



DÍOSPÓIREACHTAÍ PARLAIMINTE
PARLIAMENTARY DEBATES

SEANAD ÉIREANN

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

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SEANAD ÉIREANN

Dé Céadaoin, 16 Deireadh Fómhair 2019

Wednesday, 16 October 2019

Chuaigh an Cathaoirleach Gníomhach (Senator Diarmuid Wilson) i gceannas ar 10.30 a.m.

*Machnamh agus Paidir.
Reflection and Prayer.*

Election of Acting Chairman

Clerk of the Seanad: I have to inform the House that both the Cathaoirleach and the Leas-Chathaoirleach are absent from this meeting of the Seanad. Pursuant to Standing Order 12, it will be necessary, therefore, to elect a Member to perform the duties devolving on and exercise the authority conferred on the Cathaoirleach by Standing Orders for the period of absence of both the Cathaoirleach and the Leas-Chathaoirleach. I will take proposals for the election of an Acting Chairman.

Senator Jerry Buttimer: The Clerk looked very fitting in walking into the Chamber. He would make a very fine Cathaoirleach. I propose that Senator Wilson act as Acting Chairman.

Clerk of the Seanad: Is it agreed that Senator Wilson take the Chair? Agreed.

Senator Diarmuid Wilson took the Chair.

Gnó an tSeanaid - Business of Seanad

Acting Chairman (Senator Diarmuid Wilson): I have received notice from Senator Catherine Noone that, on the motion for the Commencement of the House today, she proposes to raise the following matter:

The need for the Minister of State with special responsibility for local government and electoral reform to provide an update on the review of the role and remuneration of local authority elected members.

I have also received notice from Senator Aidan Davitt of the following matter:

The need for the Minister for Housing, Planning and Local Government to make a statement on the provision of maternity leave for local authority elected members.

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

The need for the Tánaiste and Minister for Foreign Affairs and Trade to make a statement on the recent Upper Tribunal ruling in the Emma DeSouza case on the citizenship of persons born in Northern Ireland and to outline the measures he intends to take to ensure the citizenship provisions of the Good Friday Agreement will be fully implemented.

I have also received notice from Senator Gerald Nash of the following matter:

The need for the Minister for Employment Affairs and Social Protection to make a statement on whether she plans to defer the recommended increase in the national minimum wage which is due to come into effect on 1 January 2020.

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

The need for the Minister for Education and Skills to make a statement on the timeline for completion of the new community school in Ennistymon, County Clare.

I have also received notice from Senator Brian Ó Domhnaill of the following matter:

The need for the Minister for Agriculture, Food and the Marine to make a statement on the consultation process undertaken by his Department following the receipt of applications for aquaculture licences in a special area of conservation.

I have also received notice from Senator Anthony Lawlor of the following matter:

The need for the Minister for Health to make a statement on the funding to be allocated for the development of the endoscopic unit in Naas General Hospital, County Kildare.

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

The need for the Minister for Education and Skills to provide an update on the acquisition of a new site for Gaelscoil Chionn tSáile in Kinsale, County Cork.

I have also received notice from Senator Jerry Buttimer of the following matter:

The need for the Minister for Health to make a statement on the availability of drug and alcohol detox treatment in Cork.

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

The need for the Minister for Health to provide an update on the independent review of University Hospital Limerick by the Royal College of Surgeons in Ireland and the National Health Service.

I have also received notice from Senator Máire Devine of the following matter:

The need for the Minister for Health to provide an update on the appointment of a sarcoma specialist at St. Vincent's University Hospital in Dublin.

I have also received notice from Senator Robbie Gallagher of the following matter:

The need for the Minister for Health to provide an update on the status of the HSE Respond group home in Carrickmacross, County Monaghan.

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

The need for the Minister for Justice and Equality to provide an update on the planned upgrade of Tubbercurry Garda station.

I have also received notice from Senator Lorraine Clifford-Lee of the following matter:

The need for the Minister for Education and Skills to provide an update on St. Joseph's secondary school in Rush, County Dublin.

I have also received notice from Senator Gabrielle McFadden of the following matter:

The need for the Minister of State with special responsibility for higher education to make a statement on the future of third level colleges such as Athlone Institute of Technology that have not yet been constituted as technological universities.

I have also received notice from Senator Aodhán Ó Ríordáin of the following matter:

The need for the Minister for Health to make a statement on the review of the inclusion of FreeStyle Libre in the reimbursement of medical devices under the community drug scheme.

The matters raised by the Senators are suitable for discussion. I have selected the matters raised by Senators Noone, Davitt, Ó Donnghaile and Nash and they will be taken now. The other Senators may give notice on another day of the matters they wish to raise.

Nithe i dtosach suíonna - Commencement Matters

Local Authority Members' Remuneration

Senator Catherine Noone: I welcome the Minister of State, Deputy Phelan. I request an update on councillors' remuneration, pay and conditions generally. This is an issue that has been raised many times in the House and is still very much a concern for many of the councillors to whom I speak on regularly. They believe they are not being properly supported in doing their job and that it is not worth their while doing it. As the Minister of State and everyone present know, the amount of time input by councillors daily is phenomenal. At a time when we are trying to encourage females and other individuals to enter politics, which is a difficult profession, we need to support the foundation of politics, namely, councillors and to make sure they are properly remunerated for the work they do. They do not go into politics for the money. None of us does, but they should be remunerated effectively for the job they do daily. I know that these issues have been raised many times and that the Minister of State is fully aware of them, but we must be professional in how we do our business. From councillors to Senators, Deputies, Ministers and the Taoiseach, we need to be properly supported in the work we do. To my mind, councillors are not remunerated sufficiently for the work they do. That may be an unpopular thing to say. There is, however, a perception that they earn a lot of money and that anyone engaged in the political arena must be earning a lot of money. Councillors are poorly remunerated for the excellent work most of them do.

I look forward to the Minister of State's response and hope this issue is to the forefront of

his mind in the context of his portfolio.

Minister of State at the Department of Housing, Planning and Local Government (Deputy John Paul Phelan): I thank the Senator for raising this matter which is to the forefront of my mind. Like her, I deal with councillors every day of the week and the underlying reality is that they are underpaid. The purpose in conducting the review was to examine how we should remunerate them appropriately into the future.

Following on from the feedback from local authority elected members and their representative bodies, as well as in debates in this House on councillors' current remuneration regime, I agreed with my colleague, the Minister for Public Expenditure and Reform, Deputy Donohoe, to carry out a review of the role and remuneration of local authority elected members. Ms Sara Moorhead, SC, was tasked with carrying out the independent review, consulting key stakeholders, as necessary. An interim report on the review was submitted to me by Ms Moorhead in November 2018. It may be found on my Department's website. To progress towards the final report, it was necessary to survey all local authority members and seek financial information from all local authorities. The survey has been completed and the financial data collected, although in both cases deadline extensions were required. I expect to receive the final report shortly. In accordance with the agreed terms of reference, the report must be the subject of discussion between my Department and the Department of Public Expenditure and Reform. This is to ensure that, in accordance with the agreed terms of reference, the review will have regard to the wider public pay and industrial relations context.

Following the necessary consultation, it is my intention that the review will be submitted to the Government and published immediately thereafter. My expectation is that the review will more comprehensively define the role of councillor and make recommendations for modernising the remuneration package in order that it will be commensurate with the role. Once the report has been published, I will be happy to return to the Seanad to discuss the matter further. In the meantime, I remind the House that in recognition that immediate action was required for councillors, since my appointment as Minister of State I have introduced a range of improvements to the supports provided for councillors, including a new allowance for them worth €1,000 per annum, backdated to 1 July 2017, in recognition of the additional workload following the 2014 reforms and a new optional vouched expenses regime up to a maximum of €5,000 per annum, of which councillors may choose to avail instead of the existing unvouched allowance of up to €2,500 per annum. The payment to councillors which is linked with a Senator's salary was increased to €17,359 per annum with effect from 1 September 2019. It will increase further in line with adjustments arising from the Public Service Stability Agreement 2018 to 2020.

I again thank the Senator for raising this matter. I take the opportunity to thank Senators for their keen interest in the role of councillor and the supports underpinning it.

Senator Catherine Noone: I thank the Minister of State for his comprehensive reply. I note that work is ongoing. On use of the terms "shortly" and "once published", does it mean that the report will be published in the coming weeks, or will it be published early next year? On the Minister of State's reference to Senators' keen and ongoing interest in the role of councillors, that is logical, as they are our electorate. We have close working relationships with many of them. It is incumbent on us as Senators to seek to improve conditions for them. I note that the Minister of State is also focused on the issue and know that he is genuine in his remarks, but I hope the matter can be expedited. I would welcome clarification from the Minister of

State on his definition of “shortly”.

Deputy John Paul Phelan: It was intended that the report would be with me before the summer recess. To this effect, we met some of the representative groups, but a number of issues arose that prevented it from being finalised before the summer recess. When I use the word “shortly”, I mean that I expect to be receipt of it within the next two weeks. At that stage, there will be consultation between my officials and officials in the Department of Public Expenditure and Reform who, I am sure, as the Senator will understand, have a keen interest in this issue. With the officials in the local government section of the Department of Housing, Planning and Local Government, they were joint sponsors of Ms Moorhead’s efforts to examine the role of councillors and the rate of remuneration.

From a cursory review of the results of the survey, councillors’ remuneration is at or just below the national minimum wage in terms of the number of hours they put in versus pay. That is unacceptable. As I said, “shortly” means that I expect to receive the report within the next two weeks. After it has been brought to the Government, it will be published. The Minister for Public Expenditure and Reform, Deputy Donohoe, and I, with our officials, will have to discuss the report, with a view to implementing it. It will not sit on the shelf. There are a couple of key matters which I have been pushing, including that any change introduced be backdated to the last local elections, when there was an expectation that the new regime would kick in early in the new term for local authority members. Whatever changes are made should be backdated to the end of May when councillors were elected.

On when the report will be published in the wider world, including Senators and councillors, it will be post the tick-tacking with the Department of Public Expenditure and Reform and the Government making a decision either to accept, amend or reject it. I will be pushing very hard for its acceptance and a plan of action for the introduction of the changes recommended therein. It will be a number of weeks before this happens, but I hope it will happen before the new year.

Senator Catherine Noone: I know that the Minister of State will be aware of this, but in the context of the overall budget of many councils, councillors’ remuneration is minuscule. Therefore, there must be scope for improvement. I note what the Minister of State had to say about interaction with the Department of Public Expenditure and Reform, which is key, but that point has to be to the forefront of people’s minds in the negotiations on this matter. We all accept that councillors’ remuneration is not sufficient. In the context of the overall budget of councils, councillors’ pay is tiny. I again thank the Minister of State for his comprehensive and genuine response.

Local Authority Members

Senator Aidan Davitt: I welcome the Minister of State. My matter relates to maternity leave for councillors. I note from the Minister of State’s reply to Senator Noone that he is engaged in a great deal of work on councillors’ remuneration and conditions. It is recommended that a councillor who is due to take maternity or parental leave to care for a new baby take a sabbatical for up to six months, during which time their pay and conditions will not be affected. To say this is outdated would be a fair summation. In the context of our efforts to keep the country vibrant and given the increase in population, it is particularly outdated. This measure is overdue. I would appreciate the Minister of State’s thoughts on this matter and on what might

be done to include such a provision in legislation.

Deputy John Paul Phelan: I thank the Senator for raising this important matter, which is relevant as it is now being discussed to a much greater extent than it previously was. Councillors, similar to Members of these Houses, members of the Judiciary and others, are officeholders rather than employees. As such, they are not covered by the statutory framework for employees on issues such as maternity leave, sick leave, and annual leave. In the case of local councillors, the current position is that under section 18(4) of the Local Government Act 2001, a councillor is deemed to have automatically resigned membership of a local authority if he or she is absent from meetings for a continuous period of six consecutive months. Where the absence is due to illness or “in good faith for another reason”, however, the other elected members may pass a resolution to allow the period of allowable absence to be extended to 12 months and then again to 18 months on foot of a further resolution.

A councillor who is absent for six months will continue to receive the full amount of his or her representational payment of €17,359 per annum. Thereafter, this payment is reduced by 50% for absences of six to 12 months. A councillor who is absent for more than 12 months will not receive any further payments, regardless of the reason for the absence. For comparison, a local authority employee who is absent for medical reasons will receive full salary for three months, thereafter reducing by 50% for the next three to six months. No further salary payments will be made after six months. Local authority employees are entitled to take six months of maternity leave on full pay with an option for an additional 16 weeks of unpaid leave. Of course, councillors are not entitled to have periods of absence counted towards the calculation of payment of their annual expenses allowance, which is provided to defray the actual cost of attendance at meetings. With effect from January 2017, the Social Welfare Acts were amended so that councillors gained access to the same benefits as self-employed contributors. Accordingly, councillors are now reckonable for the purposes of accessing class S benefits, including maternity benefit.

There are other solutions for councillors who need to take maternity-related leave or, indeed, paternity-related leave. These include temporary co-options, or technological or e-democracy solutions to facilitate remote attendance at council meetings, which would allow them to continue to serve their communities. Some such solutions would likely require amendments to primary legislation. For that reason, the issue of maternity leave for councillors is best considered in the broader and more general context of parental leave arrangements for all officeholders in the State.

It is critical that more women run for election as local authority members, as the Senator outlined, and that councils are more balanced. In that context, we are keeping this issue under review and I thank the Senator again for raising it and providing me with the opportunity to address the matter in the House. The Minister of State with responsibility for equality matters, Deputy Stanton, and myself are in the early stages of a full examination of the issue of maternity and paternity leave for elected representatives both local and national. At the moment we are operating with an *ad hoc* system, which has developed over the years. Both the local and national systems were built around men. This work is in its very early days, but we are keen to implement changes in this regard within the lifetime of this Oireachtas.

Senator Aidan Davitt: I appreciate the Minister of State’s answer. I am delighted that he and the Minister of State, Deputy Stanton, are going to fully examine the issue. However, I am curious. Thanks to the Minister of State, there is a large review ongoing: Sara Moorhead’s

report. She went to extreme lengths in having councillors report on what they do and so on. I presume that in this trawl and root-and-branch review of councillor's pay and conditions, Ms Moorhead has examined this issue. I am sure she will address it in her report.

Deputy John Paul Phelan: I have not yet seen Ms Moorhead's report, so I am not sure. I do not know if she addresses the issue. However, the Minister of State, Deputy Stanton, and myself will make use of her surveying work in examining broader issues of maternity and paternity leave. I am not sure exactly what the report will say on those matters.

Good Friday Agreement

Senator Niall Ó Donnghaile: Gabhaim buíochas leis an Aire Stáit as a bheith linn ar maidin. Tá a fhios agam gur tréimhse thar a bheith gnóthach é don Tánaiste agus don Rialtas so táim buíoch go bhfuil seal againn chun cás Emma DeSouza a phlé. I thank the Minister of State for taking the time to be here. I understand that it is an unprecedented period for the Tánaiste and his Department, so I am glad we are able to address this case in the Seanad in any way. The wording of the Commencement Matter is very clear in its aim. I want to take this opportunity, in the time afforded to me, to commend Emma and Jake DeSouza for the stand they have taken in upholding the Good Friday Agreement and our rights and entitlements as Irish citizens. While Ms DeSouza has found herself on her own in being taken through the courts by the Home Office - an action I contest is unnecessary - she is representative of so many of us. We are her and she is us in this instance. The Good Friday Agreement, agreed 21 years ago, was very clear. To be fair to the Irish Government, it has been very clear - I noted the Taoiseach's remarks on this case in the Dáil yesterday - that we are Irish and Irish citizens. While we do not derive our Irishness from the Good Friday Agreement - it runs much deeper than that - as part of a peace accord and peace settlement, much of which rotated around issues of identity and contested allegiance, the agreement did declare to the world that we are Irish citizens. Some 21 years later, it is simply not good enough that Ms DeSouza finds herself having to go through this judicial process to uphold a basic right - the right to her citizenship.

Irish citizens in the North will have watched what the Government said in the other House yesterday, and will watch what it says in the Seanad this morning and what it says in the coming days and weeks, very carefully, particularly given the context of Brexit and the potential threats arising from it. Crucially, they will also watch what the Government will do over the next short while to ensure that our rights are defended and, by extension, what it will do, as co-guarantor, to defend the Good Friday Agreement. This is a crucial period. There is a lot of anger and deep frustration because of what has happened. Brexit has exposed this weakness and this problem. We need to see the British Government moving on from words. We were told in February of this year that there would be a review but we subsequently found out that no terms of reference or timeframe have been agreed and that no one has been appointed to conduct it. It is, therefore, little wonder that Michel Barnier wants a legally binding text from the British Government in the context of Brexit, because this is what happens when that is not secured. I hope that Irish citizens with skin in the game will hear something positive from the Minister of State this morning and will see the follow-up action that is required.

It is an important point that the Good Friday Agreement is quite unique. It conferred upon us the right to be British, Irish, or both. This does not, therefore, only impact on those of us who identify solely as Irish. Quite a substantial section of society in the North cherishes the

fact that they are able to be both British and Irish. They now have to deal with the reality that one identity and one citizenship outweighs the other. That will be of great concern to them, as well as to those of us who identify as, and are, solely Irish.

Deputy John Paul Phelan: I thank the Senator for raising this issue. In spite of the unprecedented times in which we live, it is a remarkably important matter. The citizenship and identity provisions are central to the Good Friday Agreement and it is vital that they are upheld. The Government has consistently engaged with the British Government in support of these provisions and will continue to do so. The DeSouzas will want time to consider yesterday's decision in full but have indicated that they intend to appeal. The Department of Foreign Affairs and Trade is keeping in regular contact with Emma and Jake DeSouza on behalf of the Government. It is important to say that Emma DeSouza is an Irish citizen and that this is provided for and protected under the Good Friday Agreement, as the Senator has outlined.

The Taoiseach raised the DeSouza case with the former UK Prime Minister, Mrs. May, and he confirmed in the Dáil yesterday that he will also raise it with current Prime Minister, Mr. Johnson. The Tánaiste raised the case with the Secretary of State for Northern Ireland again at their meeting last night. This underlines the seriousness with which the Government views the DeSouza case and the wider obligation on the British Government to uphold the citizenship and identity provisions of the Good Friday Agreement, in all relevant areas in Northern Ireland.

The Tánaiste wrote to the Secretary of State for Northern Ireland last year and has had a number of discussions with the Secretary of State on the case of Emma DeSouza to raise concerns over the citizenship and identity provisions of the agreement, and to seek a review of the issues.

In February, following this engagement by the Government, the then British Prime Minister, Theresa May, acknowledged that there are serious concerns in this area and pledged to review the issues relating to citizenship urgently to deliver a long-term solution consistent with the letter and spirit of the agreement. These were welcome and necessary acknowledgments and commitments by the then Prime Minister.

In this context, the decision of the tribunal in the DeSouza case yesterday does not define the extent of the British Government's obligations under the Good Friday Agreement. In the agreement, the Governments "recognise the birthright of all the people of Northern Ireland to identify themselves and be accepted as Irish or British, or both, as they may so choose, and accordingly confirm that their right to hold both British and Irish citizenship is accepted by both governments and would not be affected by any future change in the status of Northern Ireland."

It is clearly imperative that people in Northern Ireland have confidence in these provisions of the agreement, in letter and in spirit. To provide for that, a positive outcome to the review mandated by the British Government is now urgently needed. The Government is actively engaged to seek that review in our bilateral contacts at the highest levels and through the framework of the British-Irish Intergovernmental Conference, where the two Governments are also discussing citizenship and identity issues under the agreement issues more broadly.

While the DeSouza case is not specifically Brexit-related, the concerns it raises over insufficient provision for people's citizenship and identity rights in Northern Ireland also arise in respect of the UK's decision to exit from the European Union.

The Good Friday Agreement was agreed at a time when both Irish and British citizenships also entailed EU citizenship. After the UK exits the EU, this will no longer be the case. In order to fully uphold the spirit of the agreement, where issues arise, the Government has been clear that they should be addressed in a way that avoids any difference in entitlements-based citizenship. In particular, people in Northern Ireland should not be required to renounce Irish or British citizenship in order to access any entitlement.

Sensitive and generous approaches by the British Government are needed to ensure that the right of people in Northern Ireland to identify as Irish or British or both is meaningfully provided for in all relevant policy areas. The British Government needs to listen and urgently respond to the genuine and legitimate concerns that have been raised by Emma DeSouza and many others in Northern Ireland. The Government will continue to strongly pursue this with the British Government, as a co-guarantor of the Good Friday Agreement.

I understand the Tánaiste is in the North today and I know that this is an issue of the utmost concern to him. He will use his offices insofar as he can to ensure that the British Government act on this case and more importantly on the wider issue it has thrown up of identity and citizenship in the North.

Senator Niall Ó Donnghaile: I appreciate the Minister of State's response. I express my appreciation for the work of the Tánaiste and the departmental officials who have been working closely with the DeSouzas.

I caution the Government that in the context of Brexit negotiations and also in the context of the Good Friday Agreement we have frequently heard statements from any number of British Ministers saying they will not undermine or jeopardise the Good Friday Agreement and yet here is an example of them doing precisely that.

Since the judgment in Belfast on Monday we have heard concerns expressed from Capitol Hill about this issue. Those friends of Ireland have made very clear that in the context of any trade deal there can be no undermining of the Good Friday Agreement and our peace accord. It appears to be happening already unless it is resolved.

I am sure the pressure from Government and the pressure that will emerge from civic, community and political life not just in the North but across Ireland will also provide a positive platform to challenge this retrograde decision that flies in the face of the Good Friday Agreement. Collectively and collaboratively I believe we can bring the necessary pressure to bear to ensure that change is codified in British law. That is what is needed but it is absent currently.

Deputy John Paul Phelan: The Senator has touched on what did not happen in respect of citizenship post the agreement and the referendum held both North and South. The Government will remain engaged at the highest level with the British Government about the DeSouza case and these matters in general. We have been doing so for more than a year. As the Senator acknowledged, the Government is in close and regular contact with Emma and Jake DeSouza, as they continue their case in the UK courts. This is about providing confidence to all the people in Northern Ireland about the citizenship and identity provisions of the Good Friday Agreement.

Further to the Government's engagement and the case that Emma DeSouza has had to take, the British Government has acknowledged serious concerns and has mandated a review. A positive and constructive outcome to this review by the British Government is urgently needed

and we are actively seeking that.

In the context of Brexit, the Government has also worked extensively and remains engaged to ensure that Irish citizens, and therefore EU citizens, in Northern Ireland can continue to access EU opportunities and benefits under any scenario. There is an onus on the British Government to address serious concerns that are raised by the DeSouza case and Brexit, and to provide for meaningful practical solutions to uphold the letter and spirit of the Good Friday Agreement as outlined by the Senator in his contribution. We will continue to strongly engage with the British Government to ensure that the vital citizenship and identity provisions of the Good Friday Agreement are upheld in all relevant policy areas.

National Minimum Wage

Senator Gerald Nash: Last week we learned through the media that the Government planned to defer the planned 30 cent an hour increase to the minimum wage. The Government has not just postponed the planned increase to the national minimum wage; it has, in fact, cancelled it for at least another year. Under the National Minimum Wage (Low Pay Commission) Act 2015, the Government can either accept the recommendation made by the Low Pay Commission and make an order giving effect to the commission's recommendation within three months of receiving the report, or the Government can decline to make an order.

It turns out that the Minister, Deputy Regina Doherty, declined to make an order. On that basis she lodged what is known as a statement of reasons before these Houses, literally in the dark of night on 9 October, the day after the budget, when the Government was furiously spinning that the 30 cent an hour increase to the minimum wage due in January 2020 was merely being delayed. It has not been deferred, postponed or put off until another day; it has been cancelled. I appreciate this is not the brief of the Minister of State, Deputy Phelan I ask him not to insult the intelligence of Members of this House by stating otherwise. This increase has not been deferred; it has been cancelled.

The Minister's functions under the Act have now been exhausted for another year. The statement lodged on 9 October states "the Minister for Employment Affairs and Social Protection has declined to make an order declaring the national minimum hourly rate of pay until the situation with respect to Brexit becomes clearer." In real terms this means there will be no change to the national minimum wage until at least the next Low Pay Commission report, which in law is not due to be delivered until next July. The Act does not permit the Minister to postpone an increase as she has described. By declining to make an order to effect the increase, the Government has actually binned the planned rise. There is now no opportunity in law for the rate to be increased between now and 1 January 2021, more than a year away.

As a result of the Government's actions, the lowest-paid workers will forgo an increase in their wages for 2020 and will see no change in their pay packets until at least 1 January 2021. This is dreadful sleight of hand and a massive kick in the teeth for the lowest-paid workers. The reality is that Brexit has been used as an excuse to hammer the very people who are most exposed to high food prices, energy bills and so on as inflation climbs, regardless of the effects of a possible crash-out Brexit. These people will be at the rough end of a no-deal Brexit and the Government has not accepted, as the Government amendment to the motion on a living wage in the Dáil stated, the recommendations of the Low Pay Commission report in full. That is manifestly untrue. The Government did anything but that. The Government accepted a minority

view, expressed by three business members of the commission to in effect reject any increase at all. The Government has taken the extraordinary step of dumping the official recommendations of the commission. I hope I do not need to remind the Minister of State that this is a statutory body set up to advise Government on issues to do with low pay. The Government is in very dangerous territory when it goes about its business in that way and sets the precedent of accepting minority reports rather than the expert and formal view of the full commission. Let me remind the Minister of State of something before he responds. The Government spinning about cancelling and-or deferring the commission's proposed increase is outrageous. It is not a deferral; it is a cancellation because the Minister does not have a capacity in law to defer or postpone an increase. The reality is that it will be 1 January 2021 at the earliest when the lowest-paid workers in Ireland can expect an increase in their modest pay packets.

Deputy John Paul Phelan: I thank the Senator for raising this matter. The national minimum wage is the legally binding, lowest average hourly rate that can be paid by an employer to an employee. This rate is set and governed by the National Minimum Wage Act 2000, which applies to all employees, including full-time, part-time, temporary and casual employees, with some exceptions.

The National Minimum Wage (Low Pay Commission) Act 2015 established the Low Pay Commission, which makes recommendations each year regarding the national minimum wage to the Minister for Employment Affairs and Social Protection. Since the establishment of the commission, the Government has accepted all the recommendations it has made for the national minimum wage. Since 2015, therefore, the national minimum wage has increased by 13.3%. The most recent figures published by EUROSTAT for January 2019 show that Ireland has the second highest national minimum wage of any country in the EU at €1,656.2 per month, behind only Luxembourg, whose minimum wage is €2,071 per month. Allowing for technical adjustments to reflect purchasing power standards, Ireland drops to sixth place, but still remains in the group with the highest minimum wage rates in the EU.

The Department of Employment Affairs and Social Protection has a number of in-work supports for low-income families. The working family payment provides support for employees with families who have low earnings in relation to their family size. It is currently paid to more than 54,000 families in respect of more than 122,000 children. In the Budget Statement 2020, the thresholds for the working family payment were increased by €10 for one to three-child families. The back to work family dividend is another in-work support. This scheme aims to help families to move from social welfare into employment. This helps to increase the incomes of families on low incomes. For example, for a two-child family, the working family payment increases after-tax income by more than €137 per week, and this will increase to €147 per week under budget 2020 in January 2020. Another important in-work support for low-income families delivered by the Department of Employment Affairs and Social Protection is the income disregard on the lone parent-related payments. In budget 2020, the income disregards on one-parent family payment and jobseeker's transitional payment increased by €15 to €165 per week.

It is important to highlight that the 2019 Low Pay Commission report was considered by Government on 7 October 2019. The commission recommended an increase in the national minimum wage of 30 cent to €10.10 an hour on the assumption of an orderly Brexit. Since the commission made its recommendation, the political and economic climate surrounding Brexit has changed. The likelihood of a disorderly Brexit is present and, therefore, the economic circumstances have altered and will continue to be uncertain until we get clarity on that matter. In developing its recommendation on the national minimum wage, the commission assesses vari-

ous economic indicators such as changes in earnings, exchange rates, employment, unemployment, productivity, international minimum wage comparisons, the need for job creation and the likely impact of the national minimum wage changes on levels of employment, cost of living, and national competitiveness. Various economic commentators, both in Ireland and overseas, have highlighted that any form of Brexit has the potential to impact negatively on the economy. This is the controversial line. The Government has accepted the recommendations of the commission; however, given that the terms of Brexit are yet to be finalised, the Government has decided that a decision on the date of implementation will be made when the outcome of the Brexit negotiations becomes clearer.

I am not an expert on employment law, unlike Senator Nash. I am not sure that the Low Pay Commission is specifically precluded from re-entering its proposals once there is clarity on Brexit. I know there is an annual report, but it is written into the Low Pay Commission legislation that it cannot re-enter if circumstances materially change. I understand the point the Senator is making about the report, which is drawn up annually. The Government's position in the Budget Statement was clear that there were going to be no significant tax or expenditure changes in the context of the more likely circumstances of a disorderly Brexit. I bow to the Senator's expertise in the area. I will ask the Minister to revert directly to him to see if the findings of that report can be re-entered to Government, as I am not sure that the commission is strictly prohibited from doing so.

Senator Gerald Nash: The National Minimum Wage (Low Pay Commission) Act 2015 makes it clear that there is essentially one annual opportunity to do this. The reason that we set up the commission in the first place was to take the politics out of the setting of the national minimum wage and to make sure that work always pays. The reality is - and 150,000 of the lowest paid workers in Ireland know this from the harsh experience - that when the latest recession hit, the first victims of Fianna Fáil were those on the national minimum wage. By reducing the national minimum wage by €1 an hour, it did not create one single job or save one single business. Under the legislation, the Low Pay Commission gets one opportunity a year and the Minister gets one opportunity a year to make an order in respect of the setting of the rate of the national minimum wage. The commission report this year made no reference whatsoever to deferral; it understood and accepted that the Government may need to review. A review is different from a deferral. The Minister does not have the capacity in law to make a deferral. In essence this is a postponement of any increase to the national minimum wage during the next 13 months or so. The lowest paid workers in Ireland, who will be in the firing line should there be a crash-out Brexit, will be most adversely affected because they are on low incomes and they will be impacted by high energy prices and food prices. They will bear the brunt of a crash-out Brexit because the Minister will not allow for an increase in the national minimum wage until at least the time she receives the next annual report from the commission, which will be mid-July 2020 and, therefore, no increase can be expected until 2021. This is not mere semantics. It is very clear in law. The Minister failed to answer the questions put to her last night by my colleague, Deputy Willie Penrose, and did not use the opportunity to respond to his questions. It is disgraceful that a statement would be laid before the Houses, essentially in the dark of night, just a day after the Budget Statement, laying out the reason the Minister would, as she said, "defer" an increase in the minimum wage. In reality, this is a postponement. It is time that the Minister fronted up and was honest with low paid workers in this country. It is extraordinary that massive packages can be provided to farmers - and I can understand their difficulty in facing the potential of a no-deal Brexit - but it does not seem that the Fine Gael Party cares a jot about the lowest-paid workers in this country as evidenced by the sleight of hand relating to the

national minimum wage.

Deputy John Paul Phelan: I will endeavour to get the Minister to respond directly on the issue of deferral or otherwise. Senator Nash was part of a Government of which I was a member that reversed the decision of the previous Government to reduce the national minimum wage by €1. The Low Pay Commission was established and has resulted in a 13% increase of the minimum wage in the past four years. The Senator's final comments do not stand up to any scrutiny but I agree that there is an issue and I will endeavour to get the Minister to address it directly with him.

Sitting suspended at 11.20 a.m. and resumed at 11.30 a.m.

An tOrd Gnó - Order of Business

Senator Jerry Buttimer: The Order of Business is No. 1, Private Members' business, Traveller Culture and History in Education Bill 2018 - Report and Final Stages, to be taken at 12.45 p.m. and to adjourn after two hours, if not previously concluded; No. 2, statements on sustainable tourism, to be taken at 3 p.m. and to conclude no later than 4.30 p.m., with the time allocated to group spokespersons not to exceed eight minutes and the time allocated to all other Senators not to exceed five minutes, and the Minister to be given no less than five minutes to reply to the debate; and No. 3, Private Members' business, Children's Digital Protection Bill 2018 - Committee Stage, to be taken at 4.30 p.m. and to adjourn after two hours, if not previously concluded.

Senator Lorraine Clifford-Lee: I draw colleagues' attention to the unparalleled crisis in the disability sector, where many people with intellectual disabilities, and their families, are enduring serious unmet needs. I hear about this issue time and again when I speak to people on doorsteps, right across north County Dublin. My colleagues are hearing the same thing throughout the country. Steps must be taken to meet the needs of people with disabilities, who are coming under increasing strain and pressure in their communities. We are all aware of the lengthy waiting times for children's disability supports and the knock-on effects of the delays on intervention milestones. Those milestones are being irretrievably missed, which has lifelong consequences for the children concerned. There has been zero progress on children's disability network teams in the past three years. There are major shortfalls in residential support and no avenue to access residential funding except in emergency situations. This means that adults with intellectual disabilities are not being given any choice as to how they live their lives. It is entirely unacceptable and completely undermines the UN Convention on the Rights of Persons with Disabilities, which was ratified by Ireland last year to much fanfare by the Government.

The Cope Foundation is one of the largest providers of services to people with disabilities in the State. The Leader will be familiar with it as it is based in Cork. The organisation has today highlighted the numbers of parents providing support to a child with a disability well into their old age and without any security or peace of mind as to what will happen to their loved ones in the future. This is not an issue that is particular to Cork; we are all hearing the same thing from parents across the country. This issue is fundamental to our society and groups like the Cope Foundation must be listened to when they point out the needs that are going unmet. Between 2015 and 2018, there was a massive drop of 26,523, or 14%, in respite overnight stays for people with disabilities. That provision is absolutely essential as it gives families the break they need to be able to continue to care for their loved ones. The chief executive officer of the

Cope Foundation has described the current situation as the worst he has seen in 38 years. He pointed out that 179 adults who use his organisation's services are on a residential waiting list as their only parent has become too old to care for them at home. Another 649 adults are dealing with changing needs. Will the Leader ask the Minister of State with responsibility in this area, Deputy Finian McGrath, to come to the Chamber for a proper debate on the problems with services for young people and adults with intellectual disabilities? I hope the Leader will facilitate such a debate soon.

I propose an amendment to the Order of Business, that No. 12 on the Order Paper, First Stage of the Harmful Plastics (Prohibition) Bill 2019, be taken before No. 1.

Senator Michael McDowell: I am aware that the Government and the Tánaiste and Minister for Foreign Affairs and Trade, in particular, are deeply concerned about what is happening in the Brexit negotiations. I do not wish in any sense to pay insufficient attention to that state of affairs. However, I am concerned that within the past week, the President of the United States, in a telephone conversation, effectively gave the green light to the President of Turkey to invade Syria. I will come back to what he did after that. Having made the call, a military operation commenced along the Turkish-Syrian border in the Kurdish areas of Syria. It appears that the Turkish military is using proxy forces - the Syrian Democratic Forces, as they were called - which include elements of al-Qaeda, to engage in ethnic cleansing and butchering of Kurds in a border strip along the Turkish border. I was horrified to see that a prominent female Kurdish politician was taken from her car and executed by these militants. The other day, to my horror, I saw on television two young men being executed by machine gun on the side of the road.

This ethnic cleansing seems to be deliberate and the Turkish Government seems intent on moving Sunni refugees in Turkey into a strip along the border and dispossessing and evicting the Kurdish people from the towns there. The civilised world must protest these developments. Ireland, in particular, as a non-aligned state which is not a member of NATO, has a duty to protest this barbarism.

Senator Jerry Buttimer: Hear, hear.

Senator Michael McDowell: Things were bad enough in Syria before but were beginning to normalise. The current situation was started by the actions of the American President in abandoning, in a most cowardly way, the people who did all the fighting for him in confronting ISIS and ending the caliphate that was established in Syria and Iraq. I accept that the Tánaiste's mind will be elsewhere today and for the next few days. Will the Leader ask the Tánaiste to come here to discuss what Ireland can do to make its voice clear against barbarism of this kind and against the actions of the United States through its out-of-control President? I will mention one last thing about President Trump. Having unleashed this bloodshed, he then started warbling on about imposing sanctions on the people to whom he had given the go-ahead. I do not know what sanctions have been imposed. I know we have a special relationship with America but at some stage we have to protest about the bloodshed and savagery that he unleashed on people who have been loyal allies of his and the wanton killing of decent ordinary people that is happening as a result of his utter incompetence as a statesman, and his completely out-of-control approach to the conduct of international relations.

Senator Gabrielle McFadden: Athlone Institute of Technology has always been hugely progressive, an ambitious institution and a key driver for the development of the midlands. My family and I have long been associated with the institute and I am a former member of its

governing body. I very much welcome the announcement that Athlone Institute of Technology and Limerick Institute of Technology have come together to form a consortium to apply for technological university status. This will bring together the capital of the midlands and the capital of the mid west to provide a top-quality educational institution that benefits students, staff and both regions.

Following the joint application for funding submitted by the two institutes earlier this year, I spoke privately to the Minister of State at the Department of Education and Skills and asked her to ensure the bid would be fully resourced. I now ask her to continue her support by providing sufficient funding for the consortium because I believe it would be money wisely spent.

Athlone Institute of Technology is one of the best institutes in the country and the institute in Limerick is of a similar standard. Whether it is the percentage of staff who have PhDs, the level of research or the diversity of the student population, Athlone Institute of Technology has always been to the fore. This is a new beginning and I congratulate the president of Athlone Institute of Technology, Professor Ciarán Ó Catháin, and all the staff there. I ask that the Leader uses his good office to request the Minister of State, who is responsible for higher education, to come here and discuss her plans to fund the consortium applying for technological university status.

Senator Gerard P. Craughwell: Senator McFadden does a great job for her local area. I totally support what she is trying to do for Athlone Institute of Technology, a fine institute which I had the privilege of representing for over two years. I wish her the best of luck in her quest.

From time to time, all of us in public life are subject to attacks on social media. That is part of the job. I say “fair play” in respect of some of it but some of it is disgusting. This weekend my identity was stolen on Facebook. Somebody set himself or herself up on Facebook as Gerardp.craughwell.77.

Senator Jerry Buttimer: Is that the Senator’s age?

Senator Gerard P. Craughwell: He or she used my photograph and my profile. Such a situation can be amusing. However, this person contacted females in my Facebook friends’ group and made all sorts of suggestions to them. Facebook was contacted by one of my friends, which is why I am making this statement today. Facebook sent me a message stating that it had removed a profile that my friend reported because it did not follow its community standards and that it lets the profile owner know that it has been removed but not who reported it. What the hell does “does not meet with its standards and that it will let the profile owner know that it did not meet with its standards” mean? This thug, whoever it was, took my photograph and all the details belonging to me from my Facebook page and used them for a reason he or she should never have been allowed use them for. Has anybody in this House ever tried to get in contact with Facebook? Is there an email address that one can use? Can one telephone Facebook? Can one say this is wrong? This is outrageous misbehaviour. I am not saying there is only one Gerard P. Craughwell in the world.

Senator Diarmuid Wilson: Thankfully.

Senator Gerard P. Craughwell: Indeed, the world is very lucky to have one but there could be a second one out there.

Senator Gabrielle McFadden: The world could not take more than one.

Senator Gerard P. Craughwell: I am certain there is no Gerard P. Craughwell with the fine physique and good looks that I have. Using my name and my photograph to try to seduce women and attract them to various acts or whatever is simply not on.

I opposed the Bill brought in by the former Senator, Lorraine Higgins, in the last Seanad in which she sought to place controls on what happens on social media. The disregard they have for people and their private lives will force a situation where we will have to introduce legislation and make them answerable. There is no way on God's earth that Facebook should have allowed my photograph to be used by somebody else. Facebook admitted it knew the person who perpetrated this, because it was about to contact him or her and asking him or her to please remove that page. There is no place to hide on the Internet and there never has been. It is time the social media companies faced up to that and started to behave and protect people. I happen to be in public life but there are people who are not to whom this is happening all the time and they cannot make a complaint in the Seanad or Dáil. I ask the Leader to invite the Minister for Justice and Equality to come in here to discuss this matter in the not too distant future.

An Leas-Chathaoirleach: The Senator might need a good lawyer. He is seated beside an excellent one.

Senator Gabrielle McFadden: Good lawyers are expensive.

An Leas-Chathaoirleach: That is another day's work. I note Senator Martin Conway is on my list but he is not present so I call Senator Tim Lombard.

Senator Tim Lombard: I raise the issue of An Post's policy of replacing post offices when a postmaster dies. There is an issue in my part of the world. Applications closed last Friday for a post office in Belgooly, County Cork. The remuneration being offered to the replacement postmaster is €27,000, and that is to open throughout lunch hour and to open five days a week. Getting somebody to fill that role or work in the community on that kind of money is totally inappropriate. Some €27,000 to cover the entire post office service in Belgooly village as well as lunchtime and holiday cover does not make financial sense.

We need to have a debate with the relevant Minister on whether cutting funding so tightly means we will no longer be able to replace postmasters, because they will not join the service on that kind of money, and on what An Post is doing at the coalface. An Post said it has an active policy of ensuring postmasters are replaced. Is that realistic, feasible or practical on that kind of money? I do not think it is. The Minister needs to come to the House for a debate on the policy going forward to ensure we have post offices in rural Ireland and not just district post offices in larger towns.

The post office in my village of Minane Bridge has closed. This is an issue. The post office is the centre of the community and we need to help, support and put more services into the post office. To do all that work, we need to pay postmasters and postmistresses an appropriate sum. Some €27,000 for working five days a week, with no holiday cover and working throughout lunch hour does not make financial sense and because of that, we are closing post offices by stealth. We need a debate and to review this policy because if we do not, we will end up with one post office in every large town and, unfortunately, smaller post offices will close.

Senator Diarmuid Wilson: I second Senator Clifford-Lee's amendment. I fully endorse what Senator McDowell said about the crisis in Syria, particularly in respect of Turkey, the US and what is happening to the Kurdish people, who down through the centuries have unfortu-

nately been abandoned by their allies. That is the historic truth of the matter.

I agree with what Senator Craughwell said about so-called social media. He was making an excellent point until he said his face was being used to attract females.

Senator Gerard P. Craughwell: I thank the Senator. I never knew he cared.

Senator Diarmuid Wilson: That is only a flippant comment. I am sure the Senator is very attractive to some women.

What I wanted to address in the realm of social media is the volume of intimidation that happens on a daily basis. We do not have laws to do anything about this. On a number of occasions I have raised in this House what happened to a man named Eamonn Jackson from my area. That continues to happen because we do not have laws in place to prevent that from happening to him. I do not intend revisiting the case but I will come back to it if something does not happen regarding what is being carried out by so-called concerned animal welfare people and what they are doing to that man and to his family, and what they are costing him economically and health wise.

I call on the Leader to arrange at an early date a debate on the infrastructural deficit that is a reality for people who live north of a line between Sligo and Dublin. I instanced here previously the fact that if one looks at a railway map from the 1920s, the entire 32 counties of this island were covered by the rail network, and nobody was further than 20 minutes from a station. That was at a time people had to rely on bicycles, donkeys and carts or horses and traps to get to those stations. It is troubling that looking at a map of the rail network nowadays, it is clear the area above the line I referred to has been abandoned by the State through the decades. It is more troubling that if one looks at the motorway infrastructure in place, there is almost an exactly parallel deficit. It is time this was addressed urgently.

The carbon tax was introduced for good reasons. However, all it has achieved for the people from the part of the country I come from is they have to pay an extra 4 cent for their diesel, while making the same journey and emitting the same volume of carbon as they did the day before this carbon tax was introduced. This morning, for example, it took me 58 minutes to get from Blanchardstown to Leinster House. If we were real about trying to tackle carbon emissions and the global warming resulting from cars, we should at least have a park-and-ride system in operation so one can get from Blanchardstown to the city centre, either with a light rail network or a bus network. One would get from Blanchardstown to here in ten minutes if the proper infrastructure was in place. It is time we got real with the deficit in infrastructure in this country, particularly in the area I referred to previously.

Senator Martin Conway: I agree with Senator Wilson about the matter of infrastructure. As somebody who does not drive and uses the train on a daily basis both to get to the House from Clare and to come in from Maynooth in the morning, the more public transport infrastructure we have, the better. It is good for everyone, it is good for the environment and so on.

We need to have some sort of review of security at the gates of Leinster House. I encourage and support anybody's right to protest, but we had a situation where Members could not drive through either the Kildare Street gate or the Merrion Square gate because of protests last week. According to the law, Members of the Oireachtas should be able to freely come to work in the Dáil and the Seanad and go from work. Last week, An Garda Síochána was not in a position to uphold that, which is not good enough. There have been protests in this area with thousands

of people outside the gates of Leinster House, and yet people were able to come and go in their cars. The situation that happened last week should not have happened. People who had childcare commitments, medical commitments and family commitments could not get home. I understand some Members did not get home until 3 a.m. or 4 a.m. because they could not drive through the gates of Leinster House.

Protest is important and critical in this country and throughout the world, but it is also important that people can get in and out of Leinster House and go home. If the protests were even notified, perhaps people would not have driven to work or they might have left their cars elsewhere. That situation was not acceptable and the Garda Commissioner needs to review this because it is honestly not fair on the Members and the staff who work here and use the car parks. It is also not fair on their families and loved ones if people are not able to honour childcare commitments by picking children up from crèches or childminders and so on. That was emphasised to me when I saw people were not able to get into the Department of Agriculture, Food and the Marine to conduct negotiations on Monday. That was also a regrettable situation. There needs to be some sort of a review.

Senator Michelle Mulherin: I would like to raise an issue that is of great concern to quite a number of parents who have contacted me of late. The concern arises out the relationship and sexuality education report, which I understand is under consideration by the Joint Committee on Education and Skills. There are a number of aspects to the report, one of which is compulsory sex education for children at primary school. I understand nothing is finalised yet, but I would like to think we respect the fact that parents are the primary and legal guardians of their children and are responsible for their care and well-being. We should not get into a position where parents cannot exercise their conscience in how their children are raised or educated in these matters. I would like to encourage parents who have concerns about the proposals to make a submission to the National Council for Curriculum and Assessment. The closing date for that is 25 October. People should get the opportunity to examine the substance of what is being proposed. It is always a retrograde step to pressure parents in these matters. Parents care for their kids and know what is best for them. We are entitled to have different views in this society and everybody's view should be respected. I sincerely hope we are not moving towards a position where the rights of parents will be overridden or disregarded in matters such as these, which are highly sensitive. That is why it should be down to parents to decide on the nature of the sex education their children get, especially on certain issues. It would be helpful for us to have a debate on this matter in due course.

Senator Jerry Buttimer: We did.

Senator Michelle Mulherin: Very good. Once the consultation is completed and we see what direction this is going in, I will bring this back to the Leader because there are certain fundamental principles that we, in this democracy, should uphold, one of which is respect for all views and every ethos.

An Leas-Chathaoirleach: I call Senator Conway-Walsh. She is usually much earlier, she missed her slot this morning. There must have been something on.

Senator Rose Conway-Walsh: I will tell the Leas-Chathaoirleach why.

An Leas-Chathaoirleach: That is all right, the Senator does not have to. Forgive me.

Senator Rose Conway-Walsh: It is an interesting question because I was outside the gates

of Leinster House with the carers from all over this State who have gathered to tell us how they are being neglected by this State. I spoke to them individually and was there to represent the carers, particularly those in Mayo who could not be here today because they do not have respite and there is nobody else to care for their loved ones. I want to express solidarity with all of those from the Seanad.

Senator Jerry Buttimer: The Senator means that she wants to play politics.

Senator Rose Conway-Walsh: It is not playing politics.

Senator Jerry Buttimer: It is.

Senator Lorraine Clifford-Lee: Play politics?

Senator Rose Conway-Walsh: It is wrong that carers have to come from all over the State to gather outside Leinster House a week after the budget to tell us how they are being neglected. There are men and women there but most of the carers in this State are women and that is one reason they have been left behind. They are absolutely taken for granted. We know that. The Minister for Employment Affairs and Social Protection was out there. It was quite insulting for her say that it should be put to the Citizens' Assembly to find out what the carers' needs are. There needs to be strategic planning and focusing of resources and all of that. We know what carers need. We know we need the income disregard for the carer's allowance. We welcome the fact that the budget extends the time carers are allowed to work by three and a half hours. The caveat is that if they get paid for it, that money will be taken from their carer's allowance. They are one of the groups that have been most neglected by successive Governments. We need reform of the means test for the carer's allowance and to end the postcode lottery for home care and supports. While I welcome the fact that there are additional home help hours, I note the ones announced last year were not implemented this year. That will not reduce the waiting lists as much as they need to be reduced.

There has been no replacement for the mobility allowance and the motorised transport grant, which was withdrawn in 2013. Carers do not have a general practitioner, GP, visit card. All of those things need to be addressed and we do not need a Citizens' Assembly or more consultation to do it. We need action for carers. I heard the Minister say we need cross-party agreement. She has the agreement of our party to support what needs to be done for carers. I cannot speak for any other party but I would be very surprised if there was any other party or individual here who did not support the needs of carers and see what needs to be done for them. The Minister should not be kicking the can down the road and fobbing us off. She needs to come in here and answer these questions. There are small things that cost little that could make a huge difference to carers' lives and it is our responsibility to stand up for them.

Senator Robbie Gallagher: I concur with the sentiments expressed by the previous speaker about carers. We have all spoken about the role of carers in this Chamber many times and it is disappointing that, as Senator Conway-Walsh said, these people had to leave their homes and travel this morning from different parts of the country to protest a week after the budget. It is an issue that needs to be addressed as a matter of urgency.

The imposition of value added tax, VAT, on food supplements was raised this time last year and after pressure was put on the Minister for Finance, Deputy Donohoe, he deferred the decision. Now it is proposed to go ahead and put VAT on certain food supplements. I heard no word of this in the budget speech but I understand that it will be discussed today as part of

the Finance Bill 2019 in the Lower House. This is very disappointing. Many people take food supplements for a variety of reasons but primarily to stay healthy, and imposing VAT on food supplements will affect those most vulnerable in our society. Many take them to stay healthy, to stay away from their GP, to stay out of hospital. I was interested in a recent study carried out by a Dr. Martin Coyne in Donegal who undertook a test of over 10,000 people. He discovered that 70% were low in vitamin D. Unfortunately, in this country, we do not get much sunshine and as a result many people are forced to take supplements such as vitamin D in order to try to stay healthy. This will have a knock-on effect on those people and on many others who take food supplements.

We have spent the past three years talking about Brexit in this House and how it will affect the entire country. I and many of my colleagues from the Border counties have made the point that the people of those counties will be more affected than anyone as a result of Brexit. I thought the Government would have been more conscious of retailers, particularly in the Border counties. As we increase the price of these food supplements, people will be able to travel across the Border and buy them more cheaply, which will have a knock-on effect on the sustainability of many businesses. That is very regrettable. I ask the Leader to pass on my concerns to the Minister for Finance, even at this 11th hour, in order that he can do as he did last year and defer this increase.

Senator James Reilly: In reference to the previous speaker, there is absolutely no doubt that Irish people are low in vitamin D and many GPs now do a routine check on this. I would advise anyone to get their vitamin D levels checked when having a blood test. Lack of vitamin D is quite common, even more so in people of African origin in this country because of the low sunlight hours here.

This morning I wish to raise an issue that is of both local and national importance. At present, there is a community school in Skerries in which many children who live in Skerries cannot get a place. This has been going on for some time. It was agreed some years ago to provide additional temporary accommodation. Officials from the Department of Education and Skills were out last December, which is almost a year ago, but nothing has been done about providing permanent classrooms for this ever-increasing population. Fingal has the youngest population in Ireland, if not in Europe. Houses are being built and the Minister for Housing, Planning and Local Government, Deputy Eoghan Murphy, has announced plans for another 250 to 300 houses in Skerries, in addition to other housing being built by private developers. These families will be coming into a lovely area in which to live but there are no places in the schools.

The Minister for Education and Skills has done a brilliant job since taking over. I would like him to consider the situation and say whether there are not enough resources in the building unit in the Department. Is that the problem? This is not unique to Skerries. The same problem arose in Rush, which awaits a site for a new school, it is the same in Swords and Balbriggan. There is land earmarked there for 1,200 houses and the schools are already full. I am sure this applies across the country, not just in Fingal. We need to have a review of the funding of the building unit and the Minister ought to come in and tell us what plans he has to address this. Our children are our future. We pride ourselves on giving them the best education we can but if they have not got a school place how can we do that? How will they compete in an ever-globalised world against the best in the world unless they have the best education? We know we have the brightest and best in the world in this country. One need only look at those who have qualified in science, medicine and industry, including captains of industry. Let us give our children the best chance possible. A year is a long time in the life of a child. Nothing has happened con-

cerning these five community schoolrooms that were supposed to be put in Skerries community college. Many children there do not have a place for next year as a result.

Senator Paul Gavan: I seek a debate on the conditions of work in the hospitality sector. Eminent research by Dr. Deirdre Curran of the National University of Ireland, Galway, NUIG, might have come to Senators' notice last week. It detailed shocking results regarding what is happening in that sector. Some 76% of respondents had experienced verbal abuse, 64% had experienced psychological abuse and 15% had actually suffered physical abuse in the workplace. When asked the identity of the perpetrator, 76% said it was someone in a position of power. That could be the chef, the owner or the manager. As for sexual harassment, 55% of respondents had witnessed or experienced sexual harassment and 63% had witnessed or experienced bullying.

This is just a small sample of the shocking results of Dr. Curran's research concerning what is happening in the Irish hospitality sector. At the committee meeting I attended last week, representatives from both the Irish Hotels Federation and the Restaurants Association of Ireland stated that they would continue to refuse to engage with the joint labour committee process set up by the previous Government. They also made it clear that they would refuse to engage in any way in respect of putting a floor of decency in place for standards, pay, conditions and protections in the industry. It is scandalous for employer groups, which probably expect major funding to support them during the Brexit disruption to come, to turn around and tell the Government they are not going to engage in any way with the joint labour committee process, will not talk with trade unions and will not engage with workers or their representatives. That is disgraceful.

This sector has been characterised by extremely low pay and very poor conditions for far too long. It is time for the Government to step up and do more than just comment that there are some concerns about the sector. That sector is a disgrace and we need to see some action. I am calling for a debate on this issue in order that, once and for all, we can lay bare what is happening in the hospitality sector. I refer, in particular, to calling out the Irish Hotels Federation and the Restaurants Association of Ireland for continuing to refuse point-blank to engage with the industrial machinery of the State and with trade unions.

Senator Maria Byrne: I welcome the news received from the Minister for Education and Skills, Deputy McHugh, that agreement has been reached, in principle, regarding a site for the replacement of St. Vincent's special school in Lisnagry in Limerick. The school serves children with profound educational difficulties, as well as children who are on the autism spectrum. I attended a Dóchas meeting recently at which parents expressed their concern that there were not enough school places. I call on the Minister for Education and Skills to come into this House for a discussion regarding school places in the area of special needs and autism. Parents are facing issues in this regard and their questions are not being answered satisfactorily. It is, however, most welcome news that agreement has been reached in principle on a new site with the landowner and the school. It is also good news that the application for planning permission can run in parallel with the purchase of the site. It is great news for Limerick and the mid west.

Senator Fintan Warfield: I warmly welcome the announcement made by the Minister of State, Deputy Catherine Byrne, last week that a public programme in respect of pre-exposure prophylaxis, PrEP, would be rolled out by the HSE. PrEP is a drug that prevents the transmission of HIV. The State has a very poor record of combatting HIV and transmission rates have been rising. There were 500 new cases last year. I first raised this issue here in February

2017 and I have spoken many times about it since. While I welcome the announcement, the programme is not a silver bullet. We need to continue to strengthen our community testing services and to eradicate stigma surrounding HIV. I give a special mention to campaigners and groups that led the way in calling for the introduction of this drug. I refer to ACT UP Dublin, particularly Andrew Leavitt and Will St. Leger, and Adam Shanley from HIV Ireland. They have shown great leadership. Two years ago, the House held statements to mark World Aids Day. I respectfully ask the Leader to make time available this year in order that we can discuss the next steps in combatting HIV transmission.

Senator Jerry Buttimer: I thank the 14 Members of the House for their contributions to the Order of Business.

On the issue raised by Senator Clifford-Lee, it ill behoves her and others to come into this House and play politics with the disability sector. Fianna Fáil was the party that cut funding to the disability sector during its tenure in government. I am familiar with the story of the COPE Foundation as my father was a former chief executive and I have family members working there. It is an organisation that is part and parcel of Cork and it is an institution in the area. There are issues in the disability sector that need to be addressed. I refer, in particular, to the issue of respite care in the context of section 38 and section 39 organisations. It is a topic which the Minister should come into the House to discuss. Notwithstanding the points made, the budget of the COPE Foundation has increased in recent years. It is a voluntary organisation and is doing great work in Cork. We should listen to and note the remarks made this morning by Mr. Sean Abbott, the chief executive the COPE Foundation.

It is important that the Government takes notice of what is being said. It is also important that there should be a recognition that the main aim is to provide services and supports for people who have a disability to allow them live independent lives in their communities. Support should be provided to these organisations, not just in Cork but across the country. Senator Clifford-Lee did not acknowledge in her remarks that the budget for disability services next year will be in excess of €1 billion. That is notwithstanding the fact that, as a part of the national service plan, more than 200 voluntary organisations are in receipt of funding. There is a real need now for the HSE, in co-ordination with section 38 and section 39 organisations, to put in place a stringent service level agreement, SLA, taking cognisance of the need for more respite care, etc. I am very happy for the Minister to come to the House regarding this matter. I accept Senator Clifford-Lee's proposed amendment to the Order of Business to the effect that No. 12 on the Order Paper, Harmful Plastics (Prohibition) Bill 2019 - First Stage, be taken before No. 1.

Senator McDowell raised the issue of Syria, the Turkish intervention and the Kurds. We had a debate on this issue as part of the Order of Business debate yesterday, but I would be very happy for the Minister to come to the House to discuss the matter. All of us must be deeply concerned with what is happening. The Senator is right to expose the hypocrisy of the American Administration, which abandoned people one minute and then in the next minute imposed sanctions on their supposed friend. The resultant vacuum has been filled by Mr. Putin and the real winner is Mr. Assad. Meanwhile, ISIS will re-establish itself. The whole policy is a complete shambles, causing the displacement and killing of many people. I welcome Senator McDowell's comments. It is important to note that different views to President Trump have emerged within the Republican Party in the US Congress concerning this matter. I am happy to have the Tánaiste come to the House. We should all stand firm in our resolve and support of the sentiments expressed this morning by Senator McDowell regarding the matter.

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Senator McFadden raised the issue of technological university status. The Technological Universities Act 2018 was enacted, which is very welcome. I commend Senator McFadden for once again raising the joint application of Athlone and Limerick institutes of technology for university status. The Senator has been a strong supporter of that application not only today but on other occasions. It is important that we progress the measures provided for in the Technological Universities Act 2018. I hope we will see a similar application for university status from Cork and Tralee institutes of technology.

Senator Craughwell raised the important matter of identity theft on social media and the lack of access to accountability within some of the social media outlets, which we may, perhaps, have been a little frivolous about earlier. This is an area in which we must have accountability, in particular for those people who Senator Craughwell rightfully pointed out do not have the recourse he has or the ability to communicate or engage. I am happy to provide for a debate on the issue. Later on today the Traveller Culture and History in Education Bill 2018 will be taken during Private Members' time. The Senator might take the opportunity of that debate to raise the issue with the Minister.

Senator Lombard raised the vexing issue of An Post's policy in regard to the replacement of postmasters and the need to keep post offices open. This is a matter for An Post but the points made by Senator Lombard regarding Belgooly are important.

Senator Wilson also referenced Syria, Facebook and the infrastructural deficit in terms of transport. The Minister for Transport, Tourism and Sport, Deputy Ross, has become the bogeyman for some in this House in terms of transport. Budget 2020 provides for increased funding and new commitments in regard to road projects, bus services, trams, BusConnects, the Cork metropolitan strategy-----

Senator Diarmuid Wilson: Where are they?

Senator Jerry Buttimer: The Minister for Rural and Community Development, Deputy Ring, opened a new road yesterday, as Senator Wilson well knows.

Senator Lorraine Clifford-Lee: People cannot get on trains in north County Dublin they are so overcrowded. Extra carriages are needed. There is increasing housing provision in north County Dublin but no infrastructure.

An Leas-Chathaoirleach: The Leader without interruption, please.

Senator Michelle Mulherin: That issue was raised 20 years ago when Fianna Fáil was in government. In the intervening time, it did nothing

Senator Jerry Buttimer: We need to hold the by-elections so that we can have a strong voice in government again. When Fianna Fáil was in government it did not plan for the future of north County Dublin.

Senator Michelle Mulherin: We are all playing catch up now because of Fianna Fáil's bad job in government.

Senator Lorraine Clifford-Lee: Fine Gael has been in government for nine years.

Senator Jerry Buttimer: We are all playing catch up now.

Senator Lorraine Clifford-Lee: The fastest growing part of the country is north County Dublin and the Government is not putting in the infrastructure.

Senator Jerry Buttimer: I refer Senator Clifford-Lee and other members to the announcement in the budget last week by the Minister, Deputy Ross, in regard to the transport brief, which shows a commitment in terms of the capital spend on new trams and trains and improvements in the rail network. I ask them to read the section of the Budget Statement relating to transport. Let us live in the real world.

Senator Diarmuid Wilson: It is transport injustice.

Senator Jerry Buttimer: Let us live in the real world.

(Interruptions).

Senator Jerry Buttimer: I am sure Senator Clifford-Lee will welcome that there are now more people using our trams, buses and trains, which means there are more people back at work. When Fianna Fáil left government-----

Senator Lorraine Clifford-Lee: People have to get up at 6 a.m. in order that they can get on a train.

An Leas-Chathaoirleach: Order, please.

Senator Jerry Buttimer: -----there was 15.8% unemployment and people were emigrating. They are now returning or remaining in Ireland. They are returning here to work and raise their families.

Senator Lorraine Clifford-Lee: They cannot afford to purchase a house and they cannot get on a train to get to work.

Senator Jerry Buttimer: That is the legacy of Fianna Fáil. We will tell the people of north County Dublin that.

Senator Lorraine Clifford-Lee: If Senator Buttimer does come to north County Dublin he will see the legacy.

(Interruptions).

Senator Jerry Buttimer: I am sure Senator Wilson will join me in welcoming the budget announcement of a €2.7 billion transport allocation. The carbon tax about which the Senators spoke is being ring-fenced to tackle climate change. If Senator Wilson is a climate change denier that is a different matter.

Senator Diarmuid Wilson: I am not a climate change denier.

Senator Jerry Buttimer: I hope not.

Senator Diarmuid Wilson: I am stating the facts of the situation. It takes the same amount of time and fuel to travel from the part of the country I am proud to come from to represent people in this House as it did previously. The fact that the cost of the fuel has been increased does not mean people will use less of it.

Senator Jerry Buttimer: Senator Wilson knows that there is a need to take climate action.

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Senator Diarmuid Wilson: A carbon tax increase is not action.

Senator Gerard P. Craughwell: Will the Senator drive a horse and trap?

Senator Michelle Mulherin: The Senator can get a grant for an electric vehicle.

Senator Jerry Buttimer: As a consequence of the budget, there will be more charging points and €344 million for new trains, trams and buses and other measures to improve connectivity.

Senator Diarmuid Wilson: I hope the charging points are connected.

Senator Lorraine Clifford-Lee: Will there be any extra carriages for the northern line? The Government is great at making announcements but bad on delivery.

Senator Jerry Buttimer: Fianna Fáil did only one thing in government: it planned for itself and its cronies.

Senator Lorraine Clifford-Lee: It is all spin and the people are paying the price.

An Leas-Chathaoirleach: Order. The Leader without interruption, please. Senators have all had their say.

Senator Jerry Buttimer: I refer the Senator to the Galway tents and what happened there.

Senator Lorraine Clifford-Lee: I was never there. I do not know anything about the Galway tents.

Senator Jerry Buttimer: The Senators opposite should remember that to progress to the future we must remember the past. Today, we have one of the strongest economies in Europe. We have more people in work than ever in the history of the country.

Senator Lorraine Clifford-Lee: Carers are outside the front gate protesting.

Senator Jerry Buttimer: Senator Clifford-Lee knows full well that the record of this Government is a good one.

Senator Michelle Mulherin: Hear, hear.

Senator Lorraine Clifford-Lee: There will be judgment on that too soon.

Senator Jerry Buttimer: Senator Conway made a very good point regarding the protests last week which deprived staff and Members of the Houses of the Oireachtas of being able to enter and leave Leinster House. It is a matter for the Houses of the Oireachtas Commission and others. It is important that staff and Members of the Oireachtas are able to access and leave Leinster House.

Senator Mulherin raised the issue of relationships and sexuality education. We had a debate on the issue in the House in the last couple of weeks. The Minister, Deputy McHugh, has made it clear that schools are obliged to teach all elements of the RSE curriculum which are age appropriate and will involve interaction and engagement with parents and families in regard to content. I assure Senator Mulherin that I have respect for all views, ethics and religions and none in terms of the teaching of the RSE curriculum.

Senator Fintan Warfield: On a point of order, there is no RSE in our schools. It is a disgrace.

An Leas-Chathaoirleach: With respect, that is not a point of order.

Senator Jerry Buttimer: There is RSE in our schools.

Senator Fintan Warfield: There should be RSE in our schools. It is a scandal.

Senator Jerry Buttimer: Senator Conway-Walsh raised the issue of carers and the protest. I agree with the Senator that no carer should have to protest. We do not take carers for granted. They are providing a service to people across the country. I refer the Senator to the changes made in the budget in terms of the 15 to 18.5 hours work in respect of which 1 million extra care hours were provided. As I said earlier, there is need for a real conversation on this issue be that by way of a citizens' assembly or a committee of the Houses of the Oireachtas and a comprehensive plan put in place with the HSE, the section 38 and 39 organisations and the Carers Association in regard to the role of carers, in particular in the disability sector and for our elders. I would be happy to provide a debate on the issue in this House. We do not take our carers for granted. We appreciate what they do every day of the week. I thank carers for the work they do. They should not have to protest outside the gates of Leinster House.

Senator Gallagher raised the issue of VAT on food supplements which the Minister has announced as part of the Finance Bill. The Senator will be well aware that certain food supplements will not be affected by the VAT rate application, that the Bill provides for an exemption in respect of foods for specific groups and that vitamins, folic acid and minerals will have a zero rating. There will be some changes which we can debate as part of our deliberations on the Finance Bill. The former Minister for Health, Senator Reilly, made a point regarding vitamin D, which is worth heeding.

Senator Reilly referenced enrolments at the community college in Skerries. I do not have an answer to his query but I am happy to have the Minister come to the House to respond to it. The Senator made the very good point that there is need for a review of the building unit in the Department of Education and Skills. It should always be subject to review.

I have not read the report on the hospitality sector as mentioned by Senator Gavan. If what he says is correct then that report makes for very grim reading and there is need for the Minister to come to the House for a debate on the hospitality sector. We are known as an Ireland of welcomes, the *cead míle fáilte*. Our bed and breakfasts, hotels and restaurants are an important part of what we sell across the world in terms of our tourism product. Central to this are staff who are happy and working in an environment that is conducive to their being able to produce their best and being treated with fairness, dignity and respect.

Senator Paul Gavan: Will the Leader comment on the refusal of the Irish Hotels Federation to engage with the joint labour committees?

An Leas-Chathaoirleach: I am sorry, Senator Gavan, I cannot allow another question at this point.

Senator Jerry Buttimer: We will have statements on tourism later. As Senator Gavan knows from my record, unlike others, I believe in consensus and talking and reaching out to everybody. There has to be engagement by all sides.

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Senator Byrne referred to St. Vincent's special school, which is an important facility in Lisnagry, County Limerick. Like Senator McFadden, Senator Byrne has been a strong champion of technological universities. I will be happy to have a debate on the issues raised by her related to autism. The HSE autism plan has been established to address the need for multi-annual funding to build capacity and competence and provide certainty for parents of children with autism.

Senator Warfield raised the issue of PrEP. I think we all agree with his comment on the welcome announcement made by the Minister of State, Deputy Catherine Byrne, on the need for PrEP. The increased rate of HIV infection is a cause of concern for many because there seems to be a sense a person can live with HIV and that it is no longer a death sentence. There is a need for an ongoing educational campaign, of which PrEP is just one part. I will work with the Senator in that regard. We have spoken to the Minister of State, the Minister, Deputy Harris, and the Department of Health about the need for an accentuated campaign. When I was Chairman of the Joint Committee on Health, we had a meeting every year on 1 December with the Minister and HIV-AIDS activists throughout the country. We cannot remove the issue from the radar. It is becoming more and more relevant, given that the last two reports have shown an increase.

An Leas-Chathaoirleach: Senator Clifford-Lee has proposed an amendment to the Order of Business, "That No. 11 be taken before No. 1." Is the amendment agreed to? Agreed.

Order of Business, as amended, agreed to.

Harmful Plastics (Prohibition) Bill 2019: First Stage

Senator Lorraine Clifford-Lee: I move:

That leave be granted to introduce a Bill entitled an Act to prohibit the sale of consumer goods packaging containing harmful plastics, to prohibit the sale of consumer products containing microbeads, to promote the use of biodegradable materials in the packaging of consumer products, to enable the Minister for Communications, Climate Action and Environment to make for that purpose certain regulations and to permit the Environmental Protection Agency to prepare programmes for monitoring the use of harmful plastics in the manufacture, distribution and sale of consumer products in the State.

Senator Diarmuid Wilson: I second the proposal.

Question put and agreed to.

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

Senator Lorraine Clifford-Lee: Next Tuesday.

An Leas-Chathaoirleach: Is that agreed? Agreed.

Second Stage ordered for Tuesday, 22 October 2019.

Teachtaireachtaí ón Dáil - Messages from Dáil

An Leas-Chathaoirleach: On 15 October Dáil Éireann passed the Parent's Leave and Benefit Bill 2019, without amendment. Also on 15 October Dáil Éireann passed the Health and Childcare Support (Miscellaneous Provisions) Bill 2019, without amendment.

Sitting suspended at 12.35 p.m. and resumed at 12.45 p.m.

Visit of Montenegrin Delegation

Acting Chairman (Senator Diarmuid Wilson): On behalf of the Cathaoirleach, on my own behalf and on behalf of the Members of Seanad Éireann, I offer a very warm welcome to a delegation of four members of the legislative committee of the Parliament of Montenegro, led by its chairperson, Ms Marta Šćepanović, who are with us in the Distinguished Visitors Gallery. I hope I have pronounced Ms Šćepanović's name correctly, or as close to correctly as possible. As colleagues will know, Montenegro is a candidate country for EU membership. The delegation is in Leinster House to hear about the processes in our Parliament in respect of matters such as legislation and scrutiny of EU affairs. Cuirim fáilte rompu go dtí Seanad Éireann. They are very welcome to Seanad Éireann and I wish them a very pleasant and enjoyable visit.

Traveller Culture and History in Education Bill 2018: Report and Final Stages

Acting Chairman (Senator Diarmuid Wilson): I welcome the Minister, Deputy McHugh, to the House. Before we commence, I remind Members that a Senator may speak only once on Report Stage, with the exception of the proposer of an amendment, who may reply to discussion on the amendment. Each non-Government amendment on Report Stage must be seconded.

Amendment No. 1 arises out of committee proceedings. Amendments Nos. 1 to 4, inclusive, are related and may be discussed together by agreement.

Government amendment No. 1:

In page 3, to delete lines 5 to 7 and substitute the following:

“An Act to provide for recognised schools to promote a knowledge and understanding of the culture and history of the Traveller community; for that purpose to amend the Education Act 1998; and to provide for related matters.”

Minister for Education and Skills (Deputy Joe McHugh): I acknowledge Senator Collette Kelleher for her díograis on this issue and for prioritising this important area. It would be remiss of me to leave my county colleague, Senator Mac Lochlainn, out. He campaigned very intensively for recognition of ethnicity over the years. I acknowledge all Members of the House for their diligence in ensuring that actions which aim to improve educational outcomes for the Traveller community are progressed. Representatives are present in the Gallery today. Cuirim fáilte rompu. They are all very welcome.

I agree with the principles underlying this Bill, which is sponsored by Senator Kelleher. I am fully supportive of actions which aim to improve educational outcomes for Travellers, including ensuring the school setting is a more welcoming environment. As many Senators will know, I strongly believe there are many benefits to teaching our young people about our history

and in learning the lessons of our past. It is from the dark, uncomfortable aspects of our history, including our treatment of members of the Traveller community among many other marginalised groups, that we learn the most important lessons. There is no shortage of examples in the world in which we live of where a lack of understanding of history and different cultures has been the causes of crises. The promotion of knowledge and understanding of Traveller culture and history in schools will help to build recognition of the important value of that culture and history to this country. Recognising and respecting Traveller culture and history ensures that we can build relationships based on trust, respect and understanding across all cultures.

While I am supportive of the overall principle underlying this Bill, it could potentially be problematic if passed. It is for that reason that the Government has tabled the amendments I will outline. The amendments being tabled by Government are designed to assist in providing clarity and to avoid any potential unintended consequences.

Amendment No. 1 provides for a change to the Title of the Bill to reflect more accurately the changes outlined in the other amendments. As I reported to the House last October, the National Council for Curriculum and Assessment, NCCA, was tasked with conducting an audit of Traveller culture and history in the curriculum. I thank Senator Kelleher for her engagement over recent months. I also thank the Traveller representative groups that were consulted as part of the NCCA review for their input into the process.

Amendment No. 2, proposed by the Government, inserts a new reference to Traveller culture and history within an existing section of the Education Act 1998, which deals with other Irish cultural matters and traditions. This is considered a more appropriate location for this reference. Amendment No. 2 also contains a change for technical reasons to ensure a greater level of clarity and legal certainty on the references to Traveller culture and history. There is no clear legal definition of what is meant by “Traveller culture and history”. Section 2 of the Equal Status Act 2000 defines “Traveller community” as “the community of people who are commonly called Travellers and who are identified (both by themselves and others) as people with a shared history, culture and traditions including, historically, a nomadic way of life on the island of Ireland”. Amendment No. 2 provides legal clarity in line with the definition in section 2 of the Equal Status Act.

Amendment No. 3 proposes to delete lines 13 to 19 of the Bill. If section 30 of the Education Act 1998 was amended as proposed by lines 13 to 19 of the Private Member’s Bill, according to legal advice received by my Department, a situation would be created whereby the only subject area prescribed in this jurisdiction would be Traveller culture and history, granting it a different status from all other subjects, including Irish, English and maths. The curriculum in our schools is determined and set through an extensive development and consultative process conducted by the National Council for Curriculum and Assessment, which results in the production of syllabuses or specifications for each subject area. These are accompanied by circular letters issued to schools by my Department. I have proposed amendment No. 2 to ensure that the Bill can be amended in a manner which would reflect the overall intent to include Traveller history and culture within the education system while not specifically prescribing the curricular content by means of legislation.

Amendment No. 4 is a commencement provision. Following the recent audit of the curriculum with regard to Traveller culture and history, it is intended that, in the same way it does for other aspects of the curriculum, the NCCA will source and identify suitable resources and materials to enable intercultural education and understanding to permeate across the curricu-

lum, settings, and schools. When my Department receives the final report of the NCCA in this matter, it will be in a position to determine the resources that will be available to, and required by, schools in the promotion of knowledge and understanding of Traveller culture and history. Amendment No. 4 is proposed so that my Department will have an opportunity to communicate the provisions of the Act to schools and to address its implementation with all stakeholders. It will allow time for the required materials and resources to be developed, and for any other development work which is needed.

One of the central ways in which the inspectorate evaluates, advises and supports is by visiting and conducting inspections in schools, centres for education, and other settings. It is intended that, in line with the monitoring of the implementation of other Department of Education and Skills policies in schools, the current school evaluation process and evaluation visits by the inspectorate will provide the basis by which the implementation of the principles of the Bill will be evaluated. I want to ensure the views of national Traveller groups are fully included when decisions are being considered as to how school inspections are to be conducted. Detailed inspection frameworks and guides to inspection are published. These set out how all inspections are conducted in schools and other settings. Section 13(8) of the Education Act 1998 provides that these frameworks and guides to inspection are finalised following consultation with the education partners. I have asked the chief inspector to ensure the national Traveller representative groups are included among the partner groups consulted by the inspectorate as inspection frameworks, models, and published guides to inspection are revised from time to time in line with section 13(8) of the Education Act.

The next planned revision of inspection frameworks is scheduled to occur in 2020, when the quality frameworks for primary and post-primary schools, entitled Looking at Our School, will be revised, in tandem with the development of a new circular on schools self-evaluation, to cover the school years 2020-2021 to 2023-2024. I will arrange for members of my inspectorate to meet the Traveller representative groups to explain how the school inspection process works and how national Traveller groups will be able to participate in consultations on future school inspection developments. In the area of teacher education, the Teaching Council is currently conducting a review of the standards set out in the criteria and guidelines for programme providers.

My Department is preparing its formal response to the draft standards document, which will take into account policies and strategies relevant to initial teacher education, including the national Traveller and Roma inclusion strategy. I expect that this review will be completed by the end of this year.

The final revised initial teacher education standards will be used to inform the Teaching Council as it prepares for the next round of accreditation of all initial teacher education programmes, which is due to begin in 2020. I must signal that a money message may be required should the Bill progress, but I am happy to facilitate its progress if these amendments are accepted.

Once again, I thank Senator Kelleher and the groups involved for their work in publishing and getting the Bill to this Stage and for their willingness to work with me and my Department on this. As a former Government Chief Whip, I know how difficult it can be to make progress on a Bill such as this, but also what can be achieved when Oireachtas Members work together.

Senator Colette Kelleher: I had prepared to speak amendment by amendment, but I will

take them all together. I will, therefore, be speaking for a while.

I thank the Minister for coming to the House and for his engagement, and for the engagement by the previous Minister, Deputy Richard Bruton, on the Traveller Culture and History in Education Bill 2018. At a briefing earlier we heard that it is of similar significance to the recognition of Travellers as Ireland's only Irish ethnic minority group. We are discussing something very important and precious within these walls today.

I am pleased to acknowledge that the Bill has been a catalyst for the recently completed National Council for Curriculum and Assessment, NCCA, report, Traveller History and Culture in the Curriculum: A Curriculum Audit, which is now signed off, though not yet published. I thank John Hammond, Aoife Rushe and other members of the NCCA project team for working so well and so constructively with me and the advisory group, members of which are present. The group members include Oein De Bhairdúin who co-ordinated, Dr. Sindy Joyce and others. I particularly recognise the work of the advisory group. The curriculum audit would not have happened without this Bill, which has also been a catalyst for some announcements today relating to the inspections of schools as they relate to the teaching of Traveller culture and history in the curriculum and on teacher training. I will come back to those. It is an important milestone and I hope the Minister will be able to direct the resources requested by John Hammond from budget 2020 to implement all the recommendations. Plenty of reports do not get implemented but we have to have the means to implement this. The Minister might give consideration to reserving a place for Travellers on the NCCA. The Bill is not the first of its kind. Similar initiatives are in place in New Zealand, Australia and parts of Canada, where there are indigenous communities and peoples, and they have proven to be successful.

I turn to the Minister's first amendment, which I oppose. This amendment removes the provision for the inclusion of Traveller culture and history in the curriculum and for it to be taught by recognised schools. This amendment means that schools would simply have to "promote a knowledge and understanding of the culture and history of the Traveller community", rather than teach it as part of the syllabus. It is possible that this obligation to promote Traveller culture and history could be satisfied with even the most minimal activity on the part of each individual school, if at all. Past performance indicates that this is the more probable outcome. Through the amendment, promotion would occur on a school-by-school basis, resulting in some schools promoting it to a greater or lesser extent. There is evidence for my scepticism. The 2001 Department for Education Guidelines on Traveller Education in Second Level Schools state that "schools have to be proactive in acknowledging and validating Traveller ways of living". Across the 14 subject areas identified in the Department's guidelines, only social, personal and health education, SPHE, has referenced Travellers in lesson plans since then. There were no references in other subjects such as history, music, business studies, geography, and arts, crafts and design to Traveller culture and history. Guidelines from the Department are honoured in the breach and, 18 years on, these guidelines have not been universally adopted by schools. The guidelines have been ignored, without sanction, by schools up and down the country. With the guidance and advice from Travellers, Traveller organisations such as the Irish Traveller Movement, the National Traveller Women's Forum and others nationally, as well as from local groups such as the Cork Traveller Visibility Group, and with the legal expertise of barrister, James Kane, and the Public Interest Law Alliance, PILA, I proposed the Traveller Culture and History in Education Bill in July 2018 to address the great gap in the teaching and knowledge of Traveller culture and history.

A key purpose of the Bill is to dispel myths and lies at the heart of prejudice, racism and

discrimination, which is an everyday experience for Travellers in Ireland. These myths have caused the perpetration of a cycle of victim blaming as described by psychologist, William Ryan, where members of the dominant community see features of the social life of a marginalised community that are the result of poverty and marginalisation as essential features of that community's culture and use this observation to justify attitudes that cause this cycle of poverty, exclusion and marginalisation to be perpetuated.

As a people we are ignorant of Traveller history and culture. Such ignorance is the context in which discrimination is a daily reality for the Traveller community. According to research by Michael McGrail of NUI Maynooth in 2010, 60.1% of settled people would not welcome a Traveller as a member of the family, 63.7% reject Travellers based on their way of life, and 18% would deny Irish citizenship to Travellers. I am sure Members will agree that these are shocking statistics. Irish people do not know ourselves. We do not know our history. We do not know our culture. Travellers and Traveller children and their life chances are the collateral damage of that ignorance and that denial. The Travellers' story is part of Ireland's story. We must be taught Traveller history and culture.

I have completed my first year in a master's degree in family psychotherapy. One of the first things we learn is the importance of knowing ourselves and our history. We do a genogram on which we try to populate our family trees, investigating and filling in all the blanks going back generations so that we may know ourselves and, to paraphrase the black civil rights activist and writer James Baldwin, that we may be able to claim our birthright. Traveller culture and history is a great, big blank in Ireland's genogram. We do not know ourselves fully and wholly today because we do not know Traveller history and culture. I ask all present what they know of Traveller history? Were any of us taught it? This omission is a dangerous airbrushing of Ireland's only recognised ethnic minority from its rightful place in history. We are not just denying our identity; we are excluding a whole community. This gaping hole in our knowledge has resulted in poor policymaking. Travellers still speak of, and bear the scars of, the 1962 itinerancy report. There are also other examples.

The Department of Education and Skills and the NCCA's intercultural guidelines of 2005 are positive but were also ignored. The Department's approach of seeking, rather than providing for, the inclusion of Traveller culture and history in the curriculum taught by recognised schools in the State simply has not worked. It has not educated the general population about Traveller culture and history. There has been an invisibility about Traveller culture and history in our schools. Traveller children have not been validated in our education system. If Traveller children were so validated, why then would only 80% transfer from primary to secondary school, as some indicators show?

According to Pavee Point, many Travellers say that the first time that they are made to feel bad about their Traveller identity is when they cross the threshold of a school and that sometimes at school they are made to feel that education is not for them. A Traveller child may be the only Traveller in the class and can be treated negatively and suspiciously. Oein De Bhairduin spoke about this Bill being an opportunity to lift the responsibility for Traveller culture in education from the shoulders of that little child to us as the State.

Is it any surprise that compared to the general population Travellers are more than 50 times more likely to leave school without the leaving certificate? Just 13% of female Travellers were educated to upper secondary level or above when compared with almost 70% of the general population. At most, 57% of male Travellers were educated to primary level. The CSO na-

tional Traveller education statistics from 2016 estimated that only 167 Travellers ever went on to third level education.

There is a history of legislation failing to protect the Traveller community. The Bill in its current form seeks to change that. Traveller culture and history in education needs to be mandatory. Well meaning, well intentioned, aspirational guidelines and directions to schools, done with undoubted goodwill but without the force of law, simply do not deliver to all Travellers the teaching of Traveller culture and history. It does not deliver it to any of us. I do not doubt the sincerity of the Minister to his end that Traveller culture and history should be included in the curriculum and taught well. However, with regret, I believe that his means and his amendment No. 1 make that prospect less likely than with the Bill as originally proposed. I oppose the amendment and urge the Minister to think again.

I am also opposing amendment No. 2, proposed by the Minister, for similar reasons. I regret that it is proposed to remove the words “promote and teach Traveller culture and history”. When he takes the Bill to the Dáil, I hope the Minister will consider the inclusion in section 9 of the Education Act 1998, although it is not as strong as in the original draft of the Bill, to “promote the understanding and appreciation of Traveller culture”. That would be a better amendment. I am not sure what the additional benefit of inserting “within the meaning of” the Act would bring. In fact, some might argue that Travellers have not fully vindicated their rights under the Equal Status Act in respect of education and discrimination therein as it currently exists. I would be interested in hearing the Minister’s reasoning.

I draw the Minister’s attention to European conventions and treaties which Ireland has ratified. I refer to the report of the advisory committee on the Framework Convention for the Protection of National Minorities of June 2019. In its recommendation at paragraph 77, the advisory committee calls on the authorities, in this case the Irish State, specifically to “support the inclusion of Traveller culture and history in the curriculum taught in schools, and to further promote and enhance an inclusive school environment for Traveller students in order to combat discrimination”. I also have drawn attention to Recommendation No. R (2000) 4 of the Committee of Ministers of the Council of Europe to member states on the education of Roma and gypsy children in Europe, which recommended that curricula would consider and reflect the culture and history of the gypsy and Traveller communities. The Spanish education Minister just a few weeks ago recognised that it is fundamental that Roma students feel included and welcome in school, as well as recognising the important role of education in combatting negative stereotypes. This is a country example to which Ireland should pay some attention. Amendment No. 2 would be contrary to this recommendation of European bodies and commitments made in conventions and treaties that Ireland has signed up to and ratified. I urge the Minister to think again about what I have raised. That is why I will be opposing this amendment.

I am opposing amendment No. 3, which proposes to delete my amendment of section 30 of the Education Act 1998. The reasons are as I have already set out. The Bill needs teeth to deliver the inclusion of Traveller culture and history in the curriculum in order that it is taught and taught well in to every child in every recognised school, at every cycle, from the early years into primary, junior and senior cycle. The Minister knows the cliché that the road to hell is paved with good intentions. Travellers know this only too well. This evaluation is at the heart of arguing for a mandatory requirement of schools to teach Traveller culture and history. There has been a litany of failed legislation and false dawns for Travellers. The Housing (Traveller Accommodation) Act 1998, now under review by the Minister of State, Deputy English, failed to secure Travellers the accommodation they need and to which they are entitled. As Members

are aware, local authorities send money back. In 1998, the Employment Equality Act and equal status legislation were passed yet Traveller unemployment remains around 80% today when we are at almost full employment in the general population. In 2001, the Department of Education and Science published guidelines on Traveller education in second level schools yet 18 years later, these guidelines have universally not been adopted. Further action was taken in 2002 and 2005 but with little progress. These examples underpin my case for mandatory teaching of Traveller culture and history in school. Otherwise, as Pavee Point states, things will be hit and miss and possibly based on inaccurate information. In my Bill as proposed, a syllabus developed through expert bodies such as the NCCA and other stakeholders would ensure consistent and mandatory delivery of some teaching on Traveller culture and history in education. The proposed amendment does not achieve this but would, in effect, remove the involvement of the NCCA since no substantive area of syllabus is being developed, which is a shame given the substantive work the NCCA has done. We do not have time for schools to adopt this programme when it suits them. Traveller children cannot wait. Traveller culture and history need to be taught across all schools as soon as possible. The amendments proposed by the Department do not reflect the urgency of this situation.

I ask the Minister to consider inserting a new section into the Education Act 1998 after section 37. My suggestion is as follows:

(1) The Minister may, having consulted with NCCA and QQI prescribe that Traveller Culture and History

(a) be taught in all recognised schools

(b) be included as a mandatory part of the curriculum in all degree level courses in education, at higher education institutions

(c) be promoted as a core competence of teachers in their ongoing professional development.

(2) The National Council for Curriculum and Assessment shall prescribe the curriculum to be followed pursuant to subsection (1)(a) above.

I ask the Minister also to consider adding a Traveller as a member of the NCCA as I mentioned earlier. This would require amending section 40(2)(b) of the Education Act 1998 by the insertion, after section 40(2)(b)(ii) of the following:

(iii) are representative of the Traveller community,

I ask the Minister to reconsider the points and ideas that I have put forward and to withdraw his amendment.

I am opposing amendment No. 4 due to a lack of specifics. When is this Bill expected to pass through the Dáil and come into law? Will the Minister be taking the Bill through himself? Notwithstanding my opposition to the Minister's amendments, the Minister taking this Bill through to the Dáil would be of enormous significance, symbolism and importance to the Traveller community. Can he give more specifics as to the timeline of the Bill and adjust the amendment accordingly? Will he take the Traveller Culture and History in Education Bill through to the Dáil following its passage here today and when could this be expected? I appreciate the audit that has been undertaken by the NCCA and welcome the Minister's announcements on

the inspectorate and the inclusion and consultation with the Traveller community that will be at the heart of those changes around the inspection framework. I also welcome the focus on the competency of teachers to teach Traveller culture and education when teacher education standards are being reviewed. However, for all the reasons given, I am opposing the Minister's amendments. I hope he will listen again to the arguments I have made. I wish to see the Bill go through to the Dáil because it is important. It would be of enormous significance that it would be the Minister rather than me, a lowly Senator, who would take this through.

Senator Robbie Gallagher: I welcome the Minister and welcome our guests in the Gallery, who are listening to the debate this afternoon. I compliment Senator Kelleher on her work in this area. She has been a champion in pushing the Bill forward. I have listened to her comments in the Joint Committee on Education and Skills on this subject as well. It would also be remiss of me not to include my colleague, Senator Mac Lochlainn, for his ongoing work and efforts to promote the rights of the Traveller community. I have listened to the Minister's comments and am heartened by them. His comments map out a route to our shared destination for the aspirations of this Bill. We will have to keep a close watch on the progress of the Bill. The Minister spoke of a previous role that he had as Chief Whip and he outlined rightly the new politics and the new era in which we find ourselves. It is only by agreement and consultation that we can move these things forward. The arithmetic in the Lower House in particular highlights this very issue.

I am very happy and proud to support the Bill. It is important that Traveller history and culture is on the curriculum. It is a very strong and positive move that we are bringing this forward. I understand Senator Kelleher's concerns that it will drift and that, perhaps, the road will be a long one but if we are all genuine in our ambition and aspiration to move this forward there is no reason it should not proceed quickly. When the Minister sums up the debate, I would welcome hearing that he will personally ensure the Bill progresses to its destination as quickly as possible. It is important that all Traveller children are given an equal footing. I would like to see their ambitions realised as they go through the school system. I am very happy and proud to support the Bill and I will be keeping a close eye on its progress.

Senator Pádraig Mac Lochlainn: I fully support the Bill that has been led by Senator Kelleher. As a fellow Donegal man, the Minister will appreciate this wee story. Weeks ago I found myself in Derry and Tyrone with the Cineál Eoghain, an historical organisation celebrating the Gaelic clans of the region. It was fantastic to be there going over the history, some of which was about battles and conflicts, which was very sad. We looked at 700 or 800 years of our history, from the 800s to the 1500s to 1600s. Those Gaelic clans were nomadic peoples. They were not settled people living in one place. Even when we think about the forts and monasteries throughout the country, they represent only a section of our people. The vast majority were nomadic.

What evolved in our history was that as time moved on we in Ireland adopted the European norm of having our own wee bit of land, house or settled property. However, some of our people continued with the nomadic ways and some families kept with the nomadic ways of being on the road. This was economically sustainable with tinsmithery and other sales and commerce but it hit a period of crisis. Despite the crisis, these families and communities wanted to continue with the nomadic ways. We had a tragedy in 1963 with the Commission on Itinerancy. In fairness, the State recognition of Traveller ethnicity has put that shameful report into the bin of history. Sadly, it set the scene for the problems we have today. It described the Traveller community as a problem and did not recognise Traveller history. It denied Traveller ethnicity

and history and any sense of a shared language, music or culture. It did not even have Travellers in the consultation process. For decades afterwards, it was all about killing the Traveller culture and pushing the Traveller community into the settled community. That was the whole approach. It also demonised the Traveller culture.

I have told a story in the House that I will repeat today because it is very important that we call out the problems we have. I was at a football match in Croke Park and during the match there was a very rough tackle. A woman behind me shouted down to the player, “You dirty tinker, you dirty tinker”. She was right behind me. I probably should have challenged her but I turned around and looked at her. She was wearing her county colours. I felt profoundly sad because I thought to myself that this was probably a really good woman involved in her community and the GAA. I started to visualise the things she probably did in her community but what she said was profoundly racist and offensive. She probably did not think for a moment there was anything wrong with it. It just came out of her, “You dirty tinker”. It was something deep inside. In recent days, somebody in my company who is a good person and should know better, said, “He is nothing but a gypsy”. That was the worst possible thing he could have said about this other person. I challenged him and we had a conversation about it. These are two people who said the most appallingly awful racist things about a section of our people. This is the damage being done. It is deeply ingrained. Some embraced the settled way for generations and there is nothing wrong with that life. It is an honourable life but so is the Traveller culture. Somehow we came far apart and now demonise those who come from the nomadic ways.

Here we were, a few weeks ago, in the modern-day settled community in Derry and Tyrone celebrating our Gaelic history. Deep within it is the Traveller history and the people who continued with the nomadic ways. They are the people who could not let go of moving around the country and roaming from place to place. Of course, they also took the ancient ways with them, including our language, songs, mythology and identity. This is a core part of the story of Irish history but rather than embracing it and working with it we have demonised it.

The importance of the Bill today is that we must turn the ship around. I know the Minister shares my passion for this. It is not just my passion because in recent years an Oireachtas Joint Committee on Justice and Equality not once but twice unanimously passed a report recognising the ethnicity of the Irish Traveller people. We also had State recognition in 2017, which was a very proud day. The next very proud day will be when the Minister takes this legislation and works in partnership with Senator Kelleher to take it through the Dáil and get it passed. The prize will be that we will turn around the massive mistakes we have made, beginning with no better people than the young children in our schools, by teaching them our true history, which means teaching them that we have made mistakes. I applaud the Minister on the decision he made recently to keep the teaching of history on the curriculum in secondary schools. It was a very important and correct decision because if we do not know where we came from we cannot know where we are, and if we do not know where we are we cannot know where we are going, as a person famously said. History is core. We learn from the wonderful enriching part of it but we also learn from the mistakes. If we do not learn from the mistakes we will make them again. We will be doomed to repeat them.

There are wonderful things to learn from Traveller history but there are also huge mistakes that the State needs to deal with. We need to reverse this and there is no better place to do so than in our schools with our young children, so we do not have another generation growing up with this virus of racism towards a section of our own people. It is not just racism because today I have referenced two good people who made racist remarks, one behind me and one with

me. They made them in ignorance because we have failed to teach the true history and reality of our Traveller people. The challenge now is to make sure we not only recognise the Traveller ethnicity of our people, and it was a wonderful day when it was recognised, but that we start to right the wrongs and teach the true history of all of our people in our schools and work in partnership with Traveller projects throughout the country so we have talks and days when we celebrate Traveller culture, perhaps once a year in schools. There are so many things we can do with this wonderful legislation that Senator Kelleher has drafted and brought here in partnership with many others from the Traveller community.

I appreciate that the Minister and Senator Kelleher are not on exactly the same page today but I believe their intentions are honourable. The objectives of both are to start to teach properly Traveller history in schools, not just to state it is something we might, could or may well do but that we are actually going to do it and that the inspectorate will make sure it is happening and that it is clear in the curriculum. The teaching of Traveller history must be encouraged and resourced by the Department of Education and Skills and the Department of Justice and Equality.

We might not reach total consensus with the Minister today, but when we leave this Chamber, let us make sure the Bill will be presented very soon to the Dáil and that it will be agreeable to all in order that we will have another positive, constructive day when we can right the wrongs of the past.

Senator Maria Byrne: I thank the Minister for coming to the House. I pay tribute to Senator Kelleher for all of the work she has put into the Bill. I also pay tribute to the members of her committee, but she has been the driving force behind the Bill. She made a contribution at the Joint Committee on Education and Skills when we were discussing it. Senator Mac Lochlainn has also been campaigning on the issue for a long time. When Senator Kelleher initiated the Bill, Senator Ruane who is not present and our former colleague Grace O'Sullivan were also involved in and supportive of it. I pay tribute to them also.

Much has been said in the debate. I understand from where the Minister is coming and believe he wants to deliver on the Bill and to have Traveller culture taught in schools. From my discussions with him, I am aware that he is very supportive. I understand there are some technical amendments the Department must introduce. I compliment the Minister on the research work he and his officials have carried out.

When I was a member of my local authority for ten years, I sat on the Traveller committee. I had a very good working relationship with many Travellers and learned an awful lot about Traveller culture and aspects of Traveller life. I often visited Travellers and had a cup of tea with them in their homes. I gained a lot of experience in my ten years on the committee and still have friends from the Traveller community. What I learned from them in that time was very good for me personally. It is important to have a debate on various aspects of culture and different beliefs. I believe the Minister wants to bring the measure forward in as meaningful a way as possible. While I understand Senator Kelleher cannot accept some of the ministerial amendments, I know that she has had a very good working relationship with the Minister who has operated an open-door policy with the Senator to date. I am sure that will continue to be the case.

I commend all those involved in taking Report Stage of the Bill in the House today.

Senator Alice-Mary Higgins: I speak in support of the Bill. I am incredibly proud that the Civil Engagement group has been able to push it forward. I commend Senator Kelleher, in particular. I also commend Mr. Oein de Bhairdúin who worked with her, the advisory group and others who have moved the debate forward. As Senator Kelleher said, they have opened up the debate on multiple fronts and begun important, inclusive conversations about the reality of the lived Traveller experience in Ireland and also the importance of the Traveller contribution and its part in our national history and identity. They are linked with the fact that there is an Oireachtas Traveller group, of which I am very proud to be a member, and the fact that we now have the Joint Committee on Key Issues affecting the Traveller Community. Our colleague Senator Ruane is Vice Chairman of the committee and has engaged specifically with the Joint Committee on Education and Skills. She is sorry that she cannot be here to support the Bill in the House today.

I am pleased that the Minister is embracing the spirit of the legislation. That is important. However, I hope that as it progresses, he will look to see how we can move from a symbolic space into a substantive space. When talking about Traveller culture, it is very striking from the audit that Travellers' experiences are found mainly in civic, social and political education, CSPE, not history, despite their major contribution to our history. They have kept alive a significant amount of what we regard as our national heritage in traditional music, songs and stories. So many of the champions in that regard have been Travellers, but it has been made invisible in our international celebration of these traditions. In the business world we think of tin smiths in a Traveller context. The nomadic element of Traveller culture is also part of our shared national story. In all of these areas there are real lived experiences, both historical and current, that must be reflected and part of the collective understanding.

As other speakers said, it was very moving when Mr. Oein de Bhairdúin spoke about the fact that each individual child should not be tasked with representing or carrying the full explanation of their existence. No child wants to have to justify his or her existence or explain it. A wider understanding must be part of the approach taken. I know that the Minister is sincere, but I would like the Bill to copper-fasten the teaching of Traveller history because in the future we might not have a Minister with similar sincerity or the same level of interest because he or she had not dived in as deeply as the Minister on these issues.

The Minister spoke eloquently about the importance of history and making it a mandatory part of every child's learning. He referred to the past, the lessons it could teach us and how it linked us with the world in which we lived. He wants every child to have those key elements. When we talk about the past, there is great wealth in the Traveller contribution to history and culture, that important thread that runs through our shared fabric of history. However, there are lessons we need to learn about how the education system has treated Travellers, a matter about which Senator Mac Lochlainn spoke eloquently. In the past there was hostility in the education system to Traveller culture and history. We are not starting from a neutral place. That is the reason we need Traveller history to be taught. We are not starting with a *tabula rasa* but from an historical situation where work involving repair and reparation is required to address the misinformation, fear and hostile messages disseminated that have lodged in the subconscious of 50, 60 and 70 year olds who were once children aged eight or nine years in a classroom who only heard damaging messages about the Traveller community. In some cases those messages have lodged in the minds of Travellers who have only been given negative messages about their place in society. That is the reason what we have put in the Bill matters. That is why we want to focus on teaching Traveller culture, not simply encouraging or suggesting it as an add-on and

saying it might be a nice element to consider.

Repair work must be done in the education system. The Bill offers a positive, constructive step towards that repair work which links with the other message of the Minister about how the history of the country is linked with that of the world in which we live. One of the many benefits of making sure Traveller culture and history are taught as part of our education is not simply a better understanding of ourselves, the country and the true, wide and full experience of living in Ireland but also internationally. It has been mentioned that in New Zealand, Austria and Canada they are beginning to look properly at indigenous minorities to make sure their history is taught. Reference was made to the efforts in Spain to recognise the Roma tradition across Europe. The Sinti is another group. There are indigenous minorities across the entire world. It is good for Irish children to understand the diversity in the world is reflected in their own country. It makes them better able to engage in the conversations we are having globally on diversity. Recognising that every country is made up of many strands and communities builds bridges globally in our understanding of a shared world. I acknowledge the artists, cultural practitioners, legal practitioners and those with many other strands of expertise in the Traveller community.

I will now focus specifically on the legislative process. I regret the Minister's amendments. To promote is not the same as to teach. Promotion is not the same as pedagogy. Pedagogy is about learning and bringing someone along the steps. To promote is to ask somebody to take a look at something whereas teaching is bringing people along the steps and dismantling existing prejudices and misinformation. It is not simply about giving people new information but also about checking what misinformation exists among children and giving them a better, deeper understanding. I hope we can move towards a point where this Bill includes the word "teach" in a meaningful way, perhaps in the Dáil and perhaps worded in a different way, if necessary. Any Bill about education should have a vision of teaching and learning at its heart, not simply a vision of promotion.

On a practical level, the Minister mentioned the inspectorate changes and the curricular reform he expects to take place, starting in 2020 and proceeding into 2021. Can he assure the House that this Bill will have completed its journey in time to be reflected in the processes of 2020? We have a two-month or three-month period. I welcome the comments on the inspectorate, which are important, but to give substance to the idea that these issues will be reflected in the next round of policy formation or practice development within the Department, can the Minister assure us this Bill will travel through in time?

Acting Chairman (Senator Diarmuid Wilson): I ask the Senator to conclude. The Minister has no function in respect of whether the Bill passes through this House or the other House. It is up to the Members.

Senator Alice-Mary Higgins: I hope the Minister will be able to champion it. The Minister mentioned a money message. Regardless of whether a money message is required, it is effectively meant to be an administrative formality. It is not a matter of a condition affecting whether a Bill can pass. If the Minister says he wants a money message produced, he can push for one to be produced. A money message was originally intended to be an administrative formality, designed simply to accompany a Bill to its next Stage. I hope the Minister will at least assure us, if not of the Bill's passage, of his intention to champion it and press for its passage in advance of December and to expedite any process in regard to a money message to ensure the Bill will pass in a timely manner, as is necessary.

Senator Joan Freeman: I welcome the Minister. It is lovely to see him here. I am a great supporter of this Bill. Senator Kelleher is a magnificent champion of the Traveller community.

I want to make three points. Yesterday I had to give evidence to the Joint Oireachtas Committee on Key Issues Affecting the Traveller Community. I was asked to talk about what can be done about mental health in the Traveller community. Many statistics were circulated such as, for example, that 90% of male travellers will not reach the age of 60 and that young male Travellers are seven times more likely to die by suicide than young male non-Travellers. Young female Travellers are six more times more likely to commit suicide than young female non-Travellers. All these statistics were thrown out but they have been thrown out for years. There have been many promises and reports on what we are to do about the Traveller community, yet nothing has been done. When this Bill passes through the House today, will the same thing happen? As with many Bills that have passed through the Seanad, will this one just lie there and gather dust? I have dealt with the Minister before and know he is a very sincere man. While he cannot pass the Bill through the Dáil, he certainly can pick out a champion who might do it for Senator Kelleher.

Senator Mac Lochlainn mentioned attitudes of the people of our generation who used words such as “tinker” and “gypsy”. We are never going to change the ingrained attitudes of our generation; we are blowing against the wind. The only way change can happen is through our children. We are taught all the time by our children. I am taught all the time by nine year olds and ten year olds how to use the iPhone and the Internet, for example. They will also teach us respect and how to accord dignity to a very important section of our community.

The Title of this Bill, the Traveller Culture and History in Education Bill, reflects a certain sense of pride. By owning that Title, which implies we need to teach our children Traveller culture and history, we are expressing how proud we are of the Traveller community. It is about time we started to show this. We can only do so through legislation and changing the whole attitude of the people.

Senator Aodhán Ó Ríordáin: I will speak to the Bill in a moment but I ask the Acting Chairman to allow me to thank the Minister for being on site in Artane this morning. It was very decent of him to do so. I was just coming from the school, which had suffered from an horrendous fire. That the Minister was present in person was of great comfort to the school. The school community and the children are devastated. Some of the teachers of the school are past pupils. The community appreciates the Minister’s work. Perhaps his Department could work with the local authority fire officers across the country to assuage some of the fears about school buildings. I hope that, in a number of weeks, we will have a better tale to tell about the state of our buildings. At the site of the school in question, there is room for prefabs to be constructed. The school community will rally around. I thank the community for being so vigilant in informing the fire brigade the first thing this morning.

I lost my seat in the last general election and was reminded of it a number of times in the months afterwards by people who told me I spent too much time talking about Travellers. That is the kind of attitude that exists in our society. The education system reflects the State and its value. It reflects who we are. For far too long in this country, the education system has been for a certain section of society, possibly comprising a majority of society, and everybody else had to fit in. The system was not for the latter. I taught in a particularly disadvantaged school. The history, geography, mathematics and Irish books did not really reflect their experiences at all. These were not Irish-dancing children but children who liked disco dance. They did not

play Gaelic games but played soccer. Their history was one of the flats, tuberculosis, lockouts, dock work and leaving school at 14. Theirs was as valid a history as any other — as valid as the history in *An tOileánach* or *Peig*. The history books did not necessarily reflect their Ireland and what they knew to be true. It felt almost as if one were trying to squeeze children to understand an official Ireland when an official Ireland did not necessarily respect, understand or even recognise them. If we do not accept this Bill, not just in spirit but in its entirety, how can we begin to imagine an education system that will embrace the African-Irish, Polish-Irish, Lithuanian-Irish and Brazilian-Irish communities? How can we begin to imagine an education system that will embrace, love and empower all those communities if we cannot do it for the indigenous Traveller community?

Senator Mac Lochlainn has spoken about this passionately over a number of years. The work of the Civil Engagement group of Senator Kelleher and others has been transformational in these Houses in getting people of different political backgrounds to come to an understanding of the necessity to move beyond where we always have been.

Senator Mac Lochlainn has talked about the itinerancy report of the early 1960s, which always spoke about the Traveller issue as a problem that needs to be solved, and a problem that needs to be assimilated into what is normal as opposed to recognising what is right, just and decent, and what has an absolute right to exist and be celebrated. The celebration of a people was the whole argument about ethnicity. I thought we were getting somewhere when ethnicity was recognised by this Government, which garnered a level of celebration, but then an individual ran for the Presidency and completely and willfully misunderstood what ethnicity was all about yet secured 24% of the public vote, and one wonders. One wonders if a settled child who has never had an interaction with a Traveller child or Traveller family will get his or her information from? Will it be from the media or politics? God help us if we expect a child from the settled tradition to understand what the Traveller tradition is like if we expect him or her to learn from contemporary society, the media, politics, community and the society in which he or she lives. If that is the only avenue a settled child has to attain such understanding then he or she will just learn the prejudices, racism and wilful misunderstanding that I and most settled people grew up with. The State must take it upon itself, not as a concession or adopt a stance of “Ah, sure look it”, but as a vindication of a right of a people that they are an intrinsic part of this nation and not something for which concessions must be made. Every Department needs to shift its mindset from one of this being a problem and something to facilitate. We do not have to talk about tolerance. People do not need to be tolerated. This nation needs to intrinsically understand the basic humanity of the existence of a community. Whether one hails from a flat complex in inner city Dublin, a Traveller community living on a halting site or from the place that seems to write all of the history books in official Ireland, one has as much of a right to one’s history and tradition. Everyone on this island has the same right to his or her history and tradition in terms of the entirety of the nation.

We have relegated identities but promoted other identities. That makes somebody from one of the relegated identities feel that the education is not theirs, that it does not celebrate them or believe in them. Relegation makes a Traveller feel that if he or she wants to get anywhere in his or her life then one must pretend to be settled in order to get somewhere. The history books tell Travellers that the people who have led this country or performed greatly in this country and are celebrated are not like them so they must change. It is a devastating message to convey to a Traveller child aged eight, nine or ten that if he or she wants to get anywhere he or she will have to be a little less Traveller.

It is awful for parents in this country when they realise that if their children are going to get somewhere they will have to be a little bit different from what they are, that what parents have passed on to their children and in terms of the way they are being raised, these children must be a little bit less than that to be accepted. People have said that we cannot control all of that, and we cannot control the prejudices that people of a certain generation have, and I mean my generation and older. We cannot control that necessarily but we can control an element of that in the education system.

For us to consider this Bill as a concession to lobbying is a massive mistake. The people in the Department of Education and Skills should be tripping over themselves to congratulate Senator Kelleher, the Civil Engagement group and other Senators in this House and Deputies in the other House for wanting to promote the Bill. It reflects well on the Oireachtas that this is being promoted, asked for and demanded.

I suggest to the Minister that the hearts of nine year olds are easily broken and it is pretty devastating to learn that one is just not important enough because of who one is. We were in Artane this morning. The school will be rebuilt and in years to come the incident will be a bad memory. The community will get together again and things will be okay because there is enough love in that area. If one is a nine year old who discovers that because one is a Traveller and because the school textbooks and everything around the child in the school tells one that one must change a little bit to get on in life because there is nothing worth celebrating about one, and everything that one asks for is a concession from what is really is the mainstream because a person, as a Traveller, is not mainstream then that is a heartbreaking realisation to come to terms with. I would not want any child to come to that realisation.

This legislation is a lot about emotion, a beating heart and identity, which can be difficult to put into hard legalistic text. I know that the Department hates legislation because it lived by circulars for years, which is fine. This is hard legislation that seeks to underpin the identity rights of a people who are part of our nation. I shall repeat the following for the benefit of the Minister. If young children of this nation do not learn from their State-funded school - the organ of the State - about Traveller culture, heritage and to celebrate Traveller life then where else will they hear it?

The Labour Party group supports the Bill and will work with others to get it over the line. I appeal to the Minister to appeal to the better part of himself because he is a progressive Minister who believes in the right things in terms of education. I know in the cold light of day that he can improve on the amendments that he has tabled and make the Bill something that we can all be proud of.

Acting Chairman (Senator Diarmuid Wilson): I call Senator Noone.

Senator Catherine Noone: I thank the Acting Chairman for his indulgence. I should have replaced him by now but I want to comment while the Minister is present. This morning, I was in communication with the Minister about Scoil Chaitriona Cailíní. I had a couple of classes from the school in here during the summer and the kids are just fabulous. This morning's development was heartbreaking. The Minister has met the school principal and staff. I appreciate him meeting them so quickly. There is no timeframe as yet but time is of the essence and we need people to be accommodated as soon as possible. As Senator Ó Ríordáin said, the incident is a huge blow to the community. Thankfully, there were no fatalities. We need to be very grateful to the emergency services, the gardaí and the fire services who limited the damage done

to the junior school. Extensive damage has been caused to the school, especially to the senior school. I hope that we will be in a position to accommodate the children in the very near future, which needs to happen quite quickly.

I support the Bill. My colleague has spoken on the Bill. I listened to her on the monitor and concur with her comments. We have a few technical amendments but support the Bill.

Acting Chairman (Senator Diarmuid Wilson): Does the Minister wish to comment on anything or will he wait until later to respond?

Deputy Joe McHugh: I am happy to comment now. It is an absolute pleasure for me to come into this House every time and I do not say that because I am a former Senator. I think it was Senator Ruane who referred to me as a Senator. I accept the title of “Senator” even though I was elected one in 2002. She referred to us as “lowly Senators” and sought somebody to champion the Bill.

I must disagree vehemently with the Senator on that point. The Upper House is a really important place for debate.

While I acknowledge we are a wee bit apart at this point in terms of the Government amendments, I will reiterate and rationalise what we are trying to do. There was a collective call for momentum to try to reach our destination. For what it is worth, when I give my word as a politician, I stand by it. I appreciate the comments from Senators on my decision regarding history. That was something I committed to doing in my first month in the job and to which I gave a great deal of thought. I was advised to go a certain way but I kept my ear to the ground and there were plenty of people in this House willing to give me their view, for which I thank them.

There are four Government amendments, which seek to address the two main concerns we have regarding these proposals. The first concern is that they would mean that I, as Minister, would effectively be dictating to the National Council for Curriculum and Assessment in its area of functionality. Our second concern is that by embedding these provisions in legislation, we would be prescribing a subject for the first time. Maths, Irish and English are not prescribed through legislation. What is being proposed here represents a departure and we have concerns in that regard. I received political proposals from different quarters asking me to legislate to ensure that history would be a mandatory subject on the junior cycle curriculum. I did not like it and it is not in my nature to legislate for a particular subject. In the end, the decision we made in regard to history was to move it from optional to mandatory. In fact, we spent six months trying to find a word that would offer a middle ground between optional and mandatory. We all have our opinions on the words “compulsory” and “mandatory” and giving direction in that regard. As Donegal men, Senator Mac Lochlainn and I do not like being told what to do. However, having not found a middle ground between optional and mandatory, it seemed to me that I had no choice but to go for the latter. I feel it was the right thing to do.

Senator Kelleher wrote to me, once my decision was announced, asking that I review all the damage that has been inflicted on our society by ourselves down through the years in the context of society’s tolerance of homophobia, prejudice towards members of the Traveller community, racism, sexism, etc. The list goes on. We are trying to repair much of that damage and I am seeking out the best possible vehicle to do so. I again give my word that there will be momentum in bringing things forward. I would love to be in a position to say that we can

go to the next step immediately but we will have to see how things go with the voting on the amendments. To reiterate, the legal advice is that the Bill as it stands would create a situation whereby the only subject area prescribed by law in the jurisdiction would be Traveller culture and history, thereby granting it a different status compared with all other subjects.

One of the things the inspectorate is always keen to point out to me is that its specific function is to inspect teaching and learning. It is intended, in line with the monitoring of the implementation of other Department of Education and Skills policies in schools, that the current school self-evaluation process and the evaluation visits by the inspectorate will provide the basis by which implementation of the principles of the Bill would be evaluated. I understand the concern that if something is not sufficiently embedded in law, it will become a mere conversation piece. As we all know, an election is coming up, whenever it may be, and there could soon be somebody else in my role. However, the point I wish to emphasise is that in order to make things happen, one has to give direction. In regard to history, I have put together a direction to the NCCA on what I want to see happening. It is up to the NCCA to build that into the future place of history in the junior cycle curriculum. My ambition and motivation are to ensure, whatever comes out at the end of this legislation, that we just get on with it and take all the issues into account. I was at a literacy and numeracy event this morning where there was discussion about the maths curriculum, trying to make it relevant and set the context. It is not just about sitting down in silos doing algebra, the theorem of Pythagoras or multiplication, division and subtraction in isolation, but how all of those aspects are relevant to the entire curriculum.

In this particular subject area, as Senator Higgins pointed out, there are so many aspects, including geography, the nomadic movement of people and the particular history of the Traveller community. It is not just about one prescriptive area. A point I wish to emphasise is that the people who are designing the curriculum in the primary sector and the people undertaking the leaving certificate review are considering, as part of their work, how creativity and arts can be threaded into subjects. That is something we should take into account, to see how we can use arts in a better, more formal way to promote an understanding of the intrinsic nature of the Traveller community.

Several speakers referred to amendment No. 4. There is no commencement order set out in this Bill, which means that once it was passed, there would be a requirement to provide the subject without having any preparatory work done and without consulting different people from within the Traveller community. Our concern is that we do not have any resources in place or proper professional development training for teachers. We would be telling schools that they are ready to go, even though that is not the case. That is the concern we seek to address in this amendment.

Senator Kelleher talked about the timeline, which I have already addressed. Senator Higgins referred to Fr. Micheál MacGréil, a former lecturer of mine and author of *Prejudice and Tolerance in Ireland*. I remember attending a class of his in 1989 at which he presented a great deal of sociological data analysis. That analysis showed that, at the time, Travellers were the group against which people in this country had the most prejudice, with the Garda in second place. I met Fr. MacGréil some years later and he was looking to do further research in that area. Prejudice and discrimination against members of the Traveller community is still a major problem in this country.

Senator Kelleher spoke about the need for momentum to implement change. I appreciate her point that we deal with a lot of legislation in these Houses which gets to a particular

Stage but is not subsequently progressed. Once again, I give a personal commitment to making progress on this issue. I do not want to see another generation of young Travellers having to go through what previous generations did. I may talk presently about my personal experience of working with the Traveller community in the 1990s.

Senator Kelleher outlined a proposed amendment to section 37 of the Education Act 1998. I cannot accept such an amendment because it would raise the same issues concerning the prescribing of the curriculum in schools. The Teaching Council regulates standards for initial teacher education, subject to the policy of the Minister. The way it works is that the council sets out the standards for initial teacher education and each higher education institution then sets out its own curriculum within those parameters. What the Senator is proposing would represent a significant departure. I take her point that sometimes when one is on the rocky road trying to do something that will have a high impact, one needs to go ahead and make the change. I am reluctant to do it, however, because of the precedent it would set.

Senator Mac Lochlainn argued that we must call out the problems as they are. That is what we want to do as part of dealing with them.

It is correct to state that people may not even be aware of their own commentary and that they are making racist or prejudiced remarks. Understanding is crucial here, as is trying to get a consensus regarding how to get working on righting the wrongs that have been happening. We have a responsibility to deal with issues like this, whether that is the matter we are discussing or other issues such as homophobia, ageism, racism or sexism.

Senator Byrne made reference to the meaningful way in which we have to proceed. I have an open door policy. My door is so open at the moment on this issue that I feel there is no door at all. We are not going to put on a door and we will continue to engage on the issue to see if we get a clear picture of what our destination looks like. I am happy to do that.

Senator Higgins referred to the spirit, symbolism and substantiveness of the legislation. She spoke not just about arts but also about music. We can use many vehicles to work together on a cross-subject area rather than just in a silo manner. Senator Freeman mentioned that it was important to keep the momentum going and she also spoke about young people teaching our generation. It would be remiss of me if I did not point out that we can fall into dangers when we start to group and classify people. My generation, and older, has many tolerant people. There are many people who would not like to be labelled as not emphasising tolerance, respect or dignity just because they belong to a certain generation. I refer also to the track record of our education system. We could go back some 1,500 years to St. Columbanus, to whom an inscription is dedicated in Rome. It reads "If you take away liberty, you take away dignity". It is no different regarding people's freedom to be intrinsic members of a community and a lack of respect regarding their ethnicity. Once freedom has been taken away, so has dignity. We can also learn that from our past.

I thank Senators Ó Ríordáin and Noone for their comments regarding Artane primary school. I am deviating a little now. I give a big shout out to the community whose members were so warm and welcoming this morning. I also acknowledge the trauma. The daughter of a friend and neighbour of mine works in that school. I did not meet her when I was out there, but she messaged me to say she is absolutely devastated. She is a young teacher and all of her collection of books, materials and resources are now gone and she is devastated today. As Senator Ó Ríordáin pointed out, or perhaps it was Senator Noone, there were no tragic consequences

regarding what was lost in the fire. At the same time, however, it is a massive hurt. There was a new library in the school, which the community had put finance towards as well. I give my full commitment to helping everyone involved get back to where they want to be, which is in the classroom and learning.

Our own history was mentioned. One of the changes in the junior cycle history curriculum is that it will now look at local history. There is not one parish in Ireland that does not have some local historical connection to the Traveller community. I think back to my own house when a member of the Traveller community used to call around on a bicycle and visit us from time to time. That local history is very important in paving a way to breeding tolerance and instilling confidence that we are all part of one society, although ethnicity has to be respected.

I was recently in a school in Letterkenny where some 42 nationalities were represented. Senator Ó Ríordáin referred to other nationalities. When I was in that school, a young girl in fifth class stood up and made a really beautiful statement. She said, “We are an international community steeped in the tradition of Letterkenny”. It was one of the most beautiful explanations of where we have gone and evolved to as a society. Within that context, we have to be fully inclusive and I know that is Senator Kelleher’s end goal with this legislation.

I will conclude by referencing my own experience working with members of the Traveller community from 1997 right through to almost 1999. I remember working hard with young members of the Traveller community to try and develop a proper programme that would interest them. For some of them, that interest lay not in the homework club, not in climbing mountains, not in playing football nor in doing any of the creative arts. I stuck it out with them to find out exactly what it was they wanted. I will never forget the day when I brought them into the office and I asked them what they really wanted to do. The answer was that they wanted to go to my father’s farm. We did that on three occasions and that was something that those members of the Traveller community wanted to do.

We are trying to find a space that members of the Traveller community want themselves. Senator Kelleher has done her consultation regarding the amendments I proposed. I do have my reasons, however, for putting those amendments forward. I want to move forward, facilitate and make this legislation happen. I do not want to be in any sense accused of holding it up or anything like that. I really want to work together on this and I appreciate goodwill that exists, but I do have legal and valid reasons for doing what I am doing. Let us see what happens with these amendments, as I am pressing them.

Amendment put and declared carried.

Government amendment No. 2:

In page 3, to delete lines 10 to 12 and substitute the following:

“1. Section 9 of the Education Act 1998 is amended, in paragraph (f), by the insertion of “including a knowledge and understanding of the culture and history of the Traveller community (within the meaning of section 2 of the Equal Status Act 2000),” after “other cultural matters,”.”

Amendment agreed to.

Government amendment No. 3:

16 October 2019

In page 3, to delete lines 13 to 19.

Amendment agreed to.

Government amendment No. 4:

In page 3, to delete lines 20 and 21 and substitute the following:

“Short title and commencement

3. (1) This Act may be cited as the Traveller Culture and History in Education Act 2019.

(2) This Act shall come into operation on such day or days as the Minister may by order or orders appoint either generally or with reference to any particular purpose or provision and different days may be so appointed for different purposes or different provisions.”.

Amendment agreed to.

Acting Chairman (Senator Catherine Noone): Does Senator Kelleher want to make a brief contribution?

Senator Colette Kelleher: I do, but I will keep it brief. I am disappointed. I would have liked for us to be closer today, but I feel we have the basis for further conversation. We can do more work when this Bill goes to the Dáil. I thank Oein de Bhairdúin who guided me through this Bill and so much more. I also thank the members of the Traveller advisory group, which informed the audit, the Irish Traveller Movement and other NGOs, local and national. I thank everybody who shared their stories, some of which were painful at times, as well as all those who spoke at briefings. My eyes continue to be opened and my world broadened all of the time. I know I mangle my words sometimes, but they have also been expanded in their range. I appreciate what these people teach me. That is not their job, but I am learning.

I thank my own team of Ben Meany, listening in from Brussels, the recently arrived but fully fledged Hannah Twomey and, of course, Aengus Ó Maoláin for his wisdom and expertise. I also thank Mr. James Kane, the barrister who drafted the Bill, the Public Law Interest Alliance, PILA, and my colleagues, Senators Ruane, Higgins, Dolan and Black and former Senator, Grace O’Sullivan, who is now also in Brussels. I thank all of the other Senators for their support as well. I also thank the Minister, his advisors and his officials.

We are not talking about a great number of people, only some 40,000, which is half the crowd in Croke Park on all-Ireland day. The Traveller community is Ireland’s only ethnic minority. The ground to travel was taken from under them; local authorities handed back money for the accommodation they needed and were entitled to and heartless people turned away even when families and children burned. School is a cold place, ignorant of who they are, where they came from and come from, where their hours are reduced or they drop out because they are bullied, their spirit and identity not acknowledged and not cherished. Teachers do not know or teach their history even when the Department issues them with guidelines and 80% of these industrious people are unemployed in an economy with full employment, their average life expectancy being 61, the life expectancy of the general population in the 1940s, but now 75 for the rest of us. Their babies are three times more likely to die and most days what they hear are harsh words and hate words, with hotels cancelling funeral gatherings and weddings when

they know who they are. Travellers are to the front of the queue for cuts and not much else. Traveller men are seven times more likely to take their own lives than the general population and Traveller women six times more likely to do so. Many Travellers have lost six, seven and eight family members to suicide. They are resilient people who stay strong in the face of this adversity. We are told that education is the hope to break the cycle of racism, prejudice and discrimination, that through knowledge and learning by us all, we will know better and this means we can almost certainly do better.

Today, the Minister, Deputy McHugh, has the opportunity to reflect on what he has heard in this House and to, perhaps, change his mind. In championing the passage of the Traveller Culture and History in Education Bill 2018, he will join the ranks of courageous politicians like Deputy Enda Kenny for his historic recognition of Travellers as an ethnic minority; Donogh O'Malley for free second level education; Niamh Breathnach for free third level education; Máire Geoghegan-Quinn for decriminalising homosexuality; Deputy Micheál Martin for the smoking ban; Deputy Adams and the late Martin McGuinness for the Good Friday Agreement and the Minister for Health, Deputy Harris, for safe abortion care in Ireland.

I am a Taoiseach's nominee. The Taoiseach stated prejudice has no place in this republic. Will the Minister please champion the passage of this strong Traveller Culture and History in Education Bill into the Dáil and into law? In doing so, he will be making history and joining the ranks of politicians who break the mould and do the right thing.

Acting Chairman (Senator Catherine Noone): I thank Senator Kelleher for her heart-felt comments.

Deputy Joe McHugh: I thank my officials for their work on this Bill. Senator Kelleher asked if I would prioritise this Bill progressing to the Dáil. I am happy to facilitate that and to keep her and the Seanad informed of progress. History will truly be made when there is somebody from the Traveller community standing where I am standing today. Since the foundation of the State there has been 40 Ministers for education. History will be made when that portfolio is held by a member of the Traveller community. I thank the leadership across the grassroots spectrum working with Traveller communities down through the years, of whom there are a number in Donegal with whom I have worked closely in the past. I salute them for their work and efforts in this area. The journey is far from over.

Bill, as amended, received for final consideration and passed.

Sitting suspended at 2.25 p.m. and resumed at 3 p.m.

Sustainable Tourism: Statements

Acting Chairman (Senator Paudie Coffey): Group spokespersons have eight minutes and all other Senators have five. I invite the Minister of State at the Department of Transport, Tourism and Sport, Deputy Brendan Griffin, to open the debate.

Minister of State at the Department of Transport, Tourism and Sport (Deputy Brendan Griffin): I welcome the opportunity to address the Seanad on sustainable tourism. The importance of tourism cannot be overstated. It is one of the largest and fastest growing sectors in the global economy and makes a significant economic and social contribution to many coun-

tries, cities and regions. Tourism has become a vital industry that benefits every part of this country. Maintaining our recent success, while at the same time mitigating negative impacts on the environment, on our communities and on the long-term viability of the industry itself is the ultimate goal of sustainable tourism.

The tourism sector has experienced steady growth for the past eight years, culminating in overseas visitor expenditure of more than €5 billion in 2018. Overall, the sector was worth almost €9.4 billion to the economy in 2018 if domestic tourism receipts and the fare receipts of Irish air and sea carriers are included. Fáilte Ireland estimates that for every euro spent on tourism, domestic and overseas, 23 cent is generated in tax, thus highlighting the importance of tourism as a business sector for the economy.

Fáilte Ireland also estimates that tourism now supports the employment of in excess of 260,000 people in our economy - more than 11% of total employment. It is a significant employer and particularly important in those communities that rely heavily on tourism revenue and jobs.

As Senators may be aware, the tourism sector continued to perform at a high level in the first half of 2019, even though it had not maintained the growth levels of previous years. While this performance is a fantastic achievement by all involved in the sector, we must be open to change. We must be adaptive and resilient to maintain this progress. Both public bodies and private enterprises must continue to ensure that social, economic and environmental sustainability is central to our tourism offering to maximise the future competitiveness of Ireland as a visitor destination. It has never been more important to base the safeguarding and successful growth of the tourism sector on a sustainable and balanced approach. Environmental protection, economic competitiveness, community and visitor awareness and involvement all play a part in successfully achieving and benefiting from this approach.

Internationally, tourism is an expanding sector, with rapidly developing economies such as China and India driving global tourism growth. The rise of globalisation and technological advances in recent years have led to cheaper air fares and more accessibility, allowing people to make their own travel arrangements, with travellers increasingly sharing their own experiences through social media. Tourism is becoming one of the largest and fastest-growing sectors in the world economy. The World Travel and Tourism Council estimates that tourism generated more than 122 million jobs globally in 2018. At the same time, there is growing recognition that tourism growth must be sustainable. In 2015, the United Nations, UN, published 17 sustainable development goals that address the global challenges we face as part of the 2030 Agenda for Sustainable Development. The UN's sustainable development goals call on countries to develop and implement policies to promote sustainable tourism that creates jobs and promotes local culture and products.

Ireland's national implementation plan sets out how the State intends to implement these goals through the development of actions and targets around each goal. It is incumbent on all Government agencies and Departments to ensure these actions and targets are adhered to and that each sector contributes to Ireland's realisation of the goals. The Government's tourism policy statement, *People, Place and Policy: Growing Tourism to 2025*, commits to placing tourism as a key element in its economic strategy, with development in the tourism sector reflecting the highest standards of environmental and economic sustainability. This policy is implemented by way of a series of tourism action plans, which are developed and monitored by the tourism leadership group appointed by the Government. In December 2018, along with the Minister,

Deputy Ross, I launched a tourism action plan for 2019 to 2021 that identifies the key actions to be progressed during this period to maintain sustainable growth in overseas tourism revenue and employment.

One of the first actions identified in the new action plan provided for the establishment of a working group to review international policy and best practice in sustainable tourism and propose guiding principles for sustainable tourism development in Ireland. This working group is chaired by my Department and includes representatives from the industry and the tourism agencies. Its work will be informed by the overarching policy and strategy identified in the Government's framework for sustainable development for Ireland, *Our Sustainable Future*, and the Sustainable Development Goals National Implementation Plan 2018-2020. The work of the sustainable tourism working group help us to achieve the tourism-related targets in the sustainable development goals.

As tourism continues to expand and diversify, it is important to assess and recalibrate our long-term targets to ensure they remain robust in terms of the ever-changing tourism environment. In 2018, following several years of strong growth in the sector, the Government's tourism targets were reached ahead of schedule. In July this year, the Minister and I agreed to adopt revised tourism targets out to 2025. These targets have an increased focus on revenue generated by overseas visitors ahead of overseas visitor numbers to support a more sustainable approach.

Part of the answer in respect of making tourism socially and economically sustainable is to ensure a greater spread of tourists and, in addition, increase the proportion of tourists who visit outside the peak season. This will also help us to grow without putting further pressure on existing hotspots. The Department is committed to strong regional dispersal in tourism, through the tourism agencies, Fáilte Ireland and Tourism Ireland. In line with the Tourism Action Plan 2019-2021, the agencies are focusing on initiatives to improve regional and seasonal performance.

As provided for in the tourism action plan, and as a result of the increased funding we have provided to the agency this year, Tourism Ireland has delivered a new global brand campaign, its first in seven years, in more than 20 key markets around the globe. This campaign, "Fill your heart with Ireland", has been designed to drive continued growth to the regions and to encourage visitors to travel all year round through the promotion of less-visited attractions and locations around the country. In addition, Tourism Ireland will increase funding for the regional co-operative marketing scheme next year, which supports direct access to regional airports and seaports by overseas visitors.

Fáilte Ireland has also developed initiatives in line with this policy. For example, this autumn, its new food event, Taste the Island, is promoting the island of Ireland's extensive catalogue of food and drink experiences to domestic and international visitors. It also recently launched its Platforms for Growth capital investment scheme, which will drive growth in the regions. Major new visitor attractions of scale will be developed and existing attractions greatly enhanced under the €150 million programme, which falls under the Government's Project Ireland 2040 strategy.

Over the summer, I launched Tourism Ireland's GB Market Review and Strategy for Growth, which was drawn up in collaboration with Fáilte Ireland, Tourism Northern Ireland and the industry. Britain remains one of our most important markets and British visitors are pivotal to achieving our regional growth and season extension objectives. One of the key priorities of

this strategy is creating hub experiences with compelling reasons to venture beyond our main attractions.

When we launched the strategy for the future development of national and regional greenways last year, the Department of Transport, Tourism and Sport demonstrated just one of the many ways we are dedicated to the development of sustainable tourism in this country. Sustainability is one of the key components of a greenway built under this new strategy. In June, the Minister, Deputy Ross, and I announced €40 million of funding for ten new projects in nine counties around the country to be constructed between 2019 and 2021. These projects will mark the beginning of a wider network of greenways to be built across this island under the greenways strategy. We are dedicated to growing greenways and, alongside Fáilte Ireland, activity tourism as a whole in this country over the coming years. Not only is it a great form of sustainable tourism, but it will have a positive effect on the economy of this country and the health of its people. It will also help spread tourism into areas that are not currently benefiting from tourism as much as they could and deserve. A total of €23.5 million has been made available for greenways in 2020, which includes an additional €4.5 million from the carbon tax fund. This is a 75% increase over expenditure in 2019.

Remaining competitive is a key part of economic sustainability for tourism. There are a large number of factors that determine competitiveness but for the visitor it comes down to value for money. If we do not provide value for money we will suffer reputational damage and this will impact on our ability to be successful. Capacity plays a part in determining our competitiveness, particularly in terms of accommodation. Accommodation costs have been an area of concern in recent years. Increased demand led to increased room rates, particularly in the main tourist destinations and especially Dublin, as supply did not expand at the same pace. However, a number of new hotels have opened over the past year and there are a number of other projects in various stages of development. This increase in supply should help to address concerns that our accommodation prices are becoming uncompetitive. Of course, accommodation providers also have a very important role in this.

I am conscious there are other costs that can impact the sector. We have heard much discussion of insurance costs in recent times. This is a matter of concern across our economy, not just for tourism, and it does impact on tourism enterprises. As Members know, there are many aspects to this problem but it is one on which the Government is committed to making progress.

Budget 2020 is another positive step towards ensuring the development of sustainable tourism in Ireland and that growth in the area continues. The funding in budget 2020 will allow the tourism agencies to develop new campaigns, growth strategies, and high-quality sustainably-managed visitor experiences, all with an emphasis on regional growth and season extension as provided for in the Tourism Action Plan 2019-2021. Furthermore, extra resources are being provided to support the industry at the end of this year, primarily to support accelerated tourism marketing initiatives aimed at mitigating the impacts of Brexit.

There is a growing consumer demand for sustainable products and destinations. Sustainability practices are becoming the new normal and I believe Ireland is ready to embrace them. I am very keen to hear the views of Senators on this topic. I thank the House for its time.

Senator Mark Daly: I welcome the Minister of State to the House. The tourism sector is important to our county of Kerry. The Minister of State spoke about a number of issues regarding the sustainability of the tourism industry. One of the key factors is the issue of the supply of

qualified staff. As the Minister of State is well aware, the lack of chefs in the restaurant industry is a key concern. People in my town, in Killarney and throughout Kerry and Dublin must try to get staff from abroad, as far away as Bulgaria and Romania, for the summer season because there simply is not the necessary level of trained staff. This is the case not only with chefs but also in other areas of management and throughout the entire tourism industry. If we are speaking about sustainability from an environmental point of view, we must also look at the fact that we simply do not have enough people to keep the sector going at full capacity.

The Minister of State touched on the fact that other issues affect competitiveness but insurance is affecting the entire sector because it increases costs. There is also the issue of rates. These affect the sustainability of businesses. An initiative introduced during the downturn and supported by the Government is Ireland Reaching Out, a project to bring tourists to lesser known tourist destinations and to every town and village in the country. It is based on the idea of connecting with the diaspora, whereby communities and parishes look at who has left and where they have gone and invites them back. The culmination of this was in The Gathering in 2012 and 2013. People who had attended schools, been members of clubs, involved in organisations and all sorts of community groups in towns and villages got involved and people were invited back. Ireland Reaching Out, which is based in Loughrea, has suffered from a lack of funding and support from the Government. Everywhere from Roscommon to Kildare and places that do not get tourists *per se* are able to invite people who had left from among the 40 million people in the US and the 75 million around the world. They could find out where they had gone and bring them back. Not only would they come back but future generations would also return once the connection was made. It brings people to the community. It is something that would bring sustainable tourism because it would involve regions that do not normally get tourists and future generations would also come. It should be part of the regional policy.

Many of the initiatives put in place during the downturn, when we needed more tourism and engagement, have been abandoned by the Government. This includes something done here once by Jimmy Deenihan when he was Minister of State with responsibility for the diaspora. Legislators who had Irish heritage were invited here. It was a unique form of tourism I must admit. It was not for tourism, it was because once we engage with people and bring them back we are then able to ask them for support and help in future. That initiative was abandoned. Ireland Reaching Out is something with which every parish can get involved in the same way as parishes have success in Tidy Towns. When parishes are supported and empowered it means the entire community benefits. Ireland Reaching Out was not mentioned in the Minister of State's speech. It is something that will bring sustainable tourism and not just in areas such as Kerry, Cork, Clare and the more well-known tourist destinations. It would be of benefit to all of them. We talk about the fact that cheaper air fares are a benefit for tourism but they also mean we do not have sustainable environmental policies. Transportation was kept out of the Paris accord. The fact is that we are allowing so much in terms of transportation that is cheap but it is also impacting on our environment. That is key to sustainable environmental policy. We want more tourists to come in via cheap air fares but, at the same time, we are affecting the environment we wish to protect.

The Minister of State has outlined many of the issues and there are many action plans but I refer to the more practical issues. One matter that comes under sustainable tourism and on which I know the Minister of State receives representations in respect of Killarney and other places is rates. Killarney previously was under the town council but is now being affected by the difference in rates between the old town council and the county council. It is affecting the

sustainability and viability of tourism. I would be grateful if the Minister of State would address those issues and if his Department would review Ireland Reaching Out, which was a great initiative. For approximately €6 million in the long term, every parish on the model of the Tidy Towns would be able to benefit from tourism whereas they would not with this plan.

Senator Maura Hopkins: I welcome the Minister of State and thank him for his work on tourism both domestically and internationally as an ambassador for the country. It is timely that these statements are being taken. Within my own region, significant work is being done on development of the Ireland's Hidden Heartlands brand, which is being led by Fáilte Ireland. We hope that it will have a significant impact on ensuring that we have sustainable tourism offering that will rival the Wild Atlantic Way and Ireland's Ancient East. As Senator Mark Daly mentioned, areas such as Roscommon and east Galway have often been overlooked in respect of tourism. We are not willing to tolerate this any more because we have great untapped potential with much to offer. Tourism can have a significant impact as a major economic driver for the region. The Minister of State will be aware of the National Famine Museum at Strokestown Park, which he will visit shortly. He will be aware of the Rathcroghan heritage site in Tulsk, Clonalis House in Castlerea, the Battle of Aughrim site in east Galway and the Arigna mines in north Roscommon. They are just a sample of the tourism attractions in our region. We strongly believe they are untapped and there is a lot of potential to expand. They are not just of national importance but also of international importance.

As we approach Halloween, I refer to the Púca festival, which was launched last year in the ancient east. I would argue strongly that the roots of modern day Hallowe'en can be traced back to the Rathcroghan site in Tulsk. We would look for the Minister of State's support for recognition of this role. One of the 240 archaeological sites that comprise the Rathcroghan landscape is a place that our ancestors believed to be one of the chief entrances to the underworld, accessible at a certain point in the year, which was Samhain. It is from there that Halloween was developed. We strongly believe that there is significant history and heritage in this area. That is just another example.

The Beara-Breifne way is a walking and cycle route between the Beara Peninsula in County Cork and Blacklion in County Cavan. It is based on the route of O'Sullivan Beare in 1603. This is a project in which I have invested a lot of time, as much of the route travels through east Galway and Roscommon. The Minister for Community and Rural Affairs, Deputy Ring, allocated almost €1 million to the development of this route a year and a half ago. Locally, it is important because it will link the Suck Valley Way, the Lung Valley Way, the Miners' Way and the Hymany Way in east Galway. In his opening contribution, the Minister of State referred a lot to how being active in nature is important for the delivery of sustainable tourism. That is one of the key pillars within the Hidden Heartlands and what the Beara walk strives to offer by way of active tourism and ensuring that there is access to coastlines, bogs, woodlands, picturesque villages and very much the best of what Ireland has to offer. I have attended a number of workshops at which Fáilte Ireland has been supportive in terms of the Beara-Breifne way but I ask for a continued focus on its development and ensuring that it can reach its full potential.

I have been working hard, as the Minister of State will be aware, towards the development of the Dublin to Galway greenway. There has been progress in that Westmeath County Council has become the lead council for delivery of this. A public office is to be secured in Ballinasloe along with the appointment of consultants for this project in the coming weeks. The forthcoming code of best practice is essential to the development of this new greenway. It is important that we engage with all stakeholders and, as I have said to the Minister of State and officials in

Westmeath County Council, this must, and can, be done without the need for compulsory purchase orders, CPOs. There is great concern among the farming community regarding the potential use of CPOs. It is very much about engaging with farmers and communities to achieve a route that meets the needs of all involved. We all know about the great successes of the Mayo and Waterford greenways. The Dublin-Galway greenway has the potential to reach even greater heights because it will be part of the EuroVelo pan-European route and will allow for major international attraction. As the Minister of State rightly said, it is a form of sustainable tourism, which is what we need to encourage and work towards.

I thank him for his work. I am looking for him to take the points I have made with regard to the untapped potential in our region, the need for a sustained, constant focus on development of the Hidden Heartlands brand and ensuring that the Beara-Breifne way is properly supported in terms of promotion and marketing along with the Dublin-Galway greenway being developed in a way that meets the needs of all stakeholders and works with farmers to ensure the best outcome is achieved without any need for CPOs to be used.

Senator Paul Gavan: It is nice to see the Minister of State. If we are discussing sustainable tourism, it is fair to say that people must be able to make a living in the industry. It is disappointing that, in a very good and varied speech of 2,000-odd words, he made no reference to the terms and conditions in the sector, yet we know from CSO data that people working in the tourism industry, and the hospitality sector in particular, are three times as likely to work on the national minimum wage as an average worker. This is the minimum wage that the Government froze in last week's budget.

I am familiar with the sector, as I worked as a trade union official for the best part of ten years trying to help workers in it. I am afraid that conditions have not improved. I wish to focus on this issue. Enough Members will discuss the other issues and, therefore, I will focus on those working in the industry, the poor rates of pay and the poor working conditions. New research that has been published emerged at a joint committee hearing last week, although the Minister of State may not have had an opportunity to read it. Dr. Deirdre Curran of NUI Galway conducted research in which she found shocking levels of bullying, harassment, intimidation and assault. They are commonplace in the hospitality sector. Some 76% of workers in the sector reported verbal abuse by managers; the level of physical abuse is just 15%. Let us consider that one in ten workers in the hospitality sector is suffering abuse. Some 88% said they earned at least the minimum wage but many complained that they were not fully paid for the hours and overtime they worked. Some 52% did not get their break entitlements. Almost one in five, 16%, said they received no regular wage slips or that when they did, they lacked important details. A total of 43% did not receive a written statement setting out their terms of employment when they commenced the job.

I refer to some quotes from people in the industry contained in the survey, as they put the matter in context. Some were quite direct but it is important to put them on the record of the House. One said:

There is no respect in the industry. It is a dog-eat-dog environment. You will be kicked out the door faster than you walked in with no pay, holidays etc.

Another said the general manager was a complete tyrant who regularly physically and verbally abused his staff. An example was when this person could not find a water jug, the boss grabbed them by the arm and forcefully dragged them across the kitchen, yelling that if they

pulled their head out of their arse and actually looked for one, they would find it. According to another:

I myself was very badly bullied in my workplace ... I was ignored, not given rest breaks, but worst of all his wife would come in with little notes of things she had seen or heard happening, accuse us of them, and make us sign off on the answers we gave ... All this from a guy who would not allow me to go home the day my partner had a miscarriage as 'he had nobody to cover me'.

Let me stress that these are not isolated examples. This is empirical research from NUI Galway. It has been taken so seriously that the Low Pay Commission has asked Dr. Curran to meet its members this week. Anyone familiar with it knows the reality of the sector. I could not put it better than Patricia King of the Irish Congress of Trade Unions when she said earlier this year that the policy of employers in these industries is to work people as hard as they can for as little as they can.

I ask the Minister of State how we can have a sustainable tourism sector when this is happening. Surely people who work for a living should be entitled to earn a living. At the heart of this, which I raised this on this morning's Order of Business, is the fact that the two major employer bodies in the sector - the Irish Hotels Federation, IHF, and the Restaurants Association of Ireland, RAI - refuse to engage with the joint labour committees, JLCs, that were set up to try to establish a floor of decency for everyone in the sector. They take pride in saying they will have nothing to do with JLCs or having to speak to trade unions. I put it to the Minister that in 2019 that is not acceptable. I would like him to be very clear in agreeing with me in his response that it is not acceptable for hotel and restaurant bosses to ignore the industrial relations machinery of the State was set up by the previous coalition. I give credit to the Labour Party for getting that done.

Only last week an IHF representative appeared before an Oireachtas committee and took pride in saying that a service charge has nothing to do with the employees who provide the service, that it is the business of the bosses of the restaurants and hotels what they do with that charge and that it should not go to the workers unless that is what the bosses decide. That comment has gone viral on Facebook. We could have a sustainable tourism industry if we put a decent floor on conditions and pay. It has happened in the contract cleaning and security sectors where there are agreements between employers and unions. Those industries have not fallen to pieces and, instead, have gone from strength to strength. People are better paid and have better conditions. However, there is no way hotel or restaurant bosses will agree to anything similar. The nub of the issue is all we have from the Minister of State or the Government is silence. They should say to them that if they want more money from the Government and supports for Brexit, they should talk to their workers and the trade unions and use the industrial relations machinery of the State to establish a floor of decency for everyone in the sector. My colleague from Kerry mentioned chefs. I know what the problem with chefs is because officials from the Department of Jobs, Enterprise and Innovation told the same committee that the bosses will not pay decent wages and, therefore, the chefs have voted with their feet and are going to other countries where they will be paid a decent wage.

There was a significant omission in the Minister of State's speech. He should have mentioned the rights of the workers in the industry. There are 180,000 workers in the industry, most of whom are on the minimum wage with many on precarious work contracts. The Minister of State has the power to do something about it. It will not be easy. He will find resistance from

the employer bodies but he could send a signal today by condemning them unequivocally for refusing to engage with the JLC process and by calling on them to do so. He could also send a message that if they do not engage, they cannot expect unbridled support from this Government. There will be enough Members speaking on behalf of the bosses and what they need. Sinn Féin will stand up for the workers.

Senator Anthony Lawlor: I also welcome the Minister of State. He is a credit to his Department. I have been in embassies around the world where he has spoken, and officials speak highly of his knowledge of the industry and his enthusiasm for ensuring it becomes sustainable. Sustainability is about how we progress the industry into the future. We cannot always benefit from events that took place in the past. The Wild Atlantic Way was a Fine Gael initiative, which has been successful and other initiatives have flown from it. We speak of sustainability, but this has given communities access to tourists who would never have called otherwise, as they had always been bypassed. Tourists now go there regularly. One problem in Kildare is that we have two of the best motorways in the country, the M7 and M4. Everyone who stays in Dublin then rushes through Kildare. Over the years we have found people and buses passing through the county to be a problem. In fairness to the sector in Kildare, the people concerned have worked extremely hard to gather some of the tourism money that has been coming into the country regularly. I acknowledge the amount of work that has been done in the racing sector in Kildare and what the industry has done across the world in bringing people to Punchestown, Naas or the recently redeveloped Curragh. I also recognise that the food sector in Kildare has dramatically improved. There have been a number of events. I recently attended the Naas Wild Food Festival, which started some years ago as a small local initiative and which has now become more national. I am grateful for the funding provided by Tourism Ireland and the food section within Tourism Ireland in that regard. It recognises that Ireland has quality produce.

I acknowledge also the structures that have been put in place in the various Irish embassies around the world. Tourism Ireland is associated with many of these embassies and I met some of the personnel in my travels. It was great to see the enthusiasm about bringing people into Ireland. We must not forget that the Irish person who goes from Kildare to Kerry or from Kildare to Galway also is a tourist. This is an important sector. I welcome that there are more hotels offering more over 55s packages. Those people involved in active retirement groups are making their presence felt in many of these hotels, bed and breakfast accommodations and guest houses around the country. This is happening during times of the year when there may not be the normal influx of tourists coming through.

I wish to discuss with the Minister the constrictions within the sector. Senator Mark Daly has already spoken on one of the issues, which is the difficulty of getting staff. While some people might say it is on the pay side of things, the growing economy can make it more difficult to get Irish people to work in the sector because they see other avenues open to them. I am grateful to be able to say there are more young people actively getting involved in the tourism sector. The catering college in Shannon is always oversubscribed and it brings forward high-quality staff. There is, however, an issue with regard to work permits and especially the difficulty for people outside the EU in getting work permits. I refer in particular to a certain area in the culinary sector, namely, wok chefs. There are no courses available in Ireland to train up wok chefs. These are specialist chefs who come in from eastern Asia and such places. The Department of Business, Enterprise and Innovation has a difficulty in giving work permits to these people. Perhaps the Minister of State, Deputy Griffin, could communicate the problems associated with that.

16 October 2019

I now turn to the greenways, the development of which is one of the greatest initiatives to have come from Fine Gael over the years.

Senator Mark Daly: Fine Gael did not invent greenways.

Senator Anthony Lawlor: I know the Acting Chairman has one down in Waterford-----

Senator Mark Daly: Steady on.

Senator Anthony Lawlor: I am aware that there is a greenway in Waterford-----

Acting Chairman (Senator Paudie Coffey): We have, yes.

Senator Anthony Lawlor: The Acting Chairman may give me the chance to say that I welcome the funding that it has had. If there is a possibility-----

Acting Chairman (Senator Paudie Coffey): The Senator, without interruption. I will ask Senator Lawlor to conclude now as he is over time.

Senator Anthony Lawlor: Is there a possibility that-----

Senator Joe O'Reilly: It is important that Senator Mark Daly gets this information.

Acting Chairman (Senator Paudie Coffey): Please stop interrupting your colleague.

Senator Anthony Lawlor: Is there a possibility that we could speed up the implementation of these greenways? There are two going through Kildare, which are superb. This links up with the Dublin to Galway greenway, as Senator Hopkins referred to, along the Royal and Grand canals, which are two great assets. The quicker the greenways are done the better. Both the Grand Canal and the Royal Canal pass through Kildare. The Royal Canal greenway has been developed but the Grand Canal needs the new work, and especially for the spurs off it. This can bring tourists in off the main route and into the small villages off to the side. This is similar to how the Wild Atlantic Way has brought tourists into the small communities that may not otherwise be seen.

Senator Kevin Humphreys: The Minister of State is very welcome to the House. Tourism is a very important industry for Ireland and has been so for many years. As the Minister of State has said, it is worth €9.4 billion. Unfortunately, if my children came to me today and asked me if they should make a career in the hospitality sector I would advise them against it. It has poor pay, poor conditions, poor career prospects and poor hours. If a person trains in Ireland he or she will, more than likely, go abroad because they would be treated badly here.

I am concerned at the trend, which I have heard over and over again, that everything would be fine if we gave work permits to encourage people from abroad. On many occasions I have come across foreign workers in Ireland who have been treated exploitatively and extremely badly. Unfortunately, our work permit system becomes indentured service because it ties the worker to a particular employer. The person becomes exploited, and if he or she does not do what the employer says, then the worker can be told to go home. That is no way to treat anybody.

I compliment Senator Gavan on the work he has done regarding exploitation in service charges and tips. The issue needed to be sounded very clearly. I want to see a sustainable tourism industry but I want to see the people working in that industry treated well, with respect and

with proper career prospects and advancement throughout their career in order that they can buy their own homes and raise a family and not be exploited. Unfortunately, many of them are. I do not deny there are good employers out there but there are many bad employers who exploit people and not just through low pay and poor conditions. It can also happen through bullying and it can be a very badly treated workforce. It is no wonder - as Senator Mark Daly pointed out - that we cannot get Irish people to work in that industry. They are talking with their feet and simply will not go near it.

This problem also applies to Killarney and Kenmare. I have spoken with people in both towns who said they used to enjoy working in the tourism sector. They told me they would have worked seven, eight or nine months of the year and then have a period off later, or possibly they were laid off. They worked very hard for those months however, during which they received a reasonably good salary. They were able to buy their own homes and provide for their families. They are not able to do that any longer. Something has gone wrong with the industry when this has happened and when our own cannot see prospects of a decent living in that sector. As legislators, we have a responsibility to ensure people in a workforce have proper standards and quality. This is one area we need to look at.

The theme is sustainability and we have the Wild Atlantic Way, Ireland's Ancient East and Ireland's Hidden Heartlands. They are all important. The greenway in the Acting Chairman's own county of Waterford has been extremely successful but now we have to look at sustainability. There is a change in mindset and we have to get in front of the ball in relation to the change with regard to climate change. We have to provide a product that is friendly to the environment also. While greenways can serve that purpose, we must also look at how people get to Ireland. Senator Mark Daly was quite right when he referred to cheap air fares and the impact aviation has on our climate. We need to base this on fact and on how we can make a sustainable tourism industry. We have to look at the impact the aviation industry has on transporting tourists into the country.

We are now looking at the tourism market in China, India and such areas but we must ask whether it is truly sustainable to have those types of air miles arriving here. Are we best utilising our ports? We are quickly coming down to having just one port in the State, which is Dublin. Is that sustainable? Do we need to look at other areas? The connection between Spain and Cork with Santander ferries, for example, has been quite positive. This gives another access route into Ireland but we have to look at this in the context of climate change. I have been thinking about this for quite a while. When people come on holidays, they are not under the same time pressures such as during their usual daily lives. One does not have range anxiety with regard to electric vehicles. Should we be looking at our major tourist resort areas such as Killarney, the Cliffs of Moher, the Wild Atlantic Way, and Ireland's Ancient East, to have the best infrastructure for electric vehicles, EVs? We could then say to tourists when they arrive that they could lower their carbon footprint by travelling around the country in such cars. This could be a definite plan and we could have a marketing strategy for lowering one's carbon footprint. This has to be examined. On aviation, it is better to fly at night rather than during daytime. We need to do that audit, to be able to say to come to Ireland and this is how people can lower their carbon footprint in respect of the package that they receive in Ireland. The day is coming when people will make a decision on where they go on their annual holidays or on a break away for a weekend by reference to their carbon footprint. Ireland could develop a unique package for Europeans who could come to a country that has developed its greenways, and proper EV infrastructure could be a positive element of this.

I agree with many Members that we have to spread the product around the country, given many tourists stay in Dublin only. We have to examine what is happening in Venice, for example, and look into areas such as taxation and charging for packages. There is a demand for the services that a city provides to a tourist. The option of a tourism tax must be considered, which might be a bed tax. This would make it more expensive to stay in Dublin and would encourage people out of the cities to see what is happening in Kildare, the midlands, and Roscommon. We must look at this in practical terms and give the local authorities in different regions the option of taxation and of a bed tax. That money could be used to enhance the product itself or to pay for the services that those visitors need from the local authorities.

We have major challenges in the next decade to ensure a sustainable tourism sector. It can only be sustained by looking towards climate change and how we treat the staff that working in that sector, which is challenging. In many ways I am quite envious of the Minister of State's position. I see so many ways that he can have a positive impact on how Ireland is presented abroad, and how a tourism package can be presented to travellers. This can also be used to spread investment throughout the country.

The Labour Party and I were in government when the Wild Atlantic Way was developed. The previous Senator may not remember that. That was done for very little money. Senator Coffey, and the Minister for Rural and Community Development, Deputy Ring, had roles in rebranding. This was done with a tiny investment, compared to the returns made, which was mentioned at the time by the media. It was done right and proper and people living on that route have reaped the dividend of good imaginative thinking.

Senator Joe O'Reilly: I welcome the Minister of State and acknowledge his flair, commitment and great dedication to the job, and, indeed, his work in Kerry to keep sustainable communities going, and through that to keep the tourism product going in his own area.

I will start with a number of important local issues. I draw his attention to the refurbishment that is proceeding on Bailieborough courthouse as an important tourism exercise. Last night, we had the Minister of State, Deputy Daly, down in the newly-refurbished part of the hall. Bailieborough Development Association wants to develop the Bridewell, a former prison in the town, into an excellent venue to promote tourism in the area, which will form the start point of a town heritage trail. We envisage linking with other towns to provide an all-day tourism experience, starting in Bailieborough courthouse and the Bridewell and taking the heritage trail around the historically significant castle lake, moving on to Virginia to visit the Ramor lake and the Deerpark Forest and finishing in Ballyjamesduff Museum. That could help to achieve the Minister of State's regionalisation goals. An application to the rural regeneration fund has been made to the Minister for Rural and Community Development and I seek the Minister of State's support for this project.

The Minister of State has visited another project in my region - the Boyne Valley to Lakelands County greenway. This is a project of great importance and there are further applications with the Minister for Rural and Community Development. I also appeal to Minister of State for his support for this project.

Recently, Virginia International Logistics, the coal transport company in Virginia, converted a fleet of its lorries to the use of compressed natural gas, CNG, and has used them on the Continent. Tour bus operators should be encouraged and supported in practical ways to move to the use of CNGs, which is environmentally friendly and supports sustainable tourism.

Trails and heritage tourism are also important in this regard. There are important figures in every county. In Cavan, we have Bishop Bedell, a Church of Ireland bishop, who translated the Bible into the Irish language, which the Minister of State, as a particularly scholarly individual himself, will be aware of. There is potential to develop a heritage weekend around the bishop. Similarly, Arthur Griffith represented east Cavan, and this presents possibilities. That is the way to regionalise tourism. These projects have capacity which I would commend to the Minister of State.

He pointed out that there was a visitor spend of €5 billion in 2018 and that the entire tourism sector was worth €9.4 billion to the economy. The sector provides 260,000 jobs, and 11% of total employment. It is an extraordinarily important business for us, which needs continued support and needs to be sustainable. Regionalising tourism is of great importance.

4 o'clock I come from a Border county, which has had the threat of a hard Brexit looming over it for some time. Thankfully, that may pass. Even a soft Brexit will challenge the economy in the area with currency fluctuations having implications for visitors from the UK. I appeal to the Minister of State to do everything he can to regionalise and support tourism along the Border in counties Cavan and Monaghan, and the great potential we have. Visitors tend, in the main, to go to Dublin, the south west, and the north west and Donegal. It is important to get them inland to the Cavan and Monaghan area. Cavan is the lakeland county and has tremendous angling and amenities to recommend it from a tourism point of view, including nature trails, heritage centres, and cycling facilities. It has great potential.

I appeal to the Minister of State to take particular initiatives to help the area and to get tourism into the regions.

To start, the Minister of State could support the Bridewell project in Bailieborough and the Boyne Valley to Lakelands County greenway. They would be two very practical starts, but there are many more things that could be done. I hope they will be done. I am anxious that we get people into the regions and that we sustain the communities in those areas. Even in the face of a soft Brexit we will need support and tourism is one real way to do it.

Senator Paudie Coffey: I welcome the Minister of State, Deputy Griffin, to the House for what is a very important debate on sustainability and tourism. I acknowledge the work he is doing to promote tourism across the four provinces of Ireland. That is very important. This is a debate on sustainability and I wish to focus on it. I listened earlier to some of the contributions on the staff that work in the tourism sector. It is important that we acknowledge those people who have put in such a great effort and that they have sustainable careers in tourism. I acknowledge the work of the colleges of education that train staff to give the unique experience visitors to Ireland get when they come on holiday.

I have some concerns about the unique selling points. I do not believe that every region should copy and seek to emulate the successful ones. The Minister of State comes from Kerry so he is well aware of the traditionally strong tourism areas in Killarney, Galway, Blarney and Donegal. Recent improvements are evident following the investment by Fine Gael-led Governments in the Wild Atlantic Way, the Waterford greenway, and the Viking Triangle, which is in my area as well. They all add value to the tourism offering. I acknowledge the additional funding for greenways, but I do not think regions should copy existing successes in other regions. I heard Senator Hopkins speak earlier about the Ireland's Hidden Heartlands. I was in Leitrim recently and I was amazed at the beauty of the Shannon area and what it has to offer. It is different to what Waterford has to offer as a coastal county. We have mountains, a greenway

and the coast. The Hidden Heartlands have unique selling points in terms of the Shannon and beautiful walks and countryside. Regions need to focus on their natural assets and strengths and sell them. They can be linked to existing success stories. It is important that we would acknowledge that.

I spoke about the natural assets this country has and the historically strong areas. I come from Waterford and we often looked at people arriving on the ferry in Rosslare who drove straight to Blarney and Kerry and passed us by. Now, they stop in places such as Kilmacthomas and in Waterford city to see the Viking Triangle and in the beautiful harbour town of Dungarvan. They experience the greenway, the Comeragh Mountains and coastal towns such as Ardmore, Tramore and other such places. We must build on the existing successes and grow more.

The greenway has been a major success. It was a collaboration between communities, councils and funding from the Department as well. The main motivation came from communities and they were supported by their local representatives. The Suir Valley railway runs alongside the Waterford greenway. The Mount Congreve estate is also alongside the greenway. All of those amenities and tourist attractions are benefitting. It is not just one attraction that brings people to an area; it is a multiplicity of attractions and then people can be referred to other areas in the country.

The Minister of State spoke about activity holidays, which is a growth area. My colleague, Senator O'Reilly, referred to his area of Cavan-Monaghan. We should take an all-Ireland approach to tourism. That includes the North of Ireland. We can build alliances and collaborations with our colleagues in the North. I visited Castlewellan in County Down recently. I also visited Newcastle, which nestles under the Mourne Mountains. It is a beautiful area. I visited a mountain bike park in Castlewellan. We can learn from how people do it in other areas. There is a beautiful facility in Castlewellan that a lot of people from the South and the UK visit. We should develop such facilities in the South as well. We have one in Ballyhoura on the border between Tipperary and Limerick, but we need more activity holiday facilities right around the country that will attract people into rural areas. Cycling, hiking and walking and also cultural and heritage experiences will promote and develop rural enterprise, jobs and economic activity. People do not want fake holidays anymore. They look for history and heritage. That is the reason Waterford city is doing well with its Viking Triangle. There are three museums in one area that look at different periods of history. It is a very attractive proposition for visitors to Ireland.

In west Waterford the St. Declan's way is being developed. It is a pilgrimage trail of 100 km, all the way from Ardmore in County Waterford where St. Declan was based, up to Cashel in County Tipperary. We have the Blackwater Valley, which includes Lismore. Canoeing and kayaking take place on the River Blackwater, which extends from west Waterford into Cappoquin, Tourin and Villierstown. Those are beautiful natural assets that we must promote in the international community.

Before I conclude I wish to refer to the opportunities with cruise liners. We all know that Dublin Port is coming under serious pressure in terms of capacity. There are opportunities for places such as Waterford and Dunmore East - I am sure the Leader will agree with my suggestion of Cork Harbour as well. There is great capacity to bring more cruise liners into the regions rather than having all of the pressure coming on Dublin. We must plan ahead and provide resources to allow that to happen, as it will bring welcome investment.

My final point relates to sustainability. We need competitive prices in this country to make

it attractive for tourists to continue to come here. We need access points through our ports and airports. I welcome the recent announcement of investment for Waterford Regional Airport. It is important that we have access points right across the country, especially given the challenge of Brexit, so that tourists can visit. I am concerned about the competitiveness of hotel prices in Dublin. Something needs to happen in that regard. I accept more beds are coming on-stream as new hotels are opening but it is becoming uncompetitive for people to stay overnight in Dublin. The hotel industry must listen to that warning. The alarm bells are ringing. We do welcome tourists to the rest of Ireland and to the regions. I wish the Minister of State, Deputy Griffin, well in his work. I welcome the debate. We have made significant progress. We can grow on the €9.4 billion worth of tourism investment by advancing the many projects mentioned here today.

Senator Jerry Buttimer: I thank the Minister of State, Deputy Griffin, for coming to the House and commend him on his stewardship of the Department in the areas of tourism and sport. His speech was a very realistic one. Notwithstanding the growth in tourism and the record numbers we have seen, the high spend and the tourism action plan, which has been put in place, it is a challenging time for the tourism sector. I am fortunate that the people I meet in Cork from the Irish Hotels Federation and the tourism bodies, such as Aaron Mansworth, Neil Grant and Diarmuid Vaughan, given an honest appraisal of where they are at. It is a mixed bag at one level. It is challenging.

The Minister of State spoke about capacity. Demand is an issue. We are fortunate in Cork that the airport is on an upward trajectory. That is positive. One of my concerns about Cork Airport is that the traffic is predominantly outbound. We must examine the aviation policy of the State in terms of the capacity and usage of Dublin Airport. I hope the Department, or the Dublin Airport Authority, could convene a summit on aviation policy. I might be in a minority of one or two, but I believe there is a need to look at connectivity between Dublin and Cork. We are fortunate that Cork has connectivity to Europe but there is no longer connectivity to North America following the loss of the Norwegian Air 737 service. The issue relates to the sale of seats and we must examine it.

As has been mentioned, the convention centre is an important issue in Cork. I commend the Government on its stewardship in terms of the allocation of funding. I praise the tenacity of An Tánaiste in the face of much local criticism and commentary about the events centre. The Government has stood firm and, to be fair to the Tánaiste, he has made this a political priority. I believe the investment in the events centre will prove a benefit to Cork in the shoulder season. The Cork branch of the Irish Hotels Federation stated that 57% of hotels have seen a fall in business, which is a worry.

I commend Fáilte Ireland on its training of staff in the hospitality sector. Senator Gavan made a point on the Order of Business today about the way in which workers in the sector are treated. I did not read the report he mentioned. It is important that the people who work in the hospitality sector are trained to the height of perfection. There is a skills shortage. Last July, I wrote to the Minister for Business, Enterprise and Innovation, Deputy Humphreys, about a skills shortage in the hospitality sector. I hope that a pilot scheme to combat skill shortages will be introduced, as we did in the agricultural sector, because there are restaurants in Cork and hotels that want to bring people into this country but have been prevented, in some cases, from doing so by the work permits scheme.

The Minister of State has championed greenways as part of his brief and Senator Coffey

has been a positive advocate of the greenway in Waterford. I draw the attention of the House to the proposed Lee to Sea Greenway, that will extend from the Inniscarra dam to Crosshaven to the mouth of the River Lee - the harbour of Cork city. The greenway already is accessible for a significant part of the city and county but needs some improvements and links. The greenway is important for Cork, as it would add a huge value to Cork city and county in terms of our tourism product. It would also improve physical health, mental health and allow people to access cultural and historical sites in Cork. The initiative complements the work being done by the Government in terms of sustainable mobility and travel. The Lee to Sea Greenway offers an opportunity to capitalise on the work done by Cork City Council at Tramore Valley Park, in the Blackrock area and in other areas to make Cork city accessible for people who want to run, walk or cycle.

Finally, I pay tribute to the work done by an Cumann Lúthchleas Gael. Gaelic sports are a unique selling point that we can use to promote Ireland as a destination. Many tourists come here but it is the product that they get that is important. I commend the Minister of State on his work and initiative.

Acting Chairman (Senator Maria Byrne): I call Senator Higgins and she has eight minutes.

Senator Alice-Mary Higgins: I will not avail of the allotted time.

Acting Chairman (Senator Maria Byrne): That is okay. I am conscious that four speakers are waiting to speak.

Senator Alice-Mary Higgins: I would love to stay to hear the full debate but I must attend a meeting of the Joint Committee on Climate Action that is taking place. I will look back on this debate with great interest.

I will highlight a few specific issues. They include sustainability of the industry, which has been mentioned already, and the quality of employment. Part of recognising and valuing a quality tourism or hospitality sector certainly is ensuring that as a sector, it has clear and known standards. The joint labour committee system has been continuously pushed against, unfortunately, by some of the industry actors but it is the best and most effective way to address issues. We may attempt to address issues piece by piece in legislation here but I note that aspect first.

In terms of sustainable tourism, when people travel abroad one thing they want to do is not simply see what is available to tourists but also to see where inhabitants go and what neighbourhoods are culturally vibrant or lively. Unfortunately, there is not enough joining of the dots on the link between a vibrant cultural infrastructure, that is, the kinds of towns and cities where people can work in the arts or where there are art spaces that are used and are active, and sustainable tourism. While one may have any number of individual festivals, it is beneficial to have neighbourhoods that have a cultural vitality. We know this as it is one of the things that attracts international tourists. People do not always want to go to a tourist-specific event. They want to visit neighbourhoods and communities that have a strong cultural dimension. We have an opportunity for greater links between the Department of Transport, Tourism and Sport and the Department for Culture, Heritage and the Gaeltacht. We must strengthen the cultural vibrancy in communities and there have been real concerns in that area.

I am disappointed that greenways mainly appear in the tourism frame. Greenways are partly about tourism but they also provide a way of life for communities. We should not simply see

greenways as a novelty. We must recognise that cycling infrastructure is not simply about tourism. It certainly attracts tourism but also provides meaningful infrastructure, which falls within the remit of the Department of Transport, Tourism and Sport. Cycling tourism is undoubtedly a core part of sustainable tourism but cycling infrastructure and the associated culture are what make it really sustainable. I am disappointed that greenways have been framed in a narrow way financially and not linked to the wider increase that we needed in the cycling infrastructure as part of the transport budget.

On the lack of joined-up thinking when it comes to ports, I have advocated in this House previously for the Dublin to Rosslare train line, which is of comparable beauty with any train line anywhere in the world. The Dublin to Rosslare line traverses one of the most beautiful routes but runs very rarely and does not serve commuters in the area. As a result, many commuters who live in the area must drive. In any other country, the line would be treated like the Fort William railway and become a focus for tourists. When I asked questions on how the rail line fits with Rosslare harbour, which I hope will become more important in the future, I was told that there were sail and drive measures. Unfortunately, the sail and rail measures have not been as fully explored and pressed as they should be. A proper rail service is important for the survival of ports. Post Brexit we will need more port links with mainland Europe. A ferry link has been established between Cork harbour and Santander in northern Spain. I apologise if I am incorrect but I believe one cannot travel as a foot passenger on the ferry. If our ports are being redeveloped and there will be an increased emphasis on ports post Brexit, how can we build in spaces for pedestrians, cyclists and a tourism offering? In many cases, the people who avail of a ferry to sail here will be interested in preserving the environment. How can we make sure that these people are presented with public transport and cycle transport options? We must provide attractive sustainable tourism packages available to tourists.

Finally, I apologise that I cannot stay to listen to the rest of the debate but I promise to read the transcript and I look forward to the response of the Minister of State.

Senator James Reilly: I wish to share some time with my colleague.

Acting Chairman (Senator Maria Byrne): Is the Senator proposing to split the time into three-minute and two-minute slots?

Senator James Reilly: Perhaps slots of three and a half and one and a half minutes but we will be as quick as we can.

I welcome the Minister of State to the House. I wish to focus on the planned coastal and castle greenway from Sutton to Balbriggan in County Dublin. Many in this House will have heard me speak about a coastal greenway for Fingal for a long time because Fingal does not just have a wonderful coastline but castles and the additional benefit of a commuter rail service all along the way. Therefore, if cyclists get tired they can park their bikes and return to Dublin city via train.

An earlier speaker talked about cycleways. I wish to talk about home tourism. More than 1 million people live in the greater Dublin area. They could avail of the greenway, as it is a safe environment in which to cycle with one's family. It is difficult to find safe cycle areas for oneself and small children. We all are familiar with the famous saying that the family who prays together stays together. I wish to add that the family who plays together stays together. It is also critically important that we promote multigenerational family activities as it is good for

communities and preserves the mental health and well-being of all concerned.

Fingal, Louth and Meath councils have lodged a joint application for a greenway that runs through Fingal to the site of the Battle of the Boyne and on to Newgrange. The greenway would be a fantastic offering. In addition, as many as 32 million people passed through Dublin Airport last year and very often they must wait a few hours for a connecting flight or whatever. This would be a wonderful tourism offering for them and it would do a huge amount for tourism. A greenway is sustainable because, as we know, the Westport greenway paid for itself within a year with cafés and eateries springing up along the way. We have a wealth of history, scenery and coast along this way and it would be a phenomenal and sustainable tourist attraction. The Minister of State should examine this. I asked the Minister for Finance, Deputy Donohoe, before to try to put a couple of hundred million euro into a fund for greenways throughout the country. This is the sort of tourism that has a very bright future because there is a huge cohort of 60 to 80 year olds throughout the western world who are healthy, wealthy, with time on their hands, and looking for things to do. One can only argue for a tourism offering that talks of food, cycling, music and craic as being a winner all the way down the line.

I can see huge benefit all down through these towns of Rush, Lusk, Skerries, Balbriggan and Loughshinny, up to Malahide and Portmarnock. I hope the Minister of State will back the application to ensure that this happens.

Senator Tim Lombard: I welcome the Minister of State to the Chamber. I want to discuss with him the initiative his Department has driven in recent years regarding food tourism. I am talking mainly about the Taste of West Cork and the great success this has been. There is great and wonderful opportunity for us to promote what we have on the island, and food is a major part of that. More can be done in this space. The Taste of West Cork this year, running from Kinsale all the way to Allihies, was a unique success, with every village and town having a food offering, and it brought so many international and national chefs to west Cork. It was an unbelievable success.

We need to promote this angle of what we have on this island. This island has an abundance of food, greenery, and fresh clean water. This is a unique asset. We need to focus on that and to drive an important strategy, whether that is supporting festivals like the Taste of West Cork or even having a national policy to drive that forward. That is an avenue that I can see that people in the town of Kinsale have really caught on to. Last week we had a wonderful food festival there which comes out of the feeling that that is what we are good at and really proud of.

I implore the Minister of State for more funding in that area to support one of our key industries, which is agriculture and natural tourism together. Put together, they are a fantastic success.

Acting Chairman (Senator Maria Byrne): I thank the Senator. As there are no other Senators indicating their wish to speak, I now call the Minister of State, Deputy Griffin, to speak.

Minister of State at the Department of Transport, Tourism and Sport (Deputy Brendan Griffin): I thank the Acting Chairman. I also thank all 11 Senators for their contributions, which I counted. It indicates the importance of the industry and how highly regarded the industry is among Members that there would be this level of reply on a Wednesday afternoon, which is always a very busy day around Leinster House.

A number of Senators mentioned the issues of skills shortages and human resources. I will

give a very concise summary of what we are doing here. How much time have I got, Acting Chairman?

Acting Chairman (Senator Maria Byrne): We have until half past four.

Deputy Brendan Griffin: I will go through what we are doing here in this area. A new tourism and hospitality careers oversight group has been established to continue the work of the hospitality skills oversight group, which published its final report on 19 September 2018. The group, which is chaired by Fáilte Ireland, was established to co-ordinate the relevant bodies to agree and implement a work programme to address current and future labour supply and skill requirements in the tourism and hospitality sector. It is recognised that the best approach to support sustainable employment in the tourism and hospitality sector requires a co-ordinated and collaborative approach by industry, education, training providers and other relevant stakeholders. Members of the tourism and hospitality careers oversight group have developed a two-year work plan for 2019-2020 that focuses on the delivery of five targeted objectives. Initially chaired by Fáilte Ireland, the key objectives of the group are to promote tourism careers and to attract and retain new and existing talent. Fáilte Ireland has completed both desk and qualitative research to understand attitudes and perceptions of the sector and careers in tourism and hospitality. These insights may inform the promotional campaigns to drive a dynamic shift in perceptions as to what a career in the sector can offer.

On the issue of work permits, which was also raised, my Department is represented on the interdepartmental group on economic migration policy by the tourism industry and product development division, which is chaired by the Department of Business, Enterprise and Innovation. This group is made up of stakeholders from different Departments to oversee and monitor changes to work permits. Through our participation on this group, the Department has assisted the industry in obtaining permits for certain grades of chefs, subject to an overall quota of 610 in March 2018. Changes in April 2019 allow employers to replace permit holder employees who leave their employment prior to the expiry of a permit. These changes also allow recognition of the total years' experience gained by an applicant in any grade of chef rather than limiting that to their experience in one specific chef grade. The Department and Fáilte Ireland are supporting the industry with submissions to the Department of Business, Enterprise and Innovation for further changes to work permits, particularly for chefs.

As to the chef apprenticeship programme, the Department of Education Skills has lead responsibility for skills development policy generally across all sectors, including hospitality and tourism. It oversees the bulk of the required education and training provided nationally through the higher, further education, and training bodies, namely, the institutes of technology, the education and training boards, and SOLAS.

The commis chef apprenticeship programme secured Quality and Qualifications Ireland, QQI, approval in July 2017. An initial roll-out of the programme commenced in the autumn of 2017 in Galway, Limerick and Clare. Since then it has subsequently expanded to other counties. I can assure Members that there is constant collaboration between our Department and the other relevant Departments in trying to tackle this. It is one of the key challenges we face. With the growth in 2017 in particular and in 2018, one of the key messages that industry has kept sending back to us is that it is having major difficulty in attracting the skilled labour that we need to sustain the growth. That is something we are very conscious of and working on with our partners.

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Addressing Senator Mark Daly directly, I agree with him that the Ireland Reaching Out initiative, about which I will speak to my colleague, the Minister of State, Deputy Cannon, and The Gathering were very positive initiatives. They brought the best out in communities in many different ways. Economically they were important, but they also gave members of those communities a sense of pride and rejuvenation in how people felt about their areas that traditionally might not been seen as tourism hotspots. People started to become more resourceful. If there was any good thing to come out of the recession, it was that people became a bit more resourceful about their own communities and about what was on their own doorsteps. The Gathering epitomised that and brought those brilliant things we have on offer in so many communities to the attention of our diaspora around the world.

Something that I am constantly engaging with Fáilte Ireland and Tourism Ireland on is the concept of revisiting The Gathering and looking at a follow-up to it. The general feedback from the agencies is that the most appropriate time to do that would be when there is a particular dip in tourism. It would be a very strong intervention and injection to have rather than at a time when we are growing. Looking at 2018, these were possibly unsustainable rates of growth. This is something, however, that is very much on the agenda and I would like to see happening again. As I said, I will speak to the Minister of State, Deputy Cannon, and it deserves further follow-up.

I thank Senator Hopkins. I was in her constituency a number of months ago. There is massive potential in her part of Ireland to grow the industry more. That is why we are developing the Hidden Heartlands experience and are pushing that. It got a massive shot in the arm from the investment of Center Parcs, but that is just one attraction in what is a really special part of Ireland that up to now was very much undiscovered and probably not appreciated as much as it should be. It is an area that I am very keen to put more money into. On Strokestown, I look forward to being there for the official opening of the Famine Museum. That is something that will be a major attraction in the area and I will call to Tulsk as well, following the Senator's request to do so. It is a place in which there is also great potential.

I was in Tayto Park this morning visiting another investment. I did not get to meet Mr. Tayto, one of my heroes. I got to see the importance of its theme park, which is emphasising Ireland's Ancient East and the Viking tradition, which is very much part of the theme in a section of the park, and which is great to see. It is also linking in very closely with the Púca Festival. This is the first year of that festival, which a Senator referenced, and which is taking place primarily in Louth and Meath. I see a future for it, especially in Rathcroghan, which the same Senator also referenced. We are very much open to expanding that festival after this year.

There are many areas around the country like this. In Kenmare, as Senator Daly would know, the Hallowe'en Festival has been a massive success in recent years, with great credit due to the people behind it. I would like to see all of those festivals, and there are a number of them throughout the country, getting massive support. It would remiss of me not to say that if there are any concerns regarding human resources or violations of workers' rights, they must be aired but we must be balanced in our comments. I worked in hospitality for seven seasons in the hotel sector. I also worked in bars and restaurants. I ran my own pub for a number of years. My family is steeped in the hospitality sector.

Senator Terry Leyden: A great business.

Deputy Brendan Griffin: My father worked for 40 years as a hotel porter-concierge. My

uncle has worked for more than 50 years in the hospitality sector. My experiences of the sector have always been positive. There are some fantastic employers in the industry. When I travel the country meeting people in the hospitality sector, what I hear overwhelmingly from some of the 260,000 people employed in the industry is positive. We need to weed out the bad employers who are not giving the people working at the front line the terms and conditions they deserve but it would be dangerous for us to generalise. When we are making such an effort to attract skilled workers into the industry and grow careers in the tourism and hospitality sector, it would be unfair if we were to talk down the sector. I am not saying that is what the Senator is saying but we need to be careful about the way we talk about this sector and that we would not generalise. I look forward to reading that report in detail but I have other evidence that suggests people working in the industry are making a good living and doing very well out of it. Employment is generated through this industry in every community throughout the country, therefore, it is important we would not generalise. My personal and family experience of the hospitality sector has been a very positive one.

The development of greenways is critically important. We want there to be more investment in greenways. We have announced our first tranche of them. I have always felt they should be called “goldways”. There is a major economic spin-off from them. Many other suggestions were made but, unfortunately, the time available for me to respond is not adequate. Perhaps that could be revisited when so many Senators have made contributions. All their contributions have been noted. I will be following up in detail on all the suggestions that were made. I am very keen to ensure we grow but also protect the industry. If we do not grow it sustainably and protect it into the future, our children and grandchildren will not benefit from it in the same way communities throughout the country benefit from it. There is no reason we cannot grow the 260,000 employed in the sector to well beyond 300,000 in the years ahead and keeping the figure above the 260,000 employed in it is the key challenge. We can never return to the boom and bust cycle for tourism. That is why I am very keen that the sustainability ethos would be applied to everything we do into the future. I thank the Acting Chairman for the time provided for me to come into the House to discuss this sector.

Acting Chairman (Senator Maria Byrne): I will mention to the Leader, with the Members’ agreement, that perhaps we should have continue this debate on tourism at a future date as there is such interest in it, if that is okay with the Minister of State.

Deputy Brendan Griffin: I would be happy to continue this debate.

Acting Chairman (Senator Maria Byrne): It is an area in which we all have an interest and I will suggest that.

Deputy Brendan Griffin: Thank you.

Senator Terry Leyden: We will see the Minister of State in Strokestown next week.

Deputy Brendan Griffin: In Strokestown.

Children’s Digital Protection Bill 2018: Committee and Remaining Stages

Minister for Communications, Climate Action and Environment (Deputy Richard Bruton): I would like to say a few words at the start of the debate. While I welcome the Bill

and appreciate a great deal of work has gone into it and there are considerable amendments to it before the House, I want to outline to the House the position the Government has taken in recent months. As Members will be aware, I recognised earlier this year that the time for self-regulation was past and that we need to introduce online safety regulation for harmful content, that I intended to establish an online digital safety commissioner to set out codes of practice that should apply and to create enforcement powers for the online digital commissioner and, in addition, to provide for third party complaints to be heard by that online safety commissioner.

In April, I had consultations on that legislation and we are now at the detailed drafting stage of it. I intend to have the heads of the Bill to present to Government and to the Oireachtas committee by Christmas. There are many elements in Senator Freeman's Bill which will be picked up and reflected in the Bill I am drafting. It will go considerably beyond it in that it will also embrace the transposition of the legislation for audiovisual platforms, which will also be embraced by the legislation. It will also seek to remove some of the difficulties the Attorney General has drawn to my attention regarding the Bill before us today. Some of those are the open-ended way in which additional harmful content could be prescribed under the legislation. I have been advised that would not be acceptable. I have also been advised that some of the provisions that would allow a person to be tried in an Irish court for the breach of certain foreign laws would not be acceptable.

It has also been brought to my attention that best practice would suggest that initial complaints should go to the platform before they would go to the online safety commissioner for adjudication. There are other issues that may arise with the Bill that is being submitted in that the establishment of a body could require funding and that would pose other questions for the Bill. While there are definitely issues with the legislation as presented to the House, I absolutely support the intention of the Bill. I will transpose very significant elements of it into the legislation my Department is actively developing at present. I assure the Senator that no time will be lost in bringing forward legislation to deal with the issue that has been presented here in the way I am advised will be legally most robust. I am not opposing what the Senator is proposing but outlining the work I have been undertaking and continue to drive on within the Department.

Senator Joan Freeman: May I respond to that?

Acting Chairman (Senator Maria Byrne): When each amendment is moved Members, especially those who moved the amendment, will have the opportunity to speak. On this occasion, Senator Leyden indicated first.

Senator Terry Leyden: I welcome the Minister, Deputy Bruton, to the House and commend Senator Freeman on bringing this Bill forward. I think we are all singing from the one hymn sheet in this particular regard, although my hymn will be sung before the Minister's because we intend to publish a Bill in the coming days to legislate for the establishment of a digital safety commissioner. That will happen very shortly. Fianna Fáil will support this Bill in principle but believes that the establishment of a digital safety commissioner is a more appropriate approach. In 2008, while in government, Fianna Fáil established the Office for Internet Safety. This office operated from the Department of Justice, Equality and Law Reform and its explicit purpose was to keep children safe from online harm. Sadly, successive Fine Gael-led governments have failed to resource and develop this office. This is very important legislation.

Acting Chairman (Senator Maria Byrne): I remind the Senator that this is not a Second Stage debate.

Senator Terry Leyden: I just want to put on record that we support the Bill; we are for it. We will publish our Bill in the coming days and I hope the Government will back it. I hope that, in light of all the Bills proposed, we get measures in this regard on the Statute Book as quickly as possible and before the general election.

Senator Gerard P. Craughwell: That will be next week.

Senator Joan Freeman: In response to the Minister, I know that some of the amendments will be ruled out of order because of the financial imposition on the Exchequer. I introduced the Children's Digital Protection Bill 2018 last December and I acknowledge Professor Mary Aiken, who is in the Gallery and who has aided and abetted me every step of the way. Yesterday we had a number of briefings which were really interesting. Two things keep coming up, over and over again. To address the first, I am talking about children; this Bill is not about online protection generally. It just relates to harmful content. The second thing that came up yesterday, which was quite interesting, was that not one of the major stakeholders appeared at our briefing. That says a great amount. They are not really interested in protecting our children from harmful content.

Harmful content is defined under section 3 of the Bill as "encouragement and incitement to suicide", "encouragement of any self harm practices"-----

Acting Chairman (Senator Maria Byrne): I remind the Senator that we are dealing with section 1 at the moment. The Senator can respond on section 3 when we come to it.

Senator Joan Freeman: Amendments Nos. 1, 2, and 7 to 9, inclusive, have been ruled out of order. I am aware of that and I accept it, but there are two other amendments about which I would like to talk when they come up.

Acting Chairman (Senator Maria Byrne): The Senator will have an opportunity when we come to those amendments.

Senator Gerard P. Craughwell: I welcome the Minister to the House. In his speech he briefly mentioned self-regulation of online companies. This weekend, my own identity was stolen. The person who stole my identity also used my identity and my profile to send two members of the public on my Facebook page some pretty horrendous messages. When contacted, Facebook's response was that it had removed a profile my friend reported because it did not follow its community standards. It said that it let the profile owner know that it had been removed, but not who reported it. That is what Facebook said. The person who stole my identity masqueraded as me for some time until he or she was caught. I have no recourse whatsoever to find out who that person is and, but for the two or three people who contacted me and told me of the content of what was sent, I have no notion of what was said in my name. I have had similar experience with Twitter, in a different guise. As far as I am concerned, these guys cannot be trusted to self-regulate.

Senator Freeman has taken a step here. I acknowledge the attendance of Professor Aiken. Her expertise in this area is renowned worldwide. We have to stop flip-flopping around on this matter. We have to move and move very quickly. We constantly hear tragic stories about young children. As Senator Freeman said, this is about children, but even adults can have their mental health affected by some of this stuff. I see Senator Noone nodding her head. I have seen some of the horrendous stuff that has been thrown at her over the past 12 months. Fair play to her, she has held her head high and I admire everything she did. This has gone too far. One cannot

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even phone Facebook. There is nobody to whom one can send an email. There is no human being people can contact to say that something wrong was done to them and that they want an answer. I was speaking to a senior counsel in this regard. At the very least, I should have recourse to find out who stole my name. I cannot find that out however; I have no access to that information. I do not want to make a Second Stage speech but-----

Acting Chairman (Senator Maria Byrne): This is Committee Stage.

Senator Gerard P. Craughwell: -----I need to put that on the record.

Acting Chairman (Senator Maria Byrne): I understand that. We will move back to section 1.

Section 1 agreed to.

SECTION 2

Acting Chairman (Senator Maria Byrne): Amendments Nos. 1 and 2 in the name of Senators Freeman and Craughwell have been ruled out of order as they involve a potential charge on the Revenue.

Amendments Nos. 1 and 2 not moved.

Acting Chairman (Senator Maria Byrne): Amendments Nos. 3 and 4, in the names of Senators Freeman and Craughwell, are related and may be discussed together, by agreement.

Senator Joan Freeman: I move amendment No. 3:

In page 4, line 4, to delete “material”.

Amendment agreed to.

Senator Joan Freeman: I move amendment No. 4:

In page 4, between lines 7 and 8, to insert the following:

“ “material” means material—

(a) whether in the form of text,

(b) whether in the form of data,

(c) whether in the form of speech, music or other sounds,

(d) whether in the form of visual images (moving or otherwise),

(e) whether in any other form, or

(f) whether in any combination of forms;”.

Amendment agreed to.

Senator Joan Freeman: I will not move amendment No. 5, which defines “responsible

person” in the Bill, as this is consequential on the amendment creating the e-safety commissioner.

Amendment No. 5 not moved.

Senator Joan Freeman: I move amendment No. 6:

In page 4, to delete lines 8 to 10 and substitute the following:

“ “social media” means, for the purposes of this Act, an electronic service that satisfies the following conditions:

(a) the sole or primary purpose of the service is to enable online social interaction between 2 or more end-users;

(b) the service allows end-users to link to, or interact with, some or all of the other end-users;

(c) the service allows end-users to post material on the service;”.

Amendment agreed to.

Section 2, as amended, agreed to.

Section 3 agreed to.

Acting Chairman (Senator Maria Byrne): Amendment No. 7, in the names of Senators Freeman and Craughwell, has been ruled out of order as it involves a potential charge on the Revenue.

Amendment No. 7 not moved.

Deputy Richard Bruton: Am I supposed to make a comment on any of these?

Acting Chairman (Senator Maria Byrne): The Minister may do so if he wishes.

Deputy Richard Bruton: With regard to section 3(4), I am advised that a Minister making regulations in that manner would not pass muster with the Attorney General.

Acting Chairman (Senator Maria Byrne): The amendment to section 4 has been ruled out of order because of-----

Senator Joan Freeman: The Minister is not referring to section 4.

Deputy Richard Bruton: I was referring to section 3(4).

Section 4 agreed to.

Acting Chairman (Senator Maria Byrne): Amendment No. 8, in the names of Senators Freeman and Craughwell, has been ruled out of order as it involves a potential charge on the Revenue.

Amendment No. 8 not moved.

SECTION 5

Question proposed: “That section 5 stand part of the Bill.”

Senator Colette Kelleher: I speak on behalf of my colleague, Senator Higgins. She, along with Senator Ruane and I, welcomes the spirit and intent of the Bill. It is important that we are moving further towards legislating for technology and online content. As we know and the Minister and Senator Craughwell recognised, we cannot rely on self-regulation by tech companies. It simply does not give sufficient protection to children or others. I recognise, as many do, that the specific content referenced in the Bill is deeply damaging and requires regulation. My concern is in respect of other members of society, including vulnerable adults. I refer in particular to children with intellectual disabilities who have a different mental age from their chronological age and who may be impacted by harmful online content. Although I appreciate the need for a specific focus on children and the fact that the Minister for Children and Youth Affairs is engaging with this process, I am concerned that the establishment of a specific children’s e-safety commissioner would risk leaving behind others who might be vulnerable, which may have a significant impact. Senators Higgins and Ruane previously raised a concern regarding commercial actors profiling and micro targeting children online. That is another important aspect of effectively regulating this space. I may table amendments on Report Stage to address the two matters I have raised.

Senator Gerard P. Craughwell: Unfortunately, during my first year as president of the Teachers Union of Ireland, two sisters committed suicide in the north of the country within a couple of weeks of each other. There was a significant impact on the adults left behind, including the teaching staff at their school. The principal of the school made a valid point, which we need to take on board. He stated that on 1 September, children return to school until 31 June. For 24 hours a day, seven days a week, the principal of the school is, somehow or other, deemed to be responsible for them. He continued that the terrible thing about dealing with children and technology today is that it is to be hoped that parents make children do their homework when they come home, feed them their meals, allow them to watch television, send them to bed at a certain time, make sure they change into nightwear, wash their teeth, carry out their ablutions and do whatever else they are expected to do, but then they allow them into bed with the most lethal of devices in their hand, a smartphone, through which children can be subjected to all sorts of abuse from colleagues. I have been told by secondary school teachers in recent years that the punishment for a child in the bullying network is for their page or photograph not to be liked. In other words, the child is shunned and electronically sent to Coventry.

The Minister is a man of his word and is drafting a Bill to address these issues. This is an ideal opportunity to put our views on the record. Adults are affected by the damage done to children. Sadly, I hear far too often about tragic ends to what goes on online. I ask that the Minister give consideration to the multiple cases of children who have taken their own lives, which have been reported as death by misadventure rather than suicide. As a society, we must confront these things. We must be aware of the damage that is being done. I have suffered attacks online and there are times when I simply must turn off my phone for the benefit of my mental health. I know many members of the Government would prefer if I left it turned off all the time, but that is another story. We must broaden our approach on this issue and look at its impact across society.

Question put and agreed to.

SECTION 6

Question proposed: “That section 6 stand part of the Bill.”

Senator Catherine Noone: My comments relate to the Bill generally to some extent. I welcome Dr. Mary Aiken, with whom I have had constructive dealings. I acknowledge the work of Senator Freeman on this issue. She is very passionate about it. I have discussed it with her on many occasions and I totally support the spirit and intention of the Bill. I do not know where it will all end in terms of what people will have to put up with online and how the Minister in his portfolio is expected to deal with the level of horrific content that exists.

I put up a positive tweet about the Taoiseach’s polling performance and received more than 100 of the most negative comments, both personal and otherwise. I have not read most of them, but the most recent was a threat on my life. It asked whether I remember what happened to Jo Cox MP, and stated that I should be buried alive like the rest of my parasite colleagues. I do not care how many followers the person who sent that tweet has. It is a threat and should be taken down automatically by Twitter. I offer it as an example of my experience because I cannot keep track of the negative comments I receive. I know the Bill relates to children and they should be our primary concern, but even for adults, where will it all end? When a digital safety commissioner is in place, will he or she be able to cope with issues such as getting Twitter content such as that tweet taken down? I do not know. Is it a matter for the Garda? Arguably, it is a matter for the Garda when a comment such as that is made online.

The Minister has been very proactive and constructive since taking over his portfolio and I am heartened by his comments. He is working hard on these issues. When he states that he is taking into account some of the measures in the Bill, I know that is true and will happen. There is a wider debate in society about how we are willing to communicate with one another and what is deemed acceptable. We must recognise that we, as Senators, are leaders and that if we are vicious in our dealings with one another in the Chamber, that will seep into wider society. I acknowledge that my comments do not relate to the section, but I wished to make those points. I thank the Acting Chair for her indulgence.

Senator Colette Kelleher: I echo the comments made by Senator Noone. Harsh words are not acceptable in any setting, whether delivered to one’s face, online or in any other way. We are coarsening our discourse and making life far more difficult for people. I again commend Senators Freeman and Craughwell on bringing forward the legislation. I have a small concern on the implementation of the Bill and how it will fit in with other legislation, including the general data protection regulation, GDPR. It is important that legislation is brought in to deal with these issues, but we may need to consider tabling amendments to ensure we take an approach that works effectively within the current legislative structures at EU and national levels. I wish to highlight that amendments to that effect may be tabled on Report Stage.

Senator Máire Devine: I commend Senator Freeman on getting the Bill to Committee Stage. I spoke in support of it on Second Stage. On the section, we need to try to do something about social media. Much of the work done on it is piecemeal because it is such a massive area that one can throw up one’s hands and ask where one should start. Senator Freeman has started with the protection of the most vulnerable. I would hate to be a parent of young children today. I am glad my children just had the Bebo stage and moved on and have the maturity to have resilience and stand up for themselves. I do not know how I would protect them in this day and age. It is up to legislators to strongly protect our children, the most vulnerable in society.

Mental Health Warriors, along with carers and representatives of many other vulnerable

groups, held a protest outside the gates of Leinster House at 1 p.m. today to demand extra mental health supports from the Government. Many of the parents at the protest, including a member of the Mental Health Warriors, have lost a child to suicide. Many of them lost a ten year old, an 11 year old, a 12 year old, a 13 year old or a 14 year old. Social media has had a direct impact in that regard. The mother of Nicole Fox Fenlon, who committed suicide at the age of 21 following severe online bullying, is calling for legislation in this area and for it to be known as Coco's law.

If New Zealand, Australia and Germany - all these other progressive countries - can do something, why are we so slow to react to a phenomenon that has overtaken every means of socialisation? Regarding the naive innocence we had, our parents probably did not think we had it but looking back on it now, we were innocent. A child loves the wonders, adventures and excitement of the world and believes that he or she can be whatever he or she wants to be but is faced with an onslaught by nefarious disgruntled individuals, be they adults or children. Let us start somewhere.

Facebook is a joke. I can put that on the record. Its response to this House and the Oireachtas Committee on Children and Youth Affairs was to basically say how glorious it is. It took zero responsibility for the poison it permitted to be spread. It sits back and lets it be spread. The Minister should support Senator Freeman's Bill because we must start somewhere.

Senator Joan Freeman: To clarify, what I am proposing is very simple. This is not about the significant amount of social media issues that are emerging as we discuss this. I am talking about taking down sites that provide harmful content, for example, a site that tells a child to do a certain task every day for 50 days and on the 50th day, tells him or her to take his or her life or a site that promotes deprivation of food. I am not talking about online bullying. I am talking about particular sites. My point is that this is very simple legislation that could be simply and easily implemented.

Deputy Richard Bruton: The legislation with which I am dealing deals with harmful content. That is only a subset of a much wider category of problem. I draw Senators' attention to the action plan for online safety published last year. This plan deals with a much more comprehensive approach to this issue. I was then Minister for Education and Skills and appeared before the Oireachtas Committee on Children and Youth Affairs. What was unique was the fact that five Ministers attended. In order to deal with the complexity of the issue, the action plan for online safety was introduced. I draw the attention of Senators to some of the measures in the plan. In particular, I draw the attention of Senator Craughwell to the work of Webwise, which has done outstanding work in equipping young people and parents with information about how they should deal with the challenges presented by being online. A single online access point was established during the past 12 months to deal with online material. New curriculum material is being developed along with *yourmentalhealth.ie* and the 24-7 telephone number.

I do not wish to hold up the Seanad but Government recognises that this is a much more comprehensive issue than simply harmful communications. The Department of Justice and Equality is introducing legislation that goes far beyond this in dealing with upskirting - pictures taken without consent. A review is ongoing as to whether our existing incitement to hatred legislation is adequate or whether it needs to be strengthened. There is a lot of other legislative activity to be done in this area other than the material with which I am dealing.

Of course, breaches of the criminal code must be integrated into what I am doing, just as we

need to recognise Senator Craughwell's concern about the infringement of his data protection rights. They will not fall to the online safety commissioner. The Data Protection Commissioner will continue to deal with such issues. The Bill I am developing is not seeking to extend and try to resolve all issues.

I assure the House that there is no delay in introducing what I am doing. I accept many of the definitions of harmful material set out in the Senator's legislation when she deals with suicide, cyberbullying and self-harm but I need to ensure that the legislation that comes forward is robust. We need to be careful that the legislative power we give to an online safety commissioner is commensurate with the transgression, so taking down a site on the basis of a single transgression would not be the first port of call. One would take down the content that is deemed harmful. Taking down the site would be for a graver set of consistent abuse. The example cited by Senator Freeman would be such an example. Regarding one of the concerns we need to look at in drafting the final legislation, I understand that Senator Freeman's legislation does involve taking down the site, whereas what we need is legislation whereby enforcement power would be graded proportionate to the scale of the offence. Consequently, taking down the site would be a graver intervention that the online safety commissioner could apply.

Question put and agreed to.

SECTION 7

Question proposed: "That section 7 stand part of the Bill."

Deputy Richard Bruton: That is another area where the Attorney General has drawn my attention to difficulties. The provision that a person may be tried in the State for an offence by a person outside the State gives rise to certain jurisdictional issues that would be problematic.

Senator Gerard P. Craughwell: It is an issue I have had with regard to gambling. It is possible for the Internet service providers, ISPs, in the country to ensure that external content can be blocked at the point of entry. I know there are ways around that. I have worked in the area long enough to know that there are ways around most things. ISPs must be held responsible for the material allowed into the country in the drafting of the Bill, if the Minister is not prepared to see Senator Freeman's Bill go the whole way. We must start holding responsible the platform providers, who have washed their hands and said it is nothing to do with them and that it is the individuals who put this stuff up. The type of site referred to by Senator Freeman, where somebody is taught how to become anorexic is repulsive. The type of site where somebody is put through a series of steps in order to take his or her life is outrageous. There is no graded system that can measure that. The site should be gone and the individuals behind it should be arrested in whatever jurisdiction they are in. However, ISPs have a responsibility to control content.

I went through this myself as the head of an IT section in a further education college. The question was about what we would or would not control with regard to what students could see on the college site. We took the view that our students were adults and we were not going to limit content but from time to time, we encountered problems with people who transgressed what would be normal behaviour in society.

A simple Bill, which we have in front of us, that would prevent those sites from operating would be worth considering as an immediate step to at least stop that much. At least, we could walk away and say that no sites that teach people how to commit suicide, become anorexic or

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injure or harm other people will be allowed. We will never stop bullies. Bullies have been around since time immemorial. If we went back to the time of Christ, there were bullies then and there will be bullies. Sadly, many of them leave the playground and come into the office and are as bad in the office as they were in the playground. We are never going to stop that but we can limit the speed at which it is transmitted. I believe that is what Senator Freeman is trying to do.

Senator Joan Freeman: I wish to echo what Senator Craughwell has said. The reality is that I am only talking about sites that do nothing else but provide very harmful content. There is no grading in this, as Senator Craughwell said.

I will try to simplify it. I appeal to the Minister to imagine what it would be like if he had a child, grandchild, niece or nephew left in a room alone with a stranger who would go into detail on how to take their own life. That is what we are allowing to stay up in front of our children.

This Bill is so simple that it could be passed through quickly. Whatever the Minister is going to provide will be so vast that there is probably going to be problems along the way. I am simply asking for a simple Bill that will help children right now, rather than when all the other things have to be passed through.

Question put and agreed to.

Section 8 agreed to.

Title agreed to.

Bill reported without amendment.

Acting Chairman (Senator Maria Byrne): When is it proposed to take the next Stage?

Senator Joan Freeman: Now.

Acting Chairman (Senator Maria Byrne): Is that agreed? Agreed.

Bill received for final consideration.

Acting Chairman (Senator Maria Byrne): When is it proposed to take the next Stage?

Senator Joan Freeman: Now.

Acting Chairman (Senator Maria Byrne): Is that agreed? Agreed.

Question, "That the Bill do now pass", put and agreed to.

Acting Chairman (Senator Maria Byrne): When is it proposed to sit again?

Senator Catherine Noone: Next Tuesday at 2.30 p.m.

The Seanad adjourned at 5.10 p.m. until 2.30 p.m. on Tuesday, 22 October 2019.