



DÍOSPÓIREACHTAÍ PARLAIMINTE
PARLIAMENTARY DEBATES

SEANAD ÉIREANN

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

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SEANAD ÉIREANN

Dé Céadaoin, 23 Bealtaine 2018

Wednesday, 23 May 2018

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

*Machnamh agus Paidir.
Reflection and Prayer.*

Business of Seanad

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

The need for the Minister for Culture, Heritage and the Gaeltacht to extend the Copyright and Related Rights Act 2000 to include the legal deposit of digital publications.

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

The need for the Minister for Culture, Heritage and Gaeltacht to outline the targets set by Waterways Ireland for traffic potential on the Shannon-Erne waterway this summer.

I have also received notice from Senator Maura Hopkins of the following matter:

The need for the Minister for Justice and Equality to provide an update on the planned refurbishment of Roscommon courthouse.

I have also received notice from Senator Rose Conway-Walsh of the following matter:

The need for the Minister for Agriculture, Food and the Marine to provide an update on how his Department is dealing with revenue laws, tax compliance measures and sales to culture funds insofar as they relate to the farming community.

I have also received notice from Senator Colm Burke of the following matter:

The need for the Minister for Business, Enterprise and Innovation to introduce a pilot quota of employment permits for the nursing home sector.

I regard the matters raised by the Senators as suitable for discussion. I have selected the matters raised by Senators Fintan Warfield, Frank Feighan, Maura Hopkins and Rose Conway-Walsh and they will be taken now. Senator Colm Burke may give notice on another day of the matter he wishes to raise.

Commencement Matters

Digital Archiving

Senator Fintan Warfield: I welcome the Minister of State. I requested the presence of the Minister for Culture, Heritage and the Gaeltacht to address the upcoming Copyright and Other Intellectual Property Law Provisions Bill 2018 in the knowledge that it would soon be taken in the Chamber. It was my hope some clarity could be provided on the amendment to section 198 of the principal Act. It is my belief and that of many within libraries and the heritage sector that there is a serious omission from the amendment that will result in an increasing hole in national memory which will make the future understanding of our society difficult. This is a live issue as the average life of a web page is 100 days. Currently, legal deposit legislation provides that a library, for example, has a responsibility to obtain every hard copy publication in the State. That provision needs to be adapted for the digital age. Libraries must be able to harvest the “.ie” domain. We entrust them with the responsibility to collect hard copies and it is time to do the same for digital formats. The consultation process on the Bill came within the remit of the Department of Culture, Heritage and the Gaeltacht, but the Bill comes within the remit of the Department of Business, Enterprise and Innovation. I wonder whether if the two Departments are talking about this. Have they explored the recommendations made in the report of the copyright review committee?

Minister of State at the Department of Health (Deputy Jim Daly): The Minister for Culture, Heritage and the Gaeltacht thanks the Senator for raising this issue. Legal deposit legislation is an important instrument in national cultural policy. In most countries it is relied on to ensure the published output of the nation is collected and preserved by one or more prescribed institutions in order that citizens and researchers within the country and abroad will be guaranteed permanent access to the intellectual and cultural memory of the nation.

Under the Copyright and Related Rights Act 2000, there are 13 prescribed institutions that are legal deposit libraries, of which the National Library of Ireland is one. The remainder include the main university libraries such as Trinity College Dublin, the National University of Ireland and the University of Limerick, as well as UK-based libraries such as the British Library and the national libraries of Wales and Scotland. Last year the Department of Culture, Heritage and the Gaeltacht undertook a public consultation process on the legal deposit of published digital material in the 21st century in the context of copyright legislation. A total of 42 submissions were received in response from members of the public, publishers and the library and archives community. In the consultation process the views of stakeholder were sought on whether policy on legal deposit should include the collecting, preserving and making available of all contemporary publication formats, including online digital formats such as websites.

I will summarise the findings of the consultation process. There was general agreement that a failure to provide for policy extensions to keep pace with technology would have serious consequences for academic research and access to information for Irish citizens and could lead

to an increasing digital black hole. There are opportunities to innovate and explore new ways of interrogating data, as well as recognition of the fundamental principle of the provision of continuing access to information as part of a fully functioning society. Access to material under copyright should be balanced with respect for the privacy of the individual, the rights of content creators and publishers, for whom their content is their economic livelihood. Responses from national libraries in other European countries highlighted the fact that such legislation was *in situ* in their countries and was, in effect, a best international practice requirement in this area.

The Copyright and Related Rights Act 2000 is the responsibility of my colleague, the Minister for Business, Enterprise and Innovation. In March the Department of Business, Enterprise and Innovation published the Copyright and Other Intellectual Property Law Provisions Bill 2018, which includes a provision to amend the Copyright and Related Rights Act 2000 aimed at broadening the copyright deposit system to enable existing copyright deposit institutions to accept published material in digital format, as well as, or instead of, physical copies. This amendment is aimed at broadening the copyright deposit system to enable existing copyright deposit institutions to accept published material in digital format as well as, or instead of, physical copies. The amendment will allow copyright deposit institutions to accept publications in electronic format on a voluntary basis while creating an obligation on publishers to comply with any request for such material in electronic format. The Bill is on Second Stage in the Dáil and the Department of Culture, Heritage and the Gaeltacht continues to liaise with the Department of Business, Enterprise and Innovation regarding it.

Senator Fintan Warfield: I thank the Minister of State. His response was extremely positive until the second last paragraph which stated that the amendment would allow copyright deposit institutions to accept publications in electronic format and require publishers to comply with any request. It is impossible for the National Library of Ireland, for example, to contact the several million websites we have in this country. It has already swept the “.ie” domain and it cannot obviously display that information on site at the library or online for the public to see. As such, we need stronger legislation.

The current proposal is silent on web archiving. The copyright review group proposed legislation, including a provision to the effect that it would not be an infringement of the rights conferred in the Act if a board or authority reproduced any work made available in the State through the Internet. We will seek to propose amendments if the Bill remains as it is when it comes to the Seanad. It would be disappointing if we allowed the Bill to go through the Oireachtas without making this amendment and allowed the legislation to remain silent on web archiving.

Deputy Jim Daly: I understand the points the Senator makes. They appear to be valid suggestions. He makes the point that submission of the data would be on voluntary basis and the Bill should be strengthened in that regard. As I outlined, the Bill is on Second Stage in the Dáil and there is still ample opportunity for the Houses to deal with some of that detail, in particular on Committee Stage. The submissions which have been made can be reviewed. In that context, amendments can certainly be made to the legislation if the Houses so approve.

Waterways Issues

Senator Frank Feighan: The development of the Shannon-Erne waterway has been one of the unsung benefits of the Good Friday Agreement. It is a flagship cross-Border project which

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involved the major reconstruction of many canal structures to make them suitable for modern cruisers. The canal was opened to traffic on 23 May 1994 on time and within budget. Since that time, the link has opened thousands of miles of navigable waterways in both the Republic and Northern Ireland. It links the two great waterways on our island, namely, the Erne system and the Shannon navigation. As Waterways Ireland states on its website, the waterway has opened up countryside which few had ever seen.

Over the past few decades, this tranquil stretch of water has grown in popularity, in particular in the towns and villages along its length. One can travel by boat now from Limerick to Enniskillen. The beauty of this waterway system is incredible and must be seen to be believed. Unsurprisingly, it has become a major attraction for both domestic tourists and visitors from all corners of the world. It has also been of significant benefit to local economies along the route as tourists stop off at towns and villages while cruising the waterways. A number of boat hire companies have also been created over the years offering barges and cruisers for weekend trips or week-long journeys. Walking and bike trails have also been developed along the route of the waterways.

There has been some concern in recent times at the introduction of restricted lock-opening times on the Shannon-Erne canal system. Since the canal system was reopened in 1994, the automated locks have been operational between 9 a.m. and 8 p.m. from April to the end of October. This year, however, Waterways Ireland restricted the operating times from 9 a.m. to 6 p.m. until 16 May. A number of local people have contacted my office to tell me this restriction will also apply from mid-September to the end of October. Of course, any restrictions will have a knock-on effect on the towns and villages which benefit from the waterways. Waterways Ireland must do all it can to ensure the waterways system is marketed to the fullest extent to ensure these towns and villages have the opportunity to maximise its benefits. This includes ensuring maximum access to the water for tourists and boating enthusiasts to maximise traffic potential. I am also interested to know what Waterways Ireland's targets are in this regard.

Deputy Jim Daly: Waterways Ireland has informed the Minister for Culture, Heritage and the Gaeltacht, Deputy Josepha Madigan, that the Shannon-Erne waterway locks will be open daily from 9 a.m. to 8 p.m. as of 17 May 2018 onwards throughout the summer season. Operational hours will continue to be subject to ongoing review to ensure Waterways Ireland delivers a high-quality service to waterway users in the most efficient and effective manner.

Waterways Ireland measures boat traffic by the number of lock passages. There were 1,600 lock passages at lock 1 on the Shannon-Erne waterway in 2017 and 1,439 passages at lock 16. It is expected that the 1,600 lock passages recorded will be exceeded in 2018. According to visitor monitoring devices, there were 155,273 user incidents, which is a mix of walkers and cyclists, in 2017. Waterways Ireland expects in excess of 160,000 locals and visitors to experience walking and cycling along the Shannon-Erne in 2018. One of Waterways Ireland's main goals, with the support of the Department of Culture, Heritage and the Gaeltacht, is to inspire more people to discover and enjoy recreational activities on inland waterways and to explore the rich environment and heritage attractions along the 1,000 km of navigation in its care.

The Shannon-Erne waterway runs between Leitrim village and just north of Belturbet and comprises 63 km of river, lake and still-water canal which links the two great waterways on the island, the Erne system and the Shannon navigation. Over the past two decades, this tranquil stretch of water has grown in popularity, particularly in the towns and villages along its length. Cruisers and barges move freely along its waters, mooring in some of the six fully serviced

public marinas found along its length.

There are 16 locks which are managed electro-hydraulically by a smart card which helps ease passage through the locks while a number of boat hire companies offer barges and cruisers for hire. Waterways Ireland currently avails of a number of social media platforms such as Facebook, Instagram, Twitter and YouTube to promote the use of the Shannon-Erne waterway as well as through its own publications and website. Waterways Ireland highlights the tranquility that can be found at the heart of the Shannon-Erne waterway as well as the opportunities for walking and cycling adjacent to the waterway. Waterways Ireland highlights in particular for visitors the Ballyconnell canal walk, Ballinamore canal bank walk and cycle route, the Leitrim village to Kilclare walk and the Kingfisher cycle trail, which has its starting point in Ballinamore. Waterways Ireland also draws attention to the local mountains for the more adventurous among visitors and the myriad of wildlife that can be observed along the route. Anglers are assured of finding a paradise of fishing and several golf courses in the area are also highlighted for potential enthusiasts.

The Minister informs me that Waterways Ireland has targeted a growth rate of 5% overall and aims to achieve it through a strategic marketing plan. “Head into the Blue” and “Blueway do it your way” are the taglines used to promote the Shannon-Erne blueway which showcases a staggering 70 km of paddling trails from Leitrim village to Belturbet while connecting with the Erne system at Crom Estate. Along with its partners, Fáilte Ireland, the Irish Sports Council, the National Trails Office and Canoeing Ireland, Waterways Ireland markets 15 individual paddling journeys on lakes, rivers and canals. Trailheads, access points and services are all shown on downloadable maps available on the Waterways Ireland website. The paddling trails are complemented by 30 km of walking loops and linear trails along with 12.5 km of superb cycling options around Ballinamore. In addition to the marketing of the Shannon-Erne waterway itself, Waterways Ireland also promotes accommodation and culinary options in the surrounding areas.

The spring campaign to market the Shannon-Erne blueway for 2018 ran across national radio, national and regional press, both print and online, as well as across social networks and Waterways Ireland’s website. It included familiarisation trips for journalists to the Shannon and Erne systems. Waterways Ireland’s extensive events programme delivers new events on the Shannon-Erne waterway, encouraging greater spectator and participants to the waterways.

The development of the brochure “The Life Aquatic” focused on the Shannon-Erne system and the delivery of business to activity and hospitality providers along its length. The brochure also had an online persona and was shared and promoted across social media networks, providing people with lots of reasons to stop, stay and explore.

In line with Project Ireland 2040, the Minister, Deputy Madigan, and staff of the Department of Culture, Heritage and the Gaeltacht are striving to protect the natural heritage which provides the setting and inspiration for our island’s creative output. Critical investment in our inland navigable waterways will benefit both rural communities and our national tourism. Deputy Madigan’s Department will continue to facilitate, support and assist the work of Waterways Ireland in this endeavour.

Senator Frank Feighan: I thank the Minister of State for his comprehensive response and note again that the Shannon-Erne waterway is a truly wonderful asset which has seen many spin-offs. As the Minister of State noted, one of them is the Shannon-Erne blueway which fea-

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tures 70 km of paddling trails from Leitrim village to Belturbet. The trail is complemented by more than 30 km of beautiful walking and cycling trails around the town of Ballinamore. Needless to say in the context of this discussion, other towns such as Keshcarrigan, Ballinamore and Newtowngore need to have the greatest possible access to tourists who use the Shannon-Erne canal system in order that they can avail of the benefits of tourism.

I live in Boyle which is close to Lough Key forest park and residents of the town also have access to the River Shannon. We can do much more with this natural resource, especially given that the weather changes little throughout the year. We should further develop this cross-Border project that has provided great joy for many people on the island and further afield since 1994 and before the Good Friday Agreement was signed.

Deputy Jim Daly: I do not believe the Senator and I could do any more to promote the Shannon-Erne waterway through Waterways Ireland than we have in our contributions. As someone from west Cork, I have a strong sense of my county's natural assets and the need to promote them. Therefore, it goes a little against the grain to promote the Senator's local area, but I do not resent doing so. I congratulate him and hope he will continue to promote it.

Court Accommodation Refurbishment

Senator Maura Hopkins: I thank the Minister of State, Deputy Jim Daly, for coming to the House to discuss the refurbishment of the courthouse in Roscommon town. I raised this matter many times with the Minister for Justice and Equality, Deputy Charles Flanagan, most recently on his visit last week to Roscommon and Galway. I emphasise the importance of the project and the need for it to proceed in a timely fashion. I am aware that it was included in Project Ireland 2040.

Facilities in Roscommon courthouse which has two courtrooms are inadequate and not fit for purpose in a modern courts system. Great work has been done in recent years to support vulnerable witnesses in the courts process. The current facilities in Roscommon courthouse are not adequate in that regard. Locations at which family law sittings take place, including Roscommon town, have a particular need for special protection measures for witnesses. This very much highlights the importance of the work carried out.

A certain amount of work has been done in respect of Roscommon courthouse. When Roscommon County Council moved from Roscommon courthouse into its new Áras on Chon-tae building, the Courts Service which had occupied the other part of the courthouse purchased the entire building. That is a positive development which I hope highlights a commitment to modernise the entire building to facilitate the Courts Service. I understand that, when completed, the project will include the development of a third courtroom, judicial chambers, consultation rooms, custody facilities, as well as facilities for staff, jurors and members of the legal profession. What is the timeframe for completion of the Roscommon courthouse project under Project Ireland 2040?

Deputy Jim Daly: On behalf of the Minister for Justice and Equality, I thank the Senator for raising this matter. The Minister acknowledges her interest in the subject and regrets that he is unable to be present.

The Senator will be aware that a significant courts building programme was included in

the Government's 2012 infrastructure stimulus package which included the construction and extension or refurbishment of seven courthouses in Drogheda, Letterkenny, Limerick, Wexford, Waterford, Cork and Mullingar, respectively. The Minister is pleased to confirm that new courthouses have been delivered in Drogheda, Letterkenny, Wexford, Limerick, Waterford and Cork since June 2017, with the final project, Mullingar courthouse, due to be completed in the coming weeks. The total capital cost of this initiative is approximately €149.9 million.

In terms of scale, the courts public private partnership, PPP, bundle project is the largest capital building project ever undertaken by the Courts Service, delivering 31 courtrooms and 36,000 sq. m of accommodation nationwide. The Government's investment of more than €523 million in courts infrastructure between 2003 and 2016 underlined its continued commitment to improving access to justice and providing modern and comfortable facilities for all users of the courts.

A number of further developments related to Courts Service accommodation requirements are outlined in the Government's recent national development plan 2018 to 2027. They include further new or refurbished courthouses in regional cities and county towns where facilities remain substandard, including Roscommon, Galway, Wicklow town, Portlaoise and Tralee, and further provincial locations such as Tuam and An Clochán Liath or Dungloe, with the latter to serve as the Gaeltacht court for the region; regional family law centres; and a nationwide condition survey of all court buildings in the estate which will be undertaken to determine their condition and identify works required to address any issue identified and meet ongoing maintenance requirements. The precise allocation and timing of additional funding over the entire ten-year period will be determined following further detailed planning and analysis to determine the prioritisation of projects from a timing and budgetary perspective.

As the Senator is aware, under the provisions of the Courts Service Act 1998, management of the courts, including the provision of accommodation for court sittings, is the responsibility of the Courts Service which is independent in exercising its functions. The Courts Service has advised that, on completion of the courts bundle PPP programme of work, five provincial city and county town venues will still be in need of major investment in court facilities. They are Roscommon, Galway city, Wicklow town, Portlaoise and Tralee. The Courts Service has confirmed that, collectively, these cities and towns will be the next priority for investment in courthouse facilities outside the capital under the Courts Service provincial capital building programme. However, the Courts Service has assured the Minister that it is committed to providing improved court facilities in Roscommon town, one of a small number of county towns where a new or refurbished courthouse remains to be provided.

The Minister is aware of the shortcomings in the court facilities in Roscommon courthouse. The Courts Service has confirmed that the capacity of the courtrooms is limited and that facilities for court users are not satisfactory. The Senator will be aware of the historical significance of Roscommon courthouse. The Courts Service confirms that the current courthouse which was built in the 1830s comprises two courtrooms, is in poor condition and lacks the facilities expected in a modern courthouse. The aim of the Courts Service is to refurbish and extend the courthouse to provide three courtrooms, with current plans envisaging one jury courtroom and two non-jury courtrooms, as well as related facilities, including judicial chambers, consultation rooms, custody facilities and facilities for staff, jurors and members of the legal profession. The refurbished courthouse will also provide improved accessibility.

The Courts Service has further informed the Minister that, until recently, the courthouse was

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occupied jointly by Roscommon County Council and the Courts Service. In 2017, with a view to facilitating the envisaged refurbishment works, the Courts Service purchased the council's share of the building and now owns the entire courthouse.

As I explained, under the provisions of the Courts Service Act 1998, management of the courts, including the provision of accommodation for court sittings, is the responsibility of the Courts Service which is independent in exercising its functions. As I indicated, the Courts Service has advised that now that the new and refurbished courthouses at seven provincial city and county town venues have almost all been delivered, it will move to concentrate on the five provincial city and county town venues still in need of major investment in court facilities, including Roscommon. It confirms that they will, collectively, be the next priority for investment in courthouse facilities outside the capital under the Courts Service provincial capital building programme.

On behalf of the Minister, I thank the Senator for raising this matter and giving the Minister an opportunity to provide an update on the planned refurbishment of Roscommon courthouse. The Courts Service has informed the Minister that it will keep the issue of Roscommon courthouse under review.

Senator Maura Hopkins: I thank the Minister of State for his positive response. As I stated, the purchase by the Courts Service of the entire Roscommon courthouse building, part of which had previously been used by Roscommon County Council, is a positive development as it indicates a commitment to commence works at the courthouse. I would like to have a time-frame for completion of the building project. I will continue to work closely with the Minister on the issue.

As an aside, I welcome the students and staff from Kiltreevan national school in Roscommon who are accompanied by a number of parents. I am thrilled that they are visiting the House. I spent time with some of the students on Monday and their many questions showed that they had a very bright future ahead of them. Perhaps some of them might sit in this Chamber in the years ahead. I welcome them to the House.

An Leas-Chathaoirleach: I, too, welcome our visitors.

Deputy Jim Daly: I welcome the students from Kiltreevan national school to the Seanad. I am sure they are proud to see one of their public representatives highlighting the need for better infrastructure for the Courts Service in County Roscommon.

I am sure it is a proud moment for all of them. I hope they enjoy their visit to the Oireachtas. I again thank the Senator. Her duty, as a public representative, is to maintain momentum for the delivery of capital projects and the response I have outlined is positive. *11 o'clock* Seven projects have been completed and Roscommon courthouse is among the next five priority projects. Subject to planning and other statutory obligations being dealt with, I am assured by the Minister's reply that it will progress in a timely manner.

An Leas-Chathaoirleach: I am glad that Tralee courthouse has also been mentioned.

Farmers Indebtedness

Senator Rose Conway-Walsh: I thank the Minister of State for coming to the House. I

have a few specific questions related to agriculture and particularly the relationship between Revenue and his Department. What is the position on approval by the European Commission of a levy on a lower rate of stamp duty for the purposes of consolidation? Farmers are keen to know when it will happen. Will it be applied retrospectively from January?

Will the Minister of State consider making changes to the age limits for farm transfers to young trained farmers to enable those who want to take up farming to purchase from non-relatives at the lower stamp duty rate in order that they will not have to be aged under 35 years. I am particularly mindful of returning emigrants who wish to purchase land for a farming career.

Some of this year's budgetary measures related to agriculture contain sunset clauses which will end on 31 December. I refer, in particular, to stock relief for young trained farmers. Is work being done to extend it beyond this year?

Low income farmers faces pressures in complying with Revenue requirements as they have to engage accountants and so on. That is expensive when, more often than not, they record little or no profit. I acknowledge that newspapers are reporting today that dairy farmers are making increased profits, but that is not the case for many farmers in the west, particularly in County Mayo, from where I come. Simplicity is one of the attributes of an effective and good tax system. Can the reporting procedures be made simpler for farmers, particularly those on low incomes?

I am concerned about the impact of vulture funds on the farming community, particularly now that more loans will be sold off. My experience in talking to farmers who find themselves in this position is that they have performing loans but that they need them to be restructured to suit their business or income. Will the Minister of State do everything he can to force the vulture funds to engage with farmers to work out a restructuring plan with them because the vulture fund-farmer relationship is in danger of having detrimental short, medium and long-term effects on the fabric of communities in rural Ireland?

Minister of State at the Department of Agriculture, Food and the Marine (Deputy Andrew Doyle): The script I have been given relates mainly to the final issue raised by the Senator, but I will get to the other points she raised.

While the Minister for Finance and Public Expenditure and Reform has responsibility for taxation matters generally, the Minister for Agriculture, Food and the Marine liaises closely with him on agri-taxation policy. A public consultation process on agri-taxation was launched recently by the Departments and we consult regularly in that regard with the farm bodies. The Senator might consider making a submission as part of the consultation process on the earlier issues raised by her.

Operationally, the Revenue Commissioners have responsibility for taxation matters. They have assured me that they understand temporary cash flow difficulties can arise for taxpayers, including farmers, from time to time. When cash flow related challenges arise or are expected to arise, Revenue encourages early engagement with it as a means to agreeing a way forward in achieving tax compliance. I am also informed by Revenue that, in its experience, where such early engagement occurs, it is generally possible to arrive at an accommodation that gets the taxpayer successfully beyond the payment pressure point. The Government has committed to assisting all viable small and medium enterprises operating in Ireland to support economic growth and employment in the economy.

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Primary responsibility for banking policy lies with the Department of Finance which liaises with the Central Bank and the Financial Services and Pensions Ombudsman on consumer protection in the area of personal banking, the purchase of financial products and financial issues generally. I am informed by the Department that the sale of a loan does not change the terms and conditions attached to it before it is sold. Borrowers have the same protections and rights and obligations as they have before the sale. They include the consumer protection code, the code of conduct on mortgage arrears and the Central Bank (Supervision and Enforcement) Act 2013 (Section 48) (Lending to Small and Medium-Sized Enterprises) Regulations 2015, as amended. Notwithstanding the fact that borrowers are protected under the existing framework, the Government is supporting the Consumer Protection (Regulation of Credit Servicing Firms) (Amendment) Bill 2018 that was introduced by Deputy Michael McGrath last February. The Bill which was passed on Second Stage in the Dáil in March will require credit owners to be regulated. With the approval of the Government, officials from the Department of Finance are engaging with the Office of the Attorney General, the Central Bank and Fianna Fáil to resolve technical issues with the Bill and draft amendments.

I urge people who are having difficulty in making repayments to financial institutions to seek professional assistance in finding ways to resolve the issue. I am aware of the work being done by some of the representative organisations in helping farmers. I am conscious that the prolonged winter will have put some individual farmers under pressure in respect of cash flow. In recognition of this, the Minister for Agriculture, Food and the Marine recently met the chief executive officers of the main banks and discussed the current cash flow and liquidity position of the primary sector. The Minister emphasised to them that they should recognise the temporary and exceptional nature of the current position and that they should be flexible and put in place measures to support their customers. They indicated that there were no signs of a liquidity issue in the sector as a whole, while acknowledging that there might be pressures in individual cases. They assured us that they would provide supports such as extended overdraft facilities and term loans for their customers and asked that those in difficulty contact them as soon as possible. The Minister asked them about their approach to non-performing loans and stressed that any sale of farm assets impacted negatively on the ability to meet ongoing commitments. The banks that have sold or are selling such loans have informed us that the proportion of farms affected is relatively low and that sales occur mostly in cases in which there has been no meaningful engagement with the banks.

Senator Rose Conway-Walsh: I thank the Minister of State for his reply. I appreciate that I asked a number of specific questions that were not indicated in the matter raised by me. I will seek further answers from the Minister for Agriculture, Food and the Marine. It is important that there be better congruence between the Departments of Finance and Agriculture, Food and the Marine to ensure farmers who are struggling with all of these issues will be given clear and accurate information and that officials within the Department of Finance and Revenue understand the nature of farming and the flexibility needed in that regard in that farmers may find themselves without an income for a number of months. That is due, in no small part, to delayed payments by the Department of Agriculture, Food and the Marine. Such delays can be caused by computer problems, issues with commonage framework plans and so forth. That congruence can create an easier climate for farmers to be able to meet their obligations but also to be helped where needed.

Deputy Andrew Doyle: I thank the Senator. Some of the issues she raised at the outset including stamp duty, stock relief and changes to the limits merit further consideration. Stock

relief has certainly rolled in the past. The same is true of the capital acquisitions tax relief, the value of which has increased recently. In 2012 and 2013, a full agritaxation review was conducted for the first time in a generation. As a result of that review, there has been a more continuous and ongoing collaboration and communication between Revenue, the Department of Finance and the Department of Agriculture, Food and the Marine. That must be welcomed and it must continue so that we can fine-tune our agritaxation policy to reflect realities on the ground. That is something to which we are all committed.

Sitting suspended at 11.02 a.m. and resumed at 11.30 a.m.

Order of Business

Senator Jerry Buttimer: The Order of Business is No. 1, statements on Palestine, to be taken at 2.20 p.m and to conclude no later than 3.50 p.m., with the contributions of all Senators not to exceed six minutes and the Minister to be given no less than five minutes to reply to the debate; No. 2, statements on bed capacity at the National Rehabilitation Hospital, to be taken at 3.50 p.m and to conclude no later than 4.30 p.m, with the contribution of all Senators not to exceed four minutes and the Minister to be given no less than four minutes to reply to the debate; No. 3, statements on rural development, to be taken at 4.30 p.m. and to conclude no later than 6 p.m., with the contribution of group spokespersons not to exceed eight minutes and all other Senators not to exceed five minutes, and the Minister to be given no less than six minutes to reply to the debate; and No. 4, Private Members' business to be taken at 6 p.m., with time allocated not to exceed two hours.

If I may be permitted, I will explain to the House the reason for the delay to 2.20 p.m. The Minister of State at the Department of Foreign Affairs and Trade, Deputy Cannon, was not available and we were not sure if the Data Protection Bill 2017 would conclude last night, so we had to leave time.

An Cathaoirleach: On the Private Members' business, is it No. 66, motion 14?

Senator Jerry Buttimer: Yes, it is No. 66, motion 14.

An Cathaoirleach: Thank you for the clarification.

Senator Jerry Buttimer: Sorry for the Cork accent, a Chathaoirligh.

An Cathaoirleach: I am learning that. I call Senator Daly.

Senator Mark Daly: I wish to raise the issue of housing legislation. I know that there are statements today but what is important is legislation, which can effect change. The Government promised legislation on housing but the Bill has not yet been published and has not gone through pre-legislative scrutiny. The Government made a call to the private sector on its proposals on off-balance sheet initiatives. Trying to get information on that from anybody working in the housing sector has become impossible. Could we get clarity on when the legislation on housing will be brought forward?

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The next issue relates to insurance. Again, legislation was promised by Government on the insurance industry. In 2017 there was an 11% increase in premiums and since 2012 there has been a 31% increase in premiums. There is the ongoing investigation by the European Union into the Irish insurance industry which seems to be a cartel run by the industry. The establishment of a national claims database was a key recommendation. We were promised the legislation on it would be enacted by 2017 but the Bill has not been introduced and there is no timeframe.

What we have is a lot of activity, which is only masquerading as action. We all agree the Government needs to bring forward the legislation on housing, a promise on which it has not delivered. The Government said it would do something on insurance cost, which is a cost for motoring, housing and business.

A group affected by this is Men's Sheds, which has faced massive increases in its insurance costs. Many of the Men's Sheds will close down. It will affect about 10,000 people who use Men's Sheds, which are very important for social interaction among people who feel isolated and vulnerable. Men's Sheds also do much good in their communities in terms of projects and yet are being shut down by our insurance industry. What I outlined last week should be borne in mind. Some 10% of the money paid out by the insurance company goes to the claimant and the person injured while 90% goes in costs and outlay to the legal industry.

I do not have to point out that when the troika was here that was one of the key reforms it sought in regard to costs of doing business in Ireland and in ensuring people got access to justice and that they were be able to afford justice. At the moment people simply cannot afford justice and this is having a detrimental effect on the wider economy in terms of people insuring their homes and motor cars and on the Men's Sheds.

What I see are lots of promises of legislation on insurance and housing but nothing coming forward. There is a huge backlog of Bills at the justice committee. I think at the last count there was a backlog of nearly 100 Bills to go to this committee but there is no chance that many of those will ever see the light of day.

Senator Jerry Buttimer: It is called new politics.

Senator Mark Daly: The Senator's party is in charge.

Senator Jerry Buttimer: There is no majority.

Senator Mark Daly: We are having statements all day today. There is nothing stopping anybody taking legislation. I pointed out to the Leader that in May of last year the Government said it would look at the Corporate Manslaughter Bill but we are still awaiting amendments. If those amendments are not tabled before the recess, I propose that this House pass that Bill as it is and as proposed by the Law Reform Commission. If the Government is not willing to table amendments, then we should pass the legislation.

Senator Jerry Buttimer: The Senator had statements on it last week.

Senator Mark Daly: With all due respect, statements do not make any difference to anyone's life.

An Cathaoirleach: Please, Leader, there will be a chance to reply.

Senator Jerry Buttimer: Unbelievable.

Senator Mark Daly: I am asking for legislation on corporate manslaughter,-----

An Cathaoirleach: You are prolonging the-----

Senator Mark Daly: -----insurance and housing. If we could do that before the summer recess, it would be a good week's work.

Senator Jerry Buttimer: The Senator is unbelievable.

An Cathaoirleach: Thank you, Senator Daly. The Leader will have a chance to respond later.

Senator Jerry Buttimer: I might not bother at all, a Chathaoirligh.

Senator Gerard P. Craughwell: On the issue of insurance, it so happens that yesterday I received my renewal notice for my house and car insurance.

Senator Mark Daly: For your mansion.

Senator Gerard P. Craughwell: My car insurance has gone down by €20 to €380 fully comprehensive for a 2 l car-----

Senator Jerry Buttimer: That is not a lot.

Senator Gerard P. Craughwell: -----and my house insurance has gone down by €200. I do not know if people are going to the right brokers.

There has been much debate in recent weeks with respect to the eighth amendment, and there have been fairly serious debates on both sides. A lady approached me and asked me a question. When a public patient in this country is referred to the care of an obstetrician, she does not get a choice as to who she is allocated. As we have seen, some consultants have entrenched positions on either the "Yes" or the "No" side. Is a potential patient entitled to be told what the position is-----

Senator David Norris: No.

Senator Gerard P. Craughwell: -----given that it may have an effect, not necessarily on the treatment because I believe all doctors will act professionally, but on the mindset?

Senator David Norris: What about the secrecy of the ballot?

An Cathaoirleach: There should be no interruptions.

Senator Gerard P. Craughwell: It is an important issue. Any time I have needed a consultant I have had a choice and I have been able to ask people about different consultants. I once had a consultant allocated to me to whom I would not bring my beagle. Is this something that needs to be considered in the future in the post-referendum days?

Senator Rose Conway-Walsh: I commend all of those who are organising the rare breeds conference in Mulranny this weekend, starting on Friday. It is a very important conference which I attended last year. Wonderful work is being done in this country on rare breeds, their development and the importance of that to the agricultural sector. It impinges on other sectors

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as well. I wish the organisers well for the conference in Mulranny on Friday and I look forward to attending at least part of it.

I wish to talk about the rainy day fund. We should not be looking at a rainy day fund when we have a crisis in housing and health. The recent stability programme update shows why the so-called rainy day fund should be scrapped. The €500 million to be put aside next year will only be money diverted from services. It is more akin to a black hole than a rainy day fund. It is a crisis now for 10,000 homeless people and hundreds of thousands on the waiting list. There are also hundreds of people on trolleys every day in hospitals. They do not need reassurance that we are prepared for the future. They need things to happen now. It is an insult to them to say that it is better to lock people's money away while so many are waiting for treatment. I just received a call from a woman who was to have a vital procedure in Galway hospital today. She was all ready to go but she was told there is no bed. There has been a reduction in the number of nurses in recent years, including in Mayo. The money that has been set aside for the rainy day fund should be put into the services that are needed right here and right now. It should also be used for investment in infrastructure in rural areas. Last week I spoke about a community between Westport and Louisburgh that did not have any proper quality water. There should be a reconsideration of the rainy day fund and the investment should be made there. That makes absolute sense because of the multiplier effect in terms of job creation. It is vital that such investment is made now in rural areas. We recently ratified the UN convention on disability. Substantial funding will be required to ensure the implementation of the convention. The money should be used for that as well.

In reply to my colleague, Deputy Pearse Doherty, the Minister for Finance recently said his intention remains to transfer €1.5 billion from the Ireland Strategic Investment Fund, and to make annual transfers of €500 million per year in each year from 2019 to 2021, as was published last month in the stability programme update. What guarantees are there that this will not just be a backup fund for bankers and speculators if they behave deplorably again? It is being said that this is to make our economy more resilient, yet the Government continues to reference the economic crash when justifying its set-up. There needs to be a rethink about that. It shows the Government does not have an understanding of the immediate issues that need to be addressed here and now. If we did not have homeless people and people who are left waiting on trolleys for vital treatment, then we could have a rainy day fund, but not under the current circumstances.

Senator Ivana Bacik: On behalf of my group I express sincere sympathies and condolences to the families of the two young women so tragically killed in recent days, Jastine Valdez and Anastasia Kriegel. I am sure all colleagues will want to join in that.

Perhaps the Leader could arrange to have a debate after the referendum on women's health. I hope, as do all who are canvassing for a "Yes" vote on Friday, that we will wake up on Saturday morning to a more inclusive, caring and compassionate Ireland if the "Yes" vote prevails, which I very much hope it will. It is so important for women's health that we see a change to our law to enable us finally to reform the law on abortion, to lift the absolute bar that exists in the Constitution, and to allow us to legislate for the many women who need to be able to access abortion care services here in Ireland. Anyone who has been canvassing across the country, as I have in recent weeks, will be conscious of how many people accept that the law is too restrictive and that after 35 years it is time for a change. I wish everyone canvassing the very best and hope that the "Yes" vote will prevail on Friday.

Could I also ask the Leader for a debate on a related matter, namely, CervicalCheck? I received much correspondence from many who have been affected by that, both women and men, who have been bereaved because partners or wives have died of cervical cancer and are now deeply concerned about the accuracy of the CervicalCheck system and also concerned about the communication strategies within the HSE, and with consultants and CervicalCheck itself. People are still looking for reassurance in that regard. I know everyone will follow the Scally inquiry closely. On Saturday a group of people gathered at Leinster House to express their concern about the very real issues that still remain on CervicalCheck. We clearly need greater transparency around the guidelines on communication. I know we have had debates on it in the House but we might have an ongoing debate on it, as on other important issues of women's health.

On a positive note I very much thank all those involved in making Friday evening's event in the Seanad Chamber such a success. We held an event as part of the Vótáil 100 programme to commemorate the centenary of women's suffrage in conjunction with the National Museum. It went very well. We had a big crowd in attendance. It was wonderful to see the great interaction with audience members and to get so much support from Oireachtas staff - ushers, communications staff and all of those involved. I thank everyone involved. I also thank the Committee on Procedure and Privileges, CPP, which initially gave permission for the use of the Chamber for this event and for a number of other events run in conjunction with the National Museum.

Senator Joe O'Reilly: I welcome the extension of the hours during which rural link buses operate. They are extending until 11 p.m. at night on a couple of days at the weekend on a pilot basis over a considerable part of the country, including five routes in my constituency of Cavan-Monaghan. It is a good initiative because we have a real problem with rural isolation and people who are not able to access a social life. We must reconcile the absolute need for road safety with the equal right of people to access social amenities, to shop in town and to have a social drink, if that is what they want to do. With that in mind I ask the Leader to bring the Minister for Transport, Tourism and Sport, Deputy Ross, to the House to discuss the real need to incentivise publicans to leave their customers home, and in some instances to collect them. This is happening informally in any case because publicans are responsible people who are concerned about their customers. The practice could be incentivised, however, and this could be done at low cost or virtually on a cost-neutral basis if one factors in the revenue this would generate. If, for example, a vehicle registration tax exemption were applied to the vehicles of publicans and measures were introduced to impact positively on their insurance costs, it would incentivise them to bring customers home. Moreover, it would create a moral imperative and societal requirement for publicans to do this because once a community learned that publicans were being provided with advantages for bringing customers home, the practice would become the norm. It would also save lives and give people access to their local pub.

There is a serious problem of people being cut off from having a social life and this can cause mental illness, depression and associated difficulties. Everyone should have the right to have the same quality of life as his or her peers. Why should someone living near a Luas line in Dublin have a different quality of life and better access to a social life than someone who happens by choice and often not by choice to live in an isolated area and also wants to access a social life? I appeal to the Leader to take this issue seriously and ask the Minister to come to the House to discuss a range of measures to incentivise publicans to bring home their customers. This will mean creating an expectation among customers that publicans will provide such a service and publicans will be rewarded for providing such a service. This practice is common

already but it is done informally. We should formalise, normalise and support it. Given that it can be done in an almost cost-neutral way, it is a no-brainer.

Senator Robbie Gallagher: The general data protection regulation, GDPR, comes into force on Friday, 25 May. Many public information campaigns have highlighted the need for data controllers to prepare for this event and many companies and businesses have been advising employees on how best to prepare to ensure they are compliant with the GDPR. Unfortunately, a number of school principals have contacted me indicating that they have not heard a dicky bird from the Minister for Education and Skills or his officials on this issue. Schools have not been given any direction on how best to handle this particular issue. Surely the Minister should have introduced a circular long before now advising schools on the steps they must take to ensure compliance with the new regulation that will come into force on Friday next.

I note, however, that the Minister issued a circular this week advising schools to consult parents on the use of smartphones. As we know, smartphones can be used to record video and audio and send texts. A question arises as to who is in charge of these types of information and this raises serious issues about data control and how the use of smartphones should be regulated on school grounds. I am disappointed to note that it appears from the evidence, with less than two days to go before the GDPR takes effect, that the Minister is very much behind the curve on this issue. I appeal to the Leader to impress on the Minister the urgent need to issue advice to schools, even at this late stage, on how to become compliant with the GDPR by Friday. The current position is unfair to schools and boards of management, which should not have been placed in this position.

Senator Ian Marshall: It would be remiss of me not to acknowledge and address the national farm survey statistics published by Teagasc last night. I am pleased to note that the average farm income has increased by 32% to slightly more than €31,000. The dairy sector, in which income has increased by 65%, is the major contributor. Incomes in tillage have increased by 20% and incomes in sheep farming are up by 8%. While this is good news, it must be treated with care because average figures can be deceiving. Someone once told me that the best description of an average is a person whose feet are in the freezer and whose head is in the oven because while his body temperature may be average, he will be dying.

Subsidies and support from the European Union account for 56% of farm income, which is a substantial portion of the revenue of farmers. As all of us know, dairy fortunes are market driven and the increase in dairy incomes is a reaction to a deficit in the market for dairy produce. If we remove dairy incomes from the equation, the average income for farm businesses stands at approximately €20,000, with a beef unit averaging between €12,500 and €16,000, which is not a large amount of money with which to raise a family. The current position is not sustainable. We must be mindful that in isolation and without support mechanisms, agriculture would not be sustainable. We must also bear in mind that the success of the sector will be key to the success of the country. It needs investment, including support for research and development, innovation and education as these will be critical if we are to professionalise the industry and make it fit for purpose, fit for the future and sustainable. It would be dangerous to be complacent based on the Teagasc figures. We must, therefore, avoid complacency.

It would be a major mistake to reduce pressure to provide support for the agriculture industry. We must maintain this pressure, invest for the future and support the areas to which I referred. Marketing of the food produced on the island of Ireland will be key to this success. We should also bear in mind that yesterday's figures were produced against the backdrop of the

uncertainty surrounding Brexit. We must not be misled by one set of encouraging figures for the agrifood industry and farming because serious concerns remain. We must all put our shoulder to the wheel to ensure agriculture is supported, profitable and sustainable.

Senator Maria Byrne: I welcome an announcement made today on the Garda's use of pedal power. This morning, I attended a meeting with representatives of Retail Excellence Ireland at which concerns were raised about the visual presence of gardaí. In Limerick this morning, the Garda announced that 36 gardaí will be trained for deployment on bicycles. Of these, 12 are in training, while the remainder are to be trained in the coming week. Senators may laugh and ask why gardaí need training to ride a bike. It seems they need to learn particular techniques for dealing with crime while cycling. This approach will create a more visual Garda presence and enable gardaí to reach scenes of crime much faster and approach culprits silently from behind. This will be important because concerns about a lack of Garda visibility on the streets were raised by traders this morning. I welcome the announcement that the number of gardaí in Limerick is to increase. I hope this approach will be replicated nationwide.

Senator Marie-Louise O'Donnell: The new deal for post offices has been endorsed by 80% of postmasters and postmistresses. Of the 1,189 post offices, 584 voted in favour. Did any of the postmasters and postmistresses seek legal advice on what they were signing? Incidentally, the documents they signed are not legally binding. They were offered a new contract, which involves taking an exit package of €15,000 or €25,000. Those who choose to remain on the current package face being wound down as their income will be only be guaranteed for two and a half years, after which they will be on their own. It costs €75 million per annum to run the post office network, yet the Government only committed €30 million this year, of which €15 million is for the mail division and a further €15 million is for the post office network. It is proposed to shut down 390 post office branches, which means only the great will survive. The banks have left our towns and villages and members of the public must deal with machines every time they visit a bank branch, even in Ranelagh.

Senator David Norris: Hear, hear.

Senator Marie-Louise O'Donnell: They have effectively gone from rural Ireland but we need not worry because the post offices will do the job for them. What job? That is my question for this morning. The post office is going to bolster the immoral failing banks.

They tried this in the UK. The UK wanted to bail out the post offices because the banks were making all the profits. Why can we not have the Kiwi community banking system developed in Ireland? It could be given to the post offices as opposed to using the greed of our failing banks through the post offices while taking all the profits. Why will this new pilot banking system not be allowed through our post offices? The Government says it will put the banking services into the post offices. What banking services is it talking about? It is talking about the already big greedy banks we have in Ireland. The Kiwi banking community systems operates in New Zealand. After 19 years the system commands 20% of the actual profits. Can we imagine such money being put back into locales?

12 o'clock

Senator David Norris: Hear, hear.

Senator Marie-Louise O'Donnell: I know I have gone on a little. What has happened to promote the Private Members' motion signed up to by 158 people in the Dáil on the Kiwi

banking system?

I propose an amendment to the Order of Business. I want the Minister to come in. I would like to ask him to explain these questions. I heard the Minister speaking in the Dáil last evening to Deputy Harty. He did not explain the answers to any of these questions. This is serious because it is about privatisation. It is about the big boys staying as the big boys and the bigger boys, who have failed this country banking-wise, being put in as kind of mentors for our already brilliant post offices. No new system is being allowed in the door. We keep on pushing it onto a shelf. We do not deal with it even as a pilot programme in three or four banks. Why can the Kiwi community system of banking not be put in as a pilot programme? I would like the Minister to answer some of those questions so I am proposing an amendment to the Order of Business.

An Cathaoirleach: The proposal is that the Minister will come in today. Is that correct?

Senator Marie-Louise O'Donnell: It is for the Minister for Communications, Climate Action and Environment, Deputy Naughten, to come in today.

An Cathaoirleach: I wish to clarify this. You want implementation in this country of the New Zealand style community banking by using the post office network here. Is that correct?

Senator Marie-Louise O'Donnell: Yes, I do. There were 158 votes in the Dáil for it.

An Cathaoirleach: That seems to be clear. Senator Paul Gavan is next.

Senator Paul Gavan: As it is the last day that we will be speaking before the referendum, I wanted to say a few words on it this morning. I will start by congratulating the Minister for Health, Deputy Harris. I thought he did exceptionally well yesterday evening in the debate. There is no question but that he won the debate last night.

Senator David Norris: Hear, hear.

Senator Paul Gavan: I want to expand on that point. A number of us from all parties have been working with Together for Yes. It has been an inspiring experience to work with Together for Yes. We have seen young men and young women in particular coming in for the first time to politics to debate this crucial issue. Wherever I have worked with them, whether in Limerick, Dublin or Athlone, it has been very impressive. We had 60 people out in the north side of Limerick on Monday evening for a canvas. The group incorporated representatives of the Green Party, the Labour Party and the Social Democrats. There was of course a big Sinn Féin presence and there were people from no parties at all. We came together to work towards what is hoped will be a successful result on Friday.

I was particularly struck in Athlone on Friday evening. I am from Westmeath originally. My first engagement in politics was in 1983 when campaigning against this awful amendment.

Senator David Norris: Go on. Senator Gavan is from London.

Senator Paul Gavan: It was a difficult time. Frankly, we were isolated at the time during that campaign. I came back on Friday to see a huge crowd of people marching through Athlone demanding justice and a "Yes" vote. The extraordinary passion and integrity of that crowd struck me. Regardless of the result on Friday we have to recognise the tremendous contribution of the Together for Yes campaign. I think it is a template we can use, one hopes, to make

progressive politics real in many other instances.

My last word on this topic is to call for those who are still unsure about which way to vote to look at the key fact that I learned on the committee. I suspect the Leader will agree with me. No change is possible in respect of the awful circumstances of fatal foetal abnormality, rape or incest. A 12 year old child had to travel to England in March this year to get help. No change is possible at all unless we repeal the eighth amendment. I appeal to everyone to come out and support that campaign. I hope we will get the right result on Friday.

Senator Michelle Mulherin: I would like to raise the worrying trend of the creeping up of oil prices and, in particular, the recent spike in the price of a barrel of oil. The rise has abated but only slightly on account of the increase in production by the Organisation of Petroleum Exporting Countries, OPEC, or the release of crude oil.

While it all sounds very international, it has real consequences for our economy. Stock exchange traders are telling us that in the medium to long-term we are looking at an increase in oil prices. It serves to remind us how dependent we are on oil for transport and heat, and how, notwithstanding our great ambitions, we are not making great inroads to displacing our dependence on fossil fuels. Not only has this the ability to impact on business and on how we operate commercially, it impacts on the ordinary household as well. When a person goes to the petrol pump, she pays for oil or diesel and for home heating oil as well. This eats into disposable income of people in spite of all the hard-won gains resulting from increased employment. Many people are also paying over-the-top mortgage interest rates, but that is another debate. It has to be a critical concern.

This has to be a clarion call for us to get something done with regard to alternative fuel sources for oil and heating. At the moment, even the SEAI grant to upgrade a boiler involves replacing it with an oil-fired central heating boiler. It is the same in local authority housing, where those responsible are upgrading the heating systems but are putting in oil and nothing else.

The battery car seems to be more of a novelty than a reality, notwithstanding that we encourage people to switch. There are not many hybrids and they will be seen as transitional. There have been drives to encourage liquefied petroleum gas but the technology has not been rolled out for commercial fleets or heavy goods vehicles. We are far behind. It is amazing.

The Citizens' Assembly considered climate change. The headline was to the effect that we should put another carbon tax on farmers. There is a great deal of ignorance on the issue. It would be another good reason for the Minister for Communications, Climate Action and Environment, Deputy Naughten, to come to the House, especially since the European Commissioner, Mr. Hogan, told us that our 2020 renewable energy targets will not be rolled over to 2030 and we could face fines of at least €600 million per year. That is only estimated since the European Court of Justice would decide the fine. This is critical and urgent. It has the potential to stymie our economic growth, impact on households and prevent us from achieving our climate change targets. Will the Minister come to the House for a serious debate on the matter?

Senator David Norris: First, I second the amendment of Senator Marie-Louise O'Donnell. It is very important that the doctor who was in charge of the international inquiry into the death of Savita Halappanavar came to Ireland and said authoritatively and definitively that the eighth amendment was the cause of Savita Halappanavar's death. That is it, full stop, end of story. It

was the cause.

It is extraordinary to me that with two days to go and after 35 years, the “No” side has suddenly decided that it is prepared to tinker with the amendment. What a laugh. Does anyone in this country believe them? I certainly do not.

A total of 50% of pregnancies end in early miscarriage. That is an astonishing statistic and it means that Mother Nature is a great abortionist.

Senator Diarmuid Wilson: Maybe it should be left to Mother Nature.

Senator David Norris: The Minister was excellent on RTÉ television last night. Well done to the Minister.

Earlier this week, I commended the Pope on his gentle and loving words towards a young gay Chilean man. I have discovered since then that one of the Dutch cardinals has attacked him for heresy. I am altogether grateful to him for bringing to my attention the fact that one of his other complaints is that a group of cardinals are talking about blessing gay unions. Good for them. I said many years ago that considering the fact that they bless domestic animals, including goldfish, tractors and bombs, it would not burst them to bless a couple of fairies while they are at it. I happen to know that goldfish are not lesbians in any case. With goldfish, it is impossible to tell.

Senator Jerry Buttimer: How do I answer that?

Senator David Norris: I have to laugh at the Minister for Transport, Tourism and Sport, Deputy Ross, and this blather about the Judiciary. The Judiciary is made up of thoroughly decent people. I do not know of a single instance of judicial corruption. It is old rubbish from the Minister, Deputy Ross. It is like saying we should establish a panel of lay people to pick Government Ministers.

Senator Ivana Bacik: They are called voters.

Senator David Norris: It is a bloody laugh.

Senator Ray Butler: Hear, hear.

An Cathaoirleach: I thank the Senator for his very entertaining contribution. I call Senator Paul Coughlan. Follow that.

Senator Paul Coughlan: I will do my best. It will not be easy. I will certainly never be as entertaining.

With a referendum upon us, there is huge concern about the electoral register, the maintenance of which is shambolic. The environment committee of the Houses found at the last election that the register contained almost 500,000 more people than it should have. There are huge inaccuracies, as we know, which leaves the system open to abuse and voter fraud. It leads to a bloated and totally incorrect electoral register. Equally, there are situations in which people have been taken off the register who are still alive and at their home addresses. Neighbours who have emigrated, however, remain on the register. We cannot do much about it in the short term but there is great concern about the electoral register at the moment.

On the important subject matter on which we have to vote on Friday, I agree with Senator

Bacik that women's health is a very important issue, as is the health of men and children. It would be very wrong to equate that with the extinguishment of human life by making it lawful. That would be totally wrong. It runs counter to everything we ever stood for or believed in. I hope we will be sensible on Friday.

An Cathaoirleach: I thank the Senator for his plea.

Senator Máire Devine: I had a Commencement matter on the post office network yesterday, which was attended by the Minister of State at the Department of Communications, Climate Action and Environment. I support the call, therefore, for the Minister, Deputy Naughten, to come to the House. Of particular concern is the fact that the social welfare contract represents 60% of post office business yet we have no commitment as to its long-term future with the post office network.

Joanne, Natalia, Anastasia and Jastine are four women that we know of who have been murdered in as many months in Ireland. Ireland was not built for us. The recent launch by Women's Aid of, "Against the Odds", its femicide watch report for 2017, includes stark and frightening statistics of violence against women and children and uncovers the largely hidden abuse in Irish society. A YouTube video was sent to me by some young women in Australia. Many of our young women are abroad. They are very anxious to have their say but they will not be here. They have made a documentary called "This is Ireland". They cover our history from the inception of the State regarding institutions right up to the fatal CervicalCheck scandal of recent times. It shows that this country was not built for women. Ours are the voices which will change this nation. We will cast our vote on Friday to ensure this. We must support "Together for Yes". I also ask the Leader to prioritise the recommendations of the Women's Aid publication "Against the Odds".

Senator Frank Feighan: As the Brexit negotiations carry on in the Republic of Ireland, we want to see as good a deal for our friends and neighbours in the United Kingdom as possible.

Senator Paul Coughlan: Hear, hear.

Senator Frank Feighan: However, there was an article in the *Express on Sunday* last weekend which said there would be a concerted effort at the British-Irish Parliamentary Assembly in Sligo in two weeks' time to go over the head of the Taoiseach on ten reasons Ireland should leave the EU. This will not happen.

Senator Paul Coughlan: Absolutely.

Senator Frank Feighan: We are absolutely committed members of the EU. At the last poll, over 92% expressed satisfaction with the EU. I say again that we want a good deal for our colleagues in the United Kingdom, but the following is also happening. The Right Honourable Jacob Rees-Mogg has said that if the Irish Government obliges the UK to choose between the Republic of Ireland and the Union, they will chose the latter. We are in a very difficult situation but there are two people drowning here. There is the European Union and the United Kingdom. If people like Jacob Rees-Mogg continue to make unhelpful statements, they could be the catalyst for the break-up of the United Kingdom. Not only that, Mr. Rees-Mogg may also come to be seen as the midwife who delivered a united Ireland.

Senator Victor Boyhan: I apologise for being late. I have just come from the housing committee. I acknowledge the great Kerry gardener, Mr. Billy Alexander, who was announced

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today as one of the major prize winners at the Chelsea Flower Show. It is a remarkable success story. People may know him from his famous wild Atlantic garden at Kells Bay. Anyone who has not been should go. It is an amazing story which is being covered in the media. Conscious of that, I express the hope that many of us will make the effort to support the Bloom festival, which starts next week. It is the premier show championing Irish horticulture. It deals with food, innovation, organics, nursery stock and production and it is a very important showcase for Irish horticulture. Hopefully, we will revisit that on next week's Order of Business. The nursery stock industry is a vibrant one with enormous potential for growth and job creation and I congratulate Mr. Billy Alexander on his success at Chelsea.

Senator Jerry Buttimer: I thank the 16 Members who contributed on the Order of Business. I note regarding the amendment proposed by Senator Marie-Louise O'Donnell that the Minister is not available today but he will be here on Wednesday when he is prepared to make time available after he deals with his Bill for statements on the matter the Senator raises. I will come back to her comments later.

Senator Mark Daly raised the issue of housing. The Department is working on the approved housing Bill and residential tenancies Bill. It is intended that the legislation will be published this term with a view to enactment. To be fair, it is important to acknowledge that the Government has not been stalling this in any way.

Senator Daly also referred to the issue of corporate manslaughter. Last week, the Minister came to the House at Senator Daly's request. I refer Minister Daly - Senator Daly, I mean, albeit perhaps a future Minister - to the Minister's reply. When I called the Senator "Minister", there was a chilling effect.

Senator Mark Daly: I will not be that bad. Do not worry.

Senator Jerry Buttimer: I will not read the Minister's reply to the House but Senator Daly must be fair here. We have never, on this side of the House, blocked a Bill coming in. The Senator made a request to us and the Bill passed on Second Stage. The Minister made a very clear point to the Senator last week and he needs to be fair about it. It is the Minister's understanding that it is not expected that such Bills will not be accepted without due consideration. The Senator should also read what the Minister said about the aspects of the Bill which require further consideration and the fact that the legislation sponsored by the Senator is almost identical to the Bill published by the Law Reform Commission. The Minister repeated in his reply to the Senator the offer of further engagements with officials and indicated that if Senators considered that it would be helpful, the Department was open to other suggestions they might have. As such, the Minister has an open door for the Senator.

Senator Mark Daly: I know. We are only at it 14 years.

Senator Jerry Buttimer: To come in and pretend otherwise is unfair.

Senator Mark Daly: All we want is the amendments which were promised last year.

Senator Jerry Buttimer: To listen to the Senator this morning, one would swear there was no engagement or willingness to get involved.

Senator Mark Daly: There are no amendments.

An Cathaoirleach: The Leader should not open the gully trap.

Senator Jerry Buttimer: The gully trap needs to be plugged as well or the water will keep leaking.

The Department is working on the insurance (amendment) Bill to implement the recommendations of the Review of the Framework for Motor Insurance Compensation in Ireland report and it will be published soon. As the Senator knows quite well, the Minister, Deputy Eoghan Murphy, when he was Minister of State at the Department of Finance, set up a working group, with which the Minister of State, Deputy D'Arcy, is engaging. Senator Craughwell, in his contribution, referenced his own story. If one were to listen to Senator Mark Daly this morning, one would never know there was a 14% decline last year in the cost of car insurance and that, since 2016, there has been a 20% decline. A point that Senator Mark Daly did not reference this morning was that between 2003 and 2016 there was a 70% increase, the most of which was in the Senator's party's time in government.

Senator Mark Daly: There is no legislation.

Senator Jerry Buttimer: I am just saying-----

Senator Mark Daly: The Government promised legislation. I asked where was the legislation the Government promised. The Government has not brought in the legislation. A minuscule drop in some areas does not make any difference to those concerned, including the Men's Sheds and the businesses that are beholden to pay enormous costs-----

An Cathaoirleach: I cannot allow Senators to come back in.

Senator Mark Daly: -----because of inaction by the Government. That is all I pointed out.

An Cathaoirleach: The Leader to respond.

Senator Jerry Buttimer: I fully understand the protestation of Senator Mark Daly because I would be embarrassed at seeing those costs under the reign of Fianna Fáil. The Senator is correct though. We should not put up a barrier and the insurance companies must have a social responsibility to organisations, such as the Men's Sheds or community associations. I agree completely with the Senator on that because those organisations are providing a significant service to the community and they are an inspiration.

Senator Mark Daly: The insurance companies have only an obligation to their shareholders under the Companies Acts. The Government has a social obligation. That is who has a social obligation.

An Cathaoirleach: If the Leader and Senator Mark Daly both continue to interact, I will suspend the House.

Senator Mark Daly: As the-----

An Cathaoirleach: Does Senator Mark Daly want the House suspended?

Senator Mark Daly: All right, we do not want the House suspended.

An Cathaoirleach: It is not allowed. Everybody gets a chance and sometimes the Leader might do best not to antagonise the questioner.

Senator Mark Daly: I thank the Cathaoirleach.

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An Cathaoirleach: We can continue.

Senator Jerry Buttimer: The working group has been set up. Where I again agree with my learned colleague is that the cost of motor insurance is unacceptably high. What we must have, though, which Senator Mark Daly has not said-----

Senator Mark Daly: Is legislation.

Senator Jerry Buttimer: It is not just legislation. You come with a one dimensional view to life and you are always right.

An Cathaoirleach: Through the Chair.

Senator Mark Daly: Here we are in the House that legislates. I wonder what I am supposed to be doing. Where is the legislation that the Government promised?

Senator Jerry Buttimer: This is the reply to the Order of Business, not Senator Mark Daly's hour.

Senator Diarmuid Wilson: Senator Buttimer will be a contrary ol' man.

An Cathaoirleach: The Leader is anxious to conclude.

Senator Jerry Buttimer: We have distinguished visitors in the Gallery and I welcome them. We must look at what are the costs associated with why the premiums are so high, whether it is the compensation system and what are the other factors around the cost of insurance being so high, and that is what the Minister of State, Deputy D'Arcy, is committed to and what Government has started. Reductions of 14% and 20% are a good start. I accept we have, to borrow Fianna Fáil's famous phrase, "a lot more to do".

Senators Craughwell, Bacik, Gavan, Norris, Devine and Coghlan all made reference to the eighth amendment and the vote that will take place on Friday. I will not - the Cathaoirleach will be glad - engage in a party political reply. It is in the hands of the people to make a decision on Friday.

Like many Members of the House, I was privileged to be a member of the Joint Committee on the Eighth Amendment of the Constitution. I chaired the Joint Committee on Health and Children which dealt with the protection of life during pregnancy legislation. I respect that within this Chamber there are differing viewpoints, as there are in Irish society.

This referendum is an important one. Senator Gavan is 100% correct. The only way we can change the present system is by voting "Yes" on Friday. If we vote "No" on Friday, the *status quo* remains. It is completely disingenuous of one side of the argument to say that we can change and deal with the so-called "hard cases". The hard cases are about the lives of those who have been affected - women, their husbands or partners-----

Senator Diarmuid Wilson: And children.

Senator Jerry Buttimer: -----and children. Without argument, I accept that. However, there is no way that we can change the present constitutional arrangement unless the people vote "Yes" on Friday *quod erat demonstrandum*.

Senator Paul Gavan: Well said.

Senator Jerry Buttimer: I respect, as I stated at the beginning of this debate, whatever way the people will vote but I hope that the people will go out and vote and that they will vote in a compassionate and genuine way. I will not give a lecture to anybody today, but let us be fair. There is only one way we can change and deal with life in general, and that is by voting “Yes” on Friday.

An Cathaoirleach: I might interrupt the Leader briefly to welcome a delegation.

Visit of Croatian Delegation

An Cathaoirleach: I am sure that Members of the House will wish to join with me in welcoming a delegation from Croatia led by Mr. Zvonko Milas, State Secretary of the Central Office for Croats Abroad, together with the Croatian ambassador, His Excellency Mr. Ivan Mašina.

On my own behalf and on behalf of all my colleagues in Seanad Éireann, I extend a very warm welcome to you and good wishes for a very successful visit to Ireland. Enjoy our sunshine.

Senator Jerry Buttimer: As Leader of the House, I join with the Cathaoirleach in welcoming our distinguished guests. Mr. Milas and the ambassador, H.E. Mr. Ivan Mašina, are very welcome. Thank you for being here today. It is important that we continue to forge good relations. You are most welcome.

Order of Business (Resumed)

Senator Jerry Buttimer: First, I join with the Senator Conway-Walsh in hoping that the conference in Mulranny on rare breeds will be a success. The Senator is correct, and as Senator Marshall also said, the agricultural community is very important to our country.

Senator Conway-Walsh raised the issue of the rainy day fund. Sometimes - I know the Cathaoirleach will lecture me - the voodoo economics of Sinn Féin beggars belief.

Senator Mark Daly: Senator Buttimer is antagonistic today.

Senator Jerry Buttimer: No, I am not but it really does. Let us be fair. The National Pension Reserve Fund, which was the rainy day fund, is nearly gone because of the collapse in our banking system. The Government is committed to getting, and has got, money back from the banks. We are creating a new fund to maintain progress in terms of the living standards and the needs of our people. If Senator Conway-Walsh wants to go back to the days of boom and bloom, she must look at what happened. It became not boom and bloom, but bust. That is the reality.

Senator Rose Conway-Walsh: It is really not that. The Leader knows what I am talking about - a Keynesian approach.

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An Cathaoirleach: I think both Senators know.

Senator Mark Daly: One does not even have to say it here.

Senator Rose Conway-Walsh: The Leader knows that.

Senator Jerry Buttimer: What the Minister is proposing is that we take €0.5 billion per annum and build it up to €8 billion.

Senator Rose Conway-Walsh: Why will the Government not spend it on water?

Senator Jerry Buttimer: Sinn Féin is the party that opposed Irish Water. It would not pay for water at one level. One will not have investment. Senator Conway-Walsh cannot talk out of both sides of her mouth.

(Interruptions).

Senator Jerry Buttimer: Senator Conway-Walsh was against Irish Water. She was against paying for water. Who will pay for the investment in water? Will it be the people? Come on, be fair.

Senator Rose Conway-Walsh: The €0.5 billion the Government will put into the rainy day fund.

An Cathaoirleach: As I have stated previously in interactions between the Leader and Members of the Seanad, I allowed everybody who wanted to contribute to do so for two minutes or three minutes. I have been flathiúil with the time allocated. Please allow the Leader reply.

Senator Jerry Buttimer: Our tax revenue is high. There are more people back at work. By the end of this year, there will be more at work than ever before in the history of the State but we must plan for the future. We also have, which the Sinn Féin Party has not acknowledged, a deficit that we cannot allow to grow. The importance of the rainy day fund is that we plan for our future so that we can invest for our people. I would be happy to have the Minister come to the House.

I will not repeat what I said on Irish Water.

Senator Mark Daly: It sounds like Senator Buttimer is.

Senator Jerry Buttimer: We all want to have a water network system that brings water to people that they can use and drink. The model of delivery costs money and Sinn Féin has not proposed how we will pay for it other than that we will not pay for it all.

Senator Rose Conway-Walsh: Tell him to grow up.

Senator Jerry Buttimer: Senator Bacik raised the issue of cervical cancer and the importance of the need for transparency, and I agree with her. That is why the Scally inquiry was set up and we will get to the truth and get the full facts in regard to the events that took place. The overriding concern of the Government is that we establish the full facts, hold people to account and put in place a system whereby there will be greater transparency and support offered to

the families of the women involved. I fully agree with Senator Bacik. We need to get the full answers.

Senator Joe O'Reilly raised the extension of local link and welcomed the pilot scheme. It is an important scheme and lifeline for rural Ireland. I am sure the incentivisation of publicans will be fraught with contention, but the important point is that a pilot scheme is being established to offer a lifeline to people in rural Ireland. The Senator is correct. We must ensure that people in Bailieborough, Reenascreena or Belmullet have the same type of connectivity as those living on a Luas line. I fully subscribe to that point.

Senator Gallagher raised the issue of the GDPR and schools. I draw the attention of the Senator to www.dataprotectionschools.ie which is a portal for schools and has a specific section on data protection. I draw his attention to circular 0829/2018 which has a specific reference to GDPR.

Senator Robbie Gallagher: The Leader does not need to draw my attention to that. The Leader needs to draw the attention of school principals. I am only-----

Senator Jerry Buttimer: I do not know whether the Senator wants to hear good news or bad news.

Senator Robbie Gallagher: I want the facts.

Senator Jerry Buttimer: They are the facts. Go and check them.

Senator Robbie Gallagher: Is the Leader telling me that the school principals who phoned me are deluding themselves?

Senator Jerry Buttimer: I ask the Senator to do me the courtesy of checking www.dataprotectionschools.ie.

Senator Robbie Gallagher: Does the Leader mind if I get school principals to contact him?

Senator Jerry Buttimer: By all means. I will refer them to the Minister, Deputy Humphreys, or Senator Reilly and we can give them the information.

Senator Robbie Gallagher: If someone can give them a proper answer I do not care who the Senator refers them to.

Senator Jerry Buttimer: The Senator can check the specific section on his phone.

Senator Robbie Gallagher: That is not what they were told. They received no correspondence whatsoever. I am only telling the Senator what I-----

Senator Jerry Buttimer: The important point which should not be lost in our back-and-forth exchange is that there is a need for compliance and information. There were workshops and Catholic schools' principals had a meeting recently.

Senator Robbie Gallagher: They had, but the Department did not. That is my point.

An Cathaoirleach: Whatever is going on today must be the result of a bit of sunshine. I include the Leader in this. Answer the questions raised. If you are not happy do not encour-

age-----

Senator Robbie Gallagher: Hear, hear.

An Cathaoirleach: Be a bit more gentle.

Senator Jerry Buttimer: I will be a bit more gentle. The Cathaoirleach is right. It is important that the fake news being propagated is not disseminated across the county. That was called other things before.

An Cathaoirleach: Senator Gallagher and others raised the matters in good faith. If the Leader does not agree with them, he should say so.

Senator Jerry Buttimer: I am responding in good faith. I am giving them the correct information. I cannot-----

Senator Robbie Gallagher: I am only passing on what schools have contacted me about.

An Cathaoirleach: You have made your point and the Leader has made his, so we can move on.

Senator Jerry Buttimer: Refer them to *www.dataprotectionschools.ie* and circular 0829/2018.

Senator Robbie Gallagher: Perhaps it would have been an idea for the Department to refer to that.

Senator Jerry Buttimer: I join with Senator Marshall in welcoming the rise in farm incomes. The point he made was very valid in terms of the importance of agriculture to our country, North and South. We need to continue to ensure there is growth in our farming communities and that we put in place supports for the Brexit negotiations and, as Senator Mulherin mentioned, the rising costs of diesel and oil. Agricultural communities are subject to volatility given the weather and so on. The Minister, Deputy Creed, will come to the House in a couple of weeks' time.

Senator Byrne referred to a meeting today with Retail Excellence Ireland. She highlighted the lack of a Garda presence and welcomed the announcement in respect of Limerick today that there will be 36 gardaí trained in pedal power to tackle crime. She called for that to be replicated across the country. I fully agree with her. It is an important dimension to our Garda force that we have a division dedicated to crime as well as cycling and being available. I commend that.

I fully agree with Senator Marie-Louise O'Donnell regarding post offices. She has been a champion of them in the House. The Minister, Deputy Naughten, has been in the House and will be back next Wednesday. Senators O'Donnell and Devine referred to social protection. It would be beneficial to renew the contract automatically. I am open to correction, but I have been told that EU rules preclude that. As a people we all need to use our post offices. I agree with Senator O'Donnell that the banks have let rural and urban Ireland down. In certain parts of this city or Cork city, there are no counters in banks and everything is done by machine. That is unacceptable. We will have a debate with the Minister, Deputy Naughten, next Wednesday.

Senator Mulherin raised the issue of oil prices and OPEC. She commented on our depen-

dency on oil. We need to overcome that and work to become less dependent on oil. I would be happy to have that debate with the Minister, Deputy Naughten, in the coming weeks.

Senator Norris raised, along with the referendum, the issue of the Dutch cardinals. He has covered that well. I could not copy the goldfish remark. It is important to recognise that there are diverse views.

Senator Devine referenced the appalling four deaths. We all condemn the murders of women and we deplore the killing and treatment of women. The Houses of the Oireachtas passed domestic violence legislation, which we will all welcomed. It brings us a step closer to the Istanbul Convention. I hope this will be a country for all and that no woman feels that the country is not for her. That would be wrong and we must all work to ensure that our country is for all of us. I take her point in terms of what has taken place. It is important we continue to work to make our society a more gentle and caring one where we are all treated as equal.

I commend Senator Feighan for his work on Brexit. His point is that we will not be leaving the European Union is one we must reiterate. We must stand strong as being a proud part of the European Union and defend the interests of our country, North and South, in the forthcoming Brexit negotiations.

I join with Senator Boyhan in commending and congratulating Billy Alexander on his success. I thank him for pointing to his pre-eminence. As a champion of the horticulture society, he is correct to highlight the importance of Bloom as a showcase for our country. I will be happy to have a debate. The Minister of State, Deputy Doyle, recently discussed horticulture in the House. I commend the Senator for his work as an advocate of the horticulture sector. It is playing a very important role in economic development.

I wish to advise Senator Marie-Louise O'Donnell that the Minister, Deputy Naughten, will come to the house on next Wednesday, if that is agreeable to her.

An Cathaoirleach: Senator Marie-Louise O'Donnell has moved an amendment to the Order of Business, "That the debate with the Minister for Communications, Climate Action and Environment on the question of piloting New Zealand style community banking in Ireland through the post network", be taken today. Is the amendment being pressed?

Senator Marie-Louise O'Donnell: No.

An Cathaoirleach: The amendment is withdrawn by leave of the House. Is that agreed? Agreed.

Senator Jerry Buttimer: We will have the debate next Wednesday.

An Cathaoirleach: I thank the Leader.

Order of Business agreed to.

An Cathaoirleach: I understand we will suspend until 2.20 p.m.

Senator Jerry Buttimer: The Minister of State, Deputy Ciarán Cannon, is not available until 2.20 p.m. because of the contingency around the debate on data protection yesterday. I gave a commitment that the Bill would not be guillotined but it finished quicker than we thought.

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An Cathaoirleach: The Leader has proposed that we suspend until 2.20 p.m. Is that agreed? Agreed.

Sitting suspended at 12.40 p.m. and resumed at 2.20 p.m.

Situation in Palestine: Statements

Minister of State at the Department of Foreign Affairs and Trade (Deputy Ciarán Cannon): I thank the Seanad for inviting me to make a statement on Palestine on behalf of the Government. Last week, we all watched the news reports from Gaza with a sense of shock and despair. Who could fail to be moved by images of despairing families grieving for the loss of loved ones and of individuals dealing with horrific and life-changing injuries? Over the course of six weeks of protests in Gaza, beginning on 30 March, there have been reports of protesters being targeted by live fire with tragic consequences. On 14 May, the highest casualty toll in the Gaza Strip in a single day since 2014 was recorded. The UN reports that a total of 102 Palestinians, including 12 children, have been killed in the course of the demonstrations since 30 March. These 102 lives were lost primarily as a result of live fire from the Israeli Defence Forces guarding the border fence between Israel and Gaza. The UN reports also that the cumulative number of injured persons has exceeded 12,600, of whom 55% have been hospitalised.

Particularly worrying has been the high percentage of those killed and injured by live ammunition, which points to the excessive use of force and the use of live ammunition as a form of crowd control. The Tánaiste made three public statements on these incidents on 31 March, 9 April and 14 May calling on all sides to show restraint and, in particular, calling on Israeli forces to temper their use of force. Last week, the Taoiseach supported the call of the Secretary General of the UN for an independent international investigation into these events.

At this point, I acknowledge that while the vast majority of the demonstrators over the course of the six weeks of protest were peaceful, there were elements among them who sought to cause trouble. Violence on the part of some protestors is regrettable and the organisers and those in *de facto* control of Gaza have a clear responsibility to prevent such actions. We recognise that not all those participating in the protest were non-violent. Stones were thrown, Molotov cocktails were hurled and some protestors attempted to breach the border fence when there had been explicit warnings of the consequences of doing so.

There have also been reports that many of those shot were members of Hamas. It is important to reiterate that we recognise Israel's right to protect itself and protect its borders from attack. While acknowledging that right to defend itself and to protect its people, we must also note its obligation to ensure the response to any threat is proportionate. Responding to unarmed protestors with live fire is far from proportionate. Membership of a terrorist group is not in itself a valid reason to use deadly force where the person targeted is unarmed.

I recognise also that it would have been better if children were not allowed to participate in the protest and were kept away from the border fence. However, what struck me as particularly tragic and indicative of the loss of hope in Gaza was the fact that many of the children interviewed by UN agencies as to why they put themselves in harm's way said they were there out of curiosity and boredom. These protests were something to see and do for children with very

little stimulation or opportunity to engage in creative activities. Palestine's rapidly growing young population badly needs to see the development of a future democratic, free and tolerant state. More must be done to empower those young children and provide them with greater opportunities for employment and entrepreneurship as well as with some degree of hope. More must also be done to offer the people of Gaza alternative political models, especially when it comes to young people who are so isolated from the outside world and vulnerable to the influence of Hamas.

I must refer to the very troubling reports of health professionals and aid workers being shot during the protests. These professionals were among the first responders at the scene to assist the injured and dying. They were clearly identifiable as health workers. Nevertheless, the WHO has documented that since the start of the protests on 30 March, there have been numerous attacks on health facilities and personnel. One health worker has been killed and 229 have been injured while providing treatment to injured people during the mass demonstrations.

It is also reported that 32 ambulances were damaged. On 15 May, a paramedic was shot and died of a chest injury. The WHO reports that other paramedics were unable to reach him because of heavy firing. This is unacceptable. Hospitals in Gaza are barely able to cope with the serious injuries which have flooded in. In the meantime, the health system must continue to function to serve the needs of the Gazan population. It must continue to provide maternal and child services, for example, and to treat non-communicable diseases. I take this opportunity to pay tribute to the professionalism, dedication and, indeed, courage of those working in the health sector in Gaza.

It is imperative to establish the facts of what happened in Gaza last week and in the six weeks leading up to it. The Taoiseach and the Tánaiste have publicly supported the call of the UN Secretary General for an independent investigation. Last Friday, the Human Rights Council of the UN held a special session on the deteriorating human rights situation in the occupied Palestinian territories, including east Jerusalem. At this special session, a resolution was passed, which Ireland supported, to set up an independent international commission of inquiry to investigate all violations of international humanitarian law and international human rights law in the context of recent protests. The resolution was backed by 29 members of the Human Rights Council, with 14 abstaining and only two voting against it. While Ireland is not currently a member of the Human Rights Council, we made it clear in our national statement at the special session that force must only be used in cases of real and immediate threat to life and only as a last resort when all other methods have failed. The use of force should also be proportionate to the threat posed. We strongly supported the call of the UN Secretary General and others for an independent and transparent investigation into these events. I take this opportunity to call on Israel to co-operate with the commission of inquiry to allow it to examine the circumstances fully, including threats and provocations, that led to the loss of so many lives.

Following the tragic events of last week, the Tánaiste summoned the Israeli ambassador to express the Government's serious concerns and dismay at what had taken place and at the actions of the Israeli Defence Forces. In this way we could ensure that our concerns were conveyed directly to the Israeli Government. Ireland has been providing direct support to the Palestinian people for more than two decades, reflecting a long-standing commitment to the peaceful development of a viable, sovereign Palestinian state. Through the Irish Aid programme, we provide in excess of €10 million annually in development and humanitarian assistance to meet the needs of the most vulnerable Palestinian men, women and children. A key element of this programme is directed towards strengthening the ability of the Palestinian Authority to meet

those needs. Enabling Palestinians to build institutions and provide essential public services is critical to laying the foundations for a future Palestinian state. Another important part of our aid is the support we provide to UNRWA, amounting to €4.25 million so far this year, to support the provision of services and assistance to 5 million registered Palestinian refugees, including in Gaza. This is an increase of €250,000 on the 2017 allocation.

I have focused today on the situation in Gaza, which is at the forefront of our minds, but Senators should rest assured that the Government remains engaged on all of the issues related to this conflict, including Israeli security concerns, of course, but also the impact that the occupation has on the Palestinian people, including speaking out on settlement construction and on the displacement of Palestinian communities. The Tánaiste continues to engage with both sides, with our EU partners, and with other players such as the US, to ensure that these issues remain high on the international agenda, and to bring Ireland's views on these issues to bear wherever and whenever the way forward is being discussed. We will continue to use every opportunity to engage with both sides and to do what we can to contribute to the resolution of this 70 year old conflict, a resolution that will see the establishment of two states, Israel and Palestine, living side by side within secure borders. This is the only way to ensure that events like those of last week are not repeated.

Senator Mark Daly: I thank the Minister of State for coming to the House and outlining the issues and the Government's proposals and actions in response to what has happened in Palestine and Gaza recently. It is all too familiar given the previous attacks on Gaza by the Israelis, the escalating casualty count in Gaza and the ongoing humanitarian crisis that has been there since 2007 and well before that.

As we mark the anniversary of the Nakba, the catastrophe, of the Palestinian people and look at the consequences for them of the establishment of the state of Israel, we also have to look at the solutions in terms of engagement. We know that previously the US Government has acted as a negotiator, with the Oslo Accords being one of those occasions. Many have said it was a missed opportunity, but the Palestinians felt they were getting too little in the Oslo Accords. In the West Bank alone, the Israelis were getting 80% of the water resources with 20% for the Palestinian community, and water is a vital issue.

Given the deaths and shootings in Gaza, the phrase "disproportionate use of force" is an understatement. It sounded a bit like some of the statements put out by the British after Bloody Sunday. Yes, there was the throwing of stones, and yes, there were Molotov cocktails, but there was the use of live fire in response. The suggestion that some were using guns is always put out by the opposition.

It was Brian Lenihan senior who put forward our party's policy in 1980 on the issue of a two-state solution, which has been adopted by the EU and others since. At the time, Brian Lenihan said the Palestinian people had a right to self-determination to establish an independent state of Palestine. We believe this is possible, but it is only possible if we put all the elements of a peace process together. According to experts on peace negotiations, a number of elements are vital. One is a hurting stalemate, which is that both parties are hurting so much, and can inflict no more pain on each other, and so are willing to negotiate for peace. This is obviously not the situation that is prevailing currently in Israel and Palestine, although one side is hurting enormously, having had huge punishment befall them with innocent people being killed, as we saw last week. Then we need an honest broker. There has not been an honest broker in the situation and there is not one now. We also need to ensure there are no third parties acting against

the peace process. As we know, Iran is acting against Israel, using proxies in the Middle East against Israel, and using some elements of the Palestinian community for its own ends. We also need leadership, and the leadership is not there or is unwilling to compromise from its position. The Israeli's point of view is they have what they want and they do not need to compromise on peace.

I have been to the West Bank and near the Gaza Strip. For such a small place it sure holds a lot of pain and suffering for many of its inhabitants, especially the young people living in Gaza and the West Bank. The Minister of State asked why young people went to the fence to see what was going on. It was because they have nothing else to do. People who have nothing else to do get radicalised, and we have seen this across Europe. We have seen it in Paris and Brussels and we have seen it in Northern Ireland. That is a crucial issue. The list of grievances the Palestinian community has is too numerous to mention in the time we have allocated. Take the issues of child detention, water, housing or settlements. When Ronald Reagan was President there were 40,000 illegal settlements in the West Bank. Today there are more than half a million. As we know, this is a problem not just for future generations but for centuries to come.

We acknowledge that the move by the US Government to put its embassy in Jerusalem has not assisted the peace process in any way, shape or form and has removed the US as an independent broker in the situation. We have to ask ourselves what is the solution. We must also acknowledge the fact the Muslim world has a role to play and it does not seem to be doing anything in a substantive way any more to assist the Palestinian communities that are scattered around Israel, the West Bank, Jordan, previously in Syria, Lebanon and other places.

Where we are now does not seem like there is much hope, but there has to be solution because what we have now is not sustainable. Israel needs to recognise it does need to be generous in what it should do for the Palestinians who are on its doorstep, because people who do not have hope have nothing to lose. The Israelis have to make sure they provide a pathway for the peaceful and prosperous future that the Palestinian people deserve to have in their own homeland, as the Israeli people deserve to live in peace. This is why we continue to support the two-state solution we advocated in 1985 through the former Minister for Foreign Affairs, Brian Lenihan.

Senator Neale Richmond: I welcome the Minister of State to the House once again and I appreciate all the great work he, his officials, the Tánaiste and the Minister of State, Deputy McEntee, are doing in the Department at a very difficult time. I speak in place of our regular foreign affairs spokesperson, Senator Joe O'Reilly, who unfortunately cannot be here due to parliamentary business. Like everyone in this Chamber - I think it is a universal opinion - I was absolutely appalled by the atrocities carried out last week. While it is right to acknowledge that Hamas was complicit in an element of it, the over-reaction by the Israeli Government was truly shocking. The most shocking thing is that last week was not the first time this has happened. It is absolutely right that the use of live ammunition be condemned. The manner in which we react to it as a country, as a Government and as a people will allow others to judge how we are contributing to this situation.

To be frank, Irish people and particularly politicians are obsessed with the Middle East. I do not mean that in any way negatively. We regularly have statements on the Middle East. Issues relating to the Middle East are regularly raised on the Order of Business. When I was a member of a local authority, we considered motions relating to the ongoing conflict in the Middle East every couple of months. We are right to be obsessed with this part of the world, which I

visited last year, because we have invested socially, culturally, economically and emotionally in everything that is going on there. As the Minister of State said, Irish Aid provides €10 million to the Palestinian people every year. We have embassies in Tel Aviv and Ramallah. Scores of workers from Ireland are working in non-governmental agencies across Gaza. As Senator Lawless might confirm, there is a surprisingly large Irish diaspora living in Israel. A couple of drinks in Molly Bloom's Irish pub in Tel Aviv made that quite clear to me not so long ago. We have invested in this part of the world. I strongly believe that if we are going to have a positive influence on it, we need to stay invested in it. This means we need to keep our embassies in Tel Aviv and Ramallah open and we need to keep the Israeli ambassador in Dublin. Any efforts we make in terms of sanctions or other actions should be made in a co-ordinated way through the EU, in line with other agreements. Isolated actions by the South African and Turkish Governments are great for a couple of days of news headlines, but they do not really have an impact.

Senator David Norris: They do.

Senator Neale Richmond: I respectfully disagree. I join the Minister of State and the Tánaiste in calling for a truly independent investigation, led by the UN, into last week's atrocities and into the ongoing conflict in the region. As Senator Mark Daly said, there are many factors at play here. The current American Administration is not helping the situation. The same thing can be said of the Iranian Administration and of the Egyptian Government's policy in respect of the border in southern Gaza. All of these things are contributing to the tinderbox that exists. If we are truly serious about wanting peace and using our experience and knowledge of peace and reconciliation to the benefit of ordinary people, rather than the political leaders in Likud, Hamas or Fatah, we strongly need to stay engaged. When I speak about "ordinary people", I am referring to Israeli and Palestinian people - Jews, Christians, Muslims and everyone else - regardless of ethnicity or religion. We must try to be a benevolent force in this region. The approach that has been taken by this country has worked in certain areas where it has had a positive impact. We need to keep doing that. If we disengage, protest and throw people out, we will turn our back on and absolve our responsibility to a part of the world we have invested in over many years. I appreciate the opportunity to express my thoughts on this subject. I appreciate that differing views will be expressed in this Chamber, as they always are. It is right that such views generate an emotional response from all sides. We need to clear through the fog. We need to think about the ordinary people on the ground in Palestine and Israel, some of whom are Irish. We need to chart a course forward and try to play our part.

Senator Frances Black: I have to say I am disappointed with some of the comments made by the Minister of State in his speech. I was in Gaza last week. I have also been to the West Bank. I do not think the word "horrendous" is sufficient to describe the traumatic nature of my experience. The Minister of State said that "Violence on the part of some protestors is regrettable and the organisers and those in *de facto* control of Gaza have a clear responsibility to prevent such actions." He referred to "reports that many of those shot were members of Hamas" even though there is absolutely no proof of that.

Senator David Norris: So what if they were?

Senator Frances Black: The Minister of State suggested that many children "were there out of curiosity and boredom". I was at the border protest and I met the people who were there. I saw families there. I saw mothers, fathers and children. There was a playground there. They were there because this is the only hope they have left. They are living in absolutely desperate conditions. They have no hope. The only hope they have is these protests. They marched to

the border to try to let the people of the world see the situation they are in. I met staff from non-governmental organisations who are dealing with mental health issues on the ground. They do not know how to cope. I met a therapist who told me about meeting a completely and utterly traumatised woman who was on the verge of a nervous breakdown and feeling that she was telling the therapist's story. Every single person is living with the same horrendous trauma. Their water is polluted. They are living in slum-like conditions. At least 45% of them are unemployed. They have no hope whatsoever. They are in prison. I went through the security. I saw what they have to go through if they are allowed out. They are not allowed in or out. They are separated from their families. They have no medical care.

I met personnel from the UN Office for the Coordination of Humanitarian Affairs the morning after I had been with the protesters. They informed me that according to their projections, Gaza could be unlivable by 2020. That is what we are dealing with here. We have to stop to consider what is going on for the ordinary people and families we are talking about here. The projections I have mentioned have been made by a UN office, rather than by some non-governmental organisation or other organisation working for Palestinian rights. It is the job of the UN to monitor the situation and to make sure people know what is happening. People who are working at the coalface on the ground are telling us that this cannot go on any longer. Gaza faces collapse in just over a year. I heard the same story from everyone I met. They said "please help us" and asked why the international community is doing nothing. They pleaded with me. The reality here is that we are running out of time. We cannot forget this in the weeks and months to come. How many more people are going to die in the weeks and months to come?

Last week, Deputies and Senators came into the Oireachtas to express their shock about the tragic loss of life in Gaza. I was glad to hear colleagues across the Dáil and the Seanad condemning in the strongest terms the disproportionate and senseless violence that had occurred. I was happy that Ireland was one of the first countries to call for an independent investigation. I was really grateful for that. I urge the Government to keep pushing for that in every possible way. The truth is that we are right to be outraged. The Israeli defence forces have said that the use of lethal force against unarmed protesters is proportionate. This is an insult to language and to human life and dignity. We are right to state firmly that this is a flagrant breach of international law and that wilful killing in the context of occupation may amount to a war crime, as the UN said in the aftermath of last week's events. We are right to put it on the record of this Parliament that we reject the shameful treatment of living and breathing human beings and families that we are talking about here. I promised everyone I met in Palestine that I would do this, at the very least. The loss of life last week has made it even more important for me to do so. I feel I have to do something.

The Minister of State needs to go to Palestine. I know the Tánaiste has been there. He is very compassionate on this issue. I have spoken to him about it at length. I was in the settlements as well. I have tabled a Bill that would end Irish complicity in settlements that have been condemned as illegal for a long time. I will speak briefly on this point. I know the Tánaiste has committed to a more focused debate and vote on this specific legislation in June. I am grateful that he is going to bring this back in next month. I urge the Government sincerely to reconsider in the coming weeks its stance on banning settlement goods. My firm belief is that nothing will change in Palestine unless the EU and the wider international community are willing to put real and meaningful pressure on the Israeli Government. Last week's events were another tragic reminder of this sad fact. An Israeli Minister responded this morning to the most recent EU criticism of the massacre in Gaza by saying that the EU can "go to a thousand, thousand hells".

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This is what we must deal with and this is the attitude we have faced for decades. Unless we do something it will continue. If the EU is at a point of gridlock and if the consensus is not there, then we must ask ourselves if we accept it, or are we willing to take small meaningful steps ourselves - grounded firmly in international law - to show some leadership on this issue. Is there a point at which the situation can get so bad and the violations of human rights so widespread that we will look to take action ourselves?

Ireland can lead on this. I urge colleagues across the House, both in Fianna Fáil and Fine Gael, to consider deeply the real and tangible steps Ireland can take. It is no longer enough to simply express our sadness; we need to take action.

Senator Niall Ó Donnghaile: Hear. Hear.

Senator Pádraig Mac Lochlainn: In his speech the Minister of State said:

We recognise that not all those participating in the protest were non-violent. Stones were thrown, Molotov cocktails were hurled and some protestors attempted to breach the border fence when there had been explicit warnings of the consequences of doing so. There have also been reports that many of those shot were members of Hamas.

If this was a British Army commander speaking after Bloody Sunday I would ask the Minister of State to spot the difference. That is exactly the justification it gave for its actions on Bloody Sunday. It is outrageous that an Irish Government Minister of State read out those words today. This is the defence the British Army gave for Bloody Sunday. Whoever drafted that speech today on behalf of our State should be ashamed of themselves.

Senator Paul Gavan: Hear. Hear.

Senator Pádraig Mac Lochlainn: Last week the United States of America and Israel marked the locating of the United States embassy in Jerusalem. The Israeli Prime Minister, Benjamin Netanyahu, said it was “a glorious day for Israel”. The US President, Donald Trump, said it was “a great day for Israel.” For Palestinians, however, it was an horrific day as the toll of dead and injured rose. It was also the 70th anniversary of Nakba, the catastrophe. This annual commemoration remembers the nearly 700,000 Palestinians who were forced from their land and homes by the Israeli army, and who have become refugees. I have visited many of the locations where the refugees live and the occupied territories.

This year’s Nakba is now marked by a new catastrophe. The Israeli army murdered dozens of Palestinians in Gaza that day and more than 2,700 others were wounded. An eight month old baby died as a result of inhaling tear gas. There are 1.3 million Palestinian refugees in Gaza. Today it is the biggest prison in the world. Throughout the last seven weeks they have protested for the right of return for Palestinian refugees forcibly expelled from their homes in 1948. Since the protests began on 30 March Israeli forces have killed more than 100 Palestinians in Gaza. The Israeli forces have murdered more than 100 Palestinians. They have wounded more than 13,000 men, women and children. I put it to the Minister of State again that whoever wrote those lines in his speech should be utterly ashamed of themselves.

Senator David Norris: Hear. Hear.

Senator Pádraig Mac Lochlainn: The brutality and savagery of the Israeli army has once

again been laid bare for the world to see. The Israeli army fired live ammunition indiscriminately and it gassed protestors. The Government must give a strong and unambiguous statement that there can be no impunity for Israel's mass killing and murder of Palestinian citizens, and its continued illegal occupation of Palestine.

The Minister of State has said that Ireland will not move to expel the Israeli ambassador in protest at these killings or recall the Irish ambassador in Tel Aviv. Nothing will change in Gaza or the West Bank until the international community moves on from empty rhetoric and puts some real pressure on Israel. Ireland must stop sitting on the sidelines wringing its hands when real, concrete, tangible steps are proposed. The Government is afraid to show leadership. Last January Sinn Féin supported Senator Frances Black's Control of Economic Activity (Occupied Territories) Bill 2018 in this House. This Bill proposes to end Irish economic support for Israeli settlements in the West Bank that we have long condemned as illegal. The Government, however, refuses to take any real action on the settlements. These are defined as war crimes under international law. We listened in disbelief to the Israeli ambassador on the RTÉ "Six One News". He stated that Israel was doing its best to minimise its fire and there was no link to the US decision to move its embassy to Jerusalem. More than 100 Palestinians are now dead and more than 13,000 have been injured, and this is with Israel limiting its firepower. We must be clear that it was not clashes but, rather, a massacre. I was sick to my stomach while watching the television footage. I know that many Irish people share my horror. Why did the Taoiseach again state in the Dáil last week that Ireland cannot recognise Palestine because it does not exist yet? Perhaps the Taoiseach could have a chat with his Swedish counterpart. Sweden recognised the state of Palestine four years ago. Perhaps the Taoiseach could visit the UN and chat with the leaders of 135 other countries that recognise Palestine. More than 70% of the countries that are members of the UN recognise the state of Palestine. Motions were passed unanimously in this House and in Dáil Éireann in recent years to recognise the state of Palestine.

If Ireland will not expel the Israeli ambassador, will not recognise the state of Palestine and will not support legislation that asks us to ban commerce with people who are involved in war crimes, then where are we? Ireland took a stand in the days of South Africa's apartheid system. Our women workers took a stand in Dunne's Stores. In our Government, where are the women of Dunne's Stores today?

Senator Anthony Lawlor: I welcome the Minister of State for the debate on Palestine. I was a Member of the Lower House and this issue came up on a regular basis. There is no doubt that it will come up again in the future because nothing seems to be happening.

Senator David Norris: Damn right there is nothing happening.

Senator Anthony Lawlor: Since 1946 when the Israeli State was brought into existence nothing has happened with regard to the Palestinian people. The only thing that has happened is that they have been forcibly removed from their houses. Even today, as we speak, Palestinian people are being moved off lands in the West Bank so that Israeli settlers can take the land. People do not seem to understand that there are consequences to this. If Israeli property is located in the West Bank, no Palestinian can walk close to it. If I was a Palestinian and wanted to go from this side of the Chamber to the other side and if there was a Jewish, or Israeli, building in the middle, I would have to walk down to Merrion Square, cross over Merrion Square and come back up the other side to get into the far side of this Chamber. People do not understand the type of harassment going on in the West Bank. I saw it myself in Hebron where school children had to walk an extra mile to get to their homes or they would have walked in front of

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Israeli property. These are the simple things that people must deal with day-to-day.

People do not understand that fishermen in Gaza can only go out 3 km from the coast to fish. They cannot go any further. Farmers are restricted to growing their crops 500 m from the fence line. These are the types of restrictions that are going on.

If anyone here knows their history, the situation would remind them of the Warsaw Ghetto during the Second World War.

That was a situation where an extreme right wing super power controlled a minority people. That is exactly what is going on in Gaza and the West Bank. Jerusalem was chosen as the capital of Israel 3,000 years ago. The Israelis could wait that long and their objective now is quite simple: a border from the Jordan Valley to the sea, from the Sinai Desert to the mountains north of Ramallah. They can wait.

I have heard calls for investigations. There have been calls for investigations after every incident within the West Bank or Gaza and nothing has happened. It is too late to call for investigations. When I was in Jerusalem I walked through the Damascus Gate with Muslims, Christians and Jews. Inside the gate there are many Muslim coffee shops and lots of Israeli Jews were having coffee there. It is possible for the people to coexist if there is a willingness to do so.

Most Israeli settlements in the Jordan Valley use the water from that site to produce peppers and aubergines. When we go to buy a red pepper we should check where it comes from and if it comes from Israel we should not purchase it. We should purchase something that may come from Spain or even our own farmers, over anything else. These are the small things that started when the Dunnes Stores staff worked to remove South African produce from the stores. That is something simple that we can do.

Removing the Israeli ambassador removes a source of communication. Then our ambassador will be removed. What will be achieved? We need to open communications. The sad point is that the only thing that will hurt Israel is money not public opinion. If we can hurt it financially let us do so. I will not be purchasing produce from the settler community in the West Bank.

The soprano Celine Byrne did not participate in the 70th anniversary celebrations for the Israeli state in Jerusalem. Perhaps the music industry could consider action like that too. If this conflict is not resolved or no steps are taken we should reconsider our artists' participation in the Eurovision next year.

We need to act individually as citizens and as a Government to bring Israel to the table. The two-state solution is not on Israel's agenda although it seems to be on the world's agenda. Until it is, there will be no further progress on this issue.

An Cathaoirleach: I welcome pupils from St. Mary's of Dunmanway who are here at the invitation of Deputy Murphy O'Mahony.

Senator David Norris: Oh God, I am weary of speaking about Palestine. I have been speaking about it for 30 years. I know the area very well. I had an apartment in Jerusalem for many years. My partner was an Israeli Jew who was an activist for Palestinian human rights. As a result he has been harassed, arrested, framed, jailed and he has finally had a stroke and not a bloody thing has been done. Just as in the 1930s Europe stood by and did damn all for the

Jews, we are doing damn all for the Palestinians. I am tired of mentioning the Euro-Mediterranean Partnership, EUROMED, that has human rights protocols attached to it. We have never even monitored or examined them to see what their impact is. We know from every speaker here today that there have been massive human rights abuses and war crimes committed by Israel but we do not monitor the EUROMED agreement.

The Minister of State talks about live fire. The Israelis have been using dum-dum bullets against children. These are bullets that enter the body, expand and burst open tissue, sinew, flesh and bones. The exit wound is three times the size of the entry wound. That is the kind of thing they are doing. We are told stones and Molotov cocktails were thrown. Can the Minister of State tell me how many Israelis were killed? Not one. Some of those shot were members of Hamas – so bloody what? Hamas was elected in Gaza and the world turned its glance away and refused to recognise it. I do not care whether the people shot were in Hamas. They are human beings and they have every right to respect.

The Minister of State talks about attacks on health facilities and personnel - absolutely. Four years ago when they were bombing schools, they were deliberately targeting them. We had the co-ordinates. We knew that they knew they were hitting schools and hospitals, sewage treatment plants and water facilities. The Israeli intent is to degrade the Palestinians to a state lower than animals.

The Minister of State talks about the two-state solution. It is impossible. He talks about the two states with secure borders. How can the Palestinians have secure borders? There are two scraps of land and in the West Bank they are peppered with Israeli settlements, like measles. How can we possibly say to the Palestinians they have a secure border when they are completely and utterly infiltrated? The tragedy is that Europe attempted to solve the moral problem of the Holocaust at the expense of the Palestinians who were not involved in it. That explains the German situation. Let us forget about the EU. We must act independently as a sovereign nation. The EU will do nothing because of the German bad conscience. The Germans are turning around and doing exactly the same to the Palestinians as they did to the Jews in the 1930s. That should be forcibly pointed out to them.

I have been described as anti-Semitic. It does not matter that I lived with an Israeli Jew for 40 years or that the Palestinians are Semites. Nobody accuses the Jews of being anti-Semitic for their attitude towards the Palestinians.

Look at the terrible damage the Israelis are doing to themselves. The wonderful Jewish ethical code that he who saves a life saves the universe has been completely blotted out. Look at the damage to the Israeli soldiers who are young impressionable men. We have seen them gloating after shooting children. That is appalling.

What about the Palestinians? They are in the largest, most horrible, ghastly prison environment the world has seen. They are in a state of total and absolute despair. They can do nothing. The world will not listen. I remember being in the West Bank and saying, “I do not know that my Government will do anything”. They said, “At least tell our story”. That is the only reason I am standing here today. What can we do? We can recognise the state of Palestine. Why not? This House passed a resolution that we should do so. The Government must listen to the voices of the elected representatives of this country and recognise the state of Palestine. That might put the fear of God into the Israelis. We should boycott all of the illegal settlement goods, withdraw our ambassador for consultation and we should certainly not take part in next year’s

Eurovision song contest in Israel. This is not a matter for entertainment.

Senator Niall Ó Donnghaile: Hear, hear.

Senator David Norris: People are dying. People are being massacred by the Israelis. In the few seconds remaining to me I urge the Minister of State to stop waffling, for God's sake, and get something done.

Acting Chairman (Senator John O'Mahony): Senator Bacik is next and she has six minutes.

Senator Ivana Bacik: I welcome the Minister of State to the House and thank the Leader for organising this debate. I am one of the Senators who sought it. We were all utterly shocked at the appalling loss of life in Gaza, which the Minister of State acknowledged in his speech. As he pointed out, 14 May recorded the highest casualty toll in the Gaza Strip in a single day since 2014, with a total of 102 Palestinians, including 12 children, killed and an appalling number injured, some 12,500. We all remember the really tragic case of the death of little Leila Anwar Ghandoor, an eight month old baby.

Like other colleagues, I was shocked at some of the language used in the speech of the Minister for Foreign Affairs and Trade at the time which appeared to suggest that blame lay with the victims of this appalling atrocity. We must be very clear about the complicity and the conduct of the Israeli forces in bringing about these civilian deaths. I am no apologist for Hamas and do not believe anyone here is, but it is important to acknowledge the cause of these awful deaths.

We also have to acknowledge the context for all of this. The Gaza Strip is occupied territory in which 2 million live in appalling conditions which were described so eloquently by Senator Black and others. Mr. Declan Walsh wrote a very good article in *The Irish Times* which sums up so well the pressures of life in Gaza, a poverty stricken, crowded enclave that has been under Israeli blockade for the past 11 years. This has been well documented. I am a member of the Oireachtas Joint Committee on Foreign Affairs and Trade and we have had numerous hearings on the conditions for people living in Gaza and for Palestinians living in occupied territories, conditions for Palestinian detainees, including child detainees, in Israeli prisons and on breaches of international law by Israel. All of this is well known and, like Senator Norris, many of us feel that we have been speaking about this for so long but so little has been done.

What we have seen in recent days is a new development, unfortunately, and one which was precipitated by the decision of the current US President to move the US Embassy to Jerusalem. That is a new and very negative development that sets us back even further from any sort of peaceful path towards the settlement that we all wish to see.

I speak today for the Labour Party which has a long tradition of being to the forefront in advocating justice for the Palestinian people. My party has a long-standing position on the Middle East, informed by three core principles, namely: the need for a comprehensive, multilateral peace agreement between Israel and Palestine which respects international law; the delivery for the Palestinian people of a secure, viable and contiguous state of their own; and the recognition of the legitimate right of the people of Israel to live in peace, prosperity and security with its neighbours. That is a clear set of goals to which many members of the international community have signed up but, unfortunately, with the recent decision by the US President, we have seen a real step away from any path that makes that settlement more likely.

What can we do about this? I accept that an independent inquiry would be useful to establish the full facts and to establish beyond doubt what lay behind the conduct of the Israeli troops. However, we need to be more assertive in Ireland in terms of how we go about addressing this outrageous atrocity by Israel. We have to move within the EU and be more assertive there, as a stakeholder.

The Minister of State has pointed out that Ireland has provided more than €10 million annually for the Palestinian people. We provide aid bilaterally and also multilaterally through the EU, which is a major stakeholder in the region. The foreign affairs committee has also heard several times about the outrageous situation whereby the EU is providing funding to construct buildings which are subsequently demolished by Israeli forces. The EU is funding infrastructure to support education and healthcare, for example, for the Palestinians which is then dismantled and destroyed by Israeli forces. It defies logic that the EU does not intervene in a more proactive manner.

I support Senator Norris and others who have called for such intervention. The EU should take a much stronger interventionist role in this. In Ireland we should step up further by complying with the motions passed by Dáil Éireann and Seanad Éireann calling for the recognition of the state of Palestine. That would be a significant step forward and would exert more pressure within the EU. We must play a more assertive role in assuring greater justice for Palestinians.

The former Tánaiste and Minister for Foreign Affairs and Trade, Eamon Gilmore, addressed the UN General Assembly in September 2011 and said that Ireland would support the Palestinian bid to become a full member of the UN. At that point Ireland was taking a very proactive role within the EU in its recognition and assertion of Palestinian rights. We need to do more of that, particularly after this absolutely egregious attack on Palestinian civilians.

I was very glad to support Senator Black's Control of Economic Activity (Occupied Territories) Bill which points a way forward for Ireland to take a stronger stance in asserting the condemnation of the Irish people of the actions of the Israeli state.

It is also important to express support for the Boycott, Divestment, Sanctions, BDS, campaign which is led by Palestinian civil society. That campaign seeks to build on the work of the international anti-apartheid movement which played such a strong role in helping to dismantle the apartheid state of South Africa. Of course, we all recall the proud role played in that international movement by the Irish anti-apartheid movement. We could be doing more in Ireland to assert a voice for the Palestinian people through the international mechanisms to which we have access through the EU and also through asserting recognition of Palestinian statehood.

I ask the Minister of State to clarify whether the Tánaiste and Minister for Foreign Affairs and Trade will support and implement the motions of Dáil Éireann and Seanad Éireann in that regard. There is overwhelming support for this among Irish people. I do not believe there is political controversy about this issue in Ireland. People here are so exercised, dismayed and distressed by the reports of what has happened in Gaza recently that now would be an appropriate time to do this.

Senator Paul Gavan: I welcome the Minister of State to the House. I will begin by asking the Minister of State to withdraw that disgraceful paragraph in his speech which makes reference to "some" of the protesters being non-violent, to Molotov cocktails and to members of Hamas being shot. There is no evidence for any of that. I do not know who wrote that script

but the Minister of State must be honest enough to acknowledge that it is not true and to withdraw it.

As the Minister of State knows, 62 Palestinians were slaughtered a week ago and over 13,000 have been maimed in the last seven weeks. Since 2000 Israel has murdered 9,000 Palestinians, including 2,060 children. The Minister of State must acknowledge what most of us already know, namely, that Israel is an apartheid state. This Government has never done that. In the past when we have highlighted this, the Government has described our position as “one sided”. In fairness, the Government is right. If one is against apartheid, as we in Sinn Féin are, then one must stand against and not just pose as some neutral arbiter.

We know Israel is an apartheid state but let me make it clear why that is the case. The United Nations defines apartheid as, “an institutionalised regime of systematic oppression and domination by one racial group over any other racial group”. As Senator Lawlor said, in what was a fine speech, that is exactly what is happening and the Minister of State knows this. Under Israel’s immigration policy, it is possible for all Jews to emigrate to Israel but Palestinians are refused any right of return. There are 5 million Palestinian refugees as a direct result of a religious and ethnically-based immigration policy. Contrast the systematic demolition of Palestinian homes with the ever-expanding settlements for Israeli citizens, numbering over 600,000 at this stage.

Then there is the economic apartheid whereby more than 20,000 Palestinians work in the Israeli settlements while the systematic destruction of Palestinian infrastructure and resources continues unabated. This destruction includes the uprooting and burning of millions of Palestinian olive trees. We have seen the theft of water and land and the cutting off of electricity, telephone, water and Internet services as collective punishment. There is no freedom of movement for Palestinians. We have seen checkpoints and military bases, daily harassment and discrimination. Separate judicial systems operate with civil systems for Israelis and military courts for Palestinians. There are separate road systems. It is illegal for any Palestinian to join any political party.

The Government knows all this but still contends that the way forward is dialogue. It is not. The way forward is through sanctions, just as it was with apartheid South Africa. The way forward is to stop trading with Israel. The way forward is to stop buying arms from Israel. A total of €14.75 million has been spent by our Government since 2005. Will the Minister of State answer this question for me? Why does he believe it is okay to buy arms from an apartheid state, particularly one which boasts that its products have been battle-tested? Where does the Minister of State think they have been battle-tested?

There are so many positive things the Government could do. The Government could choose to recognise the Palestinian state but it is refusing to do so. The Minister of State could commit to an arms embargo and show us as a country leading the way on this crucial issue, but he will not. The Government could endorse boycott, divestment and sanctions, but it will not. The Government could support Frances Black’s Bill to boycott Israeli goods from the occupied territories. Unfortunately, it has given no indication to date that this will happen. I call on the Minister of State to give such an indication at the least in his response. I will ask my colleague, Senator Daly, to ensure Fianna Fáil comes up to the mark one month from now. We should all stand together on this issue. The Government could expel the Israeli ambassador, but it will not. The Government could choose to expel other Israeli diplomats, like it did to the Russians without any evidence, but it will not.

We understood one thing in the 1980s but the Minister of State does not understand it today. It is not okay to do business with an apartheid state. It is actually quite shameful. The fact that the Government will not acknowledge Israel's apartheid state is unacceptable. There were apologists for apartheid in the 1970s and 1980s as well. Unfortunately, several were from the Minister of State's party. Most famously, the former Deputy Patrick Donegan lauded the tour of the Springboks team to Dublin in 1970. I had hoped things would have moved on by now, but it appears not.

The people are demanding justice for the Palestinian people. They are demanding action against the apartheid Israeli state. For every day that the Government refuses to take such action, it is letting all of us down. I have heard enough empty words and seen enough crocodile tears. I have heard enough coded statements calling for restraint from both sides. We cannot allow the slaughter of these people to become another footnote in the tragic history of the Palestinian people. The world is crying out for justice. The Minister of State should stand up and find the courage to take meaningful action. He should end the shameful arms trade with Israel, endorse sanctions and expel the ambassador.

Senator Niall Ó Donnghaile: Yesterday, 22 May, strikingly enough, marked the anniversary of Carol Ann Kelly. Carol Ann was shot and killed by a rubber bullet in Twinbrook on her way home from getting a carton of milk for her mother in 1981. When Carol Ann was murdered and fatally fell to the ground, the organs of the state kicked into gear immediately and began to victim-blame. They blamed her, her family and the community in which she lived for the actions carried out by the British Army that day.

Given what other Senators have said, the Minister of State seriously needs to reflect and spend a little time on this. I understand he has been handed a script by an official. The Minister of State must avoid engaging in the kind of deliberate, calculated and very dangerous propaganda that is emanating with regard to the Palestinian people and what is happening in Gaza at the moment. It is perfectly clear to me and anyone who wants to see it, that what is being implemented and playing out in Gaza is slaughter. It is the massacre of innocent protesters. It is familiar to us but, although even given the gravity of what Ireland suffered as a result of colonialism, we have not seen anything close to the type of awful horror inflicted on the Palestinian people, not least those in Gaza. The Minister of State might reflect on that and might do what Senator Gavan has encouraged him to do and withdraw his offensive, if not very ill-considered, remarks. The problem is that it is a mantra that has become all too familiar in practices of colonialism and brutality throughout the world in this era as well as many before it.

This country has a proud record in standing against apartheid. The Houses have voted to recognise the state of Palestine. The Government ignores this will, much like the Israeli Government ignores international law, given the implementation and carrying out of war crimes against the Palestinian people.

Like Senator Norris said earlier, I am here a relatively short time but already I am tired of having to come in and repeat the exact same things on Gaza and Palestine about the suffering those people have to endure. I understand the geopolitical sensitivities and that the Government has to engage in a degree of diplomacy, but I do not believe we are dealing with an ordinary state. We are certainly not dealing with an ordinary conflict between two ordinary states. We are seeing people in Gaza being massacred. As people have rightly said, this is an open air prison. I have no wish to rehearse all of the horror that we have articulated many times, but that is the position. It is not too much to ask this Government, given its actions with the Rus-

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sian ambassador, to bring in the Israeli ambassador and expel him from Ireland. His state is in breach of international law. It is committing war crimes.

I have no doubt that the Minister of State and his officials have exhausted whatever diplomatic avenues are open to them, modest as they are. Like any conflict resolution situation, there is of course a time for engagement and dialogue. However, there is also a time for action. There is a time for standing for what is right and just. There is a time for standing against things like apartheid. For God's sake, we must find a way to stand against apartheid and show Ireland standing against apartheid on the international stage.

We heard lovely things earlier about what we invest in that part of the world, the Irish bars there, going for pints and meeting the lovely Irish diaspora. They ought to be ashamed of themselves, to be honest, if, as Irish people, they are standing and participating in full knowledge in a system and economy like that of Israel - an apartheid regime.

What can we do? We can, we should and we must expel the Israeli ambassador if we have any degree of understanding of the horror and wrongness of apartheid and if we have any respect for international law. We have endured colonialism, brutality and occupation. For God's sake, we have to take a stand on the international stage in the full knowledge that it will be a modest stand and that it will not have the necessary impact with other states throughout the world. When has that ever stopped us before? As has been rightly said, we took a good, proud and valiant stand against apartheid in South Africa. What is the difference in this case?

Why will the Irish Government not stand in support of the Palestinian people? I suspect somewhat cynically that we all know the reason. I believe we are being hampered by the EU structures. I believe we are being shackled by the EU structures from doing the right thing and supporting not only the expulsion of the Israeli ambassador but Senator Black's Bill which proposes a boycott of Israeli goods from illegal settlements in the proudest Irish tradition, which we started. We should stand with the Palestinian people to send a clear message to them that they have our solidarity and support and that none of this will prohibit us from supporting and engaging with diplomatic and conflict resolution initiatives later on. The time has long since passed for us to take action.

I hope the Minister of State will reflect on his contribution and bring back the views of the House with regard to the rubbish inflicted upon us. The Minister of State should adhere to the will of these Houses and recognise the state of Palestine.

Minister of State at the Department of Foreign Affairs and Trade (Deputy Ciarán Cannon): The very passionate contributions we have heard today reflect the deep and long-standing engagement the House has had with the situation in Palestine. I spoke at the outset about the loss of hope of the people of Gaza and Palestinians in general, how they are dealing with this incredible level of atrocity being committed against them and how it is feeding into the desperate acts that cause ordinary people, including children, to put their lives in danger while venting their frustrations through peaceful protest. I spoke also about what more needs to be done to address the situation of hopelessness, and considerable work has already been done by Members of the House, many of whom have visited the region to bring attention to the plight of the Palestinian people and propose ways to contribute to their ongoing well-being.

Some Senators have taken exception to the Government acknowledging that some protesters threw stones and Molotov cocktails.

Senator Niall Ó Donnghaile: Imagine.

Deputy Ciarán Cannon: I mention this because it is necessary to tackle head on the arguments being put forward by some in Israel that these actions could be a justification for the deeply disproportionate Israeli response. I was also very clear that stone throwing does not in any way justify the use of live ammunition on young people and protesters who were unarmed. I was very specific in making this point over again.

Many Senators referred to Senator Black's occupied territories Bill, which was debated here earlier this year and which we will discuss again before the summer break. The Tánaiste has already committed to this. The Government is very much aware that the intention in proposing the Bill is to show Ireland's clear support for the Palestinian people and to show condemnation of the creeping annexation of Palestinian land by Israel in the form of these illegal settlements. I assure the House that the Government is wholly opposed to the construction of these settlements in Palestinian territory and has consistently condemned their relentless expansion, which undermines the very basis for the two-state solution.

Senator Niall Ó Donnghaile: Well then, that's much better.

Deputy Ciarán Cannon: I also want to acknowledge the efforts made in framing the Bill to differentiate between illegal settlements and Israel itself. It is not an effort to impose a boycott divestment sanctions policy, which the Government would wholly oppose. However, the Bill proposes to regulate international trade, which, ultimately, is a matter of exclusive EU competence, falling under the EU's common commercial policy. This is not a matter on which Ireland can act alone, and if we were tempted to do so, infringement proceedings could be taken against the State for breaching EU law. This might be the impact rather than the powerfully political impact which the framers of the Bill have aimed for with regard to settlements.

Some in the House have also raised the possibility of Ireland recognising the state of Palestine, and I assure the House the Government remains committed to doing this as part of a lasting settlement of the conflict. Ireland has long looked forward to being able to recognise a sovereign Palestinian state, but the Government must consider carefully whether recognition by Ireland now, at this point in time, of a state of Palestine, prior to its actual achievement on the ground, would be a helpful step towards that goal. We have not yet concluded that immediate recognition by Ireland would be a helpful step in our efforts to move the peace process forward, but I assure the House this matter is being kept under continuous review-----

Senator Niall Ó Donnghaile: There is no peace process.

Senator Paul Gavan: What peace process?

Deputy Ciarán Cannon: -----particularly in light of the views expressed by the Dáil and Seanad in 2014, to which many Senators referred.

I want to address once again an issue raised in the debate by many Senators on the position of the Israeli ambassador and the embassy here. Asking an ambassador to leave is hardly ever done anywhere, not least because it cuts off an incredibly important channel of dialogue and influence. The Tánaiste used that channel last week when he conveyed Ireland's strong views on the Gaza events directly to the Israeli ambassador and, ultimately, asked him to pass those messages onto the Israeli Government. To remove the Israeli ambassador would shut off that line of communication indefinitely. We have to question how we would have arrived at a successful

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conclusion to the Northern Ireland peace negotiations if we had decided over 25 or 30 years ago to shut off communications with the leaders of one of those communities in Northern Ireland.

Senator Niall Ó Donnghaile: Fine Gael opposed it, to be fair.

Deputy Ciarán Cannon: I do not think we would have been celebrating 20 years of the Good Friday Agreement recently if we had decided to shut off communication completely with one of the communities involved.

Senator Niall Ó Donnghaile: That is a cop-out. How is the current dialogue going with Israel?

Deputy Ciarán Cannon: The protests of recent weeks were a reaction to the unsustainable situation in Gaza. The 1.9 million people who live there deserve an end to the blockade, so they can start to build what we would describe as normal lives, something that has been all but impossible for more than a decade.

Senator Paul Gavan: An end to apartheid.

Deputy Ciarán Cannon: Through our support of Palestine we have endeavoured to address some of the difficulties faced by the people of Gaza but, ultimately, the two-state solution with an independent Palestine and a democratic Israel, both secure within their borders, is the only possible outcome that will see an end to the decades of violence. This is why the Tánaiste has made, and continues to make, engagement with the Middle East peace process an absolute priority.

An Leas-Chathaoirleach: That concludes statements on Palestine. The next item, which is statements on bed capacity at the National Rehabilitation Hospital, is not due to start until 3.50 p.m.

Senator Anthony Lawlor: I move that the House suspend until 3.50 p.m.

An Leas-Chathaoirleach: Is that agreed? Agreed.

Sitting suspended at 3.35 p.m. and resumed at 3.50 p.m.

Bed Capacity at National Rehabilitation Hospital: Statements

Minister of State at the Department of Health (Deputy Finian McGrath): I welcome the opportunity to make statements on the beds available at the National Rehabilitation Hospital. I thank Senator Victor Boyhan for raising this important issue. Since 2016, I have been tracking it closely and in regular contact with the Health Service Executive on it. I welcome Mr. John O'Donovan from the HSE.

The HSE has advised that the complexity of the medical conditions of patients referred to the National Rehabilitation Hospital for rehabilitation programmes has increased significantly in recent years, resulting in greater challenges for the hospital. In response, in late 2016, management at the hospital reduced its bed capacity by 12 to enable it to provide a safe and appropriate level of care for patients from within existing resources. Eight of the beds were in the

brain injury programme and four in the spinal cord injury programme. Thankfully, the position at the hospital has improved since. In September and October 2017 funding was secured to reopen four of the closed beds. Two brain injury programme beds were reopened in September and in October another brain injury programme bed reopened, with one in the spinal cord system of care programme. In late December 2017 additional funding was secured to reopen a further two beds in the brain injury programme through the assistance of the Health Service Executive's national social care division as part of its winter planning strategy for the period 2017 to 2018. As things stand, a total of six beds have been reopened at the hospital, five of which are in the brain injury programme and one in the spinal cord system of care programme.

The Department of Health is working closely with the HSE to maximise potential capacity at the National Rehabilitation Hospital. As always, the first priority will be providing safe and appropriate services for patients. The hospital was not in a position to reopen additional beds in early 2018 owing to the ongoing risk of infection through multi-drug resistant organisms, MDROs. The hospital has eight single rooms which are appropriate for isolation purposes in the control of MDROs. It has been requested to forward a proposal to the HSE for increasing these facilities in the light of the increased challenges associated with the admission of patients with suspected MDRO infections. The HSE most recently met hospital management on 16 April and was advised that a submission to increase the number of single rooms, above the eight available, was nearing completion. The hospital also confirmed that a submission had been provided for the national hospitals office on the reopening of an additional six beds at the facility. The proposal is also being evaluated by the HSE's community health division. The HSE's operations and service improvement division has also sought to reopen the same beds through the winter planning process for the period 2018 to 2019. However, such considerations will only be concluded by October and November; therefore, if successful, the beds will be opened after this date. The Government recognises the excellent rehabilitation programme which the hospital delivers and its excellent patient outcomes.

On capital development, the current priority is the delivery of replacement accommodation at the National Rehabilitation Hospital. The redevelopment of the hospital which is under way and which I warmly welcome will be a major enhancement to rehabilitation services. It will have a direct and significant impact on patient recovery by providing an optimal ward and therapeutic environment for patient treatment. An investment of €64 million will ensure the existing ward accommodation at the hospital will be replaced by a new fit for purpose ward accommodation block of 120 single en suite rooms, with integrated therapy spaces, a new sports hall, a hydrotherapy unit, a temporary concourse, as well as clinical and ancillary spaces. In addition, links with the existing building will ensure full integration between the new development and the existing hospital on the site. The contracts for development works at the hospital were signed on 28 August 2017 and construction commenced on the site immediately. The construction of the hydrotherapy unit and the sports hall is expected to be completed by the end of the year, with the remainder of the construction works due for completion by the end of 2019 and expected to be operational in 2020. Phase 2 of the redevelopment of the National Rehabilitation Hospital involves the expansion of services to include all existing therapies and support facilities to the new hospital. Funding for phases 1 and 2 of this major redevelopment project is provided for in the national development plan 2018 to 2027. It is part of an overall €10.9 billion strategic investment in health services under the Project Ireland 2040 policy initiative.

I thank the House for giving me the opportunity to address these issues. I look forward to listening to the contributions of Senators.

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Senator Victor Boyhan: I thank the Minister of State for coming to the House to discuss this issue which has taken up more of my time since I was elected to the Seanad than any other.

4 o'clock I looked at the file again today. I wrote to the Taoiseach. I am sure the Minister of State has a copy of the correspondence because I understand the Taoiseach sent it to him. He certainly sent it to the Department of Health. I have taken up the matter with the Minister for Health, Deputy Simon Harris, and discussed it with the Minister of State and his officials.

I went on site at the opening of the extension and it is all good news. Let us cut the issue down to what it is. I know a substantial number of the staff at the National Rehabilitation Hospital. I lived next door to it for 20 years and know what is going on on a daily basis, despite what the Minister of State might hear or what his officials might tell him. I have spoken to the staff. Let us deal with some facts.

I am extremely disappointed with the response which is not necessarily from the Minister of State, but he is the person who communicated it. I will tell him why. In January 2017 the National Rehabilitation Hospital closed 12 beds. There is a substantial waiting list of inpatients and outpatients who wish to use the service. There are excellent services, wonderful clinicians and staff and a great board, with none of which I have a problem. After many promises, speeches, letters and telephone calls, six beds were eventually reopened. The most recent response I have received from the Department is dated 10 May and reads:

Morning Senator,

Minister McGrath sought an urgent update from the HSE on this matter as you requested. It appears there are no immediate plans to reopen the six beds in question due to staffing and resources constraints at the NRH. However, the NRH is actively seeking to have the beds reopened and has made a submission to the HSE in this regard. There may be scope for reopening beds through the winter planning programme of 2018-2019.

Frankly, that is not good enough. The Minister of State has special responsibility for people with disabilities. We know that a substantial number of people are trying to get into the hospital. Many are trying to leave it, but because appropriate transitional services are not available in the community, they cannot do so. I have some documentation from Senator John Dolan about one case which was highlighted in the media. I was in the hospital twice last week and patients were waiting for exit plans for rehabilitation services. There is a crisis. It is simply not good enough for a Minister of State to come to the House to say there may be six beds in 2018 or 2019.

I intend to raise the issue again next Tuesday and write to the Taoiseach today to say it is not good enough. If it means me running this as a major political issue to be discussed at public meetings in Dún Laoghaire, I intend to do so. I cannot understand why the six beds cannot be reopened. I am hearing different stories and ask the House to bear with me. It has been said there is a case to be made for looking at the issue and one will have to be made. The National Rehabilitation Hospital has confirmed to me that it has made a case to the HSE. What is the HSE doing about it? There can be nothing less than six beds reopened.

The Government will, as I have said since I entered the House, be judged on two things - health and housing. It is a poor show if we and the Minister of State cannot do everything in our power to have the beds reopened within one month. I am pleading with the Minister of State to

make a very strong case to the Government. He is a key sustainer of it and has enormous power and influence. I ask him to use them to have the six beds reopened.

Senator Diarmuid Wilson: I welcome the Minister of State back to the House and congratulate my colleague, Senator Victor Boyhan, who has been raising this issue continuously in the past few years. That is why I gave way to allow him to lead off in this very important debate. I am speaking on behalf of my colleague, Senator Keith Swanick, who is unavoidably absent.

The Taoiseach recently turned the sod on a new development with 120 beds at the National Rehabilitation Hospital, but they are not additional beds. The plan is to provide 120 beds in two or three wings and knock down the existing building. There will be no increased capacity. I welcome the new development which will significantly improve facilities for staff and patients, but it will not address the ongoing capacity issues within the hospital, as Senator Victor Boyhan has continuously pointed out in the House.

The Government is underestimating the importance of this issue. Increased bed capacity at the National Rehabilitation Hospital is essential to support implementation of key Government policies, including the national neuro-rehabilitation strategy and the national trauma strategy. The British Society of Rehabilitation Medicine standards for specialist rehabilitation which are applied in Ireland indicate that a minimum of 60 beds per 1 million population for specialist inpatient rehabilitation medicine is required. In other words, 288 beds are required for the population of the country. This is in addition to the complex specialist rehabilitation tertiary service in the hospital which should provide for patients with complex rehabilitation needs such as a severe brain or spinal cord injury, low awareness states, challenging behaviour or concurrent complex medical needs.

In November 2017, 257 patients were on waiting lists for the National Rehabilitation Hospital. They are waiting anxiously for a coveted space in a hospital that they know is held in high regard and responsible for helping people the length and breadth of the island. At an individual level, the impact of not receiving appropriate and timely rehabilitation services can lead to serious deterioration. At a system level, it can lead to increased hospital admissions and as a consequence delayed discharges. There is only one national rehabilitation hospital, in which the doctors and nurses are doing an excellent job in difficult circumstances. They need to be supported and provided with the necessary resources they require. The patients who need the services of the hospital need increased bed capacity. There is an argument to be made for providing a similar hospital in the south of the country, but that is for another day. I thank the Minister of State for his contribution and look forward to hearing his response.

Senator Colm Burke: I welcome the Minister of State. I fully accept that this is always a major challenge. My colleague is right about the need for long-term planning. The standard is 60 beds per 1 million population. Therefore, in real terms, we do not have a sufficient number of beds. About 20 years ago there was a proposal to develop a unit in Cork. We need to consider the long term. I agree with Senator Victor Boyhan on trying to fast-track the reopening of six beds. That is something we should try to sort out immediately. As part of Project 2040, it is proposed to build new hospitals. The programme needs to include the building of a second facility in the southern region to provide rehabilitation services for people who have suffered major injuries.

On Saturday I attended a function to raise funds for a person who had suffered a serious

injury during the recent snow storm. He is in a rehabilitation facility in Dún Laoghaire and being looked after very well. A number of people from Cork attended the function. There are challenges for persons who want to visit family members in Dún Laoghaire. If we were to start planning now, it would be a number of years before things were up and running. We should start planning now and not wait until a new facility has been opened.

I welcome the new development. In fairness to the Government, it allocated money for the development of a new facility. The best of facilities will be provided and that is long overdue. We must do a great deal more long-term planning in this area. It should be remembered that we have quite a number of people who are on the waiting list and who can make no progress. They are in hospital as it is and occupying beds which are needed by others on waiting lists. If we have insufficient numbers of beds in the rehabilitation unit, the speed of recovery is further delayed. It is important to do more long-term planning, but in the meantime we must prioritise this issue to ensure we have all of the beds which can be opened and funded. We must also ensure we have an adequate number of staff for those beds.

Senator John Dolan: I welcome the Minister of State and thank Senator Boyhan for his tenacity in this matter. The complexity of the medical conditions of the patients referred to has increased significantly in recent years. I do not, however, on the face of it accept complexity as a justification. Complexity is something which is growing all the time across our health services and hospitals. No one went home from work in the National Rehabilitation Hospital one evening and came in the following morning to find that the cases had become more complex. This is happening all the time. People are surviving traumas, whether strokes or other conditions, at a rate, thankfully, they did not before. A better explanation is therefore required. The issue of multi-drug resistant organisms is everywhere. Every hospital in the country is dealing with that, in particular those treating people with severe conditions. These explanations do not get to the nub of the issue.

If there are nearly 260 people waiting, as Senator Wilson said, to get into a hospital with capacity to treat just over 100, it means capacity is a massive issue. The simple, modest request being put to the Minister of State relates to when the six beds will be open. I should be giving out to Senator Boyhan for not talking about the other 100 plus beds which are needed but he is simply asking about half a dozen beds we were told would be opened. As to the capital development, while it will be fantastic that people will have a room of their own, more space and more dignity as part of their rehabilitation, it does not add a single bed to the outfit. I ask the Minister of State to confirm that for the avoidance of doubt.

It is a bit like airports. If airplanes cannot take off, one cannot work on capacity at the other end. One cannot have people coming in. A core problem is that people are in beds in the National Rehabilitation Hospital who should have been discharged. Senator Boyhan pointed out that I had been dealing recently with the case of a man in his early 30s who should have been discharged six months ago. That is half a bed per annum. He cannot move on because there is a bun fight among the HSE and some other institutions as to where he might go. Some of the places they suggest are tearing up the CRPD, to put it mildly. It is not about the man's progression and getting back on a pathway to independence. Housing, personal assistance, home supports and a bag of practical things, the content of which I need not lay out for the Minister of State, are a huge part of solving this issue. I ask the Minister of State to address that in his response.

Senator Niall Ó Donnghaile: I am acutely aware that there are Members who are much

more familiar with the issues under discussion than me, but it is very important to take the opportunity to comment given the severity and passion involved and articulated previously. The National Rehabilitation Hospital provides complex specialist rehabilitation services to patients who, as a result of an accident, illness or injury have acquired a physical or cognitive disability and who require specialist medical attention. It provides comprehensive inpatient and outpatient services to adults and children. Backed by more than 50 years' experience, clinical expertise and a solid reputation for excellence, patients are given every opportunity to meet rehabilitation goals through personalised treatment plans delivered by interdisciplinary teams at the hospital. It is the only facility of its kind in the State and it operates according to an ethos of providing high-quality care and treatment to patients on the basis of clinical need. It is a registered charity and fundraises to deliver its much-needed services.

Brain trauma requires intensive and, in some cases, prolonged attention. To nurse severely damaged people back to full health, or as close to that as can be, adequate resources are required. We all know there is a general crisis in the health service. There is lower awareness, however, of the specific crisis at the rehabilitation hospital. The major concern for the hospital currently is bed capacity to cater for the increasing number of people in need of its special treatment. As I speak, there are 283 people on the waiting list. Last September, there were 236 people waiting for a bed. In nine months, nearly 50 people have joined the bed queue. What will the figure be in nine months? We do not know, but we can certainly speculate that it will increase. Currently, 19 children are awaiting a bed while 50 people are waiting for brain injury treatment. For these patients, it is an emergency situation. Given the size of the waiting list at the rehabilitation hospital, it is obvious the Government's policies are failing people in distress.

I have a number of questions for the Minister of State. While some have been asked, they are worth repeating. What practical steps are being taken to reduce the waiting list? Does the Government intend to recruit extra staff? Will the Minister of State listen to front-line staff, including the doctors, nurses and other health care professionals whose exceptional dedication absorbs so much of the hidden pressure caused by underfunding? It is clear that additional tailored funding is required for the rehabilitation hospital. How many empty beds are there in the hospital? A new rehabilitation hospital is due to open in 2020. Even before its doors open, there are worrying signs of bed capacity issues. Its bed capacity of 120 is similar to what is available in the current hospital. While a new hospital is necessary and welcome, we have no new ideas from Government as to how to bring an end to waiting lists. What does the Government intend to do with the current hospital? Will it continue as a rehabilitation hospital to provide extra beds?

The impact of the current circumstances on the rehabilitation of people is very worrying. The Neurological Alliance of Ireland is running a campaign, entitled *We Need Our Heads Examined*, which calls for investment in rehabilitation services for people with neurological problems. I urge the Minister of State to examine his head and to listen to those who know what needs to be done to ensure the crisis in the rehabilitation hospital is resolved to the satisfaction of those who are in the greatest need, namely, those on the waiting list.

Senator Frank Feighan: The National Rehabilitation Hospital in Dún Laoghaire is in major need of redevelopment. There have been extensive discussions over many years on the building of a new hospital on the site. Unfortunately, the economic downturns of the 1980s and 2008 have prevented the project getting off the ground. In the intervening years, the waiting list at the National Rehabilitation Hospital has grown longer. We are talking here about patients with spinal and brain injuries who are waiting for life-changing treatments. What is making

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the situation worse is the fact that the hospital is not operating at full capacity due to 12 bed closures earlier this year. It is an unacceptable situation which must be resolved as a matter of urgency.

On a more positive note, I am glad to see the wheels have started to turn on the new hospital earmarked for the site. Last October, the Taoiseach, Deputy Varadkar, and the Minister for Health, Deputy Harris, turned the sod to mark the commencement of phase 1 of the new hospital development. As people have said, phase 1 includes the provision of 120 new single-bed-en-suite rooms while phase 2 will provide for the relocation of all existing therapies and support facilities to a new, modern development to serve the new 120-bed hospital. Phase 3 will include the completion of a 235-bed hospital. While there is a great deal of work to be done, the sooner the project can move to phase 3, the better it will be for all concerned.

I am very encouraged also by the major progress on an €8 million medical rehabilitation unit at Roscommon University Hospital. It is a capital project on which I have strongly campaigned and delivered over recent years. We must remember that the National Rehabilitation Hospital in Dún Laoghaire is the only comprehensive rehabilitation facility in the Republic of Ireland for patients with physical and cognitive impairments. When the stand-alone rehabilitation unit at Roscommon University Hospital is built, it will relieve pressure on existing services and waiting times at the National Rehabilitation Hospital, NRH, in Dún Laoghaire and allow patients to be treated in their communities. The ten-bed unit in Roscommon will operate as a satellite centre of the National Rehabilitation Hospital and under its auspices. From a geographical perspective, Roscommon hospital's central location is ideal for this development as it is accessible from the west and Dublin. The development will create 25 jobs initially and up to 50 jobs when all phases are complete. I am pleased to note the project is at design stage and I look forward to its completion in the not too distant future. We hear a great deal about decentralisation. The new rehabilitation unit will be an important facility for the west and it cannot come soon enough for both Dún Laoghaire and Roscommon.

An Leas-Chathaoirleach: I ask Senator Devine to make it snappy because I must call the Minister of State before 4.30 p.m.

Senator Máire Devine: I add my voice to those calling for the reopening of six closed beds in the National Rehabilitation Hospital and commend the passion of Senator Boyhan. He could be the NRH mascot and he is certainly its champion given the number of times he has raised the issue in the House.

The future plans and strategy for the hospital are fantastic. It often strikes me, however, that we under-plan for every single service in health, although housing also comes to mind. We should be capable of deciding that a service providing 100 beds will require, for example, 200 beds in ten years. Modern treatments make it much more likely that many more beds will be needed in future as most people will be able to survive life-threatening illnesses.

Some years ago, a friend of mine who is a nurse had a stroke at 39 years of age. She was in Navan hospital and we pressed to have her provided with rehabilitation services, believing the hospital might listen because she was a nurse. In the case of stroke it is necessary to have damage caused to the brain treated in the first few weeks. There was no room in the National Rehabilitation Hospital for my friend, however, and I am sure many Senators have had similar experiences. Many people are being left with lives unlived and opportunities missed as they are forced to remain in hospital, nursing homes and other inappropriate care settings. This is-

sue, which has been discussed previously in the House, calls into question whether the rights of the disabled are being vindicated and impact on the Assisted Decision-Making (Capacity) Act.

We repeatedly fail to plan for the future. If Senator Boyhan or I could find staff today, would the Minister of State be able to issue a cheque to open the six closed beds in the National Rehabilitation Hospital?

Senator Maura Hopkins: I thank the Minister of State for coming to the House. Senator Boyhan and I were among the first public representatives to raise the issue of 12 beds being closed in the National Rehabilitation Hospital last year. It is deeply frustrating that while half of the beds have been opened, six remain closed. That is not good enough. We hear a great deal about capital development, which is positive, but the most important aspect of delivering rehabilitation is to ensure adequate staffing is available and the service provided by the NRH is able to operate to capacity.

The National Rehabilitation Hospital has confirmed that a submission has been made to the National Hospitals Office regarding the reopening of six beds at the facility. We understand, however, that the outcome of these considerations will not be available until October or November. Based on today's debate, I ask the Minister of State to escalate this very serious issue. The National Rehabilitation Hospital is the national service for people with brain injury, stroke and spinal cord injury who need access to timely specialist rehabilitation.

Based on information provided by the NRH yesterday, there are nine delayed discharges in the hospital. This refers to people who may need adaptations or home supports. Delayed discharges affect the hospital's ability to admit new patients and compound the problems caused by the failure to open six beds in the hospital. We have been here before and there has been little improvement in the meantime. The six closed beds at the NRH must be reopened without delay. I ask the Minister of State to seek an update on this matter from the Health Service Executive and to revert to the Seanad with the response because the current position is simply not good enough.

It is positive that progress is being made in developing a rehabilitation unit at Roscommon University Hospital. I understand a design team is in place. It is essential that the project progresses to planning and is delivered as quickly as possible because it is needed to cater for the many people who require rehabilitation support.

An Leas-Chathaoirleach: I am sorry Senators needed more time. I must also apologise to the Minister of State because the order of the day provides that he must conclude in four minutes at 4.30 p.m.

Minister of State at the Department of Health (Deputy Finian McGrath): I thank Senators Boyhan, Wilson, Colm Burke, Dolan, Ó Donnghaile, Feighan, Devine and Hopkins for their valuable contributions. It is clear from this debate that all of us agree that the work of the National Rehabilitation Hospital is critical to the care of people who require its services. Neurological illness or injury has significant implications for individuals and their families and impacts on social, educational, vocational and recreational participation.

I accept that all those who spoke understand the issue. Senators raised valuable points on exit plans, the investment of €64 million, bed capacity, long-term planning and the urgent need for a second facility. It is also important that sufficient beds become available in the rehabilitation unit.

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Senator Dolan referred to personal assistance and housing, an issue on which I am working closely with the Minister for Housing, Planning and Local Government, Deputy Eoghan Murphy. Senator Ó Donnghaile raised the issue of waiting lists while Senator Devine raised the issue of under-planning. I will take the points they made on board.

Senator Hopkins spoke of delays and noted the importance of the new facility in Roscommon. I recognise all the important points made in this debate and I give a commitment to convey them to the Minister for Health, Deputy Harris. I will also press for progress on the issue personally.

The National Rehabilitation Hospital provides complex specialist rehabilitation services to patients who, as a result of an accident, illness or injury, have acquired physical or cognitive disability and require specialist medical rehabilitation. The hospital has a reputation for excellence and provides patients with every opportunity to meet rehabilitation goals through personalised treatment plans delivered by consultant-led teams whose members are experts in their fields. The rehabilitation programmes at the hospital are tailored to meet the individual needs of adult and paediatric patients in the following areas of specialty: brain injury; spinal cord system of care; prosthetic, orthotic and limb absence rehabilitation; and paediatric family-centred rehabilitation.

I emphasise again the Government's commitment to the area of neurorehabilitation, and the development of the new 120 bed National Rehabilitation Hospital on the existing campus is a priority. I have been pressing for this development. The design is inpatient centred and based on the principles of empowerment, dignity, privacy, confidentiality and choice. There will be a major enhancement of rehabilitation services which will have a direct and significant impact on patient recovery by providing the optimal ward and therapeutic environment for patient treatment at the hospital. The model of care proposed in the strategy is a three-tiered model of specialist rehabilitation services and complex specialist tertiary services, specialist inpatient rehabilitation units and community-based specialist neuro-rehabilitation teams. These kinds of actions are starting as I speak.

As a first step, a managed clinical rehabilitation network project is in development to establish collaborative care pathways for people with complex neuro-rehabilitation care and support needs, accommodation needs, or both. We have to deal with accommodation needs if we are to assist the nine people who are occupying beds but want to exit these services. The National Rehabilitation Hospital will participate in the demonstration project.

I thank Senators for their valuable contributions to this important debate. I am listening to the points they are making. I am conscious that we have people in these circumstances. All of the issues that are being raised will be brought back to the Minister for Health, to the Department of Health and to the HSE.

Rural Development: Statements

Minister for Rural and Community Development (Deputy Michael Ring): I thank the Seanad for the invitation to address it on rural development issues. We had a very good discussion on the policies and programmes of the Department of Rural and Community Development

last December, and I hope we will have an equally good discussion today. On that occasion, this new Department had been established for less than six months and the Government's Action Plan for Rural Development had been in place for less than a year. Although a relatively short time has passed since I last addressed the House, there has been a great deal of progress over the last six months. We are beginning to see the tangible impact of the Government's investment in rural development.

The second progress report on the Action Plan for Rural Development was published earlier this month. It shows an implementation rate of over 90% regarding the 271 actions which were due for delivery across the Government in 2017. Most importantly, these actions are making a real and tangible difference to the lives of people who live in rural areas.

In 2017, employment increased in almost every region of the country. Employment numbers outside the Dublin region grew by 56,200 last year. This accounted for 84% of all employment created in the country. Some 281 projects were funded by my Department under the town and village renewal scheme in 2017. This brought to over 450 the total number of projects support under the scheme since 2016. In April, I launched a further round of funding under the town and village renewal scheme, with an allocation of €15 million for this year. Over 900 Leader projects have been approved by local action groups and are getting under way, with more than 300 further projects going through the approvals process. The development of the Wild Atlantic Way and Ireland's Ancient East initiatives has led to more people than ever visiting and experiencing rural Ireland, thereby boosting employment in local economies. A new brand for the midlands region, Ireland's Hidden Heartlands, has been launched by Fáilte Ireland.

Additional investment is being made in public roads. The reintroduction of the local improvement scheme in 2017 provided funding of €17 million for non-public roads. I have allocated further investment of €10 million under the local improvement scheme in 2018, which will bring the total number of roads supported since September 2017 to over 1,100. Under the CLÁR programme, funding of just under €7 million was approved for 231 projects in 2017, bringing to over 900 the number of projects which have been approved for funding under CLÁR since I relaunched the programme in 2016. The 2018 CLÁR programme was launched in March and my Department is assessing the 400 proposals that have been received.

Some 240 projects with a value of €13.6 million were approved under the 2017 outdoor recreation infrastructure scheme to improve walking trails, greenways and other recreational amenities. Over €20 million has been allocated to 370 projects under this scheme since 2016. Many other Government initiatives equally support rural development. The details of these measures are set out in the progress report on the Action Plan for Rural Development. The action plan demonstrates that rural development is not the responsibility of a single Minister. My role is to ensure a co-ordinated approach is taken to rural development across the Government and to encourage my Cabinet colleagues to work together to achieve the objectives the Government has set for rural Ireland.

I would like to speak about the rural regeneration fund. The launch of Project Ireland 2040 by the Government has been perhaps the most significant development for rural Ireland since I last spoke in this Chamber. The two elements of this initiative are the national planning framework and the national development plan. Project Ireland recognises the value of rural areas to Ireland's identity and overall national development. The plan is good for rural Ireland. Many of the strategic objectives in the national planning framework will benefit rural areas through investment in sectors like transport, energy and tourism.

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My Department will have a key role to play in achieving the planning framework's objective of strengthened rural economies and communities. It will also be responsible for overseeing the new rural regeneration and development fund which forms part of the national development plan. Under this new fund, which is a tremendous boost for rural Ireland, the Government has committed to investing an additional €1 billion in rural development over ten years. This level of investment is a defining moment for rural Ireland because it will help rural communities across the country to realise their full potential. The fund will seek to bring together investment across different Departments and agencies, local authorities and communities to deliver ambitious joined-up projects that will have a significant impact on rural towns, villages and outlying areas. I am finalising the details of the rural regeneration fund with my Government colleagues and hope to make an announcement on it shortly.

The final point I want to make relates to realising the potential of rural areas. We have a tremendous opportunity to make a significant difference for the people who live in rural Ireland. Since I came into this job, I have been saying we have to change the way we talk about rural Ireland. Rural Ireland is not dead. It is full of potential and energetic people who get things done. It can offer a quality of life that attracts people to our country to live and to work. It has many great entrepreneurs who are creating jobs throughout our regions.

We can still make improvements to ensure our towns and villages are sustainable. In particular, we need to support areas that have not yet seen the signs of recovery. As public representatives, we all have a role to play in changing the perception of rural Ireland. We all know stories about initiatives that are making a difference in rural areas. I see these good projects as I travel the country. We need to highlight the positives and try to help areas and communities that need extra support.

I thank the House for the opportunity to set out some of the developments that have taken place since I last addressed the House. I look forward to hearing the contributions of Members to this discussion. I will be happy to answer any questions that Senators may have.

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

Senator Paul Daly: I welcome the Minister to the House and thank him for his deliberation. Unfortunately, successive Fine Gael-led Governments have allowed a two-tier recovery to develop. Growth is concentrated in a few hands in small parts of the country. Government decisions are, ultimately, damaging the attractiveness of living and working in rural areas. Seven years of Fine Gael Government has allowed a two-tier recovery to take hold, which has concentrated growth disproportionately. This has been confirmed by a recent EU Commission report that regional imbalances remain across the State in investment, economic growth, competitiveness and innovation.

The new Department of Rural and Community Development is a slimmed down Department with a total budget for 2018 of €212 million following the breaking up of the Department of Arts, Heritage, Regional, Rural and Gaeltacht Affairs by the Taoiseach last June. This compares to a budget of €370 million for the Department of Community, Rural and Gaeltacht Affairs, under the Fianna Fáil Government in 2010. Once more, token priority is being shown to rural Ireland with key functions falling between two Departments with responsibility for the islands and the Gaeltacht staying in the Department of Culture, Heritage and the Gaeltacht. What is worse is that the Department has a capital allocation of €88 million for 2018 but at the

end of April this year only €6 million, or less than 7% of the funding, has been spent. Last year the Department failed to spend its allocation of funding and had to return €19 million in capital and current funding to the Exchequer.

We are calling on the Minister to outline in detail, today or in the near future, what plans he has to ensure that all of the €88 million capital that has been allocated to his Department for this year will be spent. Rural Ireland urgently needs this funding and the Minister has a responsibility to ensure that this money is spent.

Rural communities are struggling with stripped down services, bank, post office and Garda station closures and the ever present threat of rural crime. Fine Gael's six year record has been one of decimating rural Ireland's existence, leaving utter devastation in terms of service provision and supports. Meanwhile, farm incomes have been hit by severe price volatility across all sectors, jeopardising the family farm as the basis of Irish agriculture.

The decision of the Fine Gael led Government to close 139 rural Garda stations has undoubtedly had an adverse impact on crime rates in these communities and some of these stations have to be reopened. This measure has allowed criminals to target the countryside. The Government has constantly denied there is a problem with rural crime and it has said that the statistics are down, but this is not the experience of families living in rural Ireland.

The Government's Action Plan for Rural Development is another false dawn for rural Ireland and rehashes existing announcements, programmes and employment forecasts. There is very little substance in this document that will immediately improve service provision, infrastructure and employment opportunities in rural parishes. The plan will, ultimately, be judged on what additional new funding will be ring-fenced. It is the fourth rural development plan produced by Fine Gael in 33 months, following the CEDRA report, the rural charter and the programme for Government. Clearly, there has been a systemic rural policy failure by Fine Gael. There is no long-term vision and planning as the depopulation of rural parishes escalates. Shockingly, more than 500,000 rural households and businesses must wait until 2023 for State intervention to receive moderate speed broadband. This is ten years after the national broadband plan was first launched. The ultimate litmus test will be how much additional funding will be ring-fenced for the current plan before it comes to fruition.

Disgracefully, the chickens are coming home to roost for Fine Gael's maladministration of the vital Leader rural enterprise funding stream. Not only has the budget been cut by €150 million, or 40%, it has proven to be a bureaucratic mess for Leader companies. It is a damning indictment that out of the total €250 million funding allocation, only €1.5 million has been spent on actual Leader project payments outside of administration costs up to 15 April 2018. This is despite being in year five of this rural development programme 2014-2020.

The six-monthly progress reports on the rural action plan are another PR smokescreen to give the impression that all is fine in rural Ireland. Rural parishes will not be led up the garden path in yet another box-ticking exercise by this optics led Government.

Fianna Fáil is committed to building an Ireland for all where the fruits of recovery are felt throughout the State with more regional balance. In the confidence and supply arrangement to facilitate a minority government, Fianna Fáil extracted policy commitments on rural Ireland to be implemented over the Government's term in office, examples of which are an increase Garda numbers to 15,000 and the development of new community development schemes for rural ar-

eas. These commitments resulted in a reversal of the cuts made to the farm assist scheme and increased CLÁR and local improvement scheme funding. Fianna Fáil secured a commitment in budget 2018 for the recruitment of an additional 800 gardaí. This will bring the force's strength to about 14,000.

I do not want to be damning in everything I say but as someone who lives in the heartland of rural Ireland the only progress that I can see is in press releases. I live in the midst of it. It is an area of the country that is dying on its feet and we cannot keep portraying the image that the area is alive and well. Football clubs, parishes, small communities, rural schools and even the farming community, which was the heart and soul of rural Ireland for many generations, are all dying on their feet. They need immediate and actual intervention, not just talk.

Acting Chairman (Senator Gerry Horkan): I thank Senator Daly.

Our next speaker is Senator Ian Marshall. As this is my first time in the Chair for one of Senator Marshall's contributions, I welcome him formally to the Chamber. He is very welcome and I hope he enjoys his time here.

Senator Ian Marshall: I thank the Acting Chair. If we consider that 37.3% of the population resides in what is regarded as aggregated rural areas, with more than 40.8% of people defined as rural, this issue applies to a huge proportion of the population.

Rural development and the strategy connected with rural development must focus and must centre on upskilling and on education. It must focus on the removal of obstacles that are restrictive and problematic for rural communities so they can progress and be successful.

Rural areas have a competitive advantage in many areas such as agrifood, renewable energy, creative industries, marine industries and tourism. There are many areas in which rural communities have an advantage. A local bottom-up approach must be key to the implementation of some of this strategy. Investment in infrastructure and ICT, on services and on connectivity is key. Whether this means connectivity by road networks or by rural broadband, it is imperative that it is addressed if we are serious about supporting rural communities.

Government Departments working together is an important element as the rural component is sometimes overlooked. This element of Departments working together should not be a token gesture; it must be really integrated and linked.

This morning I shared with the House some figures that were released last night in the national farm survey by Teagasc. Average farm income was up 32% with the average farm now declaring an income of more than €31,000. Dairy farm income is up 65%, tillage farm income is up 20%, and the sheep farm income is up 8%. This appears to be impressive and at face value it seems to be good news, but we need to be very careful about these figures because they are average incomes. It was made known to me some months ago, when talking about average incomes, that if one's feet are in the freezer, one's head is in the oven and one's body temperature in the middle is average, one thinks one is okay but one is actually dying. We need to be very careful in how we treat averages. Subsidies account for 56% of this money and if we remove that component then the income does not look particularly good. Incomes are up significantly but they have come from a very low base. A small family farm in rural Ireland is still punching way below its weight in what income it should receive to be equal with urban and city areas.

In the Teagasc farm survey statistics dairy fortunes are driven very much by markets. On the back of the dairy crisis and an under-supply in the industry we have a huge increase in dairy revenues but if we remove the dairy component from this figure, the average income comes down to about €20,000 per business. If we strip that down further to look at the beef industry, the average income is between €12,600 and €16,000, which is quite embarrassing. This situation is not sustainable for small family farms and rural businesses. The success of this industry is significantly linked to the success of this country. Investment in research and development, innovation and educational supports is needed. The statistics show that complacency would be very dangerous. We must not ease up on the pressure to invest in and support research and development and education as a means of promoting, marketing and supporting the agrifood industry in every way possible.

Rural development must take place in conjunction with, and as part of, the development of urban and city areas. It cannot be treated as something separate. In another job in a former life, I was involved in a number of strategies. It is good to develop and document strategies, but implementation is key to all of this. I have watched many strategies gather dust on shelves. This does not mean they failed during the implementation phase. Brexit is the default issue which many of us seem to fall back on during these discussions. It is the elephant in the room. I would like to ask the Minister about Brexit in the specific context of this strategy. What has changed? What will change? What needs to change in this policy to make it Brexit-ready and Brexit-proof?

Senator Maura Hopkins: I welcome the Minister for Rural and Community Development, Deputy Ring, to the House. I wish him continued success in his role. He continues to be a flag bearer for rural Ireland at Cabinet level. The importance of his role in supporting rural and regional development cannot be overestimated.

I always want to be constructive, but I have to take issue with a number of the points that were made by Senator Paul Daly. He said that we are decimating rural Ireland and that it is dying. He suggested that the budget for rural Ireland was much larger when Fianna Fáil was in government. I am not sure whether the Senator was involved in politics in 2008, 2009, 2010 or 2011 when our country was in the depths of despair after the Celtic tiger had gone bust and the IMF and the troika were here. I cannot understand the lack of a rational debate on the challenges we face in rural Ireland.

Senator Paul Daly: The Senator is confirming all my points by going back eight years to blame-----

Senator Maura Hopkins: I did not interrupt the Senator. As I said at the outset, I want to be constructive. Senator Daly spoke about rural crime. I am sure he understands that the last time his party was in government, it closed the Garda College in Templemore. How was it possible to have new Garda recruits entering the system? It was not possible. I was in Castlerea with the Minister, Deputy Flanagan, last week. Five new recruits have been allocated to that district, which is benefiting from enhanced policing resources. I was in Ballinameen last Sunday. The former Department of the Minister, Deputy Ring, has provided support of €50,000 to the community so that the local GAA club can build new dressing rooms. That GAA club has challenges, but it is not dying.

We are looking forward to the forthcoming visit of the Minister, Deputy Ring, to Kiltewan. Money was allocated to that community under the CLÁR programme, which was mentioned

by Senator Daly, for a community space and playground area, which is to be opened by the Minister next week. These are real examples. I love living in a rural area even though there are problems. If our attitude is that we cannot try to solve such problems, that is not a good starting point.

I want to make some points about the challenges that are being faced in rural areas. As the Minister will be aware, this goes back to economic circumstance as well. The Ballaghaderreen bypass was approved during the most difficult economic circumstances. The N5 needs to be expanded to ensure villages like Frenchpark, Tulsk and Bellanagare are served by an excellent road infrastructure, thereby facilitating enhanced economic development in such areas. The local improvement schemes, which have been reintroduced by the Minister, are very important in rural areas. Many people and communities have benefited from funding under these schemes.

Access to high-speed broadband in rural areas is a key issue. I am concerned about the national broadband plan. We need to ensure businesses have access to reliable high-speed broadband. I know the Minister is working closely on the development of digital hubs. I am concerned about the delivery of the broadband plan. Given that we are investing more than €1 billion of public money in this plan, we need to ensure it delivers for our rural communities. Students from Kiltewan national school came to Leinster House this morning. It is always good to see young people from rural areas coming here to learn about the workings of the Seanad and the Dáil. As our education sector continues to move into a technology zone, adequate broadband services must be available to ensure students in rural areas are not at a disadvantage.

The Minister was aware because I discussed it with him on many occasions that I was concerned about the lack of emphasis on the west, in particular, in the national planning framework. It is envisaged that the inclusion of the hubs of Sligo and Athlone, which is very positive, will offset much of the pressure that is on Galway city. This is something that is badly needed. In that context, I will give a relevant example which feeds into the infrastructure challenges as well. When the Minister of State, Deputy Breen, came to Ballinasloe recently at my request, he visited the IDA Ireland business park in the town, where two flagship companies, Aptar and SurModics, are based. Both of those companies, which have benefited from the support of the local business park, are doing very well. SurModics expanded last year with the creation of 100 extra jobs. Towns like Ballinasloe have much more potential to offset the pressures from Galway city. The Minister and his officials work with their counterparts in many other Departments. I would like them to place a greater emphasis on employment agencies like IDA Ireland and Enterprise Ireland, as well as on enhanced supports for local enterprise offices, to make sure they discriminate in favour of rural areas like Roscommon town, Ballinasloe and north Roscommon. It is critical that Government agencies work hard to ensure we develop the economic potential of such areas.

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I would like to mention a final example of the positive initiatives that are taking place. I assure Senator Daly that I have many such examples. The Minister, Deputy Ring, was in County Roscommon recently to launch an investment of almost €1 million in the Beara-Breifne Way, which extends from County Cork to County Cavan.

It has significant untapped potential for tourism development in the midlands. This feeds into the Shannon blueway and developing the potential of the new brand Ireland's Hidden Heartlands. Again, we need to ensure the tourism agencies, Tourism Ireland and Fáilte Ireland, market it to its greatest potential to attract people to the region, not just for a day but to stay overnight.

The Minister works closely with the Minister for Agriculture, Food and the Marine, Deputy Michael Creed. I cannot overemphasise the importance of protecting the CAP budget, particularly in the context of Brexit, to which Senator Ian Marshall alluded.

This is not a quick fix. Nobody is saying there are no challenges in rural Ireland. However, we must be realistic and practical about solutions to enhance and improve the potential of rural areas.

Senator John Dolan: I welcome the Minister, Deputy Michael Ring. Although his Department has been going for nearly a year, this is the first opportunity I have had to wish him well in it. It is an interesting Department. It is a small outfit, but it has a cross-departmental approach. Small might turn out to be beautiful. I have been rereading its statement of strategy. There is an emphasis on the creation of jobs, the infrastructure required to support them, as well as supporting communities to be more sustainable and desirable places in which to live, work and raise families. The Minister referred to the cross-departmental aspects of the Department which is front and centre and really exciting. However, there is no particular mention in the strategy of people with disabilities and their families. There are many references to them in A Programme for a Partnership Government which includes a commitment to ratify the Convention on the Rights of Persons with Disabilities. Thankfully, that has been done. This means that the job has to start. Will the Minister come back to the House to set out, in the context of his Department's work and remit, the steps being taken to move on the issue of the inclusion of people with disabilities? That he has a cross-departmental approach and culture is highly important.

Housing, access and public transport are issues for people with disabilities. Job creation is also a significant issue, on which the Minister placed much emphasis. It is not shifting in the right direction for people with disabilities anywhere throughout the country. Will the Minister come back to set out how he is weaving the Government's commitment into the work of his Department, as well as the work it does with other Departments, to improve the position for people with disabilities?

Up to 37% of the population live in rural areas. There are 228,000 people with disabilities living in rural Ireland. About the same number, 227,000 persons, live on farms. That shows how large a number of people with disabilities are involved and that does not even take into account the multiplier effect when one considers their families. Focusing on and improving the inclusion of people with disabilities and their families are also practical ways for the Minister to focus on public service reform, as is well stated in his Department's statement of strategy. The Department's mission is to promote rural and community development, as well as to support viable, inclusive and sustainable communities throughout Ireland. One of the five areas to which the Minister referred is improving access to services and social networks to ensure a high quality of life for people. That is critical for people with disabilities and their families. Again, I am asking the Government to overtly include it. The strategy of statement states:

We have a cross-government mandate that involves engaging at every level of Irish society, from citizen to central government, and our ambition is to build a culture of co-production with those stakeholders, defined as "Delivering public services in an equal and reciprocal relationship between professionals, people using services, their families and their neighbours".

The Minister gave seven examples. Will he come back to show where people with disabilities figure in them? Will the rural regeneration and development fund have a dividend

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for people with disabilities and their families? It gives a tremendous boost to rural Ireland. However, the aim at this stage is not to struggle strongly with how we include people with disabilities and their families. The fight for the Minister is not only within his Department but with other Departments.

In making rural Ireland sustainable the Minister focused on the economic and employment side. However, there are two sides to that coin. It also has to be a decent place, as other Senators mentioned, to encourage people to live and for them to want to live in rural Ireland. The other pillar is the social side. Of course, I could talk morning, noon and night about people with disabilities. However, focusing on people who have needs which cross different Departments and public services provides a template for all sorts of group which at various times will have inclusion issues and difficulties. I am keen to be of any assistance I can to the Department. I am not bothered that it is not a Department of monstrous size. It might be the way Departments will have to work more. It should be about what they can get done, not particularly what they do themselves. That is so important to build a new Ireland that will work for everyone.

Senator Pádraig Mac Lochlainn: Over two months have passed since the launch of Project Ireland 2040. We should be dealing with legislation to give effect to its provisions instead of making more statements in which we point to the very obvious. People living in rural Ireland are suffering from announcement fatigue. We receive updates every couple of weeks on the roll-out of plans such as the national broadband plan. The tone of these announcements, however, is completely at odds with the reality on the ground. I have seen little or no change in the Government's attitude towards rural development. Project Ireland 2040 was offered as a panacea, a one-stop-shop to address years of neglect. In my area of Inishowen, situated on the Wild Atlantic Way, the major recreational amenity of Swan Park in Buncrana has been out of action for nine months having been badly damaged during the floods last August. Having such a key amenity along the Wild Atlantic Way out of action for that period shows the disconnect between plans and actions. Why bring people along this wonderfully scenic coastal route to a key facility that should have been repaired but which is out of action due to a lack of action?

The debacle around Leader funding has only worsened. My party colleague, Deputy Martin Kenny, recently raised the case of significant funding for a project being held up by Pobal due to a typing error in the application. One would think, in the face of such diligence, that Leader funding was quickly running out and that detailed checks like this needed to be carried out. During the debate on same, however, it was revealed that only 0.3% of Leader funding had been drawn down by the end of the December last year. The Government tells us that €250 million in Leader funding has been allocated up to the end of 2020, but we must draw a distinction between money that is allocated or set aside and the actual amounts paid out to community groups and projects. The money that is allocated to local action groups is simply not getting through to the projects themselves. Many groups have simply given up on their projects.

At the recent launch of Project Ireland 2040, a lot of references were made to improved transport links. Much of the focus was on national road projects which are at various stages in the planning process. In my county of Donegal, the consultation process for TEN-T projects in Ballybofey, Manorcunningham and Letterkenny has reopened. While progress and consultation on these projects is welcome, the state of minor and local roads is still a major concern. The €7 million reduction in the local improvement scheme budget for 2017 is shocking, especially considering the huge backlog of roads that need attention due to the suspension of the same scheme for years. In a recent article in *The Irish Times*, it was revealed that the Taoiseach, in his former role as Minister for Transport, Tourism and Sport, blocked funding for TEN-T

projects in the west and north west in 2011. The current programme for Government contains a commitment to review the TEN-T projects within the first three months, but that never happened. Does the Government intend to do this at any stage? The western rail corridor was not mentioned in Project Ireland 2040. Why not? So much of the glaringly obvious has been missed by the Government. Rural transport services and infrastructure have to be in place and completed before much-needed employment, tourism and other opportunities make their way to rural Ireland. The Government needs to stop diving for cover behind the European Commission and the lack of transparency in that institution and explain to the regions what it will do to create regional balance.

In terms of broadband, many areas of the State are still effectively communication no-go areas. It is important to clarify that demand for high-speed broadband connections is not a question of extending a luxury that is available in larger towns to rural areas. The longer areas are without reliable, high-speed broadband connections, there more missed opportunities there are for businesses to be set up and for returning emigrants to explore innovative industries which can make the most of what rural Ireland has to offer. Since Eir pulled out of the bidding process for the delivery of the national broadband plan, has there been any movement on the awarding of the contract? The process has ended up effectively being a one horse race which does not instill confidence that the best deal will be obtained and that the winner of the bid will seek to roll out broadband to all areas, not just those that are easier to reach. Indeed, we are only in this shambles of a situation because Telecom Éireann was privatised in 1999. A State delivered broadband plan could have been completed more cheaply and quickly than the current plan. I would appreciate an update on the delivery to the remaining so-called blue areas across the State.

I will conclude by focusing on agriculture, which is at the core of the rural economy. Yesterday we had an announcement of an increase in the average family farm income, but we need to be very careful about how we assess that. Much of it was driven by increases in dairy prices which are very transitional. The Minister knows this and would have seen the impact in his constituency of a drop in dairy prices in recent years. We have a real crisis in farming and everyone representing a rural community knows that. Many sectors are on their knees because of the cheap food policy of the European Union and because we do not give farmers a fair price for their product but make them dance through hoops to get some type of a living from what they do. Let us be honest about EU subsidies. They are subsidies for supermarkets and meat factories. Let us stop making farmers out to be beggars and be honest about this. The cheap food policy of the European Union means that farmers in this State do not get fair price for what they produce. The policy leaves them struggling to fill out forms and deal with inspectors from the Department of Agriculture, Food and the Marine to make a living. If we are serious about rural development, we must go to the very core of rural Ireland which is our farming community.

We have an opportunity now with the negotiations on a new Common Agricultural Policy, CAP. First, there can be no cuts to the CAP budget whatsoever. Second, we must make sure that there is a fair distribution of the funding. That means imposing a cap on payments to some of the major farming operations and corporations. There must be a fairer distribution. I am thinking here of small farmers who are working on tough land, on so-called bad land up in the hills. That is the heart of rural Ireland. The Government needs to make sure that the negotiations on CAP is one of its top priorities. Broadband must also be a priority, along with roads and all of the other services that are required in rural Ireland.

I have nothing personal against the Minister. He is a sincere man and he tries his best. He

represents a rural constituency with passion, but he must acknowledge that Government policies over many years have let us down badly and that we need to reverse that. If that is the game the Minister is playing then I will work hand in hand with him.

Senator John O'Mahony: I welcome the Minister to Seanad Éireann and as I said previously, I particularly welcome the fact that there is now a dedicated Minister for Rural and Community Development in Government, in recognition of the need to bridge the gap between the overcrowded eastern seaboard and the regions. If that problem did not exist, we would not need a separate Minister. Deputy Ring is well suited to the job in the sense that he knows the issues in rural Ireland. He has given us a welcome progress report today. The first item he referred to was the emphasis on increasing the distribution of jobs to the regions, and he mentioned a figure of 56,000 in that regard. At the end of the day, it is jobs that will bring people to the regions and keep them there. The Minister's role of rural-proofing Government policies is vital.

The Minister has started his work in a very positive manner but there are still many challenges ahead, as we all know. A recent example of such challenges, in the context of our planning laws, was seen with Apple's decision to pull out of a proposed project in Athenry. The previous Government also saw similar examples, and were it not for objections, the headquarters of the Minister's Department might now be in Charlestown or at Knock airport. The project in Athenry would have created 500 to 600 jobs at the construction stage. There needs to be a change of policy or legislation to fast-track projects like that which are badly needed. Five hundred jobs in the regions are worth 2,000 jobs in the capital city.

The IDA is doing a good job bringing in foreign direct investment. Enterprise Ireland is giving great support to Irish companies that are exporting. The local enterprise office, LEO, system that was introduced by the previous Government provides many one-stop-shop supports for smaller businesses. There are also certain other agencies such as the Western Development Commission which was set up under the coalition Government led by the former Taoiseach, John Bruton, in the 1990s and is headquartered in the town in which I live, Ballaghaderreen. Extra support is required for small businesses that do not export and are not funded by investment from abroad. While the LEOs are doing a good job the Western Development Commission could do more to back up Government policy to bring more jobs to the regions. It has done a tremendous job over the years in a small way by giving seed capital to companies and by encouraging people to relocate their headquarters to the west. The Minister of State, Deputy Kyne, met the board of the Western Development Commission earlier this week.

Senator Paul Daly spoke about the midlands. I have family living in Mullingar and Athlone and I can hardly get through the area with traffic. We are getting a different read on the situation. His perception is that the area is dying on its feet. I have always viewed Senator Paul Daly as a reasonable man and I stand to be corrected but I think the midlands are not doing as badly as he said.

Senator Paul Daly: We live out in the sticks.

Senator John O'Mahony: Senator Mac Lochlainn referred to TEN-T funding. The impression is given that when the west was not included in that programme, investment stopped in the west. The biggest road project in Europe last year was the Gort to Tuam motorway.

I led a study group to maximise the potential of Ireland West Airport Knock and it grew from 250,000 passengers to 750,000 passengers with the help of the Minister, Deputy Ring,

when he was involved in the transport area. I am pleased that the Ireland 2040 plan that was recently published has guaranteed the €36 million that the report suggested was required. There is much investment in the west. There may be opportunities for more investment. TEN-T funding is being reviewed before 2023 due to Brexit and there may be possibilities in that regard. The work has started and it needs to continue and be supported, but I have no doubt that we have the right man in the right job.

Senator Kieran O'Donnell: I welcome the Minister, Deputy Ring, to the Seanad. I commend him on the work he has done to date in rural development. I know it is something close to his heart. He was in Limerick recently and he visited a range of projects such as one that had been funded by the Department in Murroe, County Limerick. He saw what it means to rural Ireland. He is welcome in Limerick any time.

I wish to refer to a few issues and to put them in a local context. We hear a lot about the urban-rural divide. My view is that we need both to be done well. In my area of Limerick city there is a large rural hinterland with satellite towns. One can go five or ten minutes from Limerick city and one is in a rural area. I refer to places such as Mungret, Castleconnell, Murroe, Caherconlish, Ballyneety, Drumbannon and Ballybricken that have always been in the constituency and now areas such as Newport, Ballynahinch and Birdhill have been added which are rural in orientation. Birdhill, which won the Tidy Towns competition is no more than ten minutes from Limerick city and yet it is rural. Ireland has evolved. We now have satellite towns that are in rural areas but they still have very much a rural feel. We must find the synergies, get people to live in rural towns and villages and foster enterprise and local industries. We have many employers in rural areas that employ many people but in some cases they are overlooked. If they were in a city setting people would say they are phenomenal employers but they have been there for many years and we should promote them.

I very much welcome the new round of funding for the town and village renewal scheme. As the Minister well knows, Murroe community council previously qualified for €100,000 worth of funding under the scheme. It has done phenomenal work in terms of walking tracks. I have been working with the council for many years on it. An all-weather pitch has been installed. The Minister saw it in its splendour in good weather and what that means for the community.

The Leader programme is hugely important. Another important scheme is the outdoor recreational infrastructure scheme. I hope another round of such funding will come on stream as well. I would very much welcome it. We must find ways to encourage people to live in towns and villages. A total of €1 billion underpins the Ireland 2040 plan. I am not certain what form it will take but in the past tax relief schemes have been highly effective. We must consider whether there is a need to introduce a grant scheme to encourage people to live in towns and villages. There are businesses in many villages but in many cases the older houses are unoccupied. We need to think outside the box. Attracting people to towns and villages would create a critical mass which would keep shops and pubs alive. Ancillary services would be attracted such as GPs, pharmacies, shops and post offices. Unfortunately, many of the banks are gone from rural towns. If we could attract more people to live in rural towns and villages, that would keep primary and secondary schools going. I have no doubt the Minister is looking at finding some mechanism to encourage people to live in towns and villages, not outside them but within the core. How we do that is not straightforward but we must find ways. Some houses in towns and villages are protected structures and we must consider the provision of grants to renovate those houses and encourage people to come and live in rural towns and villages.

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Broadband is key. We must continue the roll-out of broadband. We are dealing with Eir in many cases to try to expedite the roll-out. Broadband is to rural areas what electricity was way back when. If one speaks to people in any business, there is no reason someone in a rural area in east Limerick cannot function in the same way as if he or she were based in Dublin, New York or Frankfurt in terms of broadband. Broadband is the gateway and if we ensure its roll-out at a high level in terms of capacity, it will revolutionise rural towns and villages.

It was great to have the Minister, Deputy Ring, visit Limerick recently. He specifically went to Murroe Boher. People must recognise the importance of rural areas such as Castleconnell, Murroe Boher, Caherconlish, Ballyneety, Newport, Birdhill and Ballynahinch. It is fantastic that the Government has a specific Cabinet Minister for rural development, but it must be done in an integrated way.

Senator Maria Byrne: I welcome the Minister, Deputy Ring, to the Chamber this afternoon to talk about rural affairs and what he has been doing since he came to office. I compliment him on his work to date. I know the Minister is a man who is passionate about where he comes from. He lives in rural Ireland. I know from speaking to many of his rural constituents that they sing his praises about how passionate and committed he is to developing and promoting rural Ireland.

My colleague, Senator O'Donnell, referred to the fact that the Minister for Rural and Community Development, Deputy Ring, visited us in Limerick only one month ago. I was delighted that he took up my invite to Murroe, County Limerick, where he saw first-hand the progress made there with the community council and the work it has done with the walking track, pitches and so on.

It is all about the various areas of the Department that have come together to develop the community and their plans for the future. I welcome the fact that the Minister announced recently the next round of the town and village renewal scheme. The closing date is 25 May. I encourage all groups to avail of the funding because many substantial projects have been delivered through the scheme. Many towns and villages local to me are looking at some applications. The scheme has been helpful in the revitalisation and regeneration of areas. Those in some rural areas were beginning to believe they were being left behind. I believe there has been a positive aspect to what the Department has done to date.

Last year the Government announced Food Wise 2025. It is about creating jobs in the agri-food business in rural Ireland. Does the Minister have any update on that?

I note there were incentives to get people to live in rural Ireland. The initiative was launched some months ago. Does the Minister have any update on that? While Limerick city is thriving in terms of jobs and job creation, many people are now buying houses that were vacant in the towns and villages. This is positive in terms of the future development of Limerick and the region. People are buying houses in villages in Tipperary, including Newport and Birdhill, as well as in Tipperary town. One of the major employers in Limerick has people coming from 13 counties. They are not all coming from within the city area. I believe this is positive in terms of any incentives that can get people to live in rural Ireland while working in the major centres.

Leader and Pobal funding were referred to. These programmes come within the Minister's remit. A Men's Shed project in Limerick is going through an appeals process at the moment for Leader funding. The biggest problem was that the group did not have a permanent site. The

council would only give a lease for ten years. This is one of the main reasons the group failed to receive the funding. We have to look projects that are worthwhile not only in terms of what they do for those involved but for the people who hope to sign up to them as well. We need to see how we can incentivise or help these projects to progress. The people who own the site might change their minds in ten years. We have to think outside the box in terms of how we can help some of these worthwhile projects to progress because they are beneficial to the community.

Senator Tim Lombard: I welcome the Minister and acknowledge his contribution. It was a major step forward when we created this Department and got a senior Ministry dealing with what is a core issue for Irish society and the people, especially the rural people. We have been seeking a Minister at the Cabinet table to promote rural Ireland for so long. It is important to mention that Fianna Fáil got rid of it and this Government stepped in to the breach to ensure we now have a voice at the Cabinet table.

I compliment the Minister on his enthusiasm for these core issues. The Minister has championed many core issues since he took office almost a year ago, including the town and village renewal scheme and the local improvement scheme. The Minister put significant funding into local authorities under the local improvement scheme. We have seen the new announcement in the 2040 plan of €1 billion for the redevelopment of small towns and villages. These are all positive steps. I hope they will see rural Ireland reinvigorated. That is something we need to see.

The agriculture and Food Wise policies have been successful and have brought about major changes in output, especially in the dairy industry. That has been helpful in my part of the world. However, there are challenges and the Minister is aware of them. I believe the greatest challenge in rural Ireland is broadband. I know the Minister for Communications, Climate Action and Environment, Deputy Naughten, is working hard on the issue. That is the most pressing issue. If we have a high level of broadband throughout rural Ireland, the ability of people to sustain rural Ireland will increase. I will use an analogy the Minister will be familiar with. We have a major employer in Cork city called Apple. There are almost 5,000 people working there but almost half of them work from home. Such is the ability we have in rural Ireland. Employees do not have to travel all the way to Cork city to work – they have the opportunity to work from home. We need to ensure that the broadband roll-out project brings the speeds required so that people can work from home. I see that as the key driver to ensure rural Ireland is sustainable in future. I know the Minister will play his part to push forward the announcement that will be made towards the end of this year so that rural homes can be connected and can get the speeds required. The knock-on effect will ensure rural Ireland is connected and sustained.

Other speakers have raised another key issue for rural Ireland, which is the regeneration of villages and towns. I imagine the Minister has spoken about this before. There are vacant houses in every village in Cork, Mayo or Limerick. We need to get life back into these villages. That will be a key driver. Senator Kieran O'Donnell spoke about whether we need to address taxation issues or a more comprehensive scheme to ensure that happens. There is a thriving village outside Cork city on the way to Bandon called Innishannon, where 17 houses in the village centre are unoccupied today. That is the core issue. It is 12 miles from Cork city and 4 miles from Bandon. It is a prime location and yet that level of vacancy exists. Addressing that issue will allow us to regenerate rural Ireland and solve the housing issue as well. These are issues we need to work on. I know the Minister has been working hard to drive forward these issues.

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The main point is that we have a man at the Cabinet table. He is literally banging the Cabinet table for rural Ireland. It is great to have him in the Seanad. I acknowledge his efforts and I am looking forward to his summing up.

Acting Chairman (Senator Gerard P. Craughwell): Minister, this is my first time to address you in the House. You are very welcome and you have the floor.

Minister for Rural and Community Development (Deputy Michael Ring): I am pleased with the positive contributions. However, I am a little disappointed with the Fianna Fáil contribution. Senator Paul Daly should note that if I really got going this evening I would have to vote down the Dáil. Fianna Fáil did not close post offices or rural Garda stations - it closed down the country. I will not take a history lesson from Senator Daly or Deputy Ó Cuív, who has never got over that he is not a Minister - he really needs to get over that now. If Senator Daly is going to listen to Deputy Ó Cuív, then all we will have from the Senator and Fianna Fáil in the coming years is negativity.

I want to put on the record of the House this evening that rural Ireland is alive and well. Many positive things are happening in rural Ireland. I am pleased to be Minister with responsibility for this area. The Taoiseach is the first Taoiseach who ever appointed a Minister for Rural and Community Development. We have had Ministers with other responsibilities but he is the first Taoiseach who has ever appointed a full Minister at the Cabinet table to represent rural Ireland. I am proud and honoured that I was the person selected to do that job.

I have lived in rural Ireland for a long time and I know a great deal about it. I am not going to make any further contribution with regard to what Senator Paul Daly talked about because it has been a positive debate today and I intend to build on the positive aspects of it. Senator Paul Daly spoke about the national planning framework. The national planning framework was set up to deal with and to improve regional development, involving the capital projects he mentioned, including the Leader programme and the other schemes that I have introduced. The Senator and Deputy Ó Cuív should both note that it takes a bit of time to develop capital projects. I can provide the facts concerning the Leader programme. The Senator made a very negative contribution about it, but I will make a positive contribution. Other speakers also mentioned the programme. Some €165 million was allocated to the Leader programme, and there are 342 applications waiting to be processed at the moment worth €19.26 million. Some 973 projects have been approved to the value of €27.934 million. They have been approved, but it takes time to build the building after approval, and then the money is drawn down. It is not like the old days when people come in with slips of paper with nothing on them. We then found ourselves in difficulty with Europe. The European Union complained about how the Leader programme was run. We have to have rules and regulations.

We made 31 changes to the Leader programme, and I am glad to say that most counties are rolling it out. For example, Kerry has 47 projects waiting to be assessed, worth €7.664 million. Some 123 applications have been dealt with there, to the value of €2.188 million. In Senator Paul Daly's county, €5 million was allocated. There are two projects waiting to be approved to the value of €25,966. There have been 31 approvals worth €473,460. That means that only 8.5% of the available money has been spent. In Limerick 31% has been spent. In Kerry 28% has been spent. In Cork North-East 26.6% has been spent. In Carlow 21.8%. There must be something wrong with Senator Paul Daly's county if it cannot deliver the programme. It faces the same rules and regulations as exist in Kerry, Limerick and everywhere else. I have made the changes to the Leader programme and I monitor it on a daily basis. If I need to make further

changes I will make them, but I have to comply with rules and regulations.

The Senator spoke about the size of the Department and the underspend. He should talk to the former Minister, Deputy Ó Cuív, who never got over losing the Ministry and still thinks he is the Minister.

Senator Paul Daly: The Minister should stop personalising this.

Deputy Michael Ring: I did not interrupt the Senator.

Senator Paul Daly: Deputy Ó Cuív is not here.

Acting Chairman (Senator Gerard P. Craughwell): That is a fair point.

Deputy Michael Ring: When he was the Minister, he underspent two years in a row. One year he sent back €34 million, and sent a substantial amount of money back the year before that, when the country and the economy were supposed to be flying, until the troika came in and had to run the country for us. I want to remind the Senator of that.

Acting Chairman (Senator Gerard P. Craughwell): The Minister might refrain from naming him.

Senator Paul Daly: The Minister is infatuated with the former Minister.

Deputy Michael Ring: The Acting Chairman was not here for the Senator's contribution. I really had to bite my tongue, and I did so.

Acting Chairman (Senator Gerard P. Craughwell): That is fine but we should not name people who are not here.

Deputy Michael Ring: I know where the Senator is getting his details from.

I want to congratulate Senator Marshall on his election and welcome him to the Seanad. I am delighted to see him here in Seanad Éireann. It is a great honour for him and his family. I wish him well and hope he has many happy days in this House.

He spoke particularly about Brexit, which is a big issue and is causing great concern. In the Action Plan for Rural Development there are a number of actions outlined to help small businesses. The Minister for Finance, Deputy Donohoe, recently announced that some €300 million would be made available to support businesses and ensure they can cope with Brexit. The local enterprise offices, the Department of Finance and others Departments and State agencies are working very hard to try to make sure that our companies and businesses are ready for whatever Brexit brings. Enterprise Ireland is also working with companies, and the national development plan is focusing on investment in the north west. We have ongoing programmes, including the Leader programme, to that effect. I wish the Senator well on his appointment to the Seanad.

I thank Senator Dolan for his contribution. I certainly will come back to the Seanad again. My Department runs a number of schemes which deal with people with disabilities, including the CSB scheme and the dormant accounts scheme. The social inclusion and community activation, SICAP, programme also has a section which covers people with disabilities. I will come back at some stage again. It was not in my speech today because we were talking about rural development. The community programme deals with the issues the Senator raised. He made a

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very valid point and I will return to the Seanad at some stage to talk about community schemes, SICAP, the community activation programme, the revitalising areas by planning, investment and development, RAPID, programme and others. Some of those programmes were designed to deal specifically with disabilities. The Minister of State at the Department of Health, Deputy Finian McGrath, has overall responsibility for people with disabilities, and he is doing a very good job and is fighting for the cause at the Cabinet table at every opportunity.

Donegal, Senator Mac Lochlainn's county, got €9.685 million under the Leader scheme. There are 14 projects waiting for approval in that county to the value of €856,000. Some 73 projects have been approved to the value of €2.596 million, representing 26% of available funding. It is one of the better counties in that respect, so I am very pleased. I am aware that an Independent Deputy, along with the Senator, recently spoke about funding for Donegal. It is important that we are fair and honest about what is going on.

An issue was raised about flooding in County Donegal. I do not have overall responsibility for that area, but the Members wrote to me about it, which is fair enough because they have a valid point. Some €1.475 million has been paid by the Leader programme in the last year. The town and village scheme has provided €1.159 million. I will be in Donegal in the near future, and I hope the *Donegal Democrat*, which is a very good, fair newspaper, will cover the facts. The CLÁR programme has provided €245,000. The outdoor recreational infrastructure scheme has provided €104,000. Donegal got one of the biggest allocations from the local improvement scheme last year, some €3.384 million, and I was asked to allow more time for that money to be spent, even though a commitment was given that it would be spent by the end of the year. The Tidy Towns scheme awarded €61,000. The national walks scheme awarded €140,000. A broadband officer was provided at a cost of €35,000. Volunteering schemes got €129,000. The local community development committee, LCDC, got €64,000. The library development unit got €126,000, and last week I allocated €1 million for a new library in Donegal town, in a joint scheme between my Department and the local authority. The SICAP programme got €1.974 million. The RAPID programme provided €64,500. The communities facilities programme provided €64,000. That is a total of €10.038 million, including the €1 million for the library. That is not a bad contribution from one little Department in one year. If every Department matched that contribution, Donegal would not be able to spend all the money provided to it.

Senator Pádraig Mac Lochlainn: The Minister is a good man, but that is a drop in the ocean.

Deputy Michael Ring: Senator O'Mahony and other speakers discussed the role of Knock airport. There were critics who said that this Government was doing nothing for Knock airport. This Government has put more money into Knock airport and regional development than any other Government since the foundation of this State. I am glad to say that it will continue to do that.

In terms of the Western Development Commission the Senator is quite correct; it has major funds there. The Minister of State at the Department of Communications, Climate Action and Environment, Deputy Kyne, and myself are looking at what we can do to help the commission get to more companies. It is creating jobs and providing soft loans, and it is important that we support and help it in whatever way we can to create more jobs.

Senator Hopkins spoke about what is happening on the ground, and she is quite correct. I ask Deputies and Senators to stop talking down rural Ireland. In every corner of this country we

have multinational companies and local, indigenous companies. I was in Skibbereen recently, and up in Drumshanbo. These are small, rural areas that are employing many people in very good jobs. These schemes are creating employment. We gave some funding for a digital hub in Skibbereen, County Cork, which employed many people. Now, people are coming out of the hub, setting up their own companies and employing people themselves. Waterways Ireland and my Department allocated €700,000 to the walkway in Drumshanbo, County Leitrim. We also gave €1 million to further develop the greenway from Drumshanbo to Leitrim village to Carrick-on-Shannon. This keeps hotels and others in business. Funding was also provided for the Food Hub there. From that, eight new companies emerged which created new jobs.

The greatest scheme of them all was brought in by this Government, the Wild Atlantic Way. I remember the cynics claiming it was another gimmick. Well, it must have been the greatest gimmick I have ever seen because it has created many jobs in every place along it.

(Interruptions).

Deputy Michael Ring: Ireland's Hidden Heartlands has been launched for the midlands because it has a good tourism product. The people in the midlands need to sell it like the Wild Atlantic Way.

Senators Kieran O'Donnell and Byrne spoke about what is happening with the funding for local development. One sees pride in these local communities. They are not saying their areas are dying. They are saying their areas are alive and well and what they are looking for is more investment and a little more support - not 100% support - from the State. This will allow them to work with their communities to create the jobs they need to keep people living and working in rural Ireland.

Senator Byrne raised Food Wise 2025, which falls under the remit of the Department of Agriculture, Food and the Marine. The Minister, Deputy Creed, will give the Senator any information she needs on that.

We may be a small Department but we cover the community employment scheme, the rural recreation scheme, the Dormant Account Fund, libraries and other positive schemes. I will be launching the library strategy soon. There will be good news about that. The Dormant Account Fund targets disadvantaged areas, as does SICAP, the social inclusion and community activation plan.

I gave them much grief over the past year, but I must say the officials in my Department worked well under tremendous difficulty. It was a new Department with no offices. We set up offices and it is functioning now. We have set up a lot of schemes and paid out a lot of money. I want to mention on the record of the House the good work my Department's officials did in difficult circumstances. It is a good Department with a new Secretary General, several new assistant secretaries and new staff. They are bright and intelligent people who are committed to the Department, to rural Ireland and to rural life. I am committed to rural Ireland, making sure we get the balance right, getting the broadband up and running and getting the jobs. My job in the Government is not about giving out funding but to make every other Minister accountable to rural Ireland. That is why the action plan is in place. It has all the commitments from the Departments, State agencies and local authorities to work together. I believe we have a bright future. We have bright people and a good rural Ireland. We need to build on the successes we

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have. Like every other place, it has gone through a difficult time but rural Ireland has a bright future. I am proud to be the Minister for Rural and Community Development. I will not be found wanting nor will my officials. I know with the Senators' support and help that they will encourage more of our people to work and live in, as well as support, rural Ireland.

Acting Chairman (Senator Gerard P. Craughwell): I thank the Minister for his positive summation. The next item, marine protection, is not due to start until 6 p.m.

Senator Tim Lombard: I move that the House suspend until 6 p.m.

Acting Chairman (Senator Gerard P. Craughwell): Is that agreed? Agreed.

Sitting suspended at 5.55 p.m. and resumed at 6 p.m.

Marine Protection: Motion

Senator Grace O'Sullivan: I move:

That Seanad Éireann:

acknowledges:

-- that Irish waters are crucial habitats for biodiversity and provide an invaluable source of income for rural areas in tourism, fisheries, research, heritage, energy and more;

-- that our seas and ocean are under unprecedented pressure, generated by the combined impacts of climate change, ocean acidification, shipping, fossil fuel exploration, destructive fishing, pollution and use of waters for economic purposes under the Blue Growth agenda;

-- that numerous EU and international agreements obligate Ireland to ensure at least 10% of coastal and marine areas be protected before 2020 and 30% by 2030;

-- that the Government has yet to deliver promised legislation for the designation and protection of marine protected areas, MPAs, despite Ireland's obligations to achieve good environmental status in our seas under the EU marine strategy framework directive, MSFD, by 2020;

-- that Ireland has one of the largest marine areas in the EU by proportion to its size, and thus has an enhanced opportunity to protect key areas of ecological importance in the north-east Atlantic;

-- that despite this considerable marine territory, Ireland has only 2.33% of its marine extent covered by MPAs, the second lowest coverage in the EU, and those protections are not sufficient to adequately protect these areas;

-- that these sites are almost exclusively located within coastal habitats and river estuaries, leaving ocean species unprotected;

-- that ecologically coherent networks of high quality MPAs, managed in collaboration with local stakeholders, are the best tool to conserve marine ecosystems;

-- that the importance of our seas to the long-term health of the planet requires a dramatic effort to protect them, along the lines of the Half Earth concept proposed by E. O. Wilson and others;

notes with concern:

-- that the Government has made marine spatial planning a key aspect of Project 2040 without first developing a framework of MPAs;

-- that Ireland has failed in its European and international obligations to protect 10% of its marine waters under Article 13 of the MSFD, the Aichi biodiversity targets, the UN sustainable development goals and OSPAR Convention;

-- that Ireland was declared a whale and dolphin sanctuary in 1991, yet cetacean strandings have increased by 350% in the past ten years;

-- the Irish Wildlife Trust report 2018 shows that 48 species indigenous to Irish waters are facing extinction;

-- that fossil fuel exploration using seismic testing is occurring regularly in Irish waters since 2013, severely impacting on all marine life in the areas it is conducted;

-- that responsibilities for marine management are divided between a number of Government Departments, impacting on the effectiveness of species conservation and fisheries management;

calls on the Government to:

-- introduce an Oceans Act to protect 50% of Ireland's seas and ocean with an ecologically coherent network of diverse and significant MPAs;

-- ensure such legislation contains the mechanisms to identify and designate high quality MPAs and ensure they are managed with respect for sustainable livelihoods and their ecological coherence, as part of a European network;

-- ensure such legislation contains financial support for expert staff, monitoring, enforcement and management, utilising available EU moneys under the EMFF, LIFE programme and other sources;

-- establish a consultation process within the legislation, involving all key stakeholders from the fisheries, recreational fisheries, tourism, energy, conservation and other relevant sectors to propose and review protections for such protected areas and input into future designations;

-- ensure designation of inshore MPAs be community-led as far as practicable, with a robust public consultation process as required under the Aarhus Convention;

-- ensure the legislation provides for robust scientific information on habitats, species, heritage sites and geological-geomorphological features to assist in the identification of potential MPAs;

-- ensure coherence in marine spatial planning and MPAs by bringing all activities in the marine under the control of one Government Department;

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-- ensure the Common Fisheries Policy allows for the incorporation of strong Irish MPAs that would prohibit any especially destructive fisheries practices and prioritise an ecosystems-based approach to marine management that distributes the quota amongst Irish and EU vessels in an equitable and ecologically sustainable manner;

-- establish a moratorium on the granting of any licences for deep sea mining and fossil fuel exploration in protected Irish waters and prohibit seismic testing within any range of protected areas that would have any deleterious effects;

-- implement a ban on microbeads and the mandatory annual monitoring of microplastics in Irish waters.

I thank the Minister of State for attending. Before I outline my reasons for tabling the motion, I will thank some of those who helped to make it possible. I am indebted to my colleagues in the Seanad Civil Engagement group for their support and co-signing of the motion. I thank the many ocean and conservation experts who have helped with the scientific and technical aspects of what is a detailed and complex matter. Some of them are in the Visitors Gallery. I thank the many fishermen and anglers who have helped to inform me on how marine protection measures would affect them. The names are too numerous to mention, but they know who they are and I hope they know of my deep appreciation for their work.

I have a personal connection with this issue. As the House knows, I have come to the Seanad not from a background in politics or local government but from a life of activism and engagement on the high seas. My ten years of campaigning on Greenpeace ships, be it fighting nuclear weapon testing in the south Pacific and toxic waste incineration in European waters or protecting the Antarctic, contributed to my deep love and appreciation of and respect for the awesome power and importance of the oceans.

Following my return to Ireland, I studied ecology in UCC and then in WIT a postgraduate diploma in business development based around seaweed. It was from the latter that I gained experience of another kind when applying for a foreshore licence for sustainable seaweed harvesting. I faced complications and difficulties in gaining access to economic opportunities that small-scale operators on the coastline should be able to access if only the relevant legislation did not date from 1933.

My motion is aimed at tackling Ireland's failure to date to adequately protect the oceans and seas around our island nation. These habitats are crucial, not only for all life in Ireland but also all life on Earth. The oceans comprise over 70% of the planet and the life therein provides us with most of the oxygen we breathe. They absorb an immense amount of carbon dioxide from the atmosphere and serve as a crucial support for terrestrial and marine food chains. We are an almost unique island nation in Europe, surrounded as we are not only by shallow coastal seas but also the wilder, deeper Atlantic Ocean. These waters have defined our culture, decided our history and shaped our society. We are part of Europe, yet also separate in many ways. We have the highest proportion of marine area relative to our land size. We are the very definition of an island nation.

Fishing remains an important aspect of the economy, as Senator Frances Black will outline. The Government's Our Ocean Wealth agenda aims to increase our utilisation of the enormous wealth of our seas. The European Union's Blue Growth and marine spatial planning agendas lay out a vision for more active engagement with the oceans than ever before. The potential

for safe renewable energy generation, sustainable fisheries and the expansion of tourism and recreation in the marine environment offers opportunities and threats.

All is not well in our seas. As many citizens heard in Sir David Attenborough's "Blue Planet II" series and, more recently and locally, on film maker Mr. Ken O'Sullivan's "Ireland's Deep Atlantic" on RTÉ, the world's oceans are under threat from a number of pressures. We are learning more about the highly destructive effects of exploration for fossil fuels using the prevalent technique of sonic booming, that is, massive soundwave generating machines to probe the seabed. It has been shown to be dangerous and even lethal to the plankton that makes up the basis of the marine food chain. It has contributed to the significant amount of noise pollution cluttering up the seas around Ireland, leading to a dramatic increase in whale and other cetacean strandings and mortalities. Other sources of pollution threaten to disturb the delicate balance that allows so much life to flourish in the marine environment. Shipping adds air, noise and waste pollution by contributing to climate change and ocean acidification from emissions. We now know about the significant problem that we are facing with plastic and other waste coming from the land and ending up in the seas, something to which I will advert. Increasing global temperatures are mostly being absorbed by the oceans, leading to coral bleaching and other negative effects, as acidification weakens shellfish and other marine flora and fauna.

Added to these pressures, Brexit has thrown up yet another threat to effective marine management, with the United Kingdom set to leave the European Union and its increasingly effective marine protection agreements, bringing Northern Ireland potentially out of alignment with the South. These threats call for a radical solution. Such an approach can be found in the Half-Earth vision of the pioneering naturalist Dr. E. O. Wilson, who has laid out a vision of half the world being protected for the continuation of life on Earth and the protection of its species, which have taken millions, if not billions, of years to evolve. After all, all life on Earth originated in the oceans. A 50% target might seem ambitious, but it is commensurate with the challenges we face.

At the heart of my motion is the belief that, if we can give the seas some space by removing the damaging effects of our economic activity, they can recover. Ocean habitats have flourished for millions of years without human help and they can do so again if we just allow their natural resilience to restore them. Yesterday was international day for biological diversity, an annual event organised by the United Nations to celebrate and promote this most essential aspect of a healthy environment. However, Ireland does not have much to celebrate, considering our poor performance to date in the area of marine protection. The Government's countermotion refers often to our work at EU and OSPAR regional seas convention level. I support this work and the EU Marine Strategy Framework Directive is the best way to support marine areas that are under pressure and ensure the emerging networks of marine protection are ecologically coherent. The amendment seems, on the face of it, to be both progressive and detailed, but, at its heart, it is both an admission of failure by the Government and a commitment to continue with the light-touch and voluntary regime of incomplete marine protection. Our call for a bottom-up, community-led approach to MPA identification, designation and management, and the commitments to put Ireland's fishing communities at the heart of solving the problems of how to sustain our fisheries into the future and to work with our EU partners to ensure the next reform of the CFP corrects the historical wrongs, restores powers to lower impact fishers and reverses the centralisation of fishing permits in Irish permits, are gone. As the EU, G7, UN and leading nations such as France and Canada with young, liberal and optimistic leaders in the vein of our Taoiseach move forward to protect areas with high quality and extensive MPAs, Irish people are

left embarrassed by their Government's lack of commitment to solid protections that will help to protect and restore our fisheries and other marine habitats.

Existing areas are almost all designated under the EU birds and habitats directives, meaning they are species instead of habitat-focused, and almost all are based on river estuaries and other areas near our coastline. I welcome the high seas designations, which demonstrate that protection on the high seas is possible, even under the CFP, but we need more, and we need them to be real areas of restoration, not "paper parks". It is not my intention to divide the House, and I hope that the Minister will allow the original motion to proceed unamended. The alterations contained in the amendments take almost every element of strength and innovation from it and we could never support such a fundamental weakening in such a crucial area.

Senator Lynn Ruane: I second this important motion tabled by our Green Party colleague. It is a detailed and comprehensive motion that covers a wide range of issues and policy areas but, at its heart, it is about our stewardship of the earth's oceans, the conservation of the rich environmental, social and economic benefits that we derive from them and how to best go about the identification and designation of MPAs in consultation at all times with local communities. I readily admit that the protection of our marine environment is not something I was well versed in when first elected but, as with many environmental issues, I have learned a great deal from Senator O'Sullivan and her Green Party colleagues and, while researching my contribution, it was clear just how much of an emergency we are in. We need to act incredibly quickly to meet our EU and international obligations by 2020 as well as our moral obligations to safeguard the rich heritage and biodiversity of our waters. It will be tough but not impossible. I hope the Government can recognise this and is willing to act quickly as a result.

Senator Grace O'Sullivan outlined the importance of designating marine protected waters. I would like to focus on the process of how MPAs are identified and designated and, in particular, highlight research and advice on the motion from Dr. Ruth Brennan, marine social scientist and former solicitor, from the Trinity Centre for Environmental Humanities and the Scottish Association for Marine Science, and fisherman, Mr. Seamus Bonner, of the Irish Islands Marine Resource Organisation, IIMRO. Their work underlines the importance of taking into account how ordinary people interact with their environment when designating and creating management plans for MPAs. We want to be in a position where communities feel connected and responsible for their local MPAs. We want them to be consulted, engaged and invested in their success, which is why we have referenced strong stakeholder consultation in the motion. By taking time to engage communities in a discussion about MPAs, we can ensure these areas can protect shipwrecks important to Irish history, spawning grounds for Ireland's unique abundance of blue whale and dolphin populations or the rare geological features the length and breadth of County Clare and the Wild Atlantic Way for which Ireland is famous.

This does not mean less protection for biodiversity; it means the opposite. It means engaging and galvanising stakeholders who work with that environment on a daily basis to protect it. We recommend the Northern Irish approach to MPAs and ask that heed be taken of the Joint Sub-Committee on Fisheries report, Promoting Sustainable Rural Coastal and Island Communities 2014. The report lists 29 recommendations across a range of sectors which will assist in the continued survival of coastal communities that depend on our marine resources, and their stewardship of the marine environment. In particular, inshore designations need to be co-designed with local coastal communities to ensure a marine stewardship ethos is harnessed and supported from the outset. This involvement of local communities from the outset ensures that inshore MPAs are actively co-managed by the people who live and work with them on a

day-to-day basis.

The amendments clearly use the language of economics alone when they refer to an “ecosystems approach”, for example, stating “that the Irish coastal and marine environment have a high natural capital and provide valuable services”. Ireland’s coastal and marine environment is much more than natural capital and services. Concepts such as natural capital and ecosystem services reframe non-human nature in economic and financial terms alone and this is too narrow when this is the only framing presented. The spectrum of how we as humans relate to nature is broad and multifaceted. People love their local beach and will participate in clean-ups even if it is not a Natura 2000 site or of economic benefit. People will swim with dolphins, bird watch, return small lobsters to the water, visit blue whales and learn of the Claddagh fishing village not because these are “services” but because they are beautiful, magical, inexplicable parts of life on this wild green and bountiful earth - a complex world deserving of respect.

The 1992 Convention on Biological Diversity, which Ireland is signed up to, uses the 12 Malawi principles as the underpinning framework to guide the practical application of the ecosystem approach and provide it with meaning. The principles state that “[b]oth cultural and biological diversity are central components of the ecosystem approach,” and require that MPAs be managed “for their intrinsic values and for the tangible or intangible benefits for humans, in a fair and equitable way”. Framing the environment as providing services does not capture the intrinsic value of the marine environment, its intertwined bio-cultural diversity and, in particular, its intangible cultural heritage. This is not adequately captured by framing culture as a “service”. When we speak of our marine environment in the cold terms of economics, the sociocultural context is lost as a means of fostering a long-term marine stewardship ethos within our coastal communities. We need to look on MPAs as an opportunity to revitalise and restore coastal communities that have been hit by declining fishing stocks in Irish waters. This process does not have to be top down and authoritarian. It can be organic and collaborative, building on current coverages of marine protection in terms of designation rather than starting from scratch.

As an island nation off the coast of Europe, we have an opportunity to be a European leader in this area and reflect the ambitious goals, targets and aspirations in our motion. I oppose the Government’s amendment, which significantly waters down the aspirational nature of what we have tabled and, crucially, makes no reference to an oceans Bill or something similar. We need a fast and meaningful legislative response to the tight timeline. Significant resources and coherent planning are required to hit our 2020 deadline. The Government’s amendment makes no reference to it and does not capture the gravity of the issue or the speed with which it must be addressed. We have a responsibility to our children and grandchildren to protect and safeguard the planet and its environment. The motion could be a first step in ensuring Ireland will play a leading role in that regard.

Senator Paudie Coffey: I move amendment No. 2:

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

acknowledges:

- that the Irish coastal and marine environment has a high natural capital and provide valuable services for all parts of the country and economy, including in the areas of tourism, heritage and cultural amenity, transportation and communications, food production, education and research, flood protection, climate regulation, nutrient absorption

and energy;

- that, globally, the oceans are facing increased pressures, generated by the combined impacts of human activities and the effects of climate change;

- that Ireland, in co-operation with the European Union and other European countries within the framework of the OSPAR Convention, is committed to ensuring the protection and conservation of the marine environment and the sustainable use of its resources;

- that Ireland is committed to an ecosystem-based approach to the sound management of the marine environment and recognises that marine ecosystems, species and habitats are largely transboundary in nature, thus making regional and cross-sectoral co-operation essential for effective management;

- that Ireland has one of the largest marine areas in the EU and thus has a vital role to play in ensuring the protection and conservation of parts of the marine environment adversely affected by human activity;

- that in the period from 2010 to 2016, Ireland, as a contracting party to the OSPAR Convention, ensured that in the north-east Atlantic the number of marine protected areas expanded from 159 to 448 and that 16.7% of all territorial waters were protected - as of 2016, 7.6% of the Celtic seas were covered by marine protected areas and this number continues to increase;

- that much of the focus of marine protected areas is on ensuring species and habitats are afforded protection from human activity at vital life stages - many of the protection sites are located within coastal habitats and river estuaries and 16.7% of all Atlantic territorial waters are now protected;

- that Ireland aims for an ecologically coherent and well managed network of area based management tools, including MPAs - this involves cross-sectoral management and ongoing research to understand what constitutes coherence and connectivity for different types of species and habitats; and

- that in meeting our responsibilities, Ireland uses the best available scientific evidence as the basis for making decisions, along with other relevant criteria, including adherence to the precautionary principle;

notes:

- that the Government has made integrated land and maritime planning a priority of Project 2040 in order to realise our island and marine potential and will develop a marine plan for Ireland;

- that Ireland has made significant steps in meeting its UN Convention on Biological Diversity target 11 for the conservation of at least 10% of coastal and marine areas by 2020;

- the Irish Wildlife Trust report 2018 highlights that up to 48 species are under various levels of pressure - this has been previously recognised by Ireland in the agreement of the OSPAR list of threatened and declining species and habitats and the extensive list of actions that go with this list; Ireland is implementing the actions outlined in the

recommendations of the OSPAR list and the implementation of the EU Natura directives also ensures this issue is addressed;

- that with regard to seismic surveying in Irish waters, the National Parks and Wildlife Service has developed detailed and clear guidance on the background to, and the assessment and management of risk to, affected species from this activity - this is in order to ensure best environmental practice continues to be adopted, that human activities are sustainable and that populations of conserved species are protected from disturbance or other potential detrimental effects of underwater sound;

- that establishing the cause of death in a stranded cetacean is a complex matter and a programme of post-mortems on stranded small cetaceans is under way to investigate the issue further; and

- that the marine co-ordination group will continue its work of supervision, cross-Government delivery and implementation of Ireland's integrated marine plan, Harnessing our Ocean Wealth;

and reaffirms:

- that the Government will bring forward legislation for the designation and protection of marine protected areas, MPAs, with the aim of delivering an ecologically coherent, connected and well managed network of MPAs and that this work must, by the nature of marine ecosystems, be transboundary in nature;

- that this work and other area based management tools must be based on the ecosystem approach and on agreed national, regional and international evidence-based processes and will be underpinned by appropriate legislation;

- that to achieve this objective, Ireland will continue to work with the other countries of the north-east Atlantic through the OSPAR Convention, the European Union and other relevant intergovernmental arrangements;

- that the legislation and process of the identification of potential MPAs will provide for robust scientific information on habitats, species, heritage sites and geological-geomorphological features, and public participation and consultation;

- that Ireland will continue its progress towards meeting our obligations to achieve good environmental status in our seas under the EU marine strategy framework directive, MSFD, by 2020;

- the commitment to ongoing work in developing a marine plan for Ireland as set out in the recently published document, Towards a Marine Spatial Plan for Ireland;

- Ireland's commitment to concerted multilateral action to tackle climate change through the Paris Agreement;

- A Programme for a Partnership Government commitment to chart a course towards achieving a low carbon and climate resilient future by 2050 - known as the 'national transition objective';

- that Ireland's first national mitigation plan sets out this Government's collective

approach to reducing Ireland's greenhouse gas emissions;

- that the Common Fisheries Policy continues to allow for the incorporation of MPAs within Irish waters and that quota distribution continues to conform with the requirements set down in the Common Fisheries Policy; and

- that Government will, in line with its established policy position, bring forward, by end-July 2018, the general scheme of a Bill to implement a ban on microbeads in wash-off personal care products and cleaning and scouring agents, with the aim of publishing a final Bill later in the year and securing, with Oireachtas co-operation, enactment by year-end.

I welcome the opportunity to contribute to this important debate. I also welcome my party colleague, the Minister of State, Deputy Damien English. I agree with the general thrust of Senator Grace O'Sullivan's motion and commend her for providing a briefing on it for Members of the Oireachtas. I acknowledge her work on this issue which represents very welcome engagement on her part. I also acknowledge her background in and deep passion for biodiversity and protecting the environment, including the oceans. Like her, I come from County Waterford, a coastal county that has long associations with the marine sector. It is in all of our interests that policy makers and citizens work to protect marine biodiversity and ensure the oceans, rivers and lakes are as clean and sustainable as possible. We must also work to ensure the countless species living in these environments are sustained. We must implement conservation practices that are practical and effective in protecting marine life. We must be vigilant and guard against any complacency when it comes to damage to the marine environment. This is especially important in the context of the potential extinction of species and the various threats to which Senator Grace O'Sullivan and others have referred in terms of how society engages with the marine.

The Senator's party has introduced legislation on microbeads and plastics, on which work is being done by the Government. I welcome the progress being made in that regard and the various initiatives being taken by the Government in engaging with all stakeholders to make sure we will have a cleaner environment in the seas, estuaries, rivers and lakes. I also compliment RTE on its recent documentary, "Ireland's Deep Atlantic", which was a wonderful example of public service broadcasting. The programme gave a great insight into life below the waterline. I commend the cameraman Mr. Ken O'Sullivan and all those involved in bringing amazing footage into living rooms all over the country. The programme makers filmed the species living in and the cold water coral reefs of the north Atlantic. The programme highlighted the biodiversity of the area and was very welcome in raising awareness and encouraging everyone to work towards creating a sustainable marine environment.

It must be acknowledged that the Government has made marine protection and conservation priorities under Project Ireland 2040. We are obliged under the marine strategy framework directive to ensure the various cycles in achieving conservation and protection of the marine environment are upheld. Ireland is already very active in this area and has completed one comprehensive cycle in achieving its objectives under the directive. The Government has also committed to the preparation of relevant legislation. Will the Minister of State provide a timeline for that legislation to assure Members that we are serious about protecting the marine environment? Every Member of the House will have an opportunity to contribute to that legislation during the pre-legislative scrutiny stage which will provide us with an opportunity for more in-depth engagement on these issues.

While the Government agrees with the concept of designated marine protected areas, the motion put before the House by the Green Party does not involve the stakeholder engagement and consultation necessary ahead of such important legislation. The Government fully supports the development of a diverse but coherent network of marine protected areas and has committed to introducing legislation to provide for same. Its position cannot be any clearer.

The motion does not deal solely with marine protected areas. It also seeks Government agreement to a number of fundamental changes to policy which would need wide consultation and also the support of a majority in the Houses. I ask the Green Party to consider carefully what I am about to say. If the motion, as tabled, is accepted, it will mean a moratorium on the granting by the Government of all licences for deep sea mining and fossil fuel exploration in protected Irish waters. Importantly, from the perspective of those of us who come from fishing counties, it will mean changes to the quota system as set out in the Common Fisheries Policy, CFP. It will involve Ireland taking unilateral action, which would not be in keeping with our membership of the European Union and the fact that the CFP is based on agreement between member states. Strong and deep negotiations involving all stakeholders, including fishing communities, would be needed in that respect. The CFP is no different from the Common Agricultural Policy, CAP, and it would be remiss of us to change it unilaterally or try to change it without engaging with all stakeholders. Acceptance of the motion will also mean a major reorganisation of the way in which the Government manages marine matters, moving from supervisory, cross-government delivery and implementation by the marine co-ordination group to a single Department structure.

It is clear that the Green Party's motion is not in line with Government policy in these areas. Specifically, regarding changes to the operation of the quota system of the CFP, it is not within the remit of the Government to unilaterally make changes to the quota distribution rules set out in the CFP, as I am sure the Green Party and other Members of the House are fully aware. I say to the Fianna Fáil Party that it is important to acknowledge the strong and deep negotiations that have taken place with our European partners on the CFP. It is not something from which we can move away lightly. Despite the genuine concerns underpinning the motion, we cannot readily dispose of those agreements and negotiations and I caution against doing so. It is for these reasons that the Government cannot agree to the motion proposed by the Green Party. I urge all Senators to support the Government's amendment which sets out the commitments to introduce legislation in the coming months. It also sets out the Government's agreement with the concept of marine protected areas as outlined in the motion. However, we must complete work on the necessary legislation which will include a prohibition on microbeads which all Members accept is a very positive step forward.

The main point of the motion is that the Green Party wants the Government to introduce legislation to designate 50% of Ireland's territorial waters as a marine protected area. This would, in effect, designate an area five times the size of the island of Ireland as a marine protected area. However, the motion does not envisage a consultation process with the stakeholders who would be affected by such a decision. That is critical. There is no mention of a regulatory impact analysis to examine whether this would be the right policy to adopt. We need deeper engagement on this issue and the forthcoming legislation will give us that opportunity. It will afford every Member of the Houses an opportunity in the pre-legislative scrutiny phase to express their concerns and put forward solutions to protect the marine environment. I look forward to hearing the Minister of State's response to the debate.

Senator Paul Daly: Fianna Fáil will be supporting the motion and I commend Senator

Grace O’Sullivan for the great work she has done on it. She must have devoted an enormous amount of time to drafting such a comprehensive motion, which is welcome. It is unfortunate that such a motion had to be tabled to stimulate the action that should already be under way at Government level.

As an island nation, we have a special relationship with the oceans. We have a moral and economic obligation to protect and enhance the immense natural resources of our waters and ensure future generations will be able to enjoy them. There would be no need for the motion if the Government had taken action to tackle these issues at an earlier stage. Why has it delayed doing what needs to be done? Urgent action needs to be taken and the Government’s amendment shows how much it is in denial on the task in front of it. We have just heard Senator Paudie Coffey cite the Common Fisheries Policy, CFP, as the reason some of these actions cannot be taken. The Government plays a big role in the negotiations on the CFP and with some joined up thinking, one could enhance the other. The Government knows the actions called for in the motion are necessary. It is way behind on meeting its commitments. If one looks at the upcoming deadline of 2020 to have 10% of marine area designated, it is nowhere near it. It is clear the Government knows it is falling behind its commitments. Like St. Augustine, it says it wants to do the right thing, but just not yet. The way the Government has gone about trying to evade its responsibility in the countermotion is sad. The motion talks about the pressures on Irish seas and oceans and the need for us to take action to tackle this. The Government responds that the oceans are facing pressure globally. I have a newsflash for the Government. Ireland is also part of the globe and we have a responsibility to do our bit to look after our part of it and so far, this Government is failing miserably. The motion points out that just over 2% of our marine area is designated as marine protected area, which is the second lowest in the EU. These are mainly concentrated around river estuaries and along the coast, leaving ocean species unprotected. The Government response is to claim that almost 17% of Atlantic territorial waters are now protected. It does not mention is that it is talking mainly about other countries’ territorial waters, not our own. The fact remains that we are way off our 2020 target of 10% and have enormous work to do to reach our 2030 target of 30%. The Government is trying to shirk its responsibility, but it is clear it is in denial about the extent of commitment required to properly address this issue.

The motion refers to the fact that whale and dolphin strandings are up by 350% in the last ten years. The Government’s response is that establishing cause of death in those strandings is a “complex matter”. This is clearly not a Government that is focused on taking action. Instead it prefers to duck and dive its responsibilities while further damage to our marine natural resources continues. In its countermotion, the Government promises to bring forward legislation to designate marine protected areas, but it has been saying that for a while now and yet still there is nothing to show for the empty promises. We are here debating this motion, when instead, as Senator Coffey mentioned, we could be passing the legislation required to deal with this issue and to fulfil our moral and legal obligations. The time to act is now and the Government must act on this motion as matter of environmental urgency. The Senator has to be commended for bringing the motion. It is unfortunate that it has come to this because this legislation is long overdue and every day that it is not introduced or passed is another day of detriment to our natural environment.

Acting Chairman (Senator Gerry Horkan): Senator Craughwell is next. He has an amendment too but he cannot move it yet because only one amendment can be dealt with at a given time. When the other amendment is disposed of and voted on, the Senator’s amendment

can then be moved, but he can speak to it now.

Senator Gerard P. Craughwell: Can my amendment be moved after the others are dealt with?

Acting Chairman (Senator Gerry Horkan): Yes. There are two amendments. One has already been moved. Senator Craughwell's cannot be moved until the other has been disposed of one way or the other but he can speak to it now. The Senator has eight minutes.

Senator Gerard P. Craughwell: I appreciate that. I welcome the Minister of State and Senator Grace O'Sullivan's motion. There are few people in this House who are as well qualified to speak as Senator O'Sullivan on this issue. With all due respect to my colleague, Senator Coffey, from the south east, "give us marine protected areas, dear lord, but not just yet", tends to be the Government's answer to most things. It says that it has legislation coming down the line, it will go to a committee, it will talk about it and it will do anything, but in the meantime, our oceans are getting worse. Plenty of people have adverted to the various documentaries on the state of the world's oceans. We have to start moving.

I will throw the Minister of State a lifeline to save blushes all around and to save us from dividing the House. Setting a target of half of all Irish waters is an extremely high bar to set, especially considering the very low amount of Irish territorial waters currently protected. We need to think of the practicalities of setting the target that high and we also need a realistic timeline to get there. My colleague, Senator Paul Daly, was speaking about timelines there. I would hate to be hanging. That is all I can say on the timelines right now. I favour 30%, as does my colleague, Senator Boyhan, who has co-signed my amendment. Some 30% is the target set out by the International Union for Conservation of Nature, IUCN. It is also a target that Ireland has agreed to in principle, so I am not asking the Minister of State to do anything that he has not already agreed to. It is 30% for two reasons. It is scientifically defensible and it represents a real and more realistic level of ambition. I offer the amendment not to weaken the motion but to improve its chances of getting through. I hope it will be accepted with that in mind. I ask the Government to support my amendment as I believe that by achieving the 30% target, we can still make Ireland a leader in this area.

There has been much talk about the Common Fisheries Policy, etc. There will be no fish the way things are going in our oceans. We see thousands of tonnes of plastic being pulled out of the oceans. We see fish being strangled with cast-off nets. We see irresponsible exploration. At the end of the day, we have to start with something. This 30% is a low level to start at and I accept what Senator Grace O'Sullivan has said. I understand for somebody with her commitment that setting the target low is something she would find difficult to accept but, at the end of the day, we have very little. I ask the Senator to consider accepting the amendment. Some 30% is a start. It brings us a long way towards the Senator's 50%. If we make that start, there is some chance. Waiting for legislation is like waiting for Godot. It will just drag on and on, and things get worse all the time. To make life much easier for all of us here this evening and to save me from dividing the House, let us go for the 30% and accept the amendment. It is not an unreasonable request. I think it is one that we can all live with. Given that the Senator already has a principled position that 30% is a target she would seek to reach, I do not see any reason she would not accept the amendment.

Senator Paul Gavan: On behalf of my party, I welcome this motion and acknowledge the tremendous contribution that Senator Grace O'Sullivan has consistently made in this Chamber.

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I have learned an awful lot from the work she has done. What I really like about this motion is that it presents a really coherent vision for what we should be doing with our ocean resources. I am genuinely disappointed the Government could not find a way to work with the motion or, indeed, with Senator Craughwell's amendment, which we would be happy to support as a party. Senator Craughwell is quite right that the Government has already committed to the 30% figure. It seems almost churlish to stretch for ways to find objections to this motion. My colleague from Fine Gael mentioned the Government being committed to the preparation of legislation. We heard a great one in a committee yesterday where a civil servant told us that legislation is in the Minister's mind. Come on. Nothing is happening here. Right now, we have a really good motion that we should be buying into. I commend my colleague, Senator Paul Daly, who I thought made some excellent points in his speech. Fianna Fáil is on board with this. I think Fine Gael is missing an opportunity on this issue.

I want to talk about microbeads. They are causing immense problems in our oceans. Senator Grace O'Sullivan was the first to bring this to the attention of the Chamber. I am not sure how long ago it was at this stage but it was last year. We are promised that legislation is coming. I am not convinced. These microplastics are being put into everyday products such as soaps, gels, cosmetics, deodorant and toothpastes, and they end up in our oceans. It has been estimated that between 15 trillion and 51 trillion microplastic particles have accumulated in the ocean, with between 80,000 and 219,000 tonnes of microplastics entering the sea from Europe every year. We have lost a year since Senator Grace O'Sullivan's initial Bill came in and another 200,000 tonnes from Europe have entered the sea. Also, over 70% of deep-sea fish have ingested plastic, which is a frightening statistic. I have taken those figures from a study conducted by the National University of Ireland, Galway.

A growing number of countries seek to ban such particles. Holland, Austria, Luxembourg, Belgium and Sweden have all called for an EU-wide ban. Cosmetic companies have found ways of producing exfoliating products without the need for plastic-based microbeads. The products are advertised as such and seem to sell well. The recent introduction of the sugar tax is an example of political will forcing companies to adapt well before legislation comes into force. Legislation needs to be advanced to protect our environment. Legislation went before the Dáil and Seanad last year and we await the legislation promised by the Government.

The moratorium on exploration seeks to guard against same as it has an adverse effect on the environment. The motion also wants the extent of the damage and pollution analysed. Of course we should support the motion. If we are serious about it then we will endorse its aim and make sure that we do not continue to exploit fossil fuel possibilities. We need a greater vision at this time.

I remind the Minister of State that this country is one of the largest importers of fossil fuels in the EU. We need to reduce our reliance on fossil fuels and establish a direct replacement in our society. Without direct replacements we will continue to use fossil fuels from other States and not develop our own. Where is the morality in this matter? We also use energy that is produced by the nuclear industry in Britain.

We need to develop offshore renewable projects, as a matter of urgency. We need to use our own huge potential for offshore renewable energy to supply this State with clean green energy. Offshore renewables include offshore wind technology and the potentially available tidal and wave power. These sources of renewable energy, in particular offshore wind energy, can supply this island with a considerable amount of its electricity need but, sadly, it is non-existent.

Sinn Féin has a couple of concerns about the motion but nothing will stop us supporting same. Reference has been made to destructive fishing. Can we assume that destructive fishing is not authorised under the Common Fisheries Policy? Sinn Féin buys into the broad motion and we still feel it is worthy of our support.

We have signed up to international agreements to set aside 10% of our waters by 2020 and 30% by 2030. As has been pointed out, only 2.33% of that has been identified. We, as a country, are way behind the curve on this matter. The Government has said it knows we are way behind the curve but has asked that we give this matter more time. To be frank, that attitude is not good enough.

We support the concept of marine protection areas but acknowledge that there are arguments for and against them. Some believe a sanctuary area with no commercial activity helps populate surrounding areas with fish and shellfish. There is such an area on the south coast of England. There are mixed opinions about same and some people think such areas become a mecca for predators. There are also areas like the cod recovery area in Greencastle, County Donegal, where although there has been very little trawling for years, the fish population in the area does not seem to have recovered, thus leaving the area barren.

The motion suggests we have a consultation process for stakeholders. Sinn Féin fully supports the idea. A stakeholder is someone who may lose his or her home or business when whatever he or she has a stake in fails. The fishing industry should not be included in the same class as non-governmental organisations, NGOs, and should never enter a forum where it is in a minority.

With those points aside, we fully support the motion and welcome this debate. There has been a lot of interest in this motion. It would be a shame if the Government continued its opposition because the motion presents a real vision for what our oceans should and could be. The motion appears to have the support of everybody except Fine Gael. I hope that the Government will have a late change of heart. I have great confidence in the Minister of State who hails from County Meath, which is just down the road from County Westmeath. If one cannot be from County Westmeath, then County Meath is the next best thing. Perhaps he will have a change of heart between now and when he speaks on the issue.

Senator Tim Lombard: I welcome the Minister of State and acknowledge his presence in the Chamber.

The motion tabled by my colleague from Munster, Senator Grace O'Sullivan, has generated a very important debate. She has championed such debate on many occasions. She brought forward a Bill on microbeads. While the Bill was a positive one, unfortunately the action required to resolve the matter has not occurred. The Senator has been involved in the debate over recent years. She has promoted the sea, sea activities and the environment in which we live. The motion that she has brought forward is an example of her beliefs. It is important that this House should have such a debate. This House has a proud record of dealing with important issues, including environmental issues.

I am sure that the Minister of State, Deputy English, will answer all of the questions. I ask him to clarify when he proposes to bring legislation forward. If there is a process that we need to go through, we should hear that from him. If he clarifies the situation, he will go a long way to allaying the fears that nothing is happening at a Government level regarding this issue. We

must consider many aspects, whether it is the Common Fisheries Policy and the effect, if any, this legislation would have on it. I hope the Minister of State will bring that information to the Chamber today. I ask him to inform us what effect this legislation, which we could bring in today, would have on the Common Fisheries Policy. The people who work in the fishing industry are deeply concerned about the direction of the project and what supports will be provided by the Government. It would be positive if the Minister of State clarified the matter. We need to thrash out the issues. Senator Grace O’Sullivan’s proposal is very positive. However, we and the communities affected need to know what the knock-on effects will be. Traditionally, fishing communities have been located on the periphery of this country. Whether it is Tramore, Baltimore or Union Hall, these are rural communities and the inhabitants know the sea and their environment. They are like farmers who know their land and fisherman are the farmers of the sea.

The clarification about the likely effects is very important and will enable us to bring this legislation and information forward. I am being honest when I say that this legislation is an important piece of work but we must ensure that we bring everyone with us. I ask the Minister of State to clarify what effect the legislation will have on the fishing industry. I ask him to supply all of that information so we can have a debate. This debate is so important as it affords us an opportunity to thrash out those issues. After we get the clarification from the Minister of State, we can make the right decision. What we could do here tonight is rush through the legislation but that would have a knock-on effect on many issues. I seek clarity on the matter. When we get clarity, then we can make an informed decision.

Senator Frances Black: I welcome the Minister of State to the House. I commend my colleague, Senator Grace O’Sullivan, on the tremendous amount of work she has done on this motion, which I was delighted to co-sign. The motion is another example of how important it is to have voices like hers in the Oireachtas making the case for protecting our natural environment. We are the custodians of this world for future generations and we need to heed the almost daily warnings about environmental matters.

Before I speak about one specific aspect of the motion, I will respond to some comments made by Senator Coffey. We call for an end to new licences being granted for fossil fuels and mining, as we have done many times before. We understand, however, that the Common Fisheries Policy cannot be changed unilaterally. That is why we only ask that the Government would seek to change the system and make it fairer. We want to work with our European partners, many of whom have moved way ahead of us in this area.

The motion specifically calls for designated marine protected areas to be community led. This matter is very important to me. The Government must ensure that fishing communities are cared for and protected as we also work to protect our seas. Those communities know better than anyone what happens off our coasts and are aware of the threat that climate change poses to livelihoods. I vividly remember a briefing that took place here in Leinster House last year. I listened to one fisherman speak passionately about the four generations of his family who had worked on fishing boats. He explained that the industry was much more than just a job to them. It was a central part of their identity and way of life. He was so emotional and deeply upset that because of falling fish stock and degradation of water quality, his son would be the first in a line of five generations who could not take up this way of life. I keep those people in mind today. I often speak about Rathlin Island, where my family is from. It is a great example of the cultural heritage that also surrounds these island communities. A healthy ecosystem is so important to maintaining that heritage. The local history, folklore, myth, placenames, navigation lines, wildlife, migration routes, tidal currents, streams, shipwrecks and marine life are all

closely interlinked. These cultural aspects of our islands bring a richness to life there and they depend on healthy ecosystems to keep them going through the generations.

The ecosystems approach holds that humans are part of the ecosystem and human activities both affect the ecosystem and depend on it. That is the spirit of this motion - protecting our waters for people and also for the fish that swim in them. In 1992, the convention on biological diversity noted that the ecosystems approach is a strategy for the integrated management of land, water and living resources that promotes conservation and sustainable use in an equitable way. It recognises that humans with their cultural diversity are an integral component of many ecosystems. This highlights again the key role that fishing communities play in marine protection such as their ability to highlight the risk to marine life from fossil fuel exploration. Fishermen in the Porcupine Basin report that tuna and mackerel are no longer travelling to those areas to feed. They are telling journalists and ecologists alike that great damage is being done by seismic testing and the terrible practices of supertrawlers or enforcement agencies.

We often talk about the healthy, vibrant, biodiverse and world class seaweed harvested on our coast, which is sought after by high quality medical and cosmetic producers all over the world. Traditional seaweed harvesting communities have maintained these resources through years of careful work. We have to respect that. As part of this motion, we are asking the Government to ensure that Ireland's marine protected areas will be designated with the full involvement of those communities. Serious mistakes were made previously in nature conservation when bog and corncrake protection paid no heed to community concerns and paid no respect to the good work done by communities to protect and conserve areas for generations. This cannot happen again. In the North of Ireland, it has taken years to designate MPAs because they are chosen in accordance with a careful, bottom-up and respectful process of including local fishing communities and other users of the marine in deciding how best to manage those areas. In contrast, stakeholders have been told that such a process is not a priority for this Government. We need to rethink this. Locking fishing communities out of a delayed, roughshod MPA process is a recipe for disaster and could end up damaging relationships long after the Minister has left his Department. It would leave communities and ecologists cleaning up the mess of broken trust for years to come. I am really happy to hear that Fianna Fáil is supporting the motion.

Senator Victor Boyhan: I welcome the Minister of State. I thank Senator Grace O'Sullivan of the Green Party and the Civil Engagement Group for their commitment to the motion. I do not think we need to question Senator O'Sullivan's bona fides or her commitment to this whole area. She is an expert and has taught us all a hell of a lot about marine life. Behind all this it is about the protection of biodiversity, the rich sea life that we have and the need to protect our waters. I too am conscious of the east coast but particularly of Donegal, where I recently met farmers and a number of councillors involved in the fishing industry in Killybegs. I went on a trip there and was reminded yet again of the importance of the whole fishing industry to Ireland as an island. The amendment moved by Senator Craughwell is an important and reasonable compromise with the 30% target. That is what the Government is working towards and we should support it. We need to reach ground here.

On legislation in general, I am saying to every Minister and Minister of State who comes in here between now and the summer recess that we are being told time and time again that we have not got enough business to do in this House. We are sitting a day and half this week and a day and a half next week. I am calling on Senators to use their influence with the Government. We can initiate business in this House. The Minister of State talks about pending legislation and I would be interested to hear what he has to say about legislation in respect of this particular

matter. I challenge him and the Government to start initiating legislation in the Seanad. We are paid handsomely to do a job. We are willing, able, ready and committed. We have a Chamber here. Let us get on and do the business we are meant to be doing. It is up to the Ministers and their officials to prepare legislation. It is the Government's call to initiate legislation in this House. I hope next week that the Ministers I meet will be able to say they are going to take up that challenge. That is what this House is all about. The Taoiseach came in here only once since I was here and talked about the need to perfect and work on legislation as being a principal role of Seanad Éireann. Let us have no more excuses about legislation. Let us bring the legislation in here and work on it and send it back to the Dáil. I am going to tell the same story to every Minister and I am going to keep a log. We have time and we should be doing legislation. That is our primary function.

I think the amendment proposed by Senator Craughwell is reasonable and I hope the Minister of State will reflect on it. In terms of the national marine spatial strategy, headings have been published by the Minister of State's Department. It is in his area of responsibility. He might share with us how it is going. What is happening to it? I think it is a really good strategy and should be part of the national development planning framework. It is a separate document. I request that we have statements on it in the Seanad the week after next. The Minister of State might give a commitment to send someone in to talk us through it. It is a very important piece of work and it is important that we see how it is progressing.

Senator Paudie Coffey: On a point of information, I know Senator Craughwell is currently in the Chair, but is it possible for us to get the wording of his amendment so that we can consider it properly?

Acting Chairman (Senator Gerard P. Craughwell): It is on the Order Paper. We will organise that for the Senator in a moment. I call Senator Kelleher.

Senator Colette Kelleher: I am going to share time with Senator Alice-Mary Higgins. I will take six minutes and she will take two. I am delighted to speak in support of what I call Senator Grace O'Sullivan's "motion on the ocean". I oppose the Government's diluted - pun intended - counter-motion. As the song goes, although I will not be singing it, "thank God we are surrounded by water." However, it would seem from the evidence that informed the motion that we do not look after the beautiful ocean around our 7,500 km coastline.

Never in the history of humanity has the health of the oceans been more threatened. The decline of ocean health impacts on us all. The decline impacts on the very livelihoods that depend on the sea. It impacts on the life that tries to live in the sea. I still remember my children's chant when they were little and going to the seaside: "I can see the sea, I can see the sea." I remember the excitement, that magic moment as we turned a corner of a twisty road and the ocean spread out twinkling before us. How are we looking after our ocean that charms us so? Not very well. Many scientists and experts from all over the world agree that we are potentially entering the sixth mass extinction of sea creatures. The International Programme on the State of the Ocean report 2013 warns of the high risk of entering a phase of extinction of marine species unprecedented in human history.

This is due to a combination of pollution, ocean warming, overfishing, acidification and de-oxygenation. Our neglect threatens the very abundance of the ocean, an abundance that we can no longer take for granted. Marine dead zones are now a reality thanks to pollution. We estimate that there are at least 20 in Ireland, including in many of our best known estuaries,

for example, estuaries of the River Blackwater and River Bandon in Cork, and Castletownbere Harbour.

Oceans produce between 50% and 85% of the oxygen we breathe. They are a sink for carbon, taking up approximately one third of all CO₂ generated by human activity. The resulting drop in pH is having a drastic effect on marine ecosystems. Europe is facing major shellfish losses due to acidification. The 2016 Environmental Protection Agency noted that acidification effects were being observed in Ireland's offshore surface waters. The dangers are here.

Thanks to the prescient Micro-plastic and Micro-bead Pollution Prevention Bill 2016 introduced by my colleague, Senator Grace O'Sullivan, two years ago and with a little help from Sir David Attenborough, we now know more about the scale of plastics pollution and its devastating consequences. Some 8 million tonnes of plastic leak into the oceans each year, the equivalent of dumping a truck of plastic into the sea every minute. If we keep on going this way, there will be more plastic than fish in the oceans by 2050 and 99% of seabirds will have ingested plastic. Our wanton neglect of the oceans has been bad for dolphins too, with a 350% increase in dolphin strandings in the past ten years.

We can do something if we act as this motion sets out. Dr. Malin L. Pinsky, a marine biologist at Rutgers University, stated: "The impacts are accelerating, but they're not so bad we can't reverse them." There is hope. I have seen first-hand rivers like the Lee, which used to stink, being brought back to life. There is now the Lee Swim. Rivers like the Sullane in Macroom, where I learned to swim, are clean again. They are places where people can swim once more. We can and must do this for our oceans too, particularly the oceans around our lovely country.

I call on the Minister of State to support the motion and to consider the unanimity in the House. The cornerstone of the motion is its call on the Government to introduce an oceans Act to protect 50% of Ireland's seas and oceans with a community-driven ecological network of diverse and significant marine protected areas, MPAs, by working bottom-up rather than top-down with those who live and work in communities, as was usefully outlined by Dr. Ruth Brennan at yesterday's meeting and echoed by Senators Ruane and Black, and by designating places like Galway Bay, Tralee Bay and Roaringwater Bay. Let us honour commitments to legislation and the numerous EU and international agreements that we have signed up to and to which we are obligated.

As outlined in the motion, something else we can do is establish a moratorium on the granting of any licence for deep-sea mining and fossil fuel exploration in protected Irish waters and prohibit seismic testing within any range of protected areas that would have a deleterious effect. Let us instead grow and support innovative research and breakthroughs in sustainable energy opportunities.

I ask Senators, please, to support this motion on the ocean which I was proud to co-sign with my Civil Engagement colleagues. Let us look after much better the ocean that we are lucky enough to have all around us. Let us reverse the damage and pass on our beautiful seas to the next generation in a healthier state, teeming not with plastic and pollution but with life.

Senator Máire Devine: I will not take that long. I pay tribute to Senator Grace O'Sullivan, a true environmental warrior. I am delighted to support this motion. Throughout our engagements, be they on the environment, health or housing, we have seen that a bottom-up, community stakeholder approach is the way to go. Stakeholders and communities need to be at the

decision-making table. It does not seem to have occurred to the Government to allow that to happen, however, even though it is the way to achieve progress. As such, there is no way that I could support an amendment that removed this essential detail and diluted the motion. We need the experts, fishermen, farmers and everyone working on our seas and lakes involved. They know best how to plan for and protect our historical heritage, which we will hand on if it is not destroyed.

We must look after our planet's well-being because our planet looks after us. We are surrounded by seas but, as Senator Kelleher mentioned, they have become toxic. The images we saw recently of a sea of trash, with plastic everywhere killing off what kept us alive, opened our eyes. We cannot wait to protect this environment. It is priceless.

As an urban dweller and as a Dub, I mostly beat the streets of concrete, and I am committed to doing that into the future, but I have become more aware of what feeds and protects me, my family, my community, our country and the world, that is, the cleaning and healing nature of our seas and land. We all go about destroying them, however, so we need to cop on. We do not have the luxury of time. We are losing a great deal every day. Responsibility for that lies with the people, not any one government, so I will be strong on the question of stakeholder involvement. This impacts on everyone's environment. We will need to feed into that process. Stakeholder involvement promotes ownership of any decision that is taken, be it difficult or one with which people do not agree 100%. Ownership would make things happen.

I commend Senator Grace O'Sullivan and urge her to keep at it. We will follow in her footsteps. I hope that Fine Gael will wise up.

Senator Alice-Mary Higgins: So much has been said quite beautifully by others. Coming from the west, the sea is vital for me, just as it is for everyone else. No one in Ireland is not within reach of and relationship with the sea. That is clear in how Senators have spoken. I add to the commendations of Senator Grace O'Sullivan. She literally took our Civil Engagement group and plunged us into the ocean, forcing some of us into the waves in Waterford with her. I was happy to do so, but the wild Atlantic would be more my natural milieu.

The Senator is someone who speaks with passion but also authority. When she discussed microplastics and made her proposals on microbeads, it took a year for those issues to be progressed. It is important that there be no delays when a proposal or idea comes through that is right. The House is a place where that can be recognised, for example, in the eloquent speech of Senator Paul Daly, who responded to the points raised and discussed many of his own. I was struck by his remark about us being on a globe and how this was not something that could be managed separately. We have a global responsibility. The species that visit our shores migrate. We are in a relationship of flows between parts of the world. It is imperative that we never seek to lag behind in terms of action but instead lead the way. That is what is being requested in this motion.

It is important to clarify a matter. It was suggested that this motion would change fishing quotas or the rules under the CFP. Clearly, it does not. Rather, it points out that Ireland, as an island surrounded by sea, needs to bring a number of important points to bear when we take part in the negotiations on and development of the CFP. We represent entire communities, not simply businesses and ships that may choose to visit or transport fish from our shores. It is very important that not only the environment but communities are sustainable. The reason I will not be able to support the Government's countermotion is not simply because it dilutes the vision

and ambition of this motion but also because in its fragmented nature it speaks about limited lists of protected species. When we speak about the environment, we simply cannot talk only about the trees, without reference to the forest and its undergrowth which makes it work as an environment. Similarly when we speak about particular species, we need to talk about the environment in which they flourish. In the same way we cannot talk about the fishing industry without reference to the community in which it flourishes and the many different kinds of relationships that the community will have with the sea.

My colleague spoke about Lough Hyne, a marine lake which is one of the only marine protected areas in Ireland. I have had the pleasure of rowing on Lough Hyne at night, when one of the smallest organisms, which is not protected, the bioluminous plankton literally set the waters alight at night. Now there is a flourishing tourism business in the off-season for people who want to visit and see Lough Hyne at night. This is an example of what I mean when I talk about a sustainable relationship for communities with their natural environment.

I urge the Minister of State to consider the very reasonable amendment put forward by Senator Craughwell and to accept this correct motion. There are thousands who signed the petition.

Senator Grace O’Sullivan: The figure is about 6,000.

Minister of State at the Department of Housing, Planning and Local Government (Deputy Damien English): It is nearly 7,000 people.

Senator Alice-Mary Higgins: Some 7,000 people know about this issue and have signed the petition. Tourists and locals visit our shores. I am from the west and know about the thriving and important business that has developed around foraging, seaweeds and the extraordinary festivals such as Food on the Edge, which is a whole new way of appreciating marine life, leading to a really important and sustainable level of high engagement by the food industries and small craft food industries. This is the big picture.

We are asking the Minister of State to act and take urgent action now. An environment which has existed for thousands of years can change in five or ten years. We are also talking about the wonderful resilience that was described. Let us show that we are in tune with it. I ask the Minister of State to support the motion, because our motion is very constructive. I thank all those who have spoken on the motion. I hope we will all get into the sea in a few months time.

Senator Acting Chairman(Gerard P. Craughwell): The Minister of State has 15 minutes.

Deputy Damien English: I thank the House for an opportunity to address this issue. I acknowledge the work that Senator O’Sullivan is doing in this area and the expertise she brings to it. Generally we agree on most things and we certainly agree on where we want to end up. That is the reason I am disappointed with some aspects of the motion and, in particular, to the approach that has been taken online. The reason I know the number who signed the petition is that I track it and most of them contact me after they sign it, because that is what the petition asks them to do. That is fine.

The motion that is online that people are asked to read and to sign is different from the motion put forward in the House tonight. The two motions do not match up. I do not like that way of doing politics. I think people should know exactly what they are voting for. The motions do not add up. The online motion, supported by the Green Party, to which people sign up is very

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different from what is being put forward in the House tonight. The intentions and desires are the same and we all share them, but I am a little disappointed by the way the online petition is different and that is not a good way to do business.

I recognise Senator Grace O'Sullivan's expertise in this area and that she is genuine in trying to work in this area. She was one of the first to raise the need for legislation to prohibit microbeads. I held a different brief at that time and I took a debate on the issue of microbeads in the Seanad. At that stage I outlined to the Senator that we agreed with the concept but that the Government had to go through a certain process to be able to do that. We have gone through that process and we have notified every body, because we are part of a European project and the legislation should be with Cabinet before the summer and come to the Oireachtas as well. I acknowledge that this is as a result of Senator O'Sullivan's work. When we can agree, we certainly do agree.

It is not a case of opposing a matter for the sake of opposing, but I cannot accept this motion and I do have to oppose it because we could not support all the issues that are encompassed in it. I hope the Senator will understand the reason for this position by the end of my speech. I will certainly be happy to engage with the Senator. I appreciate that she wanted to engage with me this week but there was no time on my side to do that.

I have to disagree with Senator Paul Daly because many of the actions are in motion and Ireland is very much involved at European and international levels and is playing a leading role. It would not be correct to say there was no action. Senator Daly may nod his head in disagreement but I know the officials who are here behind me and the hard work they are doing on the issues for a number of years. We also have teams in Cork and Wexford and they, in conjunction with the Department, are working very hard on this matter. They take their work very seriously and are very committed to it. It would not be justifiable to say that nothing is happening, because that is not true. I know that Senator O'Sullivan is not saying that, but other Members are because they are not as informed as Senator O'Sullivan. It is fair enough that Senator O'Sullivan wants us to do more and I accept her credentials in looking for more.

Let me respond to Senator Ruane's point. She claimed some of our countermotion but did not give the full story. We are not just approaching this from a hard economics point of view. We are very clear on that point. It is important that the people who want to sign the petition and support the general thrust of it will read all the motions and will read the countermotion. I will not put it all on the record but I will give the opening paragraphs.

We acknowledge as a Government:

- that the Irish coastal and marine environment has a high natural capital and provide valuable services for all parts of the country and economy, including in the areas of tourism, heritage and cultural amenity, transportation and communications, food production, education and research, flood protection, climate regulation, nutrient absorption and energy;

- that, globally, the oceans are facing increased pressures, generated by the combined impacts of human activities and the effects of climate change;

- that Ireland, in co-operation with the European Union and other European countries within the framework of the OSPAR Convention, is committed to ensuring the protection and conservation of the marine environment and the sustainable use of its resources;

- that Ireland is committed to an ecosystem-based approach to the sound management of the marine environment and recognises that marine ecosystems, species and habitats are largely transboundary in nature, thus making regional and cross-sectoral co-operation essential for effective management.

It continues. I ask Members to desist from saying that the Government focus is only on hard economics because that would not be true. That would be a failure to recognise the work that the country is doing and which is paid for by our taxpayers.

The motion refers to the importance of involving stakeholder engagement. That is what we do in all our work. It is actually laid out in the marine strategy directive to which we have signed up that we have to have community and stakeholder involvement in all our consultations. That is another reason that I cannot accept this motion because the Government has to go through all the process to set targets and goals. It would be wrong to come to the House, discuss them and set them.

As part of the stakeholder engagement, we also have to recognise that the potential in the marine protected areas has to be based on robust scientific information. We have to go through an assessment when we are setting them. It is not a case of picking a percentage figure out of the sky. I accept that Senator O'Sullivan is not suggesting that but others are quoting figures. The Government has to go through a process to assess any marine protected area. We are involved in that process and we are committed to doing that. Let me repeat we are committed to scientific assessment and stakeholder engagement. We try to do that in all our work in this area because we try to bring people with us.

We published an issues paper on our marine strategy in December 2017. I chaired an initial workshop about six weeks ago. There is a very strong working group comprising all the stakeholders. There have been a number of public sessions. Senator O'Sullivan attended one of those sessions this week in County Wexford. That process is under way and I am happy to have a debate on it in this House. This would highlight the work we are focusing on as a Government and the interest of all parties in this area. We will involve everybody as much as we possibly can.

My colleague, Senator Coffey, informed the House that the Government supports the development of a diverse but coherent network of marine protected areas. We have already committed to introducing enabling legislation to provide for them. We are acutely aware of our position regarding marine protected areas, the necessity to legislate and to designate them. Today's motion is not one which the Government can support and the Green Party is aware of some of the reasons as I have outlined but also from previous discussions and debates we have had in this House. Some of it goes beyond the scope of Government, as we must go through a process at European level to be able to do that.

I have been asked by a number of Members to outline the proposed legislation that the Government will bring forward. We wanted to get the microbeads legislation published first, which we will do before the summer. We can continue to bring forward legislation in this area after that, maybe in the summer or autumn and also in autumn 2019. We all want to do it as quickly as possible and we are committed to doing so. It is not a case of just setting aside debating time in here, though that is important. There is a lot of work involved in putting the legislation together. We have a team of people who work very hard but cannot do everything on day one. Extra people have been employed in the section but the microbeads legislation is being brought

forward because this House led the charge on the issue and we are responding to that, as we will do in respect of the whole area.

The Green Party wants the Government to introduce legislation to designate 50% of Ireland's territorial waters as a marine protected area. It appears the party wants to unilaterally force this decision on both the Government and all those using the marine area. A policy decision of this magnitude needs to be researched and thought out and stakeholders need to be informed and their voices and opinions heard. I imagine the Green Party intends that but the motion does not say it. It calls for the 50% designation but we cannot do that without going through the whole process. To designate even a small area as a marine protected area needs to be thought through, considering the objective of the designation, the expected outcomes and how it would be managed and enforced. It is important that we can manage areas we designate as such and that it has an impact. It is not a case of picking 30% or 35%, as in the amendment, because it has to mean something and not just on paper. We have to be able to back it up and know how we enforce it and manage it. It is not enough to just put in a figure.

The Green Party wishes to take a policy decision of great magnitude to designate an area approximately five times the size of Ireland's land mass without any research or consultation. The motion uses the word "significant" but the area is five times our land mass and this needs proper negotiation, as well as a study of the scientific data. Accordingly, I cannot agree with this proposal although it does not detract from our stated position of introducing legislation for the MPAs. I and the Government fully recognise the need for MPAs but a unilateral declaration of 50% of the marine area is not the way to garner support for the measure.

The motion also seeks Government agreement to a moratorium on the granting of licences for deep sea mining and the exploration of fossil fuels. We have had many debates on this and the Green Party is well informed of the Government's position on matters relating to climate action energy and offshore exploration. There was a large discussion on the recent Solidarity-People Before Profit Private Members' Bill, the Petroleum and Other Minerals Development (Climate Emergency Measures) Bill 2017, in which the Government set out its position and I will not use all my time tonight setting it out again.

We are also being asked to look for a change in the quota system set out in the Common Fisheries Policy. The Common Fisheries Policy already allows for the incorporation of marine protected areas within Irish waters, with consultation from other member states. Our quota distribution needs to conform to the requirements set down in the Common Fisheries Policy. Ireland cannot unilaterally make changes to the quota distribution rules, though we can do it when the time is right.

There is also a request for a major reorganisation of the way the Government manages marine matters into a single Department structure. Responsibility for marine management is divided across various Departments and the marine co-ordination group has the role of supervision, cross-Government delivery and implementation of Ireland's integrated marine plan, Harnessing our Ocean Wealth. It is the intention of Government that this integrated approach will continue. There are often calls for one Department to deal with this but it is important we involve all the different Departments who have a say in it and the marine co-ordination group does this quite effectively. I consult them on any decisions I have to make on behalf of Government on licensing, leases and so on. Some Members may not be familiar with our integrated marine plan to harness ocean wealth but I ask them to read it, where they will see the involvement of all stakeholders and other players.

As the Senator will be aware, my Department is committed to introducing enabling legislation to allow for the formal creation and management of marine protected areas. I know the motion is about getting it more quickly and we would like to bring it forward more quickly too, but we have had to deal with other legislation including the overall strategy for the marine. The Government and I are deeply committed to the development of primary legislation to provide for the creation of a network of marine protected areas in accordance with the requirements of the marine strategy framework directive and other international commitments. Our objective is to enact legislation for the designation and protection of marine protected areas to deliver an ecologically coherent, connected and well-managed network of MPAs which, by the nature of marine ecosystems, are transboundary and consistent with the target for effectively conserved marine coastal ecological regions under the convention on biological diversity. This legislation and the process of the identification of potential MPAs will be based on robust scientific information on habitats, species, heritage sites and geological and geomorphological features. We have to go through that process. It is a means to an end but we have to go through the process and I hope Members understand that.

The Bill we are drafting will allow for the designation of various types of MPA by regulation, including the geographical delineations and the provision of the necessary special protection measures required by the MPA in question. These regulations will identify what human activities, if any, need to be managed, limited or allowed in each potential MPA and will identify the time periods when restrictions will apply. As the marine strategy framework directive is also concerned with the sustainable use of our marine environment, social and cultural factors will also be a consideration. Senator Ruane made a point that it was not just about economics and I am clear about this. We are committed to it and a European strategy commits us to it, so even future Governments will be committed to doing it.

Stakeholder contribution is a very important process with any proposed legislation and I wish to reassure the Senator that there will be consultation at national and local community level on all aspects of MPAs. However, MPAs are not simply a matter of their designation, as the Senator's motion implies. There are a number of other critical questions to be considered. The same is true of the 30% amendment; it is not just about picking a number. We have to decide what kind of marine protection measures are required and where they should be located. Why are we designating them? What are we protecting and what form of restriction is needed? Who will enforce the MPAs, have responsibility for their ongoing and overall management and have a budget to do so? What penalties should be in place in order for them to be meaningful? I recognise the Senator is genuine about this but I am setting out the process of bringing about the legislation to achieve it.

I want to ensure that this proposed legislation will provide a strong basis to deal with all of these issues although today's motion offers little in respect of these issues. The motion was designed to frame the discussion but does not go into the detail, though we will have the chance to debate the legislation in here and in committee. People have referred to 2030 targets and 2020 targets but the purpose of any area designated should be to ensure that we are able to reach our good environmental status, GES, targets under the MSFD. An expert advisory group will also be established under the MPA legislation to make recommendations for candidate designations and I look forward to engaging with it at the earliest opportunity.

In terms of the current level of MPAs mentioned in the motion, a significant number of protected areas have been designated under the EU birds and habitats directives. These include a number of special areas of conservation and special protected areas. The proposed legisla-

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tion intends that new types of marine special protection measures will be added to the existing measures and, over time, provide for the designation of a coherent and representative network of marine protected areas.

As I already stated, Ireland is actively involved on the international stage and in this capacity has ensured that the level of MPAs in the north-east Atlantic continues to expand. The OSPAR intermediate assessment documents the increase of MPAs and advises that considerable progress has been made towards an ecologically-coherent and well-managed MPA network within the OSPAR maritime area.

I was asked about the marine strategy framework directive. My Department is responsible for national marine environmental policy in Ireland, which is principally achieved through the implementation of the marine strategy framework directive, MSFD. The MSFD forms the basis of our sustainable interaction with our marine environment. The purpose of the MSFD is to integrate environmental considerations into all aspects of marine policy and activity in order that we maintain or reach a point of good environmental status in our seas and oceans and, thereafter, that we ensure that this status is maintained through sustainable use of our seas. The MSFD requires that we assess our marine environment, develop GES targets and indicators, monitor our environment in light of these, and, where necessary, introduce a programme of measures, including marine protection measures, to address issues affecting GES being achieved. Key to any successful programme of measures is ensuring that we have a coherent and effective network of marine protected areas and other spatial protection measures across all the EU's marine regions. This is also a reason for not accepting the amendment to the motion.

Other issues were raised but I do not have the time to address them. I will come back to Senators on individual questions. I wish I could come back in but am conscious of the time. I will come back to the individual questions.

Senator Grace O'Sullivan: I thank the Minister of State for his comments. In respect of the petition on the *avaaz.org* site, it is not specific but it is quite close to the motion. It is my view that it is very much in line with the motion. I am very disappointed with the Minister of State's response. I know our motion is ambitious. That is because of the pressures that are on the marine environment. I recognise that we have special areas of conservation, SACs, and natural heritage areas. However, we have to get a move on with the marine protected areas and the OSPAR marine protected areas specifically. We can do that. This motion outlines how we can do so and not keep pushing the can down the road. We keep talking about how we have to go through this and that process but, in fact, we do not. We can work with stakeholders and communities to identify this in a timely way. We are pushing it down the road.

Deputy Damien English: We will. It is coming in the summer or into the autumn.

Senator Grace O'Sullivan: That is with regard to microplastics and microbeads.

Deputy Damien English: That is coming before the summer.

Senator Grace O'Sullivan: That is July. What we are talking about here are the MPAs. I will be pressing my motion because I believe we need to do this and show leadership. Here we are once again not taking action with regard to climate change. We are talking and talking. We are an island nation on the western fringe of Europe and we have more territorial waters than many states. We really have something so valuable and we can stand up and show leadership in this area. The Government is just pushing it down the road and it is not going to happen. We

can get on with this.

I urge the Minister of State to accept the motion and recognise the unprecedented pressures on the marine environment. We are the laggards again. Only 2.3% is designated as marine protected areas. We have an obligation to have 10% by 2020. That is in 17 months. It is not going to happen if we sit here and listen to the Minister of State's proposals to kick the can down the road. The motion is solid, timely and ambitious. What are we as a nation if we do not have ambition? Let us set the agenda with regard to our marine environment. We are an island nation and a great marine territory. Let us do something today to support the communities around the coast of Ireland and all the communities in Ireland that have a connection with the seas, as Senator Higgins has said. Let us take a position as a nation. Let us support my motion and show the people that we have determination to move on the OSPAR MPAs.

I am fully in support of what the Minister of State says about stakeholder engagement. I understand that we need robust scientific analysis. I attended that meeting last week in Passage East in Waterford. There were four members of the public there along with some public representatives. The person leading out on it told us that in Wexford, three people attended. Where is the engagement and the communication with stakeholders? It is not happening. What I witnessed in Passage East was a box ticking exercise. Essentially, the Government's agent was there to inform the very few people who attended.

These are coastal villages and the meeting should have been teeming with community members but there was no-one there. It was such a small group and mainly composed of public representatives. We were told that this is a process and that it will take at least nine months to get a report. The report will have to come before the House and then will have to be discussed further. Where are we going with our commitment to our environment, particularly our marine environment? We are so rich in this resource and so lucky. Why not take the action today and do something positive? I understand there is strategic development and we will feed into the process. With regard to OSPAR MPAs, let us do it today.

I thank Senator Paul Daly and his party. It was Fianna Fáil which committed Loch Oighinn to a marine reserve. It is a tremendous reserve. It was Charles Haughey who created the marine sanctuary in our waters for cetaceans.

Acting Chairman (Senator Gerry Horkan): Senator O'Sullivan is over time but maybe I should be letting her say more.

Senator Paul Daly: Do not stop her now.

Senator Grace O'Sullivan: I thank everyone who spoke in favour of my motion today. All parties, apart from the Government, have supported the motion. It is in our long-term interest and the interest of the nation.

Acting Chairman (Senator Gerry Horkan): I thank the Senator. It is because she is very passionate about this, I gave her seven and a half minutes.

Senator Victor Boyhan: That was because she was nice about your lot.

Acting Chairman (Senator Gerry Horkan): I did not know that was coming but it was worth waiting for.

Senator Victor Boyhan: I hope they do not choke on their steaks.

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Deputy Damien English: It used to be cash but now it has all changed.

Acting Chairman (Senator Gerry Horkan): I am going to ask Senator Coffey how stands his amendment.

Senator Paudie Coffey: I have listened to the debate very carefully. We do recognise the significance of this motion and I have spoken at length on that. The issues that concern ourselves and the Government do remain regarding the lack of consultation and engagement with stakeholders.

Senator Paul Gavan: We have heard that before.

Senator Paudie Coffey: It is very serious to unilaterally make decisions that impact on agreements and negotiations we have made with our European partners in terms of the Common Fisheries Policy. We do know that we need sustainable environmental protections for our marine biodiversity as well as on land. The Minister of State has outlined in a very strong way that he proposes to bring legislation forward in the coming weeks and months. There will be ample opportunity to engage with that legislation. For that reason, we are standing over our amendment.

Senator Paul Gavan: Disappointing.

Senator Paudie Coffey: We feel it is the right thing to do in the interests of all stakeholders. We are not playing politics with our environment. I do not say for one moment that Senator Grace O'Sullivan is doing so. I know her passion and commitment over many years, long before she got into politics. However, I do believe some others might be using an opportunity here. We feel we are doing what is right by the country and the stakeholders who will be impacted by this motion. We feel that the Minister of State is adopting a very pragmatic, positive and proactive role in bringing forward legislation that will address the concerns of Senator Grace O'Sullivan and other Senators. For the sake of a few weeks or possible months, we should wait on that and properly engage with it.

Senator Paul Gavan: Years.

Senator Gerard P. Craughwell: On a point of order-----

Acting Chairman (Senator Gerry Horkan): It is probably not a point of order but I will have to hear it first.

Senator Gerard P. Craughwell: I think it is rather wrong to assume that anybody would be playing politics here. We all have a genuine interest in our environment.

Senator Máire Devine: Hear, hear.

Acting Chairman (Senator Gerry Horkan): That was not a point of order. I did not think it would be but the Senator has said it anyway. Is Senator Coffey pressing the amendment?

Senator Paudie Coffey: Yes.

Amendment put and declared lost.

Acting Chairman (Senator Gerry Horkan): Is Senator Craughwell pressing his amendment?

Senator Gerard P. Craughwell: Given that the Government amendment has been defeated, I assume that Senator O'Sullivan's-----

Acting Chairman (Senator Gerry Horkan): Is Senator Craughwell withdrawing his amendment?

Senator Gerard P. Craughwell: If Senator O'Sullivan's motion is now carried in light of the fact that the Government's amendment has been defeated-----

Acting Chairman (Senator Gerry Horkan): Does the Senator want to press his amendment or not?

Senator Gerard P. Craughwell: If Senator O'Sullivan's motion passes now-----

Acting Chairman (Senator Gerry Horkan): Senator Craughwell's amendment has to be dealt with one way or the other before we go near that motion. Does he want to move it?

Senator Gerard P. Craughwell: I am a little concerned and am looking for guidance. I believe that my motion was there to offer the Government a lifeline.

Acting Chairman (Senator Gerry Horkan): The Government amendment has been defeated. That has been disposed of. We move on to Senator Craughwell's amendment. Does he want to move it? If he does not want to move it, that is fine, we will go back to the original motion.

Senator Gerard P. Craughwell: I really want to see Senator O'Sullivan's motion passed and I look for guidance from her. I merely put my amendment in in case Senator O'Sullivan's motion would have been defeated. I was offering a lifeline.

Acting Chairman (Senator Gerry Horkan): We are not there yet. The Senator has to make a decision at this point.

Amendment No. 1 not moved.

Motion agreed to.

Acting Chairman (Senator Gerry Horkan): Congratulations, Senator O'Sullivan. I ask the Acting Leader when it is proposed to sit again.

Senator Paudie Coffey: Next Tuesday at 2.30 p.m.

The Seanad adjourned at 7.45 p.m. until 2.30 p.m. on Tuesday, 29 May 2018.