere and with any of these initiatives, unless there is good leadership within the school, one will not get the level of

outcome. I am convinced that, whether it be well-being, mathematics or any of the other areas in which we have ambition, unless we equip the teachers and the leaders in the school with the capacity and the professionalism and the support to do their job, be innovative and encourage innovation, we will not get the outcomes.

It is a shift to some degree in the way we think about schools. We are very centralised in the way we think about schools and it is very much an input-output model, with rigidly defined lines. We are only starting to see the role of the partner as increasingly empowering those who are working within our schools to do things differently and better, and with better impact, both learning from their own doing and sharing that learning. I see this whole area of leadership and CPD as crucial to the success of the other initiatives we are putting in place in the well-being area. I look forward to the contribution of Senators.

**Senator Robbie Gallagher:** I welcome the Minister and thank him for his presence. There is no doubt in my mind that this is one of the most important issues we have ever discussed in the House and I contend it is one of the most important issues Deputy Bruton will ever deal with as Minister for Education and Skills. The good health and well-being of our children in school is critical to their success, not just at school but also in their lives after school. Teachers play a vital role in the promotion of positive mental health in our schools and we are very fortunate to have such dedicated teachers to do that. Nonetheless, questions must be asked of a system that constantly adds demands on teachers, whether that be in the context of form filling, reduced funding or reduced supports. It is legitimate to ask how we can promote good mental well-being when teachers work in a practice such as that.

As I said earlier, I am constantly amazed and impressed by the dedication of teachers and staff throughout schools at primary level, at the good work they do and at the programmes they undertake for the benefit of their students. Unfortunately, at second level, where the focus tends to shift towards academic achievement and points, there is less time to promote mental well-being and perhaps that is something the Minister could look at in his current role.

To be fair, I listened to the Minister's comments and agree with most of what he had to say. However, it is also legitimate to ask how teachers can be expected to implement all the policies the Minister outlined when they teach in classrooms of more than 30 students. When we look at the European norm of 21, we are very far behind in that regard. It is clear that much needs to be done about class sizes in order for us to achieve what we are hoping to achieve in regard to the well-being and academic success of our students. It is an issue we need to address and I hope the Minister understands this. We simply need more teachers in our classrooms, as I believe we all agree. Resources have to be found to recruit more teachers in order that we can address class sizes and achieve what we hope to achieve in regard to the well-being of our students.

While I am on the subject of new recruits, I ask the Minister to comment on how our new recruits are paid. Has the Minister any intention of addressing the issue that they do a day's work for less than their pre-2011 colleagues?

The other issue is the whole area of special needs. It is fair to say it is an area on which we need to focus as for children to succeed in the mainstream classroom, more needs to be done to assist those students who find it difficult for one reason or another. I acknowledge good work has been done, as the Minister noted, but from speaking to teachers, it is clear a lot more must be done to make sure those children with special needs do not fall behind their classmates sitting alongside them. The National Educational Psychological Service, NEPS, plays a vital role

in schools. What is the current position in that regard?

Another important issue is the physical health of students, which covers issues such as healthy eating and physical education as well as the lack of solid alcohol and drug prevention programmes. Expanding the school meals programme by 10% would have a major and positive effect on the well-being of disadvantaged children. We must not lose sight of the fact that a healthy mind requires a healthy body.

Investment in the recruitment of physical education teachers to be allocated across a number of schools to teach children the benefits of physical education would be money well spent. Recent figures show that fewer than 43% of women aged between 16 and 25 years participate in a sport or activity. A network of shared physical education teachers for schools could be established for as little as €2.8 million.

The Irish Heart Foundation, in its submission on this subject, advocates a whole-of-school approach and argues that what is taught in the classroom is vitally important in this regard. We must focus on physical education.

On the issue of food and the products children consume while at school, the Minister acknowledged in a recent reply to a parliamentary question that the sale of food and beverage products was a necessary revenue stream for schools. While I appreciate that is the case, if we are serious about tackling well-being, we must address what products children are consuming at school. An Irish Heart Foundation survey found that water was not available free of charge in approximately 40% of the schools surveyed, which means students are paying for bottled water or replacing water with less healthy options. It is vital that clean, safe drinking water is available free of charge in all schools.

Effective alcohol and drug prevention programmes make a significant contribution to student well-being. Great work is being done in this area by a number of agencies, for example, the Health Service Executive is working on programmes in conjunction with the Garda and youth services. Before it was abolished, Monaghan Town Council introduced a programme known as “Don’t Pour Your Dreams Away”, which has since been rolled out nationally. The programme, which focuses on how children doing State examinations celebrate on the night they receive their results, has been a major success and is an example of the good work being done in this area.

I was concerned by a recent report published by the OECD which shows that Ireland had some of the highest levels of depression among students. We must take note of this finding and place greater emphasis on promoting positive mental health among students. The old adage that a healthy body makes for a healthy mind is also relevant in that regard.

The Minister referred to a number of important initiatives. We cannot get away from the fact that more resources are required if we are to achieve our objectives in this area, nor can we expect teachers at primary level to engage with all these issues in a classroom of more than 30 pupils. Teaching should not be about crowd control but about achieving all the aims to which the Minister alluded. While I do not wish to be negative, achieving the goals we would all like to achieve will require additional funding across the board.

**Senator Grace O’Sullivan:** I thank the Minister for coming to the House today. As a Green Party Senator and member of the Civil Engagement group, I have not yet had an opportunity to meet him.

4 October 2017

I am speaking on behalf of my colleague, Senator Lynn Ruane, who is a member of the Joint Committee on the Future of Mental Health and is unable to attend the debate. I will also raise some points of my own. As a mother of three children who have gone through the primary and secondary school and on to third level, I have some experience of the education system. On the issue of caring relationships in schools, the My World survey, a collaboration between Headstrong and University College Dublin, found that 70% of those aged between 12 and 25 years consider that with one good adult in their lives, they feel connected, self-confident and future looking and can cope with problems.

The education system should operate from a holistic perspective. All those in the school environment - teachers, management and staff generally - should be empowered to recognise the benefit of their position in terms of responsibility and teaching in a caring relationship in schools.

Many children feel under pressure as a result of high expectations. The current system tends to be academically focused, which places many children under severe stress. With regard to some of the points raised by the Minister, we need to take a broader and more holistic approach and look at areas other than academia as well as nurturing relationships in school. The Minister referred to continuing professional development, CPD, training for teachers. We are moving and changing culturally and there is an increasing recognition that school should mean more than rote learning and emphasising academic achievement. Teachers can deliver many more benefits to pupils by teaching lifelong learning skills.

It is important that pupils feel a sense that they belong to their school to ensure it is not a place where they feel constricted in a learning environment. More co-operative learning should be made available, meaning students should learn from each other in a co-operative and collaborative manner to solve problems and achieve goals. This approach leads to more positive interdependence, co-operation, social skills and communication skills, which the students will need throughout their lives.

Schools can offer opportunities for social connectivity by providing sports facilities and clubs to enable children to communicate and interact with each other. We frequently hear in media reports that children are being prevented from running in playgrounds and the time available outside the classroom to access sport is limited. Sport is crucial to the development of pupils. Team sports allows pupils to interact with their peers. It is critical that sport is elevated in the day-to-day running of schools. It is critical that children are out and about in fresh air learning the skills of sport be it hurling, hockey, basketball, etc. Sport allows children to develop socially and reap health benefits.

The ECO-UNESCO green schools programme is a flag awarding mechanism. It is a fantastic scheme that has operated for a number of years. Every school should work towards being a green school. Walking to school is part of the programme. The primary school in Tramore that is located near to where I live has a walk on Wednesday. On that day the schoolchildren are encouraged to walk to school. They do so in safe way by wearing high-vis jackets and being accompanied by a parent from the parents' council who can provide guidance on health and safety. The scheme is brilliant as it teaches children social skills and makes them aware of road safety. The scheme also feeds into the idea of living towns and living cities. The walk to school initiative encourages children to get out of cars and on to the streets to walk or cycle. The scheme is really positive for children's mental and physical health.

I come from Tramore, County Waterford, and I know the local inhabitants are very lucky to have beautiful green areas. Again, it is absolutely incumbent on the Government to incorporate green areas when developing and building schools so that children can undertake nature walks or beach walks like in the old days, which teaches children about the living environment around them. Such walks also teaches children to recognise the beauty of our environment. I hope, as part of the education system, they are taught to protect the environment. These are all positive areas that can be developed in our schools.

I shall return to what Senator Gallagher said about drinking water. I, too, have read the report compiled by the Irish Heart Foundation that revealed that 40% of schools that it surveyed did not have free drinking water facilities. I was shocked by the finding. It is so fundamental for children to be able to access water. In the old days schools we had little water fountains. It was a good way to get healthy water into children which is far preferable to buying soft drinks or sugar filled drinks from vending machines. It should be a priority that every school in the country has free clean water facilities available to all of the pupils.

**Senator Maria Byrne:** I welcome the Minister and thank him for coming here to discuss such an important issue.

I suppose we can all reference our own childhoods. Our primary school days were very different in that there was no well-being programme or co-operation between teachers, parents and families. I welcome one initiative that has operated for quite a while. I refer to the Incredible Years programme, where the teachers, parents and families work together to ensure there is positive mental well-being, particularly as some of the parents may not have grown up with positive well-being in their own homes. A pilot scheme was run in my own area in Our Lady of Lourdes primary school. During that time I visited the school on several occasions when some of the parents told me that the programme was incredibly positive. The parents appreciated the fact that they have been brought in, involved and included in the well-being and education of their children. Also, their families have been consulted. Parents and families have been taught about healthy lifestyles and advised about what to eat in terms of diet. Moreover, there are dance and music programmes. The programme has been a very positive whole-of-school approach while at the same time bringing families and the community on board. There is a community centre located quite close to the school and different groups, ranging from Active Age groups to youth clubs, have visited the school.

Many of my colleagues have referred to fizzy drinks and water. I note that many schools have decided to ban fizzy drinks, which is a positive move. I agree that water is important in all of our diets and we have all been encouraged to drink more water. The Department of Education and Skills now works with other Departments. Such co-operation did not happen a number of years ago. Positive well-being is now heavily promoted but for that to happen people must have a healthy diet. The Delivering Equality of Opportunities in Schools, DEIS, school programme has been positive in many schools in terms of promoting healthy eating. When I went to school one could buy fizzy bars that were loaded with food additives that had E numbers and many other things. Now nutrition in schools is about eating fruit, eating properly and having proper healthy options. In terms of our own mental attitude and that of our children, it is important to focus on diet.

The active school flag initiative is also very positive. The three-year programme includes physical education and extra-curricular activities in schools. In order for a school to achieve the aims of the programme it must provide extra services. Nowadays children are more involved

in sport compared with a number of years ago, which is a positive step. Sport in schools gives families an opportunity to support their children. When school teams or groups meet to play a match and participate in other initiatives the children's families and friends can come together to provide support.

I welcome the commitment to increase to 25% in NEPS and the comments about a leadership and professional development programme. It is very positive that the Department supports teachers to develop professionally. Children cannot progress for their families unless teachers progress and are trained in ways to work with families and students. So many teachers now participate in professional development courses. These are very worthwhile and good programmes that are being encouraged by the Department.

In terms of positive learning there must be positive outcomes. Bullying was referred to by the Minister and cyberbullying is quite common nowadays. Many young people use mobile telephones, iPads and computers. I know that schools have policies aimed at tackling cyberbullying. It is important that schools and parents take an active interest in what children post to their social media sites and ensure everything is above board. Many schools are very good at monitoring what is going on but it is important that families also monitor the social media activity by their children.

The well-being initiative started off in primary schools but it has been extended to secondary schools. Well-being goes through our minds at all stages of life, from the young to not so young. A positive frame of mind and being relaxed helps with education and ensures a better learning outcome. A positive mental attitude and a healthy eating regime help one to retain information and are especially important for facing exams. It is a positive programme. Well-being stays with us right throughout our lives. Even in this Chamber, when we are all in a good place in terms of well-being, we are all willing to learn. It is about lifelong learning, as well as a lifelong healthy attitude.

**Senator Niall Ó Donnghaile:** I am deputising for my colleague, Senator Gavan, who has to attend a committee. He apologises to the Minister for his absence.

I thank the Minister for making such a positive contribution on what is a welcome initiative and endeavour on his part and that of his Department in this regard. Fadó, fadó, once upon a time, I had one of the most important jobs in any school - I am sure Senator Ó Ríordáin will agree - when I was a classroom assistant for several years in a gaelscoil in west Belfast. I appreciate the significant and positive impact a scheme such as this will have on many of our young people.

I welcome the introduction by the Minister and his Department of well-being classes as a subject in the new junior cycle curriculum. Sinn Féin's position is that schools should play an active role in ensuring the social, physical and emotional well-being of students. Accordingly, we support the introduction of the new well-being classes as a move in the right direction on the part of the Government. To my knowledge, the new subject will include the learning in classrooms of skills and abilities that will aid students in looking after their own mental health. These skills will almost certainly be invaluable to them throughout their lives.

Research published earlier this year in the Irish Health Behaviour in School-aged Children study indicates that 28% of children in our schools reported feeling low every week or even more often in the past six months, while 43% of all students felt pressurised by their school

work. Colleagues have touched on some of the influences and the reasons why they may be feeling like this. Further research presented to the Joint Committee on Education and Skills indicates that while people can experience mental ill-health at any time in their lives, mental disorders tend to peak during adolescence and young adulthood. This was supported by findings that one in three young people will have experienced some type of mental disorder by the age of 13. However, what is perhaps the most telling research was provided by the Royal College of Surgeons in Ireland in 2013 indicates that skills developed by children at a young age will help them cope better with stress and challenges later in life. These findings appear to be common sense, but for too long the State has failed to provide such skills to students in its schools.

As I was listening to earlier contributions to the debate, I could not help think of that idea from the important book on education in Ireland, *The Murder Machine*, by Pádraig Mac Piarais. It is one that helped me in my approach as a classroom assistant. One never lowers oneself to the level of a child; one always raises oneself to his or her level. I always found that an inspiring and important idea from that essay. If we have so many young people who find themselves low, down or suffering in their environment, which is contrary to very environment we want to create for them, then that is a stark wake-up call for us and for those who can play a role in changing that experience within school life.

This programme is a step in the right direction. Will the Minister consider implementing similar well-being classes into the primary school curriculum through the medium of social, personal and health education, SPHE? I raise this point due to the ever-growing amount of academic research which suggests that the most important years in which we can proactively deal with preparing a child to deal with mental disorders is actually between the years of seven and 11. Accordingly, the junior cycle will miss this key period in a child's life. Has the Department considered this?

Will the Minister address concerns regarding the implementation of the new well-being class in secondary schools in the junior cycle? Are all schools mandated to allocate time for this subject in the timetable for 2017-2018? Will there be delays in the full integration of the subject? If so, does the Department have a timeline to which schools have to work? How does the Department plan to monitor the programme's implementation?

There is still much more we can do to support the well-being of children and teachers in our schools. There is little point in trying to educate students on mental well-being if we do not provide the supports and services through which they can access help. Currently, 544 schools in this State do not have access to NEPS for the purpose of carrying out assessments on students. For this reason, parents are advised by schools to go privately or else face waiting so long on an appointment that the consequences are not worth consideration. Will the Minister tell the House if the Government will adequately provide for NEPS in this year's budget or will this deficit in mental health services continue to obtain?

We also continue to witness the ongoing consequence of the Government no longer providing school guidance counsellors on an *ex quota* basis. This was a service that provided exceptional value for money and a wide range of supports to students who otherwise have to wait up to two years before being seen by outside agencies. Our young people need these supports. The idea that a well-being class can simply replace both counsellors and NEPS is short-sighted. Has the Minister any plans to address these two areas of supports?

Some Senators have touched on the well-being of teachers and classroom assistants in our

schools. What supports does the Government intend to provide to schools in the context of teachers' well-being? Teachers are being obliged to deal with increased class sizes and heavier workloads, while, as Senator Gallagher indicated, simultaneously having to deal with pay inequality. Will the Minister please outline the Department's plans to address teachers' well-being and any supports the Government plans to introduce?

Will the Minister comment on the mechanics of the well-being classes and what they will entail? I recently read an interesting article about a school in the States which replaced detention with mindfulness and meditation which led to significant social and psychological benefits for the school community. What are the practicalities of well-being classes being delivered to our schoolchildren?

**Senator Aodhán Ó Ríordáin:** I welcome the Minister's initiative, which deserves support. I spent 11 years as a primary school teacher in north inner city Dublin, three of which were as a primary school principal. From going around schools speaking to principals and teachers, as the Minister does, I have noted many of them will not speak openly about the day-to-day traumas they witness because they do not want to give the school a bad name or impinge on its reputation. This is because the nature of our school system means they are all in competition with each other. It is my experience and that of people I have worked with, that schools cannot cope with children they are trying to help. It is wrong to assume that any school can adequately deal with the needs of a child. If one takes two four year olds in primary school, one knows that in nine years' time, one will have a better chance of success than the other. One child will be presented as clean, rested, fed and interested, while the other will not. If we are going to talk about the well-being of students, we have to have a wider approach in dealing with parents. It is a well-known fact that the average three-year old from a poor family has one third the oral language capacity of a three-year old from a rich family. There is only so much teachers can do because they do not live in schools.

The reality is that children will have a different perspective on life once they go outside the school gates. They know and are well-trained and well-drilled to give the right answers at the right time to the education professional in front of them. Once outside the school gate, however, or when dealing with their families in their home environment, the reality is sometimes different. There needs to be a wider discussion of all the actors who deal with families and young people who are in difficulty and dealing with trauma, and to intervene at a much earlier stage. I also agree with the Minister when he says that teachers cannot do everything. They are asked to solve every single social ill in society. If there is an issue with sex education, it has to be the teachers who will teach about it. Driving was mentioned. With issues around mental health, smoking, drugs or teenage sex it is the teachers in schools who are told that they are ones who must deliver the message. There is, however, a wider societal involvement here, as the Minister will appreciate.

Many schools cannot cope. They are dealing with situations where the children literally cannot cope with the situations they are in because of their background or because of something that has happened to them. What does a teacher in his or her 20s do when he or she has to deal with a child whose father has just been shot dead by the Garda? How can they deal with that situation? Consider a child who has a family member who has been killed in a gangland situation, or the child who has had a suicide in the family. It is very difficult to build a robust defence mechanism within that child in the classroom if one is not communicating with the parents, the wider community and wider society. There is no quick fix for this issue.

I shall now turn to the issues of drugs and alcohol. In our schools we are failing to deliver a coherent message that might actually resonate with young people. This falls into the idea of well-being because it is what young people will turn to when trying to find some relief from the pain they feel. When one feels pain, one reaches for something. What will these children reach for? They might reach for alcohol or drugs. These young people say to me that they would believe what they hear in schools if it was not such a damned lie. They look around them, they look at their parents and their grandparents who all might have overdosed on drugs and alcohol - alcohol is a drug - and they see a society that is completely addicted to alcohol. However, they are the ones who are told to “just say “No”” and told of zero tolerance, etc. They do not believe this message. They certainly do not believe it when it comes to drugs either. We are going to have to have a much more honest connection with young people when it comes to our messaging around drug and alcohol use. Whatever message we have at the moment is not hitting home. There is a much more attractive message outside the school gates and a different message is potentially being given in the home. I am not sure if all those messages are connecting.

With regard to the class size issue it is a fair point to make that we can deliver all the good-will message we want, and teachers can have as much of a personal relationship with students under their care as they possibly can but if there are too many student, as a professional, the teacher or principal cannot cope. The Government, of which the Minister is a member, had an opportunity to reduce class sizes last year but it did not bother. Next week the Government will have an opportunity to change the situation, and I hope that it does, because schools cannot cope.

My second point has already been alluded to and relates to how this issue might manifest itself in schools and how teachers feel valued within the system. Teachers are told they are valued, teachers are told they have to take on an expanded curriculum and they are told they must deliver the message to tackle social ills. However, within his own rhetoric the Minister cannot commit to the suggestion or ideal of equal pay for equal work. This is leading to a situation within staffrooms that is hurting. It leads to division and a lack of morale.

I know from my own professional background that the fundamental responsibility of a school principal is to allow a teacher to teach. Fundamentally, the most important unit of the school is the teacher’s relationship with his or her class. It is not the principal, not anybody else or any other actor who comes in and out of the class during the pupils’ day. The fundamental purpose is to maximise the relationship between a teacher and his or her students. If teachers are told by the State that they are not worthy of having a pay level equal to the people they sit beside in the staffroom, it impacts on their self-esteem as professionals. I ask the Minister, again, to revisit his view on that.

I shall recap on what I have said for the Minister because I feel it is important. I welcome the initiative. Well-being is something that starts way before the age of second level school. It is not just a school responsibility. It is a wider community responsibility and it is absolutely a fundamental parental role that needs to be addressed. We must talk about drugs and alcohol in a different way. Whatever message we are giving in school is not working. We must look at the issue of class size with regard to the effectiveness in delivering these messages. We also must look at the parity of esteem in classrooms and in staffrooms.

My last point is from an article by Neil Gaiman in *The Guardian* that I read some years ago, which stuck with me. It was a piece about a private prison operator in the United States of America and how they assess the cells and prison space they would need for the capacity is-

sues that would be required in 15 years' time. They determined that the best way of finding out how many spaces they would need in prisons in 15 years' time was to look at the literacy rates of ten year olds. There is an absolute correlation between illiteracy rates, a person's sense of well-being and sense of power, the opportunities a person has and a person's ability to succeed in this system we have created for young people. All of these things are intertwined.

I believe that the Minister comes to this issue with the best of intentions. I believe that schools will openly welcome this initiative, as we always will, because schools always want what is best for their students. There are fundamental, underlying issues that we have in our system based on competition, the patronage model and the issues children have before they come anywhere near a school building. We cannot truncate all these issues into a single weekly class. I wish this initiative the best of luck, but I do it with the wish that the Minister would address the concerns I have raised today.

**Acting Chairman (Senator Diarmuid Wilson):** I call on Senator James Reilly. The Senator has five minutes.

**Senator James Reilly:** I will try to keep within five minutes but it is a huge area on which there is much to be said. I do not wish to repeat what many of other Senators have already said ahead of me but I do want to make a few points. I welcome the Minister to the Chamber and I commend him on this new programme.

Education is, as we all know, a lot more than the three Rs of reading, writing and arithmetic. It is originally from the Latin word, *educio*, which means to lead and to lead through life. As many other speakers have alluded to, including the previous speaker, this means teaching children life skills, how to learn to live and how to learn. In other words, they are learning a lot of things in school but one of the things they are learning is how to learn, how to inform themselves and how to assess information.

Well-being in schools is critically important. I refer to Senator Ó Ríordáin's quite accurate statement that when a child is three years old there is already a big difference, which is dependent on the child's background in respect of the financial state of the household. This is why the Government brought in the early childhood care and education, ECCE, programme and why it was extended. This is why the Government is looking at other child care initiatives to help address that issue.

I want to focus on well-being from a physical point of view. I have much more positive things to say about what has been achieved by this Minister and his predecessors in terms of all the new schools that have been built. In my constituency we have a new primary school being built in Lusk, a new second level school to be completed and plans for a new second level school in Rush, with schools in Balbriggan and Swords also and across the board nationally. One area that is of critical importance is, as Senator Gallagher has already alluded to, *mens sana in corpora sano*, a healthy mind in a healthy body. There is no doubt that Ireland's climate is not often conducive to outdoor physical exercise for children and that we need to have physical education halls in all our second level schools, but we do not.

*3 o'clock*

I know this is a huge financial ask but we need a cross-Government approach and recognition that this investment now will save us many billions of euro later for these children who will become our adults and are the future of our nation. They are worth investing in.

I know the Minister is under serious pressure to keep pace with our growing population and this is particularly the case in my own constituency of Fingal where we have the youngest population in the country, if not in Europe. Keeping pace with all the new schools required, rather than educating children in portakabins, is a priority for him and I welcome that. Vending machines provide an income stream in schools and we now have an opportunity to do something I have been seeking to have done since before I became Minister for Health and Children. I refer to a tax incentive for suppliers and operators of vending machines to provide water and fresh fruit, which would mean those products could be availed of cheaply in schools. We all accept that fruit perishes, unlike heavily branded and advertised high-sugar, high-salt snacks. Let us make the right thing the easy thing to do.

The local authority in Fingal is one of the leaders in sourcing sites for schools and, as a *quid pro quo*, PE facilities for use by the children during the day are open for the community in the evening. That does more than just provide amenities - it binds the school and the community ever closer and that is the success of a school, as others have pointed out.

Schools and teachers now realise that they cannot control the problem of social media and bullying by just looking at the school. What happens outside the school is hugely important too and the school has a huge role in influencing that. I commend the involvement of parents, volunteers and teachers in supporting their school and educating our next generation. I wish to take the unusual step of paying tribute to a woman who served on the board for 40 years and more at Rush St. Joseph's secondary school, Bernie Mahoney. Her outstanding volunteerism is like a beacon to the rest of us and, like so many other people, her commitment was 100% and never in question.

I emphasise the need for physical education to be an element of this. Exercise is not only good for the body, but is also good for the mind and for mental health. It will help children to be more at ease and to learn better. We have fantastic supports for young people in the shape of volunteerism, youth organisations, the National Youth Council, Foróige the GAA, the FAI, the IRFU, and others such as Scouting Ireland who are there for the children who are not into contact sport as much but who can learn skills and team building. We talk about inclusivity and the scouts are an example of this. They welcome children with disability and intellectual challenges with open arms and bring them into the community. Everybody wins by that. The young children who sit beside the child who looks different from other children begins to learn that difference can be a strength and both sets of children learn from it. I was speaking to John Lawlor earlier today and he said the whole ethos of the scouts is to integrate, not to isolate.

I congratulate the Minister on all the work that has been done, the huge amount of capital expenditure, the increased number of teachers and the fact that we have an increase in NEPS and SNAs. Let us not forget about the other areas we need to address, just because we are making progress, such as physical well-being, which impacts on mental well-being, the whole-school approach to guidance and the effective student support teams led by guidance counsellors, effective student and parent consultation and the authentic listening to students' voices. Appropriate curricula to suit the needs of students are critically important as we are not all the same or have the same strengths. We all need a baseline but we need to encourage children in the things they are interested in. It is a truism of life that it is only when one is engaged in something about which one is passionate or in which one is hugely interested that one will excel. All our young people need to bear this mind. Their first job is not their last and may be the route to finding where their interest really lies.

**Minister for Education and Skills (Deputy Richard Bruton):** I thank the Senators who contributed to the debate, which was really worthwhile. I will try to respond in the short time I have available. Senator Robbie Gallagher welcomed the well-being initiative and the wider well-being strategy but asked how we can expect teachers to implement it. Since I became Minister, we have put 5,000 additional teachers into classrooms and provided 2,000 special needs assistants. There has been a reduction in primary pupil-teacher ratios, most of which went into resource teachers, targeting children with special needs, guidance counselling, targeting children in their career choices and mental resilience. We put money into DEIS schools, targeting those which had the greatest disadvantage. We put money into the junior cycle so that we could shift away from a system that is focused on exam-based learning to have a wider portfolio of achievement. I would argue very strongly that this was a correct priority. These are things we need to see happening in our schools. Well-being is a whole-school responsibility and is not about reducing a class size by one and hoping that, suddenly, a well-being programme will emerge. Well-being has to be introduced as a programme whose leaders, that is the teachers, need to be equipped so that it becomes a whole-school responsibility. The Government put 7,000 additional staff into schools but I would also defend the way we put them in. We tried to target it at areas where there is real difficulty so that we respond to real need. That is not to say that reducing the pupil-teacher ratio is not important.

I was also asked about the NEPS expansion. We have ten additional people coming on board this year and that resource will be focused on DEIS schools and the areas where we believe children have the greatest needs. All the contributions stressed the importance of PE. We are introducing PE as both an exam subject and a non-examination subject at senior cycle. PE is an element of the well-being programme but I hear the ambition of Senators who wish to see more investment in that space.

Senator Grace O’Sullivan was right to say we should take a broader approach than to just concentrate on exams and that is what we are trying to do in junior cycle. She is absolutely right about the concept of one good adult. One of the core pillars at the heart of schools tackling well-being is relationships. Schools are expected to respond in all areas, namely, culture, curriculum, relationships and their own school policies. Of these, the relationship piece is probably the most important element and there has to be a one-good-adult approach. It is not a question of assigning someone but of developing it in the form of a classroom head, a tutor or someone else but the space has to be found. We are also seeking to evolve the concept of office hours so that there is a period when any student can walk in and get access to the guidance counsellor.

It is also right to emphasise the way young people learn and that is the biggest challenge to teaching at the moment. Known as “flipping the classroom”, it is about an education system in which students learn together while satisfying their curiosity. This is certainly an approach that can be more enriching, although it is obviously challenging and harder to do in an examination focused system. We must move towards the new junior cycle and have it endorsed.

Senators Grace O’Sullivan and Maria Byrne emphasised the various flag initiatives, including the green, active health and active school flags. I recently launched a yellow flag programme which is related to integration and diversity. Schools are engaging in many good endeavours and taking responsibility for these initiatives. It is important that we value them.

Senator Byrne also noted that the new DEIS programme encourages healthy eating. The Minister for Employment Affairs and Social Protection, the Minister for Health and I recently announced guidelines that will become mandatory in all schools accessing the various breakfast

clubs and so forth. These guidelines emphasise a more healthy approach to food.

Senator Byrne also focused on the importance of the teacher as the leader of the learning environment. We are trying to create a better learning environment in which people feel more valued and engaged. This is key.

Senator Niall Ó Donnghaile made a number of positive and supportive points. He also asked whether well-being should be on the curriculum at primary level. A well-being strategy is being implemented at primary level and there is a social, personal and health education, SPHE, programme in place in primary schools. The possibility of having a so-called titled curriculum element of well-being has not yet been considered. The National Council for Curriculum and Assessment, NCCA, is reviewing the time allocations across primary education and it will be possible to assess this option.

All schools are mandated to introduce the well-being subject. There will be a time in which they will move from the current allocation of 300 hours to 400 hours. While I am not asking Senator Ó Donnghaile to read the document, it provides guidance on this issue and sets out the activities that could take place in the additional hours. It also addresses the role of other elements such as art, music, home economics, food and health studies. A large amount of rich material could be introduced. A number of speakers emphasised reaching outside the school community to populate these programmes. This is a very worthwhile approach and one of the core goals I have set is that we build stronger bridges from school communities to the wider community, whether enterprises, the public service or voluntary and sporting agencies. These bridges can be important from both directions.

The difficulty of diagnostic assessment was raised. We are moving away from diagnostic assessment as the gateway to resource teaching. While it remains the gateway for special needs assistance, we are also reviewing the SNA model. The idea that nothing is done until a diagnosis is obtained was wrong. From September last, access to resource teaching has been provided without diagnosis and is based on the school's assessment of the child's learning needs. The school has the resources and it assigns them. A large amount of money was wasted under the previous system, which was inequitable because some people had access to assessments, while others did not. We are eliminating the latter approach.

Teachers' well-being is a clear consideration. In the rolling out of the junior cycle, we are arranging for 22 hours of professional time to allow teachers to step back and plan their programme. The new system will be different. While consideration of teacher well-being is built into the system, schools should also consider the issue when developing their plan. We are also creating some space in the curriculum.

While we have ring-fenced two thirds of the guidance resource, we have not provided that it can only be delivered by guidance counsellors. We have strongly defended the idea that guidance is a whole-of-school responsibility. While the resource must be delivered for guidance in the guidance plan, it does not, in every case, have to be delivered by a guidance counsellor. The plan is led by a guidance counsellor, however. This approach gives flexibility, which means career guidance may sometimes be handled by a science teacher, for example. I accept that people will dispute the decision to provide flexibility in this regard.

Senator Aodhán Ó Ríordáin asked whether we were focusing on a young child who is already at a disadvantage at the age of three years and Senator James Reilly responded on that

point. The early childhood care and education programme and the new child care support available where the provider has been registered with Tusla will be provided on an income-related basis. The payment will be €1,000 for most families but can be up to €10,000 for families on low incomes. The scheme is targeted at families who have the greatest need.

For the first time in eight years, we have expanded the DEIS programme to include more families. We are trying to target children who start education at a disadvantage. We need to strengthen this approach and I do not doubt that the quality of preschool education and child care can be significantly extended. To this end, we have developed Aistear and Síolta, one of which is a curriculum for early childhood education and the other sets out standards of approach to teaching at early childhood level. We are trying to lift standards with these new programmes in order that the experience of young children who participate in them will be considerably enhanced.

Senator Ó Ríordáin is correct and I take my hat off to some of the initiatives in this area, for example, the ABC or area based childhood programme in Darndale and other programmes in receipt of support from Atlantic Philanthropies. In a number of cases, these programmes work with parents before their child is born to try to develop a quality intervention. This makes a difference when the child starts school.

The point is well made that the messages we try to teach are sometimes divorced from reality. The challenge for all of us is to try to develop programmes that correspond to the reality of people's lives. As Senator Reilly knows more than most, the policy on alcohol is competing with messages coming from outside the school gates.

Senator Ó Ríordáin is being disingenuous when he states the Government has not considered reducing class size. Last year, the Government funded a reduction in class size at primary level. We have also provided teachers where there are genuine pinch points in the system. We must balance the reduction of class size as an undifferentiated policy intervention against targeting some of the areas where Members from all sides believe there is a challenge to be met.

I was asked why I did not buy into the rhetoric of equality. I am the first Minister to close the pay gap for teachers. The Department negotiated with the teaching trade unions an agreement to close the gap between new entrants who were recruited during and those who were recruited before the crash. We have closed 75% of the gap and the new pay agreement recognises that further negotiations will take place on this issue. However, the issue must be negotiated with all trade unions. We had €900 million to spend on pay over a three-year period and we negotiated an agreement on how to allocate this amount. The agreement has been accepted by the trade unions. Obviously, some people will prioritise new entrants more than others and I respect the hope among teaching unions that they will be able to deal with the issue. However, it must be done in the context of the Government dealing with other expectations, including those of the very children to whom Senator Ó Ríordáin referred, namely, those who come to school at a significant disadvantage and those who need guidance or have special needs. I have to weight the resource and there can be no absolutes whereby one issue takes precedence over everything else. The art of politics is compromise and balancing conflicting demands. Everyone knows this is the balance we must strike.

Senator Reilly raised the issue of vending machines in schools. Guidance on this matter has been issued to schools and I hope it is having an impact.

I thank Senators for their contributions. Well-being is an important element of the education programme, although it is in its early years. There are plenty of gaps and I would be the first to admit that we have not resolved the issue. However, we have a *tús maith*, as they say - a good start - which, I hope, will be half the battle and we will build on this base.

**Acting Chairman (Senator Diarmuid Wilson):** I thank the Minister on behalf of my colleagues as he is one of the few Ministers who make themselves readily available to us in this House, whether for Commencement debates, legislation or statements.

### **Proposed EU Directive on European Travel Information and Authorisation System: Motion**

**Senator Maria Byrne:** I move:

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

Proposal for a Regulation of the European Parliament and of the Council amending Regulation (EU) 2016/794 for the purpose of establishing a European Travel Information and Authorisation System (ETIAS),

a copy of which was laid before Seanad Éireann on 18th August 2017.

Question put and agreed to.

*Sitting suspended at 3.20 p.m. and resumed at 4 p.m.*

### **Mental Health Services: Motion**

**Senator Joan Freeman:** I move:

That Seanad Éireann recognising the shortfalls in 24 hour access to mental health services, resolves to ensure that resources in the mental health budget are allocated to ensure that there is comprehensive 24 hour access to mental health services, including weekend and out-of-hours services across Ireland.

I wish to extend my sincere thanks to the Minister of State at the Department of Health for personally attending the House to discuss this important motion. Once again, I really appreciate his support in all we are trying to do for mental health in this country.

When we talk about the provision of 24-7 crisis intervention, we need to consider the following question. Who are the people we are trying to serve? By considering this question and what is presently in practice, we will give this House a clear indication of how appalling

mental health services are in this country. In some cases, the services are so appalling that they take one's breath away. There are some good news stories scattered around this nation but the overall picture is bleak.

Let us start with what adults need. There are men and women who need crisis intervention due to several factors. I am referring to people who have threatened or attempted suicide and those who have engaged in self-harm. In general, around 11,000 people present themselves to hospitals across the country each year. There is a known fact that approximately six times that number, or almost 70,000 people, attempt suicide every year in this country but those who are outside of the hospital catchment usually try to get better by themselves.

The people who need crisis intervention also include those in a psychotic state and people who are going through a dangerous breakdown where they and their families are in danger of their out-of-control state. These are the people that we need to serve. These traumatic incidents do not usually take place during working hours. Indeed, research shows that most presentations to hospitals take place at night and at weekends. In fact, Sunday night is the peak time for people who are in crisis.

The adults and their families who experience this terrible trauma soon realise that because of the absence of community-based supports, their only port of call is the emergency room in their local hospital. This busy, noisy and often chaotic environment that was created for physical health emergencies is now the only place a person in crisis can go. It is a place where these men, women and their families often encounter indifference, impatience and stigma from overworked staff. The unkind environment and uncompassionate approach is also coupled with the fact that the professionals who work in the emergency department have not undergone specialised training that would allow them to appropriately respond to someone in emotional distress.

The anxiety and deep distress experienced by our most vulnerable people is re-enforced by the lengthy waiting times that can last up to 12 hours. It is because of this that many people will not and cannot wait as the lack of care only adds to their crisis. Even if people are eventually seen, the lack of follow-on care when they leave can sometimes develop into a tragic death.

Eleven years after the publication of the policy document called *A Vision for Change*, mental health services for adults still do not provide the very basic model of care that includes 24-7 crisis intervention. Truly, and without being simplistic, there is a very simple, effective and economical solution to this problem, namely, extend the hours of the existing general adult mental health services and completely remove the service from the emergency department.

I shall now give an example of a communication that I received today from Wexford General Hospital. The hospital has 210 beds but it does not have a psychiatric unit or ward and yet, in the first eight months of this year, 606 emergency presentations involving a mental health issue were seen in Wexford General Hospital. Due to the fact that the hospital has no facilities, the adults are held pending a transfer to the acute unit at University Hospital Waterford. Let us consider that situation for a moment. A person is in a chronic state yet he or she must wait until he or she is ferried to another hospital that is located an hour and a half away. That is just one example of what one hospital is experiencing.

I would like to talk about the second group of people who need crisis intervention, namely, vulnerable children, the most vulnerable of whom have mental health issues. The boys and

girls of Ireland are treated as second class citizens and the Government needs to see this. The reason they are treated as second class citizens is because of the Government's relentless avoidance of improving children's mental health services and ignoring the fact that these services are dying on their feet. If services are not improved in Wexford, the CAMHS in the area will probably close down completely within the next 12 to 18 months because of the lack of consultant child psychiatrists.

The only way I can ask the Minister and the Senators in the House to experience this, and to realise what it is like out there, is to paint a picture of what our children and their parents have to go through. I shall tell the House about a few lived experiences. Take the case of Sam - this is not his real name - who is 14 years old. Sam attempted suicide. He was brought by gardaí to the local hospital but because there was no child and adolescent service available for him he was taken to another hospital one and a half hours away. The nearest child and adolescent unit was two and a half hours away so he had to be brought to this general hospital. Sam was placed in the adult psychiatric unit in the part of the general hospital locally known as the dungeon. Sam was left in this unit for 41 days. He thought he was being punished for attempting suicide.

Consider the case of a young 17 year old who, in a suicidal state, spent the whole night in an emergency room until the following morning at 8 a.m. when he was admitted into the adult psychiatric unit. He was told that he could not leave the room as he would be in danger from other patients there. Imagine that a child who was in very acute distress was told, "You cannot leave this room because you will be in danger." His parent was told to leave so that the staff could calm him down, and when the father returned an hour later he found the child all alone. The laces from his shoes had been removed and his belt had been removed but he was left in an acutely distressed state all on his own. There was no available staff so the hospital eventually had to take on an agency nurse to look after him 24-7.

Finally, take the case of the 16 year old girl who had taken an overdose and was admitted to a chair in the Kilkenny adult mental health unit. After she received carbon, a substance given to those who have taken an overdose of paracetamol, she was given a bucket to vomit into while her mother stood helplessly next to her in a very busy corridor.

I could tell horror story after horror story and none of what I tell will remotely describe the traumatic lifelong effects that these experiences will have on our children. The ISPCC has been calling for comprehensive 24-hour supports for more than a decade. The ISPCC child line receives more than 1,000 calls from children needing help every single day. Some 70% of these calls are out-of-hours. The UN committee on the rights of the child has also called on the Government to put in place a 24-hour service. UNICEF Ireland's latest report card on child well-being shows that Ireland has the fourth highest teen suicide rate in the EU. While suicide in Ireland has decreased, thanks be to God, it has increased among children in the 15 to 19 age group. These are the children who have nowhere to go.

Finally, in February of this year, the Minister of State's predecessor, Deputy Helen McEntee, declared that work was under way on a roadmap for developing out-of-hours access to mental health services. The HSE mental health division has not even completed a costing model for a 24-7 mental health service. We do not need a roadmap, we need action. We do not need another task force and we certainly do not need another report or a review of a report. We need a practical and easily implemented plan that can be rolled out over the coming months.

**An Leas-Chathaoirleach:** Senator Victor Boyhan is down to second this motion. In his

absence I call on Senators Ó Céidigh or Lawless. I have Senator Boyhan listed as part of the group.

**Senator Joan Freeman:** Senator Kelleher has advised the group that she will second the motion.

**An Leas-Chathaoirleach:** Okay. I can allow that.

**Senator Colette Kelleher:** I am delighted to second Senator Joan Freeman's motion on 24-hour access to mental health services. I support this motion and I am very much informed and driven by my eight years of experience working for the Cork Simon community. Access to 24-hour mental health services was a major pressure point for those who were looking for support and also for the staff who were trying to handle and cope with people who were in very distressed situations and seeking support outside 9 a.m. to 5 p.m. hours. Homelessness is a factual situation but it is also a label that covers a multitude. Many of the people who sought support from Cork Simon community were certainly roofless and often penniless and friendless. Addiction and mental ill-health loomed large in people's lives. Considering the life histories of people, one would not be surprised of that. Only last night I listened to a young woman, Caroline, tell her story as part of a Cork Simon action research project. One can listen to her story, as told directly by Caroline herself, and it is available on Twitter. It is well worth listening to. I shall speak some of her words for the House:

I never really had a childhood. My mother and father were both heroin addicts. There was an awful lot of fighting and violence as well in the house. A lot of death threats, hanging ropes left outside the door. There were plenty of times when food wasn't even in the house. My Dad was always in and out. Mam was also locked up. They were on and off, on and off. My Mam would throw us all - me and my brothers and my sister - into the car up to her cousin's house, but they'd be all smoking heroin. My Dad would be on to her "The kids need to be at home, going to school, bring them back down." And we'd go back down and they'd get back together again. I would have been verbally abused by my father for it, for sticking up for her. If there was a fight kicking off I'd have to go with her, with my Mam, because I'd get the backlash from my Dad if I wasn't gone. Before we went to care I was saying it to my Mam. Like she was going out at 9 o'clock at night and she wasn't coming in till the next morning. And I was there on my own with a new-born baby, a two year old and my sister who was eight. I used to be saying to her "we are going to be taken". The hardest part of it was when we were taken. The four of us were put into an emergency foster home together, and then after the weekend was up, the social worker came and took the two boys. That was the hardest.

We can only imagine the stress and strains of Caroline's young life and what would have brought her, in the end, to Cork Simon. People do not neatly turn up Monday to Friday between 9 a.m. and 5 p.m. Caroline and others like her could turn up at any time during the day or night. I remember clearly one Christmas Eve when a woman in her nightie, in a state of complete distress, turned up to the emergency shelter where they did the best they could. It is, however, not the place for somebody with mental health issues. It is a roof but not the place. It is not just that they are homeless; they are often in a state of mental distress. Workers would do their best to keep the person safe until Monday or until the Christmas holidays had finished, when the official mental health services resumed.

During the recent Seanad public consultations on child mental health, very ably chaired

by Senator Freeman, the Oireachtas Library and Research Service summary paper shows the record number of submissions received. I believe it was the highest number ever received to any public consultation. This reflects public concern about the issue. Among the submissions, the most commonly mentioned gap in services was the lack of emergency services available to children in crisis. People like Louise Walsh gave powerful testimony at the hearing when she described her “brainy boy”, a 17 year old whose mental health broke down after the sudden death of his father. In Louise’s words, her son could not cope with life or school and was suffering with severe depression brought on by grief after losing his dad. She stated:

I took some time off and brought him to the doctor. The doctor rang the nurses on the 24-hour helpline but he was too young to be helped... He was put on anti-psychotic drugs, not suitable for under 18s.

These drugs can trigger suicide. Louise’s son had several more emergency episodes. Without access to a 24-hour mental health service, his episodes involved gardaí in squad cars, ambulances, flashing lights and accident and emergency departments, a scenario that was also described by Senator Freeman. Louise said her fit and healthy son was supposed to line out and play a hurling match the following day but instead was brought in on a stretcher and wheeled, in a catatonic state, from the ambulance into the emergency department.

Caroline, Louise’s son, the people whose cases Senator Freeman described and other vulnerable persons with difficult lives not of their making need organisations such as Cork Simon community. They also need access to mental health support on a 24-hour basis. The Simon Community, Women’s Aid, Barnardos and the Irish Society for the Prevention of Cruelty to Children are putting their fingers in the dam because this service is not available. For all of the people in need, I fully and wholeheartedly support Senator Freeman’s motion that Seanad Éireann, recognising the shortfalls in 24-hour access to mental health services, resolves to ensure that resources in the health budget are allocated to ensure comprehensive 24-hour access to mental health services, including weekend and out-of-hours services. I hope the Minister will respond positively to the motion and that we can look forward to a good day for people in need of 24-hour mental health services when the budget is announced next week.

**Senator Frank Feighan:** This is my third time speaking in the Chamber since yesterday and I believe the Minister of State has also been in the Ceramics Room three times. I am sure he is becoming used to the surroundings in the Seanad’s new home.

I acknowledge the issues raised by Senator Freeman and sincerely thank her and Pieta House for the work they do. A new Pieta House centre will be launched in Athlone soon and I wish everyone involved in the project the very best.

Senators Kelleher and Freeman recounted some harrowing stories. Senator Kelleher referred to people who are living difficult lives that are not of their making. Sometimes we do not realise that people are dealing with mental health difficulties that are not of their making. It is our job to try to provide resources to deal with these problems. I am not qualified in the area of mental health, which is a difficult issue to address. I thank all those who work in the mental health services.

There is a concern in County Roscommon and many other areas about how existing resources are used or, more to the point, not used. As Senators are probably aware, a recent report on the mental health service in County Roscommon showed that the HSE in the region prioritised

cutting costs over meeting the needs of vulnerable service users. This is an unacceptable finding and it is shocking to note that in an aggressive bid to cut costs, almost €18 million in funding was returned by the Galway-Roscommon HSE area between 2012 and 2014. While there are obviously reasons for this, we cannot condone the decision not to use this funding as it would have gone a long way to addressing resource issues in County Longford. The failure to spend it clearly had a serious impact on service users. The report produced 27 recommendations. While it shines a light on the sorry saga, the mental health service in my region and every other region face many challenges. We must get this issue right.

On the broader issue of the prevalence of mental health problems, I can say with a fair degree of certainty that every family in the country has been directly affected by mental health issues, whether depression, anxiety or alcohol and drug abuse. From my small number of interactions with service users over the past 15 years, I have seen the difference access to the service makes. It is nice to see people who are suicidal or depressed accessing services but more services are needed.

I am staggered each time I am reminded that many more people die by suicide every year than die in road traffic accidents. We have gone a long way in addressing suicide but we must go much further. Youth suicide rates in Ireland are the fifth highest in the European Union. However, older people, especially men, may be vulnerable as suicide affects significant numbers of people of all ages. I thank again Pieta House, the Lions Clubs and many other agencies for their work in this area.

According to the HSE, more than 11,000 cases of deliberate self-harm are seen in hospitals annually, while many more cases do not come to the attention of the health service. It is clear, therefore, that mental health should be a priority issue when it comes to resources. Historically, as all Senators are aware, the sector has been underfunded. In 2002, Senators discussed the need to ring-fence funding for mental health services. We are moving towards that position but we have been behind the curve in prioritising and resourcing mental health services.

While many challenges remain, the overall gross non-capital mental health budget increased from €711 million in 2012 to €850 million in 2017. This significant increase, despite wider Exchequer funding pressures, reflects the priority given by the Government to mental health. I hope the Government will prioritise the sector even further in the forthcoming budget.

A Programme for Partnership Government contains a clear commitment to increasing the mental health budget annually, as resources allow, to develop services. Progress, while slower than originally anticipated, primarily due to the recent recession, also continues to be made in implementing the recommendations of A Vision for Change, the ten-year policy framework for mental health services published in 2006. The strategy recommended that interventions should be aimed at maximising recovery from mental illness and building on service user and social network resources to achieve meaningful integration and participation in community life.

Preparations for a review and update of A Vision for Change policy have been under way since early last year. In September 2016, an external evidence and expert review was commissioned as the first step in determining the parameters of a revision of A Vision for Change. The review, which was completed in February 2017, provides evidence to determine the policy direction for a revision of A Vision for Change, both in terms of international best practice and the experience of implementing the framework.

I am pleased to note that a new oversight group will progress the development of a new policy for mental health based on the outcome of the expert review. The group will meet for the first time in the coming weeks and the policy review process will also involve consultation with key stakeholders. I hope the issue of a comprehensive need for 24-hour access to mental health services will be considered in this context.

It goes without saying that mental health must continue to be at the very top of the Government's agenda simply because it affects so many people, young and old. I thank again Senator Freeman for raising these important issues which require careful consideration.

**Senator Keith Swanick:** I welcome the Minister of State, Deputy Jim Daly, to the House. I congratulate Senator Freeman on her election as Chair of the Joint Committee on the Future of Mental Health Care and I commend her on bringing this motion before the House. It is unfortunate that she has had to introduce a motion asking the Government to spend money that has been allocated for vital and often lifesaving services. It is not unreasonable to ask for resources in the mental health budget to be allocated to ensure there is comprehensive 24-hour access to services at weekends and out of hours. Like all other health emergencies, mental health crises are not confined to the hours between 9 a.m. and 5 p.m. from Monday to Friday. The requirement for crisis services can be demonstrated in the prevalence of individuals presenting to emergency departments with mental health difficulties. While there is a lack of data in Ireland, a UK study has found that a significant 5% of all accident and emergency presentations are related to mental health issues.

A Vision for Change recommended that arrangements should be evolved and agreed within each community mental health team, CMHT, for the provision of 24-7 multidisciplinary crisis intervention; and that each catchment area should have the facility of a crisis house to offer temporary low support accommodation if appropriate. More recently, the suicide prevention framework, Connecting for Life, included a commitment to "provide a co-ordinated, uniform and quality assured 24/7 service" for individuals in need of mental health care. Over ten years on from A Vision for Change, mental health services are not uniformly providing a basic model of care that includes 24-7 crisis intervention and home-based and assertive outreach treatment with crisis houses as the norm in all areas. In the absence of community-based supports, the accident and emergency department is often the only option for an individual in crisis. As a doctor who spent time working in the accident and emergency unit in Connolly Hospital in Blanchardstown, I can tell the House truthfully that an accident and emergency department is not the place for a person who is suffering a mental health crisis. I also had the pleasure of working as a psychiatric registrar in St. Ita's Hospital in Portrane. I see many patients with mental health difficulties on a day-to-day basis in my surgery. Thankfully, most cases can be handled in the community setting. We are talking today about crisis cases, however.

During the Seanad Public Consultation Committee's consultation on mental health, which took place before the summer recess, we listened to parents who told horror stories of having to bring their children to accident and emergency departments. One mother told the committee:

On another night my son attempted to seriously self-harm and we took him to the emergency department because it was out of hours. Rhys and I were put into a small waiting room and we had to wait for over two hours for the on-call psychiatrist. Rhys escaped from that room that night and ran through an emergency department full of adults screaming, "Please let me die". He was trying to escape from the hospital and get outside. He said that he wanted to run under a car and die. I took flight after him. Security and a nurse did

likewise. We caught him and had to bring him back. It was so distressing. We were in this room and all these people were looking at us. It was awful. An emergency department is not the answer. It is not able to deal with this situation. The environment is wrong. It is not very safe. I was in that room with him and he was still able to get out of that room. It is not a suitable situation for a child. When we saw the on-call psychiatrist that night, he was put on medication to calm him and help him sleep, but he was sent home that night. He slept in between us. He did not really sleep but spent the night hitting his head in an attempt to get the voices out.

We need to approach this situation in a pragmatic manner that is driven by solutions. What is wrong with my suggestion of a 24-hour GP phone line that would ensure there is rapid access to child and adolescent mental health services in emergency situations? It would cost practically nothing to provide such a service to vulnerable young adolescents who are suicidal. I do not think it would be abused. I would say my own busy practice would probably use it twice a year. The 24-hour emergency helpline I am proposing would be specifically for GPs who need to contact child and adolescent mental health services so that their patients can access such services rapidly. It would prevent unnecessary referrals to accident and emergency departments. The remarks made at the Seanad Public Consultation Committee that I have quoted have stayed with me not only because I am a father of two small children and cannot imagine ever being in that situation, but also because I have worked in accident and emergency departments that are frightening for a grown man, let alone a child in distress.

A Vision for Change committed €35.4 million over five years for the development of mental health services. However, €20 million of that fund went unspent in 2017. There are extensive waiting lists in mental health services. I refer not only to child and adolescent mental health services, but also to psychology appointments in primary care. Some 520 approved positions that were allocated in 2015 and 2016 remain unfilled while these waiting lists continue to grow. A further 390 posts were to be provided for by the end of 2015, but by July 2017 just 150 of them had been filled. Similarly, 360 positions were allocated as part of 2016 funding, but by the middle of this year a mere 80 of them were in place. As there are severe staff shortages, these crucial positions urgently need to be filled. Realistically, almost 2,000 new staff need to be recruited in mental health services if the Government is to provide the level of care envisaged in A Vision for Change. Fianna Fáil is seriously concerned with the slow pace at which the HSE is recruiting. At this rate of increase, it will take another 11 years for A Vision for Change to be implemented in full. The Government and the HSE need to up their game in this regard. It is not acceptable to take 22 years to fulfil a ten-year plan.

**Senator Rose Conway-Walsh:** I thank Senator Freeman for bringing this vital issue to the attention of the House. Along with my Sinn Féin colleagues, I was delighted to add my name to the list of those supporting this motion. I am aware that during the last term, Senator Freeman worked extensively with my colleague, Senator Devine, on the Seanad Public Consultation Committee, particularly on the issue of children's mental health. Mental health has been referenced extensively in the Oireachtas and in the public domain in recent times. Now it is time for us as legislators to work out the details of how we can revolutionise mental health care in this country. Senator Freeman spoke poignantly about who we are trying to serve. I worked in community development for many years. I tried to draw up a community response to mental health as a way of addressing this key issue. I can honestly say the system has got worse and worse. The services and supports that are given to people right across the life cycle have deteriorated year on year. I accept that there are areas of good practice. Some models of

good practice are never brought into the mainstream.

I would like to speak about waiting lists. I can only speak about my experience in my local area. People who want counselling have to wait for up to 12 weeks. If people who are feeling down come to me to say they need to see a counsellor because they need some help, I think it is great that they are taking a positive step. However, when I make a phone call to try to get an appointment for such a person, I am told it will be months before he or she is seen. What happens to that person, wherever he or she is on the life cycle, during the intervening months? It is absolutely atrocious. If such a person opts for hospitalisation and presents at an accident and emergency department, the facilities are absolutely unsuitable. Services like addiction services that were previously provided at hospitals so people could avail of them have been taken away over the years.

When people go to accident and emergency units, they often have to wait for many hours and sometimes leave without getting any treatment. In other cases, they get minor treatment before being discharged into the hands of the community mental health services, which have impossible case loads, the next day. This goes on and on when people could be treated. People deserve to be treated so that they can have a proper quality of life. Many of the things they present with are temporary. When they present with things that are more permanent, they can get suitable treatment that will not impede their quality of life. Young people present with self-harm all the time. Part of the problem is that proper statistics are not captured. The statistics that are available show that many young people have died and are no longer with us because action has not been taken on the issues mentioned by Senator Freeman. However, if one were to look back on their records, one would see many of them presented multiple times at their local accident and emergency department and went into the revolving door system that they would not leave until they went to their graves. That is the situation people are facing. Twiddling around will not work. The system needs to be revolutionised. It is as if everybody within the system has authority but nobody has responsibility. There is almost a relief that some areas of the mental health services are so complex because a person can say it is not part of his or her role to deal with a particular situation and leave it to somebody else to take responsibility. That has to stop. As Senator Freeman said, the current system is designed to support the system and not to support access or those it is there to serve.

Affordability is another issue. There are people making fortunes in this country from the poor mental health of those who, because they cannot access a public health system with proper mental health services, must do so privately. They are making absolute fortunes from it. The system is designed to facilitate the privatisation of mental health services and that must stop.

If a person from my home area of Erris wants to access a CAMHS service he or she will have to make a round trip of up to 100 miles to do so. If a 16-year-old child wants to access that service, he or she will have to get out of school, get transport to where he or she needs to go and then try to afford the cost of it all. It is absolutely brutal and has to stop. Services such as CAMHS should be available at primary care level near to where such young people live. I beg the Minister of State to take that on board because this issue affects human beings, not numbers, and for many young people a minor intervention for a short period of time could change the whole course of their lives and the lives of those they meet.

The system is not fit for purpose and has to be changed. That is why Sinn Féin's alternative budget launched earlier this week outlined how we would gradually switch the current Monday to Friday daytime hours to a model that is flexible to the needs of those who depend on it.

That would require services to move to a seven-day-week roster. The weekend service is very important but the services needed are not currently available even during the five days they are meant to be, in particular in rural areas.

Sinn Féin is happy to support the motion and I hope it receives cross-party support. I want to be positive and optimistic about that but cannot be because my party has tried to walk this road before. The seriousness with which it takes this issue was illustrated by the appointment of its deputy party leader, Deputy MacDonald, to this portfolio. In September 2016 a Sinn Féin Private Members' motion in the Dáil demanded that the Government put a timeline on the delivery of 24-7 crisis intervention services and that is on public record. The motion proposed that there first be a published plan for implementation of seven day a week, in-community services and then required the Government to invest in services to move towards a 24-7 model. The motion was very moderate in its demands and the timeline it put on Government, giving it a year to implement the initial changes. The Government neutered the motion with an amendment removing any commitment to 24-7 services or a timeline for delivery. Fianna Fáil, as silent partner of the Government, sat on its hands and abstained on the motion as it was gutted by Fine Gael.

I could go on but I will finish. The figures speak for themselves. Since 2012 there has been a drop of 13.4% in the number of psychologists employed in the CHO2 mental health division, which is my own area in the west of Ireland. It is hard to believe that the number of psychologists in primary care in CHO2 remains the same as it was in 2012. The figures speak for themselves. CAMHS staffing levels in Mayo, Roscommon and Galway were only at 57% of those recommended in A Vision for Change. I plead with the Minister of State that it is never too late to do the right thing and support this motion. Those services are desperately needed in Mayo, the west of Ireland and throughout the country and our children deserve it. We will get back our investment in mental health financially and socially many times over.

**Senator Maura Hopkins:** I commend Senator Freeman for her work to date in trying to remove the stigma from mental health and in advocating strongly, as do all Members, for improved mental health services.

Last Monday the Minister of State, Deputy Daly, went to Galway to meet Tony Canavan, the chief officer of community health care organisation 2, with regard to mental health services in Roscommon, following an external report commissioned to consider the quality, safety and governance structures of those services. It is a very damning report and we must learn from its recommendations that services should be delivered to a very high standard. That is not what happened in previous years in our mental health services. We very much need to learn from the mistakes of the past. We need to look at where they were made and we need to look for improvements.

I want there to be better accountability. There is much discussion of budgets but we need to ensure that every euro given to a particular service is used in an appropriate manner and to achieve maximum impact for service users and their families. We need to ensure that proper clinical supervision is in place to support staff. In order for mental health teams to work well, there needs to be excellent communication, good teamwork, a good knowledge of clients and the service needs to be adequately resourced to deliver that. That is not what has happened in Roscommon mental health services to date. The recommendations clearly set out the need for proper accountability, better mentoring and for management to properly engage with staff so that they all feel the need to achieve goals to ensure the aims of A Vision for Change are deliv-

ered. There have been some improvements, in particular with regard to home-based care, and we need to move towards that service of helping people in their own communities at very difficult times for them. As a public representative based in Roscommon, I want to see improvements in mental health services in the area and that is why the Minister of State went to Galway on Monday.

An implementation team has been set up and is meeting on a fortnightly basis. I have been assured that the Minister of State will receive monthly reports on the progress of the group. We need to see actions arising from it, in particular with regard to management properly engaging with staff. We must ensure that our mental health service is modernised in order that clients of every age can access it during times that are very difficult for them. We also need to help families support clients with mental health difficulties. That is my key message. We need proper accountability regarding budgets. We have particular difficulties also with staff recruitment. While some improvements have been made, we need to make greater strides to attract staff to work within our mental health services. The teams need proper human resources to function as they should.

This motion deals with crisis intervention, but we also need to look at mental health services across Departments as well as from an enabling and well-being point of view. The preventive aspect is also extremely important. I acknowledge, however, that today we are dealing with the 24-7 crisis intervention service. A service must be available to people and their families when they need it most. We all know of very difficult and sad cases of individuals who felt they did not have the assistance they needed. We must do more. Specifically, I refer to Roscommon mental health services on which I want to see action. I want to see improvements in the quality of the service that is delivered. Management has signed up to the 27 clear recommendations in the report and now we need to see action. We need modern mental health services that reach out to people when they most need it.

**Senator Frances Black:** I welcome the Minister of State, Deputy Jim Daly, to the House. I am very happy to speak in favour of the motion and I commend my colleague, Senator Joan Freeman, for bringing it forward. I join colleagues in stressing that 24-7 access to mental health services is essential. The funding must be made available to address this need.

Currently, thousands of children are struggling to cope with mental health problems due to the failure to properly resource emergency and acute services. Since 2014, demand for mental health services has gone up almost 30%. As of July 2017, however, almost 2,500 children and young people are still on waiting lists and unable to get the help they need. Many have been waiting for over a year. This is just one example of the urgent need to invest in better public services. It must be a priority for the Government.

From my experience of working in the field of addiction, I know that problems do not arise solely during working hours. The need for 24-7 access to mental health services is essential as it is often out-of-hours or weekends when people need urgent help. People will talk about the cost, but the cost of providing 24-7 access to proper mental health services can be met by the savings on future treatment. The World Health Organization suggests that, in the field of mental health, early intervention is fundamental in preventing progress towards a full-blown disease, in controlling symptoms and improving outcomes. We need to focus on prevention, not cure, and early intervention through proper services is the key to this.

We have made big strides in our ability to speak openly about mental health, but we need

the investment in services to match it. Particularly with young people, investing in mental health at early ages represents the most cost-effective action to prevent the continuous increase of mental health problems in all age groups. Our understanding of effective treatment needs to move beyond the concept of recovery as the getting rid of a disorder to the idea of instilling positive values and behaviours which enable young people to flourish, contribute to society and be happy and healthy.

People's younger years are often the peak period of incidence for mental health problems, yet this is where supports and services are most lacking. A major Irish study found that at least one in four Irish teenagers had experienced serious personal, emotional, behavioural or mental health problems, while almost one in ten had self-harmed. Ireland has the fifth highest rate of youth suicide between the ages of 14 and 24 in the EU, with 90% of suicides linked to mental health difficulties. Proper services are key to bringing these figures down. The figures are really shocking and show that we are in a real crisis around mental health.

Dr. Shari McDaid, director of Mental Health Reform, has called on the Government to allocate additional funding to meet the core funding gap in the HSE's mental health budget. It is estimated that €65 million is needed just to meet the current level of demand for care. This is not extra money; it is core funding to ensure that there are adequate beds for people with highly complex and severe mental health difficulties who need long-term residential care. It is the funding to provide residential services for people with eating disorders and it is the funding for services which have a shortage of inpatient beds for people in acute mental distress. It is the resource needed to respond to the 26% increase in referrals to child and adolescent mental health services between 2012 and 2016.

A key area I want to stress, particularly from my own work in this area, is that of dual diagnosis. This is where a person suffers from both a substance abuse problem and another mental health issue such as depression or an anxiety disorder. If we do not treat both together, we cannot beat either. I have worked as a therapist in the Rutland Centre with those who have been in addiction and I have not met anyone who did not also have an issue around anxiety, depression, stress or some form of trauma in their life. As such, these things really go hand in hand.

It is the same with mental health services. People who present with mental health issues will turn to alcohol or drugs to numb out. These issues are very closely linked and we must look at them together in the context of dual diagnosis. Most mental health services and addiction treatment centres in Ireland are currently not organised to treat people holistically. For example, if one has difficulties abstaining from alcohol due to anxiety, one cannot enter rehabilitation services as most residential drug services insist one be "dry" before entry. This is where it gets confusing because one cannot get one's anxiety problem treated until one's addiction to alcohol has been addressed. That is where people are falling through the gaps. As such, we need a joined-up approach and a real system for dual diagnosis.

If we integrated addiction and mental health services, it would help to reduce the suffering of people and their families and the resultant savings could help fund the badly needed 24-7 service which has been spoken about so passionately today. Father Peter Mc Verry, who has been providing accommodation to homeless people in Dublin since 1979, is clear on this. He says:

The holistic needs of the individual are not being addressed. There are too many borders between homelessness, drugs, mental health; you need to be in one category or the other to be dealt with, when you are in multiple categories the system breaks down. And it's when

you are in ‘multiple categories’ that you are most in need of assistance. I don’t see any joined up thinking, or at least the practical delivery of services in a joined up manner. We need to develop multi-disciplinary teams that are capable of dealing effectively with the totality of the problems that people have.

I set up an organisation, the Rise Foundation, which deals with family members who have a loved one with an alcohol, drug or gambling problem. The foundation is in fact a mental health service because it deals with family members who are under huge stress and who are very anxious. In particular where they are the adult children of alcoholics or drug addicts, a lot of them end up with severe depression, suicidal tendencies and sometimes even physical ailments. Unfortunately, this service gets no Government support notwithstanding the fact that approximately 3,000 people have come through our doors. It is very worrying. If even that does not get support, things are not looking good.

I strongly commend Senator Freeman on her fantastic work. She has done unbelievable things. Pieta House is, as we all know, beyond anything else. I know many people, including family members, who have attended Pieta House when they were in crisis. The staff there have been brilliant and I pay huge tribute to the Senator for that.

I commend the motion again and offer my full support for it. My key message today is that we must do better on dual diagnosis and look at the issue around family members who have been reared in homes where there has been alcohol or drug misuse. People are slipping through the cracks and it is not acceptable. If we show leadership on this issue, the savings we make in properly addressing mental health and substance misuse problems will more than compensate for the additional funding needed for these services. I hope the Minister of State can hear what we are saying today. I know he is a good man, that his heart is in the right place and that he is passionate about this issue. I hope that is reflected in next week’s budget.

*5 o’clock*

**An Leas-Chathaoirleach:** The Senator who moved the motion will close the debate.

**Minister of State at the Department of Health (Deputy Jim Daly):** That is fine. I had anticipated that I would have two opportunities to speak and that I would be making an opening statement and a closing statement, but I believe I will make one contribution so I will do my best to be as efficient as I can and to combine my statements. I wish to respond to as many of the individual issues as I can.

I thank Senator Freeman, who moved this motion. I acknowledge the sentiment that has been widely expressed throughout the House in acknowledging her contribution to the area of mental health. Senator Freeman is held in high regard across the board from every side of the House. Everybody recognises the benefit of the real and practical experience that she brings to this debate. With that in mind, I welcome this Private Members’ motion. It provides an opportunity to discuss an issue that is so real and relevant that there is no family in the country that is not affected by this issue. I am delighted to have an opportunity to discuss it, to listen and most importantly of all to learn from people such as Senators Freeman, Black, Kelleher, Hopkins and many others, including Senator Swanick who has left the Chamber who all have real life practical experience of dealing with it upfront. I have learned and what I can do with that learning remains to be seen. That is a work in progress for all of us.

The Government will not be opposing this motion, as it is aligned with our direction and fo-

cus on this issue. We continue to be committed to the ongoing development and improvement of our mental health services. This can be seen in the undertaking outlined in A Programme for a Partnership Government to increase the mental health budget annually to build capacity in existing services, along with developing new services. I know that figures which are trotted out *ad nauseam* can become boring, but it is worth reminding ourselves of the investment since 2012, which were not very sunny years economically, of €140 million which has been added to the mental health budget in the past five years. Of course, the money is never enough, but to be fair, the commitment to the service in times of scarce resources, particularly in the earlier part of that five year period, must be acknowledged. There were no additional resources. The overall budget allocated to mental health services has increased by more than 20% in that period. I do not know of a budget for any other service that has increased by that much in that period. In itself that signals a commitment on the part of the Government to the issue of mental health. I welcome the Ceann Comhairle's initiative at the opening of this session, where he had a symposium on mental health. It is the second time such an initiative was rolled out. Last year it was Brexit, which is an all encompassing noble topic. This year with Brexit out of the way in terms of dealing with it, the Ceann Comhairle very rightly identified mental health as a top priority for the Oireachtas to debate. I welcome the new political focus that has come on mental health and the ensuing additional budgets that have become part of that.

Staffing, of course, has an impact on the overall delivery of the mental health services, including the movement towards increased seven day cover and ultimately a full 24-7 service, and as such it is important that there is an understanding of the current landscape.

In line with the recommendation in A Vision for Change, our national mental health policy, the Government has prioritised the development and expansion of community-based mental health services.

As of June 2017, the mental health division has 9,738 mental health whole-time equivalent staff. Since 2012, despite recruitment challenges, roughly 1,500 new posts have been approved, of which 1,200 have been filled. We are all aware of the continuing challenges but in the interest of balance and fairness it is important to acknowledge the work that is being done in the HSE. The HSE has developed a broad range of initiatives, including the conversion of agency employed staff into HSE direct employees, national recruitment campaigns and offering all graduating nurses full-time contracts.

The Department, the HSE and the psychiatric nursing unions reached an agreement in August 2016 that included a number of measures to address the position. In particular it was agreed the number of undergraduate student places would increase by 130 to increase the supply of graduating nurses. It was agreed to put 60 additional places in autumn 2016 and a further 70 in autumn 2017.

There are other positive developments to note in this area also, such as the recent commencement of the recruitment of 114 assistant psychologist posts in primary care. Many Members spoke about the need to have lower level intervention and to have better access within primary care. The assistant psychologists will be key to reducing waiting lists for child and adolescent mental health services. Introducing mental health expertise in primary care has the potential to provide quicker access to mental health supports for families and children where difficulties have arisen.

By taking an overview of the problem and the contributing factors we can progress innova-

tive solutions such as these alongside further recruitment and retention efforts. It is just such a measured and concentrated approach that is necessary in progressing what we want to do today, that is about bringing about a seven day 24-7 service in mental health.

When it was launched in 2006, *A Vision for Change* was universally welcomed as a progressive, evidence-based and realistic document which proposed a new model of service delivery which would be patient-centred, flexible and community based. The Government accepted *A Vision for Change* as the basis for the development of our mental health services and significant successes can be noted in how the supports and services in place serving mental health have changed in the intervening years. I think everybody acknowledges that progress has not been fast enough but as a society we have moved far away from the deplorable actions of consigning mental health to institutions where people were locked up. Moving away from that has been a gradual and steady shift, but one that has been very welcome.

One important point noted in the document is that “mental health services must be accessible to all who require them; this means not just geographically accessible but provided at a time and in a manner that means individuals can readily access the service they require”. This relates directly to the motion that Senator Freeman has brought before us, which has been seconded by Senator Kelleher.

The Government recognises that mental health crises do not operate on a nine to five schedule. We know that for those who are in need of our mental health services, timely and considered supports are crucial to successful care outcomes. For those in need of urgent care, this is currently provided through a number of interlinked components across the service. This includes community mental health teams, which are available to respond to crises during normal working hours. These teams have an established pathway of contact for existing patients, and other individuals can be referred through their GP. All of these mental health teams keep slots for urgent referrals when a person is acutely suicidal or severely depressed. I think everybody in the House acknowledges that there is a service available from 9 a.m. to 5 p.m. Outside of normal working hours, an individual in crisis may present to the emergency department. The HSE’s mental health division has now ensured that all level four hospitals have a liaison psychiatry service available on the site of the acute hospital, with this service providing prompt assessments in the emergency departments. Additionally, most level three hospitals now have either a service in place or one planned. This is one of the ways we are striving to provide those among us who may be experiencing distress with efficient, quality mental health care.

Another initiative which began in 2014 was the National Clinical Programme, NCP, for the assessment and management of self-harm in emergency departments. It has trained and deployed 25 senior mental health nurses at clinical nurse specialist level to emergency departments around the country. This facilitates an on-site, rapid response to those who have self-harmed and-or are suicidal. It supplements and works with the liaison psychiatry service to provide a bespoke response to those who are suicidal or have self-harmed.

There are other services available such as consultant psychiatrists on-call outside normal working hours who together with a psychiatric registrar or senior house officer on duty in acute hospitals, provide the urgent crisis response to people presenting to emergency departments.

A review of weekend access by the mental health division of my Department earlier this year shows that weekend mental health services are provided in nine of the 17 mental health areas. A further seven areas have partial cover.

We know that more than 90% of mental health needs can be successfully treated in a primary care setting, with less than 10% being referred to specialist community-based mental health services and of this number, a further 10% being offered inpatient care. However, this does not mean that we can ignore the very real needs of those who need access to seven day services and 24-7 services and whose mental health can be drastically impacted without such access - a point that all the speakers stressed today. With this in mind, while the HSE currently provides a range of services on a 24-hour basis through the interlinked components just outlined, work is ongoing to expand upon the services available in the community to ensure a comprehensive seven day cover. The recognition of timely connection is seen in the inclusion of the development of a model for the provision of enhanced seven day services within the HSE mental health division 2017 operational plan. Specific steps have been taken to further that aim since early this year. These include: the establishment of a steering group with agreed terms of reference; the completion of a scoping exercise; and the identification of pilot sites, with subsequent consultation with the relevant management teams to discuss the requirements of a seven-day service.

There is a specific focus on ensuring that the design and delivery of such a service will be informed by international best-practice models so that a consistent model of care can be adopted. This service must be integrated and evidence-based to ensure the provision of high-quality services to service users, which must at all times remain at the centre of our efforts. The current situation is that, following the collection of extensive data and information nationally, the HSE has now identified the areas that require additional resources to achieve seven-day cover. I am happy to say that engagement with local management teams has commenced, with the aim of achieving implementation of seven-day cover by the end of this year.

Alongside this, the HSE mental health division is establishing an evidence-informed model, including detailed clinical, governance, training and performance measurement structures, for the operation of a full 24-7 service. A working group is capturing views from across the service pertaining to what form these extended services should take. Building on the development of seven-day services, these views will be presented to management for consideration and implementation. Funding has been secured for the move towards a full seven-day service, with €1 million agreed for 2017 increasing to €4.5 million in 2018. This measured and deliberate approach - the scoping of services and the identification of what needs to be implemented with considerations first for a seven-day service and then a 24-7 service - is the best we can take. It will ensure that the service we ultimately provide will be evidence-based and high-quality and, most importantly, effective in meeting the needs of service users. It shows that the Government recognises that we cannot afford to be complacent about mental health.

If time permits, I will refer to some of the issues that were raised. Many similar points were made in the context of all of them. I do not wish to speak on the individual cases that were mentioned, each of which is heartbreaking. The individuals are real people and their cases are a great way to illustrate the human effect when a system fails or lets us down. I welcome listening to that but I do not wish to comment on the cases when I am not familiar with them. One point is worth making. I am not attempting to be defensive in what we are discussing here because I appreciate that we are all working collectively. However, the report I launched last week for the National Office for Suicide Prevention, NOSP, shows that the number of people dying by suicide in this country is stabilising. That is not a great jump-up-and-down story but it is a significant step in the right direction. It is an important message. At the launch in question, I spoke to a gentleman who is the CEO of a prominent charity in this area. He told me the organisation was holding a dinner the following week and the report would be helpful news as

the number of people who give their time and volunteer to fundraise, help and support need to hear good news and that their efforts count for something. It is important that we recognise the positives as well as the negatives to give due deference to all of those who are contributing such vast amounts of their time, energy and effort into achieving a more successful and sustainable life for all.

Senator Kelleher mentioned the Cork issue and CUH. That has improved dramatically. She is probably aware of the consultant, Professor Eugene Cassidy, who provides an excellent service for adults in CUH. I acknowledge that homelessness and associated issues are a huge challenge in light of the number of people who are homeless and presenting with additional challenges.

The Roscommon report was mentioned by Senators Feighan and Hopkins. While the report is very local in its substance, it is national in what we can learn from it in terms of the lessons in it and the implementation of the recommendations. The reason I am taking a particular interest in it is that there are lessons to be learned and replicated across the country.

Senator Swanick asked about the slow pace of HSE recruitment. It is one of the questions I asked in my Department soon after my appointment. The HSE does all its recruitment nationally and Tusla recruits regionally and locally. I asked the Secretary General to talk to the HSE about the possibility of it conducting some more localised and regional recruitment. I believe that would be more efficient. The Senator also suggested avoiding the accident and emergency department by providing a GP telephone line to the child and adolescent mental health services for out-of-hours service. That is an idea I have not heard previously and I will take it on board.

I am conscious of time so I will try to be brief.

**Acting Chairman (Senator Gerry Horkan):** The Minister of State is over the time limit but I will allow him to finish.

**Deputy Jim Daly:** In response to Senator Hopkins, I have addressed the lessons to be learned and the regular oversight of implementation.

Senator Black spoke about the additional funding. It is accepted that funding is necessary. We can focus our debate on the funding and on pumping millions more into mental health services, but I have far more concerns about what we are doing with the money we have. We are spending €850 million on the delivery of mental health services and there should be better management and focus and more appropriate referrals. For example, when a young person presents to their GP, accompanied by his or her parent, and says he or she is experiencing anxiety and is nervous about something, he or she is referred straight to CAMHS. That is not an appropriate referral. CAMHS is headed by a consultant psychiatrist and there is no need for somebody with a low level of anxiety to be on a CAMHS waiting list. That leads to a self-perpetuating vicious cycle. CAMHS will prioritise who must be seen and that young man or girl will be left on the list in perpetuity. The same people could also be on a National Educational Psychological Service, NEPS, list. In a number of respects what we do and how we do it are as important as additional funding. My job would be very easy if I could tick the box by securing an extra €20 million for mental health. I could head off into the sunset with my work done. It is more important that I take on board some of the ideas the Senators mentioned.

I wish to make a final point, and I thank the Acting Chairman for his indulgence. I appreciate it. I am fascinated by what Senator Black said about the dual diagnosis, the challenge that

presents and the vicious cycle for those people whereby they cannot be taken in to have their alcoholism dealt with until the anxiety is dealt with or *vice versa*. In other words, one must get on top of one before dealing with the other. It also applies to homelessness. Canada has a system whereby the first thing that is done is that the person is given a house. Then the person is in a far better position to deal with his or her issues. In Ireland and in many other western countries, we tend to take the position that the person must deal with his or her alcoholism or one of the other issues before we can house the person or take him or her in. We are the reverse in that regard. It is an interesting issue that is worthy of further debate.

**Senator Fintan Warfield:** I wish to make a brief comment and I thank the Acting Chairman for allowing me the time to do so. I thank Senator Freeman for championing this important issue for young people. Sinn Féin is proud to support the motion.

We all know that mental health has never been adequately resourced and that services for young people are particularly absent. Mental health can no longer be left as an add-on at the end of the health budget. Sinn Féin's pre-budget submission and alternative budget allocated a €20 million fund in 2018 to speed up the roll-out of 24-7 crisis intervention services. I commend the Oireachtas on the parliamentary forum on mental health. I made the comment at the parliamentary forum that Dr. Tony Bates from Jigsaw speaks about the pillars of good mental health as having agency and control. Another contributor remarked on addressing injustices in society. I do not believe we can talk about building an inclusive society without acknowledging the urgent need to enable citizens to live at peace with their lives. Bulking up and expanding our mental health services must be done in parallel with addressing injustice and enabling people to live at peace with their lives, realising a person's right to a home, to marry the person they love, to live free from direct provision, to access gender recognition, to modern universal health care for women and to decency and democracy at work.

These are all affected by political choices and many of our citizens are continually dissatisfied with their existence. They do not feel they are listened to by the Government and very often that dissatisfaction leads to a search for the other and to scapegoating and marginalisation, as we see throughout a fractured Europe and across the world. Ireland's response to that must be to have a rights-based society where we build on the core human decency that is so common among our people. The expansion of our mental health service must be done in parallel with addressing justice and enabling people to live in peace. Many Members believe in social justice and many believe in proper mental health services. Can we own and run with those beliefs?

**Senator Joan Freeman:** It was lovely to hear the speech of the Minister of State. There was great sincerity there, but what he said also sounded nearly believable. It is very typical of his Department to roll out figures, but we are still waiting for action. He has to defend his Department and that is his job, but there is also the practical element of being truthful about the very serious shortfalls. He mentioned the National Office for Suicide Prevention. I was involved in this issue when the first national strategy for suicide prevention, Reach Out, was created and implemented. Ten years later, nothing had been done. In its wisdom, the Department decided to create another document, Connect for Life, which the Minister of State recently launched. This is an example of something the Government is very good at and that happens all the time, which is its really good way of kicking the can down the road by creating and reviewing reports. The Minister of State spoke of a charity that sees the report as good news it can tell its donors about how suicide rates are decreasing. A critical point he missed is that there are approximately 500 charities in Ireland that deal with suicide and it is thanks to those charities that suicide rates have gone down, not thanks to the Government nor the NOSP, which really is

just monitoring everything.

The Minister of State said he was not defensive but it is fine to be defensive. He mentioned that €140 million has been added to the mental health budget in the past five years. He said it is the only service that has had a 20% increase in its budget. The section of that budget allocated to children's mental health services was 13% in 1984. In 2004, it dropped to 7.6% and last year it was 6.1% so there has been no increase but, rather, a chronic decrease in that allocation. This debate was about the budget for mental health services. Even if the overall budget is not to increase by €1 million, I ask the Minister of State to seriously consider increasing the portion allocated to children's mental health from that miserable 6% to 12%. That must be fundamental. Our services will never get better if they are not brought back up to the proper standard. Children make up 23% of those accessing mental health services in Ireland but we are giving them 6% of our mental health budget.

I again thank the Minister of State for coming to the House on this issue. He could have sent somebody in his place but had the courage to listen to me giving out and I appreciate that. I also thank the Senators who gave their very important input into this important topic. I thank everybody else for the continuing lovely comments they have made. I appreciate it and it makes me want to work even harder.

Question put and agreed to.

**An Leas-Chathaoirleach:** When is it proposed to sit again?

**Senator Maura Hopkins:** Next Tuesday at 3.30 p.m.

The Seanad adjourned at 5.55 p.m. until 3.30 p.m. on Tuesday, 10 October 2017.