



DÍOSPÓIREACHTAÍ PARLAIMINTE  
PARLIAMENTARY DEBATES

**SEANAD ÉIREANN**

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

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## SEANAD ÉIREANN

*Dé Céadaoin, 2 Nollaig 2020*

*Wednesday, 2 December 2020*

Chuaigh an Cathaoirleach i gceannas ar 10.30 a.m.

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*Machnamh agus Paidir.  
Reflection and Prayer.*

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### **Gnó an tSeanaid - Business of Seanad**

**An Cathaoirleach:** I have received notice from Senator Robbie Gallagher that, on the motion for the Commencement of the House today, he proposes to raise the following matter:

The need for the Minister for Health to provide an update on the nursing homes support scheme.

I have also received notice from Senator Ollie Crowe of the following matter:

The need for the Minister for Tourism, Culture, Arts, Gaeltacht, Sport and Media to make a statement on the matter of Sky Sports having exclusive rights to coverage of inter-county GAA championship games.

I have also received notice from Senator Gerard Craughwell of the following matter:

The need for the Minister for Social Protection to consider extending to retirement age the number of years a person may be on a community employment scheme for those over 62 years of age.

I have also received notice from Senator Marie Sherlock of the following matter:

The need for the Minister for Social Protection to make a statement on the incentives available to individuals experiencing unemployment to undertake training courses; and the reason for the disparity between the rate paid to individuals participating in the vocational training opportunities scheme, and those in receipt of the pandemic unemployment payment.

I have also received notice from Senator Garret Ahearn of the following matter:

The need for the Minister for Agriculture, Food and the Marine to provide an update on the current number of forestry licence applications that remain outstanding.

*Seanad Éireann*

I have also received notice from Senator Seán Kyne of the following matter:

The need for the Minister for Education to provide an update on the proposal for a new building structure on the existing site of Scoil Chaitríona Senior and Scoil Chaitríona Junior, Renmore, County Galway.

I have also received notice from Senator Mary Fitzpatrick of the following matter:

The need for the Minister for Housing, Local Government and Heritage to make a statement on the supports to be given to Dublin City Council to deliver social and affordable housing and community facilities on public land at Oscar Traynor Road, Dublin 5.

I have also received notice from Senator Mary Seery Kearney of the following matter:

The need for the Minister for Health to make a statement on the Drimnagh Primary Health Care Centre, Dublin 12.

I have also received notice from Senator Fiona O'Loughlin of the following matter:

The need for the Minister for Agriculture and the Marine to make a statement on the growing crisis in the Irish horticulture sector in the context of the provision of peat.

I have also received notice from Senator Catherine Ardagh of the following matter:

The need for the Minister for Health to make a statement on the roll-out of IVF treatment in public hospitals.

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

The need for the Minister for Transport to provide an update on waiting lists for driving tests.

I have also received notice from Senator Paul Gavan of the following matter:

The need for the Minister for Enterprise, Trade and Employment to make a statement on the difficulties being faced by persons working as content moderators.

I have also received notice from Senator Mark Wall of the following matter:

The need for the Minister for Housing, Local Government and Heritage to update the planning guidelines to ensure that changing place toilet facilities are available in all public buildings.

I have also received notice from Senator Lynn Boylan of the following matter:

The need for the Minister for the Environment, Climate and Communications to make a statement on energy poverty.

The matters raised by the Senators are suitable for discussion. I have selected those of Senators Gallagher, Crowe, Craughwell, Sherlock, Ahearn and Kyne and they will be taken now. The other Senators may give notice on another day of the matters that they wish to raise.

## Nithe i dtosach suíonna - Commencement Matters

### Nursing Homes Support Scheme

**Senator Robbie Gallagher:** The Minister of State is very welcome. I thank her for taking time out of her busy schedule to be here this morning to discuss the nursing homes support scheme. Calls for the overhaul of the fair deal scheme have been made for a long time. Many people have been calling for a new scheme which would ease the crippling burden that is currently on small farm families and small businesses. As the Minister of State is aware, there is a 7.5% deduction of assets year on year, capped at three years, when it comes to a family home but, unfortunately, when it comes to a small farm or small business, no such cap exists. That is causing serious problems for many people. In effect, if someone were to spend ten years in a nursing home, 75% of the asset would have to be paid to the State at the relevant time. That is causing serious problems for many small farm families and many small businesses. Many family members may work on the farm or in the small business. If, as is the case in some instances, the asset has to be sold to defray the costs, then those people have to move on, their livelihoods are gone and a farm or business that may have been in the family for years is lost. I know from the Minister of State's time in opposition that this issue was close to her heart and she was keen to see movement on it. I hope she will be the Minister of State who finally adjusts the scheme to make it fairer for small farm holdings and small business so that a similar three-year cap could be applied to those assets as is applied to the family home, which would make it more workable for those people.

This issue has been around for a long time and many people have campaigned to get the fair deal scheme adjusted to accommodate this, no more so than the farm organisations, who have done great work over the years. I would welcome the Minister of State's thoughts on that.

I also ask for her thoughts on a fair deal-type scheme for home support and home care packages for elderly people. Most people, if they had their wish, would like to live their days behind their own front door. That is not possible in some cases but if we had a properly beefed-up home care package, funded by way of a fair deal-type scheme, more people would be in a position to stay in their homes, with their families and in the communities they know and love so well for longer. I would welcome the Minister of State's thoughts on that issue as well.

**Minister of State at the Department of Health (Deputy Mary Butler):** I thank the Senator for raising this important issue. He is correct that it is something I have spoken about and worked on very hard over the past few years. Since I entered office, we have been working hard on this.

The nursing homes support scheme, NHSS, commonly referred to as fair deal, is a system of financial support for people who require long-term residential care. Participants contribute to the cost of their care according to their means while the State pays the balance of the cost. The scheme aims to ensure that long-term nursing home care is accessible and affordable for everyone and that people are cared for in the most appropriate settings. The fair deal scheme has been in operation for more than ten years and has supported many thousands of older people through what can be a particularly vulnerable time in their lives. The current average wait time on the placement list is four weeks. This is in line with the commitment made in the HSE's national service plan and has been maintained throughout the year. The funding allocated to

the NHSS of €1.07 billion for 2020 is considered to be sufficient to maintain the waiting list at target levels until the end of the year.

While recognising that there will still be a need for nursing home care, the Government is making significant efforts to reduce the number of NHSS users through increased investment in community rehabilitation beds and home care, including an additional 5 million hours in budget 2021. The scheme works on the basis that the State will support people who need financial assistance to enter residential care when they need to and that those who have more, pay more, and those who have less, pay less. The Government believes that the principles of affordability and accessibility that underpin the scheme continue to be valid and may be even more so in these extremely challenging times.

The scheme has been reviewed by many different interested parties, including, most recently, the Comptroller and Auditor General. While many recommendations have been made both about the operation and the administration of the scheme, there is broad agreement that the scheme operates well and continues to be subject to appropriate financial assessment where it is required.

However, it is recognised that the Act in its current form does not place caps on the financial assessment of family farms or family businesses. As the Senator pointed out, this has proven difficult for farm families and small businesses. The 7.5% cap that applies for three years if somebody has a residential home does not apply in the case of small businesses and farmers and it has proven difficult. This places an onerous burden on successors and could challenge the future viability of the family farm. The Department of Health has proposed, therefore, a policy change to the scheme, to cap contributions based on farm and business assets at three years where a family successor commits to working the productive asset. This change has been approved by Government. The Department of Health developed draft heads of the Bill while considering a number of complex ancillary policy and operational matters that may need to be addressed in the proposed legislation. The stated policy objective of the general scheme is to introduce further safeguards in the scheme to protect the viability and sustainability of family farms and businesses that will be passed down to the next generation of the family to continue to work them as productive assets to provide for them their livelihood.

We come to the crux of the matter. The general scheme was sent to the relevant joint committee and the Department participated in pre-legislative scrutiny on 13 November 2019. Unfortunately, a report was not published before the dissolution of the previous Dáil. In the interim, of course, it was necessary to divert resources towards the immediate and pressing challenges of Covid-19. I had a meeting last week with departmental officials and the Department has been in touch with the clerk to the Business Committee on the procedural issues relating to pre-legislative scrutiny. I have also written to the Ceann Comhairle on this matter so that the legislation can progress as quickly as possible. There has been ongoing and active engagement with the Office of the Attorney General on the legislative development process and progress is advancing. The Government intends to bring forward legislation to the Houses as soon as possible. This legislation will seek to safeguard the sustainability of family farms and businesses for future generations.

To recap briefly, the pre-legislative scrutiny was being conducted last year. The report had not been finalised before the Dáil fell. Oireachtas committees have been back up and running for the past two months but there are various pressures on different committees. I have written to the Ceann Comhairle to see if we can waive the need for the pre-legislative scrutiny report

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in order I can move the legislation through the Dáil and the Seanad. The scrutiny can then be done at Committee Stage. That is where we are at the moment but I am hopeful of moving it in the first quarter of 2021.

**Senator Robbie Gallagher:** I thank the Minister of State for that. That is positive and I do not doubt her sincerity and commitment to sorting this issue out as soon as practically possible. Did she hope to have this invoked by the second quarter of 2021?

**Deputy Mary Butler:** I hope to move it in the first quarter.

**Senator Robbie Gallagher:** That is great news. Will the Minister of State make a brief comment on the fair deal-type scheme for home care packages going forward?

**Deputy Mary Butler:** I hope to introduce the legislation in the first quarter of 2021 and I believe it will be well-received across both Houses and by all Members.

Our plan is to deliver a statutory home care scheme by 2022. A couple of key enablers have to be put in place first. The first is the single assessment tool, interRAI, which provides an assessment of the person that needs to enter home care or nursing home care. Currently, the assessments vary from county to county. We will roll out a pilot programme early next year across four different areas in the country. By the end of 2021, we will have a statutory assessment of need for everybody throughout the country. I have secured funding for 128 assessors and that will be rolled out by the end of next year. We have also received funding to put in place an IT system to support this. Those are the two key enablers and I hope the scheme will be up and running by 2022.

## Broadcasting Sector

**Acting Chairman (Senator Róisín Garvey):** The next Commencement matter is from Senator Ollie Crowe. I welcome the Minister of State, Deputy O'Brien, to the Chamber.

**Senator Ollie Crowe:** I thank the Minister of State for coming to the House. Following a weekend that had two great All-Ireland hurling semi-finals, I wish to raise GAA coverage. The deal that allows Sky Sports exclusive rights over some championship matches expires at the end of next year. It is time all inter-county championship matches returned to free-to-air television. Certainly, they can be on Sky Sports, but they should also be on the terrestrial channels - RTÉ2, TV3 or TG4. The GAA belongs to the Irish people, including the small minority who have no interest in it, given the amount of taxpayer funds that have always gone to the GAA, far exceeding any other sport. The Covid-19 package this year and the 2019 sports capital programmes are recent examples, with the GAA receiving €28 million, more than any other sport, from those programmes. To be clear, I fully support the funding, believe in the good work and ethos of the GAA and have been involved in the GAA all my adult and juvenile life. In 2014, the GAA officials stated that the Sky coverage would allow the diaspora to see matches and expand its games to an international audience. Let me put on the record of the House that that information was incorrect. The deal harmed the ability of emigrants to see games. For example, in the UK currently, one needs to purchase a Sky subscription and a GAAGO subscription to see all the games. The new international audience has proved to be fiction. It is false, with figures as low as fewer than 1,000 people throughout Britain watching the games. It is clear to me that Sky was only concerned with the Irish market, which is worth more than €500 million per year.

However, as a councillor at the time, what I said about those who opposed the deal remains true now. In April 2014, when this deal commenced, I wrote that the GAA was founded with the stated goal of promoting, as all Members of this House are aware, Irish culture and that I failed to see how it was doing that by depriving hundreds of thousands of people across the country the opportunity of watching our national games. That has since proven to be correct.

I am aware of many people who have given countless hours on a voluntary basis to GAA clubs and the development of the GAA. They dedicated their lives to the GAA but missed out watching their counties play throughout Ireland, the reason being that they cannot afford Sky. That is the reality. They are facing a cost of three figures every month. That is wrong, whether they are in nursing homes or hospitals. These are the people who served the GAA well. They brought the juveniles to games the length and breadth of this country. I am well aware of that being from Galway city and proudly involved in my local GAA club.

When this deal was signed in 2014, it was wrong. It remains wrong today. This Government should make clear its opposition to any further renewal in the strongest possible terms. I am delighted to raise the issue with the Minister of State and I await his response.

**Minister of State at the Department of Rural and Community Development (Deputy Joe O'Brien):** I thank the Senator for raising this matter. The GAA is an independent, autonomous sporting organisation. The Minister for Tourism, Culture, Arts, Gaeltacht, Sport and Media, Deputy Catherine Martin, has no role in commercial arrangements between the GAA and broadcasters. While the Minister, Deputy Martin, would be in favour of the public having as much access to sport as possible on a free-to-air basis, the autonomy and independence of all our sporting organisations must be recognised.

Media rights are the most commercially precious assets for sports organisations and they need to be maximised and reinvested in grassroots supports in order for sports to flourish. In that regard, the Minister would like to see the additional revenues the GAA has generated through its deal with Sky Sports filter down to the clubs at grassroots level as much as possible.

Annual Government funding to the GAA is provided by Sport Ireland through its field sports funding programme. This investment is broadly aimed at encouraging and creating more opportunities for young people to participate in Gaelic games across Ireland. In 2020, Sport Ireland has allocated just under €1.6 million to the GAA under this programme. Like all sporting organisations, the GAA has been significantly impacted this year by the various Covid-19 restrictions imposed since March. We are all aware of the impact the loss of ticketing and match day revenue has had on the Gaelic games associations.

On 2 November, the Minister, Deputy Martin, and the Minister with responsibility for sport and the Gaeltacht, Deputy Jack Chambers, announced an €85 million funding package for the sports sector. The combined support being provided to the family of Gaelic games, which includes GAA, camogie and ladies Gaelic football, through the Covid-19 scheme is in excess of €15 million. In addition to that, a further €15 million was provided to support the staging of the 2020 GAA, LGFA and camogie championships. The Senator will recall that both the men's and women's Gaelic games championships were threatened by the lack of ticketing income due to the impact of the necessary public health provisions on spectator numbers at matches.

As I stated at the outset, the Minister, Deputy Martin, has no role in respect of the commercial arrangements between sporting organisations and broadcasters. However, the audiovi-

sual media services directive provides that member states may designate sporting and cultural events of major importance to society as free-to-air. The provisions were transposed into Irish legislation in section 162 of the Broadcasting Act 2009, which sets down the statutory process for designating events free-to-air. The events that are designated as being of major importance to society are broadcast as a matter of public interest on a qualifying broadcaster - RTÉ, Virgin Media or TG4 - on a live or deferred basis.

The current list provides for several GAA events to be free-to-air. The All-Ireland senior inter-county football and hurling finals were designated in 2003. The most recent review was finalised in 2017, and approval was received from the European Commission to designate the all-Ireland ladies football and camogie finals as events of major importance in May 2017.

To secure approval from the EU for designation, the event must satisfy at least two of the following four criteria: it must have a special resonance with a country as a whole; must be of cultural importance, especially as a catalyst of cultural identity; must involve the national team in the event concerned if it relates to a competition of international importance; and, finally, if it has traditionally been broadcast on free television commanding large television audiences. Two of those four must be met. Another important metric in addition to those criteria is measured by the EU. The event must have at least 5% of audience share, that is, the share of people who have the possibility to watch the event that actually watch the event.

Under the 2009 Act, the Minister is obliged to review the list of designated events every three years. The purpose of the review is to consider the appropriateness of the current list of designated events and to examine whether to add any events of major importance to society. As part of this process, the Minister, Deputy Martin, will launch a public consultation process in the coming weeks. This consultation will give stakeholders a chance to have their say on the current list, identify other events that could be considered in addition to or removal from the list, and provide a rationale on the way an event meets the criteria for legislation.

**Acting Chairman (Senator Róisín Garvey):** We did not get a copy of the Minister of State's reply. Did the Minister, Deputy Martin, give him a copy?

**Deputy Joe O'Brien:** I do not have copies to circulate at the moment but we will do that. I apologise.

**Acting Chairman (Senator Róisín Garvey):** We will have to get one for Senator Crowe anyway.

**Senator Ollie Crowe:** That is fine. I thank the Minister of State for his time. If he could send me the response by email I would appreciate that.

I welcome the review. It is encouraging. I am delighted to hear that the Minister, Deputy Catherine Martin, has committed to that. I do not want to labour the point but the fact is that hundreds of millions of euro of taxpayers' money have been invested in the GAA. What is happening is morally wrong, and morally wrong in terms of the members. The GAA said in 2014 that it was for the diaspora. That has proven to be incorrect, false and wrong. As the Minister of State is aware, the contract for Sky Sports coverage of GAA games is up for renewal. I am requesting the Minister of State, as part of this Government, to send a clear direction to the GAA that there should be no more pay-per-view deals. The GAA is a volunteer organisation the length and breadth of Ireland. Its members should be treated with respect. This pay-per-view deal is not acceptable. I ask the Government to send out a clear message in that regard. I



respect the commercial decision for the GAA but it is significantly funded by taxpayers' money.

**Deputy Joe O'Brien:** I appreciate the Senator's comments on this matter. I will take the issue around the diaspora in particular to the Minister. It is an area I have worked in and therefore am interested in it.

The year 2020 has been very challenging for the sporting bodies, particularly those that rely on mass spectator events for their income. The Government has provided unprecedented support for the GAA and other sporting bodies in recognition of the contribution they make to Irish society in terms of offering opportunities for sport and physical activity as well as the vibrant role sports clubs play in communities throughout the country. That was demonstrated again when clubs from the Gaelic games and other sports answered the community call to support the elderly and vulnerable members of their communities during the pandemic.

I reiterate that the Government will be reviewing the designated free-to-air events as required under the 2009 Act. My colleague, the Minister, Deputy Martin, will shortly launch a public consultation on the designation of sporting and cultural events of major importance to society as free-to-air. I would encourage all interested parties to make submissions as part of that process.

**Acting Chairman (Senator Róisín Garvey):** I thank the Minister of State. It would be good to have that response circulated to Members but I would like a copy of it also.

*11 o'clock*

#### Vocational Training Opportunities Scheme

**Senator Marie Sherlock:** I thank the Minister of State for attending. This matter relates to the range of supports to encourage people who are out of work to take up training and skilling opportunities. The reason I raise is it I was approached by a woman a number of weeks ago who is a former Debenhams employee. She has spent many nights on the picket line and is reliant on social welfare supports. She has realised that she needs to take her fate into her own hands and reskill because she needs to take up employment in the new year. She is now reskilling to become a special needs assistant but she has had to stop receiving the Pandemic Unemployment Payment, PUP, and join the vocational training opportunities scheme, VTOS, which results in a drop in her income of €159 per week. That means that she must survive on just 53% of her former earnings. My main question concerns the incentives for those who are out of work to take up training opportunities. Under the PUP scheme, people who were previously earning €400 or more per week receive 88% of their previous earnings; if they were previously earning €300 to €399 per week, they receive a minimum of 75% of their previous earnings; and for those previously earning €250 to €299 per week, they receive 83% of their former earnings. It is not acceptable that someone who takes the initiative and undertakes training sees such a dramatic cut in their income support. I accept that the qualifying period for accessing VTOS payments has been removed this year, which is welcome, but it is not going to do anything for those seeing such a dramatic drop in their income. I acknowledge that there has been a significant expansion in the training opportunities available and that is welcome, but we need to examine how the social welfare system is structured. It is not good enough that it is simply about preventing poverty; it needs to serve as a springboard to work. What incentives have been put in place to get people retrained and reskilled so that they can take up jobs next

year and beyond?

**Minister of State at the Department of Social Protection (Deputy Joe O'Brien):** As announced under the July jobs stimulus, the Department of Social Protection is developing a range of training and support measures in partnership with the Department of Further and Higher Education, Research, Innovation and Science to assist jobseekers whose jobs have been displaced by the Covid pandemic. Training measures include three main points: first, providing access to additional full-time and part-time education, including targeted short-term courses with more than 35,000 new education and training places for those unemployed; second, facilitating access to the back to education allowance to those displaced by the pandemic to return to education, including VTOS courses, which has been done by waiving the usual qualification period of three to nine months, as the Senator mentioned; and third, Government provision of almost €57 million in funding for the back to education allowance in 2020. This represents a considerable investment in supporting participants to acquire the necessary education and skills to re-enter the labour market. By the end of October 2020, approximately 6,000 students had received support through the back to education allowance.

The Department is also well-advanced in developing a new work placement and experience programme for those out of work for at least six months to provide them with the necessary workplace skills to compete in the labour market, helping to break the vicious cycle of “no job, no experience; no experience without a job” issue. It is intended that the programme will support mentoring to encourage jobseekers to expand their horizons and avail of new learning options that can help them grow into a new career.

If a person in receipt of the PUP wants to apply for the back to education allowance, they are required to transfer to a jobseeker’s payment. The rate of the back to education allowance payment will be linked to their qualifying social welfare rate payment. Whereas the PUP is short term in nature and is scheduled to end in March 2021, the back to education allowance can provide longer-term income support, which can be provided for the duration of an education support. It is not optimal to refer people to education at PUP rates for full-time programmes that extend beyond the lifetime of the PUP, as this is a short-term payment for people who are expected to return to work once the restrictions are eased. Indeed, many persons who are in receipt of PUP will return to their previous employment, and many already have.

Where someone in receipt of jobseeker’s payment or PUP wishes to pursue short-term or part-time study, they can continue to receive their payment, including PUP, while they continue to satisfy the conditions of that payment. Many options and supports are available to jobseekers wishing to pursue short-term or part-time training or education without a qualification period, and without affecting their existing jobseeker or PUP entitlements.

Finally, my Department offers a range of other employment and job search supports to jobseekers and employers through its Intreo service and public employment service. Further information is available at [www.gov.ie](http://www.gov.ie) and in local Intreo centres.

**Senator Marie Sherlock:** Any of us who has ever spent a period out of work know that days, weeks and months are vital in respect of the time needed to reskill or retrain. Those weeks and months should not be wasted. It is not good enough for the Minister of State to say that the PUP is going to expire in March and, therefore, people who are in receipt of the payment should not be able to access those State-provided training opportunities until March 2021. We need to do something in the here and now, and we must not waste any time. I acknowledge

that those in receipt of the PUP who take up privately-funded training can continue to receive the PUP, but this issue is about people accessing State-provided training, and the supports that are linked to that. It is not good enough that the Department has not acknowledged the need to address the need for incentives for people currently in receipt of PUP to get into training in the here and now.

**Deputy Joe O'Brien:** The Government is committed to supporting jobseekers, including those unemployed pre-Covid and those whose employment has been displaced as a result of the Covid-19 pandemic, in taking up education and training opportunities and to work with them to take up these options. We need to target supports at those who will most need them. Many of those in receipt of the PUP will return to their previous employment - and indeed many have already done so - as public health restrictions ease and the economy opens to varying degrees. At its peak, more than 600,000 people were in receipt of PUP in May 2020, and at its lowest, in October there were just over 205,000 in receipt PUP. As of yesterday, there were just over 351,000 in receipt of this income support. With this week's move from level 5 to level 3 restrictions and the partial opening up of the economy, a significant proportion of these people will exit the PUP scheme and return to employment in the coming weeks. It is, therefore, essential that we target support and resources at those whose jobs are permanently lost and those who have been receiving PUP for significant periods since last May.

### **Community Employment Schemes**

**Senator Gerard P. Craughwell:** I thank the Minister of State for coming to the House. I think it is my first time addressing him since his elevation, so I congratulate him on that.

I have been asked to raise this matter by Councillor Ben Brennan from Laois, but I know that the matter will interest a number of people around the country. It specifically concerns community employment, CE, schemes and those on them who are in their late 50s and early 60s. Since the schemes were first introduced, they have delivered a number of objectives for individuals and communities. They have served both as activation and social inclusion measures, and they have been adapted to times of low and high unemployment. The schemes are the backbone of many local services such as childcare, healthcare and social care, outdoor works and local facilities. Workers on the schemes work hand in glove with many local organisations, including Tidy Towns committees and local authorities.

It was widely reported at the height of the pandemic that CE scheme workers were the first to step up to the plate to support older people who were cocooning in their homes, by providing meals on wheels and other services funded by the HSE. Participants in schemes are normally long-term unemployed or are from targeted social inclusion groups such as those who are parenting alone or have a disability. There is no doubt that the schemes have been very successful in delivering on activation and social inclusion objectives.

One of the features of the schemes is that they extend across the life cycle of Governments. Fine Gael Governments have been very responsive to lowering the qualifying age. In 2019, the general qualifying age for community employment schemes was reduced from 25 years to 21 years and for those aged 55 years the rules allowed them to remain on a community employment scheme for three years.

We have been very realistic about the activation outcomes of the schemes. Young people

are a lot more likely than those aged in their late 50s or 60s to go on to full time-employment. This is not because of any reluctance on the part of the older cohort. Rather, the jobs are just not there. While many might not like to admit it, there is rampant ageism when it comes to hiring workers. Very talented older participants on community employment schemes have to leave them well ahead of retirement age. This places them in an unemployment limbo for up to four years. There is plenty of anecdotal evidence that many older workers on community employment schemes are making no extra money. They spend the €20 they receive from the scheme on petrol and sandwiches during the week. However, they love to go to work and they love the energy and commitment required of those on these schemes. All of the participants are valuable mentors for younger participants and have a lifetime of rich knowledge and experience to share. It behoves us to ring fence this group in order to protect the opportunity for participation and ensure that if they want they can stay in schemes up to retirement age.

Fine Gael in government has always been very proactive and responsive to changing labour market demands and the needs of community employment scheme participants. I am very hopeful that the Minister of State will respond to the call to extend the participation age up to retirement age. When he contacted me, Councillor Brennan was deeply distressed by the case of a 62-year-old man who, because he had reached the limits of the scheme, is now expected to go on the dole and do nothing. The only cost to the State of keeping him on the scheme was €20. That is wrong in every sense of the word. I look forward to the response of the Minister of State.

**Deputy Joe O'Brien:** Community employment is the largest employment and training programme administered by the Department of Social Protection. The programme was initially established under the aegis of FÁS to enhance the employability of long term unemployed people by providing work experience and training opportunities for them in their communities. Its objective continues to be to provide valuable work experience for long-term unemployed people to help prepare them to gain employment. The community employment programme is delivered throughout the community and voluntary sector by independent community employment scheme sponsoring authorities.

In general, community employment placements for new entrants aged between 21 and 55 years are for one year. Community employment scheme participants who are working towards a Quality and Qualifications Ireland, QQI, major award can seek to extend their participation in a scheme by up to two years to enable them to reach the required standard of qualification. A significant number of community employment scheme participants each year avail of an extension in order to continue training and obtain qualifications or major awards. However, community employment scheme participants aged 55 years or older can remain on a scheme for three years and do not have to work towards a QQI major award.

In either scenario, a maximum of three consecutive years' participation in a community employment scheme is permissible. A person may requalify for a community employment scheme after a 12-month break once he or she satisfies the qualifying conditions. An overall lifetime limit of six years applies to all community employment scheme participants and seven years for those in receipt of a disability payment.

A pilot initiative, known as service support stream, was implemented in January 2016 for those aged 62 years or older. The initiative facilitated up to 7% of the total community employment scheme numbers being allowed to extend their participation beyond the maximum duration normally permitted and to remain in community employment up to the State pension age,

provided the participant continued to meet the eligibility conditions and the number of places in the community employment scheme was not exceeded.

Overall, the service support stream was positively received by community employment schemes sponsoring authorities and participants who availed of the pilot scheme. A number of new conditions were introduced in July 2017 to further support progression and broaden access to community employment for a wider range of people. The service support stream was one of the new options provided on a more mainstream basis. In 2018, the 7% limit for service stream support participation placements was increased to enable 10% of the total number of community employment scheme participants to apply for this facility for those aged over 62 and without the need for a 12-month break in their previous community employment scheme participation, provided the participants continued to meet the eligibility conditions and the number of places on the community employment scheme were not exceeded.

in summary, I can confirm that community employment scheme participants aged over 62 can continue on a continuous basis up to the State pension age in this specific community employment service support scheme strand. This is subject to the standard criteria such as the availability of places on the service support stream, satisfactory performance on the scheme and annual approval by the Department.

**Senator Gerard P. Craughwell:** I thank the Minister of State for his response. I appreciate it. Community employment schemes have been the poor relation. One only has to look at the way the supervisors on these schemes have been treated down through the years. The Minister of State was not in office to oversee that.

I visited a community employment scheme in Wexford during the summer and it was amazing to see men aged in their late 50s and early 60s committed to the work they were doing in a garden. We need to waive all restrictions for those aged over 62. If people are on a scheme and the sponsor and supervisor are happy with the work they are doing, they should be allowed to remain until retirement age, with no restrictions and qualifying criteria. I ask the Minister of State to bring that proposal back to the Department because there is nothing worse for mental health than being forced into unemployment. My colleague spoke a few moments ago about the devastating effects of unemployment. I have been there and know what it is like. We need to look after the supervisors in the context of pension entitlements and the like. I again thank the Minister of State for coming to the House today and I appreciate his answer.

**Deputy Joe O'Brien:** I have some further information that might be of use. Nationally, there are approximately 19,000 places on community employment schemes, 10% of which are under the service support stream. The scheme is currently under-subscribed nationally. There are 1,081 community employment scheme participants availing of the service support stream. The 10% limit was previously at the local provider level. We have bumped that up to divisional level which should provide more flexibility for local providers to go beyond the 10% limit to some extent in some situations. That will vary from place to place at a local level. I wish to acknowledge that a lot of people availing of the service support stream also contribute invaluable advice and guidance to newer and less experienced community employment scheme participants over the course of their work and activities.

## **Forestry Sector**

**Senator Garret Ahearn:** I welcome the Minister of State. Ireland has a forestry industry that provides approximately 12,000 badly needed jobs throughout the country, particular in rural areas, including my county, Tipperary. It contributes some €2.3 billion to the economy annually and plays a major role in combating climate change. The importance of the forestry industry is underscored in the programme for Government, which outlines that trees and forests store carbon, clean the air, mitigate water movements, prevent soil erosion, provide habitats for flora and fauna and provide an attractive amenity for the public.

This is all being threatened, however. Tree planting has ground to a halt and our sawmills are running out of timber. This has been caused by the introduction of a new regime for forestry licensing and a failure for this new process to provide the licences that are needed to plant new trees and fell them. This is an issue which has been debated at length in the House and the Dáil and in various committee meetings. Furthermore, the problem has been exacerbated by the additional backlog of projects under appeal with the Forestry Appeals Committee. Despite the passage of emergency legislation only a few months ago, namely, the Forestry (Miscellaneous Provisions) Act, the crisis has persisted and the reforms that were to flow from the legislation have not yet materialised.

Forestry is now in the midst of a full-scale crisis that threatens the future of the industry. Industry representatives have been clear in stating that forestry is on its knees due to the prolonged and ongoing inaction of the Department of Agriculture, Food and the Marine. Despite the coming into force of the recent Act, the crisis has worsened and urgent intervention is needed to save jobs and salvage what is a vital industry. The Department of Agriculture, Food and the Marine has repeatedly failed to deliver on the commitments to produce the required number of forestry licences. It has not met any of its targets and has repeatedly refused to admit that its process is not delivering.

Last week, it was reported in the *Irish Independent* that a staggering 4,600 licence applications are backlogged in the forestry service. This was despite that fact the Department of Agriculture, Food and the Marine has consistently stated that approximately only 2,000 forestry licences were backlogged. As reported in *The Irish Times*, the representative body for the industry in Ireland, Forestry Industries Ireland, has written to the Taoiseach, the Tánaiste and leader of Fine Gael, and the leader of the Green Party outlining that the forestry industry in Ireland is in full-scale crisis, and asked them to intervene directly to save the industry.

Given that the Department has failed to get on top of the situation, the industry has called for three steps, all of which were included in the letter sent to the three party leaders. The first step is to place the forestry division of the Department of Agriculture, Food and the Marine on an emergency footing, redeploy personnel to deal with the crisis and recruit and outsource additional managers and personnel immediately to deal with the backlog of licences. The second step is to set out specific targets for licensing, and hold the Department of Agriculture, Food and the Marine to account by closely monitoring output through a temporary emergency oversight unit based in the Department of the Taoiseach. The third step is to insist the forestry appeals committee reforms its approach and increases its output, as enabled by the Forestry Act.

I have four questions for the Minister. Is the current number of backlog licences 2,000 or 4,600? If it is 4,600, how did the Minister and Department officials previously conclude the number of backlogs were 2,000 and state it repeatedly in Dáil debates? Can the Minister outline when the backlog was cleared, with reference to a specific date and timeline? Will the Minister specifically address the three steps identified by the industry to resolve the crisis?

**Minister for Agriculture, Food and the Marine (Deputy Charlie McConalogue):** Let me acknowledge there are delays in the issuing of forestry licences and there are currently real challenges and difficulties in the sector as a result. I fully recognise the impact this is having on the sector. My immediate priority is to resolve the issues which have led to this backlog and issue licences in the volume needed for this important sector to continue to contribute to our rural economy. My Department is working with a great degree of urgency to accelerate the pace at which licences are being issued, and to ensure the system in place stands the test of time and meets all the legal requirements. Together with my colleague, the Minister of State, Senator Hackett, I have met many different stakeholders on this issue and continue to engage intensively with all parties to try to resolve this.

I am more than aware of the importance of this sector. I know it has significant potential for income generation on farms, for the creation of rural jobs, and for the provision of woodlands for public enjoyment. Forestry also has a key role to play in meeting our national climate and biodiversity objectives. That is why the building of a sustainable forestry sector is a key priority in the programme for Government. This means building economic resilience in full compliance with relevant environmental legislation.

The background is that my Department is the planning and consenting authority for forestry licensing in Ireland. Licences are required for afforestation, forest road construction and tree felling. These must be issued in compliance with EU and national environmental legislation. Third parties may make submissions on licence applications and there is provision for appealing forestry approvals to the forestry appeals committee.

Recent case law from the Court of Justice of the European Union and their subsequent interpretation by the High Court, as well as decisions of the forestry appeals committee and others, have required my Department to introduce new appropriate assessment procedures for forestry licencing. These unavoidable changes in the licencing system, which take account of case law on the environment, have resulted in delays in the issue.

The most significant of these changes came in mid-2019 with a High Court ruling on appropriate assessment procedures, which had immediate implications for forestry licencing. The new procedures introduced involved major changes and have been challenging to implement. The changes involve a more detailed screening process of all European sites within 15 km of the project area and other European sites hydrologically linked.

Appropriate assessment is a site-specific analysis that is required under the EU habitats directive, which must be completed before a licence can be issued. The assessment is to judge whether the proposed forestry operations will significantly impact any nearby designated Natura site.

The changes in process introduced to meet these environmental requirements are significant. This has led to delays in the issuing of licences, as most files now require second stage appropriate assessment. There have also been a large number of appeals, which resulted in a backlog of appeals cases.

My Department receives forestry applications and issues new licences every week of the year. This means there is a constant turnover of applications and a work list which has these applications at various stages of processing. We currently have approximately 4,700 files on hand for processing. The primary backlog, however, is with the 2,000 licences requiring ecology

input. Generally, the remainder of licence applications are not subject to the delays currently being experienced with licences requiring ecology input. To give some context to our output, we have issued 2,300 licences this year to date, almost 600 of which have issued in the last two months.

I will briefly update the Senator on the staffing allocation around this. We now have 16 full-time equivalent ecologists working on forestry licencing, which is up from just two this time last year. We are continuing to recruit ecologists and will be adding to this team very soon. Ten new permanent forestry inspectors are joining the Department's team, four of whom are starting this week. They have been supplemented by four temporary forestry inspectors and all are immediately allocated to working on licencing. That gives an indication of the seriousness and the resources which are being attached to this to address the backlog, in the full understanding of the pressure the industry is under at the moment, and to try to resolve that situation by bringing a volume of timber into the industry through the issuing of licences. I thank the Chair for her discretion.

**Senator Garret Ahearn:** It is important to point out that this happened long before the Minister came into the Department. I take on board and totally accept the seriousness with which the Minister takes this. The worry is whether the Department and the officials take it with the same seriousness, but I trust the Minister's leadership on this.

The Minister said there are 4,700 files for processing but only 2,000 are primary backlogs. What is the difference between those? There are 4,700 files in there. Obviously, therefore, it is a backlog for the people who have files in there and they are waiting.

The Minister must have an indication from the 600 that have been processed in the last two months of when he will be able to clear the backlog. Has he any idea of that? In fairness, from my constituency in County Tipperary, approximately 740 people are employed directly in the forestry sector. The Minister is aware these jobs are insecure now with lack of timber. I am thinking of Dunnes Sawmills in Drangan and Sheehan Sawmills in Ballyporeen. These are good jobs and good people who have been in the industry for 25 years and 40 years, respectively, and who give back an awful lot to their communities. We need to make sure we can save this industry and make it viable going forward. The Minister might answer the question on when the backlogs will be cleared or give a prediction, if possible, of when they might be cleared.

**Deputy Charlie McConalogue:** Some 4,700 files are in hand, 2,000 of which require an ecology input and assessment. Those require much more work and are where the delays have primarily occurred. The others, which do not require an ecological input, tend to be processed more quickly. As I said, so far this year, 2,300 licences have been issued to date.

The fact the number of licences being issued has not been what is required by the sector has caused many problems and difficulties, and a real crunch now. We are doing all we can in the Department to address it. As I outlined in terms of the additional resources, there are 16 ecologists now compared with two this time last year and that is increasing. The number of additional forestry inspectors coming in to address this is increasing capacity all the time. The immediate priority is getting volume into the system to address the supply challenges and scale that up, and in doing so deal with the backlog.

I cannot say at this point how long dealing with that backlog will take. We are doing all we can to address it and to increase immediate volume supply. Then, into the start of next year, I



will be able to give a clear guideline in terms the scaling up of resources and where we are with addressing that backlog. It is certainly my intention and that of the Minister of State, Senator Hackett, to ensure that this backlog is addressed. The immediate priority is the challenging situation in which many in the sector and many sawmills find themselves. We, in the Department, are doing all we can to address that and take it seriously.

### **Schools Building Projects**

**Senator Seán Kyne:** Cuirim fáilte roimh an Aire. I acknowledge and congratulate the Department of Agriculture, Food and the Marine and, more importantly, the Minister for Education, on the work that has been done on the challenges that Covid-19 has presented in our schools over the past number of months. I also acknowledge and congratulate the Department of Education on the provision of school accommodation in the general Galway area over the past ten years. We have a proud record in respect of schools such as Merlin College, Merlin Woods Primary School, Gaelscoil de hÍde, Coláiste na Coiribe, Gaelscoil Mhic Amhlaigh and the new schools in Clifden, Oughterard, Na Forbacha, Claregalway and Lackagh. There has been considerable investment over the past ten years.

There are a number of schools that still have challenges. Scoil Chaitríona, Renmore, has been seeking a new school building for a number of years to no avail. It is a co-educational primary school divided into junior primary and senior primary schools, taking in pupils from a large area to the east of Galway city. The present school buildings were opened in the early 1970s and approach being 50 years old. They are well past their sell-by date and urgently need replacing. The school caters for almost 800 pupils and approximately 70 staff. The present building is single storey with an unusual design where many classroom doors open directly onto a school yard area. That poses issues regarding heat retention, security of the building when the school is off, movement of children during the day etc. Any 50-year-old building has issues but our school buildings should reflect the pride and importance that we place on the next generation and the buildings in Renmore do not do that.

It is not for the want of trying on behalf of the staff, board of management, parents, school community and all politicians in the constituency. I welcome Senator Crowe here today in that regard. They have campaigned long and hard for what they need and deserve, but progress is stubbornly slow. The crunch issue seems to be that the available site may be too small. At present, the school is a single-storey building and caters for 800 pupils. A new school, most like a two-storey building, would take up a smaller footprint. There may be logistical issues in terms of the construction but I am sure they could easily be dealt with. The availability of green space is not an issue. The school is located immediately adjacent to a large green area owned and maintained by Galway City Council. The school has been assured by the council that an agreement can be put in place allowing access to this green space during school hours.

This is a long-running saga which needs a solution. Children who started in the junior school have moved through the system and still no progress has been made. Pupils everywhere deserve the best facilities to get the best start in life. Staff also deserve a decent place of work. As we are raising this matter in the Seanad, I note that Máire Geoghegan-Quinn, a former Senator, was a part of the original staff in the school when it was founded, although she certainly has since gone on to greater things. That goes to show a connection with this House and the length of time since that school was built.

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I visited the school and met the then principal and chairperson of the board of management. Their commitment to their school and pupils is 100% and they deserve better facilities in return.

I welcome the fact that the senior Minister has come into the House. I acknowledge that. I understand that she has organised a meeting with all Oireachtas Members and I look forward to that. I originally put down this Commencement matter last Friday and was not aware that a meeting was in the offing. I certainly welcome that and look forward to working with the Minister and all Members of the Oireachtas to ensure that we get progress on Scoil Chaitríona, Renmore.

**Minister for Education (Deputy Norma Foley):** I thank the Senator for his generous remarks about the work of the Department of Education and how the challenges of Covid-19 are being managed. He also acknowledged how those challenges are being managed on the ground by school communities and I also wish to express my own sincere thanks in that regard. The ongoing work is a challenge that is being met on a daily basis with the immense generosity and determination of school communities.

The Senator also acknowledged the provision of accommodation in the area over a long number of years. I thank him for raising this specific matter as it provides me with the opportunity to clarify the position in relation to the provision of new school buildings for Scoil Chaitríona junior and senior schools, Renmore, County Galway. Scoil Chaitríona junior school caters for boys and girls from junior infants to second class. The school had an enrolment of 392 pupils for the 2019-20 school year. Its staffing allocation for the current school year includes a principal, 19 mainstream class teaching posts, including four disadvantaged over-quota posts, eight special education teaching posts, one shared special education teaching post, four special class teaching posts and two language support teaching posts.

Scoil Chaitríona senior school caters for boys and girls from third class to sixth class. The school had an enrolment of 378 pupils for the 2019-20 school year. Its staffing allocation for the current school year includes a principal, 15 mainstream teaching posts, eight special education teaching posts, 1.02 shared special education teaching posts, three special class teaching posts and one shared home school liaison post. Both schools operate under the patronage of the Bishop of Galway.

The Department requested the patron to explore the potential availability of alternative site options, including a request to engage with Galway City Council regarding any potential land within council ownership. The patron subsequently advised the Department that no alternative sites were available. The Department subsequently met patron representatives and both school authorities to consider a way forward. The school authorities committed to exploring any options that may be available to decant the schools to facilitate a building project. A proposed decant option was recently proposed by the school.

My Department is anxious to advance the building projects for the schools into the architectural planning process. However, the complexities associated with the existing site need to be resolved and the Department is currently exploring the options available in an expeditious manner. I appreciate that this is a priority for the Senator and all Oireachtas Members. I assure the Senator of the Department's co-operation in expediting the matter as soon as possible.

**Senator Seán Kyne:** I thank the Minister for that comprehensive reply. I am aware that there has been engagement between the board of management, the patron and the Department

over a number of years. As the Minister rightly says, the issue around the site is the principal concern. To reiterate, Mr. Brendan McGrath, CEO of Galway City Council, has outlined that the council is willing to engage with the school patron about the use of a green space across the road from the existing school site. It is a quiet and safe road so I do not believe there will be an issue. That would solve the problem and allow for the existing site to be used. As I said, no other site has been identified. There is an option and a solution. I hope that the Minister will be able to expedite matters in conjunction with the Oireachtas Members in the area and I am sure she will.

**Deputy Norma Foley:** I confirm that I appreciate the Senator raising this issue because it has given me an opportunity to outline the determination of the Department to advance this project. I assure him that the Department will continue to work with the patron and the school authorities on advancing this matter. As the Senator earlier outlined, the priority that is being given to this project is underlined by the fact that there will be a meeting between Oireachtas Members and officials of the Department next week. I have every confidence that meeting will be helpful in progressing the matter. It is a priority and we will expedite it as quickly as we can.

*Sitting suspended at 11.40 a.m. and resumed at 12.02 p.m.*

### **An tOrd Gnó - Order of Business**

**Senator Lisa Chambers:** The Order of Business is No. 1, Planning and Development Bill 2020 - Report and Final Stages, to be taken at 1.30 p.m. and to conclude at 3.30 p.m. by the putting of one question from the Chair, which shall in regard to amendments include only those set down or accepted by Government; No. 2, Private Members' business, the Irish Nationality and Citizenship (Naturalisation of Minors Born in Ireland) Bill 2018 – Committee Stage, to be taken at 4 p.m. or 15 minutes after the conclusion of No. 1, whichever is the later, and to adjourn after 60 minutes if not previously concluded; and No. 3, statements on the technological university agenda, to be taken at 6 p.m. and to conclude at 8 p.m., with the time allocated to group spokespersons not to exceed eight minutes, all other Senators not to exceed five minutes and a Minister to be given no less than six minutes to reply to the debate.

**Senator Mary Seery Kearney:** I want to talk about the general data protection regulation, GDPR, which normally nods people off to sleep, unless they are like me and get very excited about it. When Max Schrems took Facebook to court here in Ireland, a decision was made which brought about a change in the obligations on companies. Until then, if a company was exporting data out of the European Union or a European Union-aligned country with an adequacy decision, all it had to do was have standard contractual clauses and other mechanisms to ensure there was a standard of data compliance. Since the Schrems decision, a company that is exporting data has the obligation not only to ensure that the recipient of those data is up to an EU standard but that the country the recipient is in also is up to that standard. We are a few weeks from Brexit and, at this time, it looks as if the UK is going to be what is considered a third country if we have no deal, and we also have the Schrems decision.

I am looking for a debate and discussion in the Chamber at some point to at least bring to public attention these hidden consequences. The Schrems decision would have happened anyway but its implications with regard to Brexit and the EU, and whether we have a deal or not, are naturally being overshadowed by larger and more serious issues. However, it is also a very

serious issue and I raised it in the context of the Brexit debate yesterday. We have a duty to have a discussion with the public in this regard because there is a burden on small companies, and this applies even within the Houses. If we think about it, our email system is on an American-based and owned company system. The ramifications of this are enormous and yet we are not really talking about it and it has fallen off the agenda, even if that is for very good reasons. I ask for time for us to expose, discuss and ventilate all of these consequential obligations that are occurring at the moment.

**Senator Gerard P. Craughwell:** Following the controversy over a tweet from Deputy Brian Stanley, who I consider to be a good and decent man, I have thought long and hard about what I am about to say this morning. In 40 years of the Northern Irish Troubles, over 3,500 people were killed in conflict; 52% were civilians, 32% were members of the British security forces and 16% were members of paramilitary groups. There is no hierarchy in murder. All were needless, all were brutal. Many victims were simply people going about their daily business, just like other Members and I do on a daily basis. Was the murder of Pat Finucane in 1989 any more terrible than the senseless killing of Jean McConville in 1972? Did the Ballymurphy killings by the Parachute Regiment justify the Narrow Water killings by the Provisional IRA?

Collusion is dealt with in the University of Portland's Pilot Scholars report on "British Collusion in the Irish War on Terror". It analyses the legal and ethical implications of deploying collusion tactics to deter terrorism. In it, historians Ed Moloney and Matthew Teague both discovered by their independent research that British efforts at collusion were arguably illegal and morally unethical. Both found that the British authorities would go to extreme lengths to maintain undercover agents' identities, even to the extent of allowing agents to kill innocent civilians or other intelligence agents in order to remain undercover. British intelligence adopted counterterrorism measures, which included the recruitment and handling of Provisional IRA and UDA informants in order to infiltrate the paramilitary groups' command networks.

This is collusion. There was state collusion and state-sponsored collusion. The lawyer Pat Finucane was shot dead in front of his wife and children in Belfast by a UDA hit squad which included British police and members of the intelligence service. A public inquiry into this senseless killing has been denied. However, was he the only one killed in this way? Is his family the only family entitled to a public inquiry? Members of the security forces were gunned down by members of the IRA. If we believe the evidence above that I have already averted to, some of those were British agents. I believe there will never be a public inquiry. No government anywhere in the world would allow such an inquiry for to do so would be to expose them as terrorists themselves, similar to the brutal regimes they condemn publicly.

Let us not forget there was collusion by the security forces in the Republic. Judge Smithwick adverts to the collusion between members of the Garda and the IRA, which is most regrettable. It was only a limited case but nonetheless, it happened. If we accept there will never be a public inquiry, then we must demand the establishment of a truth commission with a full amnesty for all witnesses. We can no longer allow the pain of what went on in Northern Ireland for 40 years to contaminate future generations. Here in the Republic, we must move on. We cannot demand that Sinn Féin participate in government in the North while at the same time describing it as being of dubious credentials in the South. I have had to put aside my own deep personal hurt with respect to the terrible intimidation my mother and father were subjected to in 1974 as a result of my service in the Royal Irish Rangers. I have to move on. We have to move on. Here in the Republic, we must move away from the brand "Sinn Féin-IRA". We must see Sinn Féin as just another political party born out of a conflict, just like Fianna Fáil and Fine Gael. I

and all who seek full reconciliation must learn to stop thinking of Sinn Féin as being run by an army council and saying, “They have not gone away, you know”. I assure the House I will find that very difficult at times. For its part, Sinn Féin must learn just how deeply offensive are some of the poorly thought out statements, comments and tweets it makes. It too must move into the normal political discourse like the rest of us.

I know the Deputy Leader and the Cathaoirleach have done quite a lot of work in this area themselves. We must move on. We must grab peace and the only way we can do that is to treat each and every person with the respect we want ourselves. Believe me, I think back to 1974 and how my mother was treated at 3 a.m. and 4 a.m. in the morning, being woken out of her bed to be told I was shot, I would be shot or they were coming to get me. It was not something trivial because they did take one of my colleagues out of his house in Derry and shot him in Donegal. I find it deeply hurtful when I see statements such as that made by Deputy Brian Stanley. I spoke to him about it and I fully understand now what he was trying to say. However, my fully understanding what he was trying to say in a 180 character tweet is not good enough. Sinn Féin must stop that and we for our part must try to put the deep feelings we have about what went on in this country over 40 years behind us and we must learn to grab peace. If we do not we will go back to where we came from.

**Senator Mark Wall:** I thank Senator Craughwell for those words. I am sure they are deeply felt.

I want to raise an issue raised by fellow Members of the House in recent sittings and in light of a recent CSO report, that is, the social impact Covid is having on our society. As a public representative, I have noticed an alarming rise in the number of people seeking support and I have also been approached by many people worried about family members and friends who are unsure of where to turn for help. The recent CSO survey referred to was released a number of days ago and has confirmed some of what I and other public representatives are seeing up and down the country. The percentage of people feeling depressed or downhearted has more than doubled in the past seven months, from 5.5% in April to 11.5% in November. The percentage of people who felt alone all or most of the time has more than doubled, from 6.8% in April to 13.7% in November this year. However, this is not felt equally across our society. For example, females are far more likely, at 17% compared with males at 9.9%, to be feeling lonely all or most of the time. While more than one in four of our young people in the age bracket of 18 to 34 also feel the burden of this loneliness. With numbers doubling so quickly, many people who never had to access support now find themselves dealing with a system that was struggling and overstretched before this pandemic happened. We must act now and make support for these people readily available and reach out to help all who need it.

We must also make extra funds available to organisations that now find themselves on the front line of this new crisis. We know failure to do so has had devastating consequences for so many in our communities. We must also invest in local sports, arts groups and youth clubs, which engage with so many and provide an essential outlet in communities. We know making human connections is a key part of well-being. We must move away from judging the success of our nation solely on GDP or how many multinationals we can attract to set up operations here. Success for our country should be making Ireland a great place to make a living and making it a great place to live.

Recently, we welcomed the news that a vaccine is coming closer to reality but the legacy of the pandemic may prove much more troublesome to cure and leave a lasting impact on our

communities for many years to come. Now is the time to reset our priorities as a nation and put people first. Other countries have already started this process and now we must follow. I ask the House to support the online campaign for the State to pay the €100 registration fee for nurses and midwives. The letters regarding their annual registration to the Nursing and Midwifery Board of Ireland arrived yesterday, as I am sure we are all aware. Given the incredible and unselfish work our nurses and midwives carried out on the front line over recent months, the Government paying this registration would be a very important acknowledgement of this work and how important our nurses and midwives are to us all.

**Senator Róisín Garvey:** With regard to remote working hubs, sometimes bureaucracy and multidisciplinary departments make it very confusing for people. I want to clearly outline something today for my colleagues after a meeting this morning with the Department of Rural and Community Development. One of its top civil servants, Dr. Stjohn O'Connor, clarified for us some of the information on remote working hubs because we had seen some announcements in the budget. Every county in Ireland has a broadband officer, which is good to know. Whether with regard to a social enterprise, a village hall, an old Garda station or a group of people who want a Wi-Fi hub in their area, people should go to their local authority and find the broadband officer. The civil servant also pointed out that they have not reached capacity with the money and there is still money available for these broadband connection points, BCPs. I have been hearing about BCPs and Wi-Fi hubs for ages and I have discovered the difference is that BCPs are in areas with absolutely no Wi-Fi whatsoever. If a village or area has no Wi-Fi, it can apply through the broadband officer in the local authority to get funding to set up a place where people can go.

Apart from my obsession with rural water schemes, I believe that rural broadband is the second key requirement for surviving and thriving in rural Ireland and having regional balance. We have heard of many people moving from big cities to rural areas where they have good rural broadband services. Everyone in Dublin will know it is so much cheaper in rural areas and instead of having rural schools and rural shops closing down, this is a real opportunity for these schools, small shops and small businesses to thrive again if we can have these rural Wi-Fi hubs. I want to draw everybody's attention today to the fact that now is the time to *carpe diem*. The Minister, Deputy Humphreys, is strongly in support of this issue. She put €5 million into the budget because she knows it is one of the key issues for regional rebalance. Everybody, including the Government, has always been speaking about regional rebalancing and now, because of Covid, remote working is becoming a norm forever more. We will never go back to the way it was. A total of 84% of people who have had to work remotely because of Covid have said they would happily continue to do so. I urge the entire House to support this huge investment. Let us get it all spent. Let us apply for it in every local authority area and let us get rural Ireland back on its feet again.

**Senator Niall Ó Donnghaile:** Two years ago, the collaborative forum recommended that health and well-being supports be put in place for survivors of institutional abuse and their families. The Government finally committed to rolling out these supports from the beginning of this year. However, no supports were delivered. Only after the recent records debacle did it announce survivors can avail of counselling through the national counselling service. This is not good enough. Time and again, survivors and families have said they need a dedicated point of support for their specific emotional needs. They also need to be signposted to the social and economic state supports. This is what the victim support service in the North offers. Through the Deputy Leader, I urge the Ministers relevant to care and support for victims to engage with

their Executive colleagues in the North on how a similar bespoke service can be rolled out here in this State.

I welcome the roll-out of the Pfizer vaccine in the North. I say this with great hope. I am sure it has come as a great announcement of hope for many people, not least the most vulnerable and at risk in our society. It has to be those people who are most vulnerable and most at risk who need to be prioritised, North and South, in the roll-out of any vaccine. While welcoming the news, it seems I will get it before all of the Members so they should keep an eye on me. I very much encourage people to heed the scientific and medical advice to put aside the conspiracy theories, some of which are quite dangerous and very unsettling and concerning. There is a specific role for us, in terms of political leadership, to ensure we face that sentiment down in order to make sure that people avail of the proper vaccines and that this is rolled out as soon as possible in the most effective way.

In saying that, I echo what has been said many times in this Chamber, namely, that we cannot afford to let our guard down. Christmas is approaching. While restrictions have been relaxed in this State and while there may also be a change in restrictions in the North in the coming days and weeks, we must ensure that we try to have as normal a Christmas as possible. We all accept that it will not be a normal Christmas and we have to act responsibly in that regard. I encourage people, in welcoming the hopeful and positive announcements in recent days and weeks on vaccines, to remember to be *píosa ciallmhar*. *Níl i bhfad eile uainn* and once we get through Christmas and the roll-out of this vaccine, hopefully we will see a significant change for the better for everyone.

**Senator Frances Black:** On Monday last, I was disappointed when the British Government rejected the calls to carry out a full and thorough inquiry into the murder of Pat Finucane. This rejection just compounds the pain and trauma of the Finucane family. Geraldine Finucane said it was an insult that the investigation was refused. I cannot begin to imagine the pain experienced by the family and friends of Pat Finucane since his assassination. In February of last year, the UK Supreme Court ruled that previous investigations into the murder were not effective and fell short of international human rights standards. The British Government previously appointed individuals to examine Pat Finucane's killing, but nothing has provided his family with the full disclosure it is believed only a public inquiry can deliver. We must have a full inquiry in order to achieve justice, restore confidence and promote reconciliation.

Yesterday, the Joint Committee on the Implementation of the Good Friday Agreement, chaired by Deputy O'Dowd, called for:

... the immediate establishment of a full, independent, public judicial inquiry into the murder of Pat Finucane, as recommended by Judge Cory, which would enjoy the full co-operation of the Finucane family and command the respect and confidence of all of the people on the island of Ireland and all persons committed to democracy, human rights and the rule of law worldwide.

There needs to be full disclosure of all the collusion between paramilitaries and the security forces in killings and it is only when this is done that there will be any hope of restoring confidence in the rule of law and in the administration of justice. The reluctance of the British Government to allow this inquiry is understandable, as the use of murder gangs is a well known counter-insurgency tactic used in its colonies all over the world and the knowledge of this collusion is believed to have gone to the top of the British Government. According to the Canadian

judge, Peter Cory, this was known to the then Prime Minister, Margaret Thatcher.

While this campaign continues to demand a full inquiry, we must keep the unified spirit in this House and in the Government alive and move forward with the courage the Finucane family have had to dig deep to find for over 30 years. In the words of Geraldine Finucane: “The questions that demand answers around Pat’s murder are not going away, and neither is our campaign for truth and justice.” We must continue to move forward with our best efforts to finally bring justice to the Finucane family who have suffered enough. This is paramount. I commend the outstanding bravery of Geraldine Finucane and her family in opening up their past traumas time and again. They have continued to courageously campaign for public justice for over 30 years.

**Senator Catherine Ardagh:** I would like to raise my disappointment at the reconfirmation by AIB that it plans to reduce its workforce by 1,500 people by 2023. Not only is this hugely disappointing for a huge amount of staff but it is also disappointing for people who use AIB’s banking services locally. The reduction is not only of people but also of branches. It is closing down its Crumlin Cross branch and moving it to Crumlin Road, to the detriment of many elderly people who would use AIB’s face-to-face services on a daily basis.

What is most alarming about this is that the bank seems to forget that the State bailed it out to the tune of nearly €20 billion when it was in a huge crisis. The State currently owns approximately 70% of the bank. Therefore, this announcement goes against the theme and the sentiment we are all living through that we are in this together. It is the wrong time to make these announcements and it is unfair on the people working in AIB. We should have a debate in this House on the matter. The Financial Services Union is saying that the timing is wrong. There has been little talk or consultation on the nature of the redundancies. Due to the fact that the State has such a large stake in the bank, it is paramount that this matter be debated in the House.

**Senator Seán Kyne:** I previously asked for a debate with the Minister for Transport, Deputy Eamon Ryan, on the issue of greenways, blueways and walkways. I welcome recent Government funding for projects across the country and this builds on an investment provided over recent years for projects such as the great western railway in the Deputy Leader’s county, the Mullingar to Athlone greenway and the Clifden to Recess greenway. The recent An Bord Pleanála decision on the greenway in south Kerry has been welcome and it was regarded as a test case by many local authorities that have projects that are stuck in limbo across the country. I welcome that decision and I regret that negotiation failed prior to taking the ultimate decision to go to a compulsory purchase order, which always has to be the last step.

Progress has been painfully slow on some projects in my county of Galway and my area, from Galway city to Moycullen to Oughterard. Funding was announced for this project in 2014 but a planning permission application has still not been lodged for the simple reason that the county council has not been able to gain access to all of the lands involved. The potential for this project is huge in the context of commuting and tourism. The potential is huge for people who work at National University of Ireland, Galway, NUIG, Galway-Mayo Institute of Technology, GMIT, or University Galway Hospital, for example, to be able to cycle to work and, similarly, for students attending NUIG and GMIT to be able to attend lectures by cycling in. There is also a tourism potential for the greenway as the gateway to Connemara. I ask for a debate on this to explore what the Department intends to do to ensure that county councils can access land to complete environmental reports and to lodge planning applications to allow these projects to be delivered.



**Senator Victor Boyhan:** I thank the Deputy Leader for setting out the proposed Order of Business for today. One of the issues I want to raise relates to persons over 65 years of age. Members will have received numerous emails this week to the effect that people of 65 years of age are obliged to apply for jobseeker's allowance until they are 66 years of age and qualify for the State pension. Senators will recall that during the elections and the political promises, there was a promise on an interim payment that seems to be forgotten, and that this would issue for the period between a person turning 65 and 66. We know that jobseeker's allowance is means tested and this is presenting a problem for many people who have small savings, but this is after a life of work. When one has small savings, one is means-tested. Therefore, retiring at 65 years of age with a retirement lump sum or some small savings means that one's jobseeker's allowance payment will be reduced below €203 per week, to take account of one's savings. That is a problem. There is a solution, however, and that is that the jobseeker's allowance should be paid for the year between someone turning 65 and 66 but it should not be means-tested. There is an end to it and it is only a period of one year. For people who have worked hard in this State, many of whom had no option but to go at 65 for health, contractual or other reasons or commitments, we should show some gesture of goodwill and support. We should have the allowance but it should not be means-tested for that period of one year. I ask if we could organise some sort of debate on that or tag it on to a debate on social protection, whenever the relevant Minister is in the House.

I appeal to Senators who are available to come to the House for the Report Stage debate on the Planning and Development Bill 2020, which is taking place today. It addresses a key issue, on which we are not poles apart. It is the issue of the mandatory requirement on local authorities to hold a public meeting to consult and engage with the citizens they represent. We had a robust, good and healthy debate on this and there was a difference of opinion but I hope all Senators can agree to support the view that the citizen should have a right to such public meetings enshrined in the legislation. I do not want an unelected executive to decide on public consultation. For that matter, I do not want to interfere with the role of councillors in that process either. A mandatory requirement to have public consultation on city and county development plans should be enshrined in the Planning and Development Bill 2020, which we are finalising today.

**Senator Malcolm Byrne:** I agree with the concerns about data expressed by Senator Seery Kearney. We had that discussion during the Brexit debate yesterday. It is also worth reflecting on the important testimony given today by Senator Craughwell. I agree with the concerns he expressed.

I will raise two issues on which I have sought debates a number of times. The first is the recent Environmental Protection Agency, EPA, report. I focused last week on the issue of air quality. Senators will have seen last night that RTÉ highlighted the urgency of introducing a clean air Act. We need an urgent debate on that issue. The second issue, on which the Leas-Chathaoirleach has also sought a debate, is the question of Poland and Hungary, particularly their treatment of minorities. I will not comment on events in Brussels over the weekend but it goes to show that some of the individuals who are oppressing LGBT minorities have a lot to answer for. There is also a question around the position of Fine Gael continuing to allow Fidesz to remain as a member of the European People's Party.

I seek a debate on the report this morning from the Central Statistics Office showing unemployment levels rising and a youth jobless rate of 47%. It is understandable in a pandemic that this would happen but the concern is that if youth unemployment becomes a long-term challenge, we will risk alienating large groups of young people if we do not address it. The Gov-

ernment has invested significantly, and rightly, in education and training. We need a debate on youth unemployment, the supports available to young people and how young people are coping with this pandemic. A rate of youth unemployment of 47% is not sustainable in the long term and reducing it must be a priority.

**Senator Paddy Burke:** I raise an issue that has been raised a number of times, namely, cases involving multinational utilities companies, such as Eir and Sky, where people try to break a contract or stop making payments for one reason or another. On telephone services, I have been contacted by someone who has a number of mobile phones and is trying to eliminate some of the mobile contracts but cannot get through to Eir. Other people cannot get through to Sky. They cannot cancel contracts and the money continues to be taken out of their bank accounts. In some cases, people who have cancelled direct debits are being fleeced with bank charges for not honouring a contract. Something needs to be done to address this, whether that is bringing in the relevant Minister or contacting ComReg. ComReg has a major role to play in this and it should make an example of some of these companies. How does it deal with such issues? Does it deal mainly with big issues? What about the ordinary person on the street? Does ComReg have any time for the ordinary person on the street who is frustrated because he or she cannot contact a utility? Some of these cases date back to January, February and March and the individuals in question still cannot contact the company that provides the utility, telephone service or whatever. I ask that the Acting Leader bring a Minister to the House to deal with this issue or that we contact ComReg and send a strong message from this House that it must deal with this issue.

**Senator Annie Hoey:** I want to take a moment to reflect on an interview I heard on radio yesterday. I do not know if anyone else heard it. It was with three young carers under the age of 18. They were brilliant, kind young people who had taken on a role far beyond their years. The interview came about on foot of new research from Family Carers Ireland. The report suggests that almost 67,000 young people in Ireland, aged between ten and 17 years, provide regular unpaid care for a loved one. That is a large number of young people. The census in 2016 estimated there were 3,000 such carers. The estimate, based on this research, of 67,000 young carers shows there is an enormous discrepancy in the numbers. It is suspected that the reason the census figure is lower is that parents have to fill out the census on behalf of young people.

The Family Carers Ireland report was done in conjunction with researchers in NUI Galway. As I said, approximately 13.3% of young people between ten and 17 years are in a caring role. The report also indicated a number of issues around emotional health and well-being in this group, and lower life satisfaction than their peers. One third of these young carers reported being bullied at school and one in four young carers said they went to school or bed hungry because there was not enough food at home.

We urgently need to address the discrepancies in the national estimate of young carers and this issue needs to be on the national policy agenda. I am making a request that the Minister for Children, Equality, Disability, Integration and Youth come to the House to discuss the issue of young carers and what supports we can provide for them. It is also important that this issue is put onto the national agenda and we do not let this slide. One in four of these young carers going to bed hungry is a worryingly high proportion. I ask for a debate on this issue.

**Senator Timmy Dooley:** We are all well aware of the importance of community employment or CE schemes, particularly in rural areas and villages. The schemes provide significant employment support to day-care centres and crèches, for maintaining graveyards, basic grass-

cutting and upkeep of local villages, working with Tidy Towns committees, and maintaining sports grounds, particularly GAA and soccer facilities. They provide an important value-for-money service to communities. It is work that the local authority would not be in a position to do if these schemes did not exist. Additionally, the schemes provide a good outlet, in offering training and activation, and in many cases a social outlet for people who work on the schemes.

Many of the people who work on community employment schemes are reaching the end of their working careers. They have worked hard in construction and other areas. They are not able for the physical work associated with the construction sector but they do very good work for our communities. The criteria that are applied are making it impossible for the schemes to retain these people. At a certain age or after six years, no matter what stage they are at, people are put back on the live register, saving only €20 per week. We have to look at that. For example, a scheme I am very familiar with in County Clare takes in Ballyea, Kilmaley, Lissycasey, Clarecastle, Kilnamona and the Banner GAA. There were 45 people working on the scheme and they did a huge amount in the area. Bit by bit, people have drifted off the scheme and it cannot get new participants. It is not as if those who remained on the scheme were somehow displacing others. The scheme had 45 places and it can now only fill 18 of them. The people who had to leave the scheme and are still under 66 are now at home and the State saves €20 a head per week. We need a debate on that. We need to look at the value to the communities but also to the people affected. Sitting on the dole has a demoralising effect on people between the ages of 58 and 60. They have never been on the dole in their working lives. They are ready and willing to participate in these schemes but the criteria are keeping them out. Everybody is losing as a result. I hope we can have a debate and try to advance this issues.

**Senator Garret Ahearn:** Large parts of the economy are reopening following a difficult six weeks of lockdown but several sectors are still not permitted to open, which needs to be addressed. I refer particularly to the arts sector, theatres and venues across the country and in my county of Tipperary. I echo what Senator Cummins said yesterday. The arts sector is not about making money; it is about ensuring that engagement is maintained for artists and audiences to keep the sector alive. Dr. Tony Holohan spoke the other day about cinemas being able to open but he did not distinguish between cinemas and theatres. In most people's view and in mine, there is no difference between a cinema and a theatre. Stage schools have not been given the opportunity to reopen, despite successfully opening up during the summer. We need to remember that not every child wants to play sport. Some want to go into theatre and progress that way. There is a feeling within organisations that there is a level of inequality in this. I hope the Minister for Tourism, Culture, Arts, Gaeltacht, Sport and Media, Deputy Catherine Martin, will come in to speak on the issue because there are many good people involved. I am thinking of Clonmel Entertainment and Arts Initiative and many stage groups that are set up to support kids in this regard. I hope something can be done.

Someone spoke about anti-vaccine activists and the need to make sure they do not get the platform they sometimes get. We learned earlier in the year from a newly elected Sinn Féin Deputy who had to take down a tweet saying she did not believe in vaccines for human papillomavirus, HPV. Does the Deputy Leader agree that, as public representatives, we have an obligation to the country to show leadership on this front and not to put up tweets or views that are based on no fact whatsoever?

**A Senator:** It is becoming mandatory for Sinn Féin Deputies to take down tweets.

**An Cathaoirleach:** I thank the Senator but he is not allowed to interrupt without permis-

sion.

**Senator Garret Ahearn:** It seems to be mandatory this week but they are still not accountable. There is a level of responsibility. One of the biggest things we will have to do in 2021 is the delivery of vaccines. Public representatives or anyone else need to be responsible in what they put out, especially on social media.

**Senator Mary Fitzpatrick:** The more some people tweet, the more the veil slips. I draw the House's attention to the 56 black balloons that hang outside the railings of Leinster House today. They have been placed there by Inner City Helping Homeless, a volunteer organisation dedicated to supporting homeless people in our capital city. The Deputy Leader and I both know that one of the first actions of the new Minister for Housing, Local Government and Heritage was to establish a high-level task force dedicated to tackling and responding to the homeless crisis that he inherited. That task force is meeting, I understand, weekly and the Minister has secured a record budget of more than €230 million for homeless services next year. However, the reality of those balloons outside is that 56 homeless people have died in our capital city this year. Inner City Helping Homeless do not know and I do not know how many homeless people have died nationally. Their campaign is to ensure homeless people are not forgotten. I do not forget them, my party does not forget them and this Government will not forget them.

I would appreciate if the Deputy Leader would ask the Minister to have the homeless task force examine the provision of homeless services. Hundreds of millions of euro are being provided, there are more than 100 homeless service providers in the capital alone and, yet less than 100 m down Kildare Street are two people sleeping on a porch every night. There is something radically wrong and no life in this city or country should be forgotten. We will not forget them.

**Senator Sharon Keogan:** I would like to raise an issue that is very important. This year has been tough for many people. Next weekend, and two weeks after that, many men and women around the country will get to play in Croke Park for the first time. Will the Deputy Leader ask the Minister for Tourism, Culture, Arts, Gaeltacht, Sport and Media if it is possible that their parents and family members be allowed to attend those games? It is not often that people get a chance to play in Croke Park and, when it happens, it should be celebrated with the ones who have put in the toil and sweat to get them to that moment. I would like the Minister and the Taoiseach to consider permitting the parents of those footballers, camogie players and hurlers to attend to those matches. Croke Park holds 80,000 people. We are talking about 200-plus people, that is all. Surely we can manage that. I think it is important. All of us here have not had an opportunity to bring our own parents to the Chamber and some of us have lost parents. If we can, this is a special time for those men and women who will be playing important games and it would be a good, humane and right thing to do to allow the parents to attend those games this weekend and the following weekend.

**Senator Eugene Murphy:** I agree with the sentiments expressed by Senator Fitzpatrick. Every morning that I walk from a hotel to Leinster House, I see people on the streets having slept there overnight and I ask myself why that is with so much money and so many agencies around the city. People down the country who do not like to see people on the streets ask me constantly why they are still there. It is time to look at that and see how we can avoid that situation.

I agree with Senator Hoey regarding young people who are carers. It was a moving report on radio yesterday and we would all subscribe to what she said.

Senator Dooley mentioned the social employment schemes, which are vital to much of the west and mid-west. According to the figures, most of the people on social employment schemes in this country are from that region and they are vital.

As Senator Keogan said, we would like families of people who are playing in Croke Park in all-Ireland finals, male and female, to be there if possible.

The Deputy Leader will have seen me on many occasions speak about the N5. She, Deputy Calleary and myself have fought, as have other Oireachtas Members, for the development of that roadway. There is a €200 million project now many going through County Roscommon from Ballaghaderreen to Scramoge. We are hoping that the contract documents will reach the council shortly. I will briefly mention the towns and villages that are bypassed. A number of businesses lose out, while some do not. A hotel, restaurant or filling station suffers when a town is bypassed. Hardware store, supermarkets or pharmacies do not because they rely on local business. Every time a road is completed, we see there is money in the overall contract to put a piece of art on the national primary route that is bypassed, which costs significant money. However, money is never allocated to do something for the village and town that is bypassed and suffers. To cut to the chase, perhaps we could ask a Minister to come in to discuss this issue and see if we can progress it. I know what is something the Deputy Leader very much supports.

**Senator Aisling Dolan:** I refer to a topic I have raised previously. Senator Murphy will be familiar with it as well. It is about community groups having to come together to challenge local authorities when it comes to inappropriate planning and locations of transfer stations on sites that force hundreds of trucks through the middle of a town. This is a significant issue for us. I bring it to the House's attention because there is a town that is very united. We are bringing together business groups, clubs and community groups. We have doctors and radiologists who will give a presentation at a public meeting next Wednesday. It is really about highlighting the inappropriate location for this particular development and its impact on the health, safety and future of the town itself.

It is crucial we pay attention to this because, only recently, we had a debate on biodiversity and the loss of habitats. This particular development is in a low-lying floodplain in the River Suck Callows. We have had debates about the loss of habitats and how we are not protecting them. We know there are EU charges against local authorities about the lack of consideration of environmental impacts. All of this is crucial and it is important. Towns and villages should be important to us and we should fight for them. It is difficult when community groups are left to fight this themselves.

**Senator Fiona O'Loughlin:** I fully endorse the call from my colleague, Senator Dooley, for a debate on community employment schemes. Many of them are the heartbeat of our communities, particularly rural communities. They do a great deal such as organising Tidy Towns, Meals on Wheels, etc. We also need to look at the conditions for scheme supervisors. There has been a long-standing call for a pension scheme for them.

The horticultural industry makes a significant contribution to the economy. It adds €497 million per year to the economy with its employment value nearly the same and its annual exports value at €239 million. It is estimated up to 6,600 people work in this industry with another 11,000 jobs supported in ancillary industries. These are the people who grow our strawberries, mushrooms and nursery plants which are sold on a wholesale basis and supplied to others in the industry.

Only 0.4% of total Irish peatlands are used for horticulture peat harvesting. Since June, peatland owners must apply for planning permission and a licence that will take four to six years. Current peat supplies will run out in July 2021. What are people left to do? Kildare Growers, which I met with over the weekend, has the option of bringing in peat from Lithuania and Holland. It will cost four times more than local peat. When we are talking about protecting our environment, importing peat from Holland or Lithuania at four times the price is ridiculous.

Many of these industries may go out of business. In supporting our own food culture and horticulture, it is important that we have a debate on this with both Ministers involved. There are statutory instruments that could be introduced which could help solve the problem.

**Senator Tim Lombard:** Are we ever going to move forward with the actual debate about the post office service itself? Rural Ireland has changed dramatically, particularly over the past eight to ten months. The question about where we are going to put the post office service will be a significant issue that this House will need to debate.

In my part of the world, we could end up with the post offices only available in the major towns while losing a spread of local sub-offices across the entire county. A debate about how we are going to regenerate the post office network and involve it in the psyche of rural regeneration will be a big issue. The online aspect which we have all seen, particularly over the past eight and ten months, is something we need to start looking at with the post offices. With the old idea about them dealing with motor tax and so forth, online has taken up so much of that space. The debate has to look at something really imaginative, like an online hub of which the post office will be part.

For that to happen, a real and meaningful debate in the House is required. We need to have the Minister before us and we need to start thinking outside the box. If the past eight months have shown us anything and how society has changed, it is not about a service one goes to meet. Unfortunately, people do not want to do that now. It is about accessing services. We need to have that debate about how we can get these spaces more active.

I have seen in my part of the world that when one provides high-speed broadband and a central location, people who work from home do not want to spend all five days at home. They want to have the opportunity to go to a space where they can have high-speed broadband which will then tie into the service. The post office service has to be a part of that. We need a genuine debate on how we can regenerate in this area.

**Senator Shane Cassells:** I welcome the National Transport Authority's review of its transport strategy for the greater Dublin area, launched last Thursday and which will take in counties Kildare, Wicklow and Meath.

The strategy will set out a policy and a blueprint for the next 20 years. One of the projects included in the review is one for which we have been waiting 20 years already, the Navan rail line. One wonders how much longer we are going to have to wait. I have read the assessment study and its objectives. It refers to undertaking a comprehensive assessment of the benefits of the project, encapsulating economic, environmental and societal benefits. If there is one thing politicians as public representatives can quantify, it is societal benefit from a major infrastructure project such as the Navan rail line.

I asked the previous transport Minister, Shane Ross, to come to Navan to assess this. From the very chair the Deputy Leader is sitting in now, he said he would be down but just not too

early in the morning. He never made it across the Liffey. I have much more hope for the current Minister who, in this Chamber on 23 October, said there is real merit in the rail line to Navan and furthering the DART and metro extensions to that area. That is encouraging.

I encourage people to make their submissions to the review before 22 January. Equally, I encourage the Minister, a Green Minister who values public transport, to engage and put a real value on the people's lives in Navan and Meath. He should make the call that it is not just about pounds, shillings and pence but about the societal gain, as well as the gain to families' lives, their workplaces and homes. He must do the right thing because the people cannot wait another 20 years for a review.

**Senator Rónán Mullen:** In recent times, universities have been confirming that in most, if not all cases, there will be little face-to-face teaching. Instead, they will be relying on online learning. Even that pill-sweetening phrase, “blended learning”, seems to have little applicability in reality.

Students are wondering why there is no corresponding reduction in the fees they are required to pay for their courses. This is especially the case considering colleges make so much of what they call the college experience when they justify the large fees students have to pay. I am thinking in particular of postgraduate students. One of them made the point to me that in the case of UCD graduate entry medicine students, 70% of them are withholding what they regard as exorbitant fees. UCD Michael Smurfit Graduate Business School students are lobbying for a 30% reduction in their fees. The postgraduate students in question have been given a €250 rebate. That is practically insignificant when one considers the fees themselves are something of the order of about €18,000.

UCD claims the value of degrees has not been diluted despite the significant values it clearly attributes to the student experience. This is mentioned in its open days, prospectuses, marketing campaigns and so on.

*I o'clock*

However, as students are pointing out, the current value of this so-called “student experience” is close to nil. It seems there is a valid case for the Government to put pressure on universities and say that something meaningful has to be done on the issue of student fees. I know that the decrease in State funding for third level education has led to universities becoming increasingly reliant on student fees but it cannot be acceptable. That situation cannot be allowed to remain unamended when students are having a very different “college experience”.

**Senator John McGahon:** Last week in this House I spoke about the real problem of vaccine scepticism. Today, I want to discuss the need to build vaccine confidence. Building vaccine confidence is not just the reserve of Government and Members of this House; it is the reserve of everyone across Irish society who occupies a public platform, whether they are sports stars or influencers. It is more important than ever that this principle must apply to the national broadcaster and the media at large. I will not mention any names but we have seen this week an example of a view being presented that was not based on reality, fact, a pro-science approach or data of any sort. That is simply unacceptable. To simply be allowed to say, unchallenged, that there is no scientific data to support vaccines, when Moderna released data to show that of 30,000 people tested - 15,000 of whom were given a vaccine and 15,000 of whom were given a placebo - and of those who got the vaccine, 15 presented with symptoms, and of those who

did not get the vaccine, 185 presented with symptoms. That is clear, cold, hard, clinical data. What more could one want? To say that we do not have evidence on the efficacy of vaccines is wrong, as is advocating for a zero-Covid approach, which has been debunked at every opportunity by everyone on this island of all political parties. To say such a thing and for it to go unchallenged is also wrong. Therefore there is a huge weight of responsibility, not just on those in this House but also on those in the media and right across Irish society, to build vaccine confidence. Quackery cannot go unchallenged as we build that confidence.

**Senator Erin McGreehan:** I want to put on record my deep disappointment with the British Government at its announcement this week that there will be no public inquiry into the murder of Pat Finucane. We all sat here last week and passed a motion on our support for a public inquiry.

We have come far as a country but a tweet was sent on Saturday that threw reconciliation right out of the window. I am from Dundalk in north Louth, have lived through the Troubles and have seen the hate and hurt that has been inflicted. Living near Narrow Water, I have heard the stories and have seen the lives ruined by violence and hate. We need peace and reconciliation in this country and I note the leader of Sinn Féin has stated that we need to watch our mouths and watch what we say in public. One should also watch what one says in private. and should, please, lead. We need to move on in this country. I will not stand here and defend what the British did to this country because I am deplored by the horrors of the British Government and what they did to us but if we are going to move on, think about a shared island and a shared future and embrace our shared past, we must stop the vitriol and the celebration of violence.

**Senator Lisa Chambers:** Senator Seery Kearney raised the issue of GDPR and the decision in the Schrems case. I know that Senator Byrne has also been working on that issue. For the information of Members, we will be engaging directly with the Minister for Foreign Affairs, Deputy Coveney, at the Brexit committee this afternoon at 4.30 p.m. I assure Members that the issue will be raised at the committee and we might get a more up-to-date response from Government on it.

Senator Craughwell made an impassioned speech in the House and I am not sure I have the words to respond effectively to what he said. I wish to commend him on his words and to sympathise with his mother, who must have gone through an awful time. She was put in a horrific situation back in the 1970s and beyond. As a trainee barrister, I worked on the Smithwick tribunal, so I am aware of the issues raised there. It did not get much coverage at the time but serious issues certainly were raised around collusion. It goes to the very heart of democracy and how we run this country and the confidence that citizens must have in all arms of the State.

On the issue of the tweet posted by Deputy Stanley, I acknowledge the apology he has issued. I also note the weighty response by the Ceann Comhairle to Arlene Foster's letter, in which he asked for a better political response to the matter. I hope that will be forthcoming. I agree with other Members who have also raised the issue that the glorification of killing and violence anywhere is just wrong. Senator Craughwell spoke of his understanding, having spoken to Deputy Stanley about the tweet, but I am not sure that it can be explained away at all, to be honest. I refer to glorifying what happened at Narrow Water. Barry McElduff resigned over posting a tweet about the Kingsmill massacre, yet there is a different response and approach to what Deputy Stanley did. I find that difficult and do not think that can be explained. I listened to the explanations of Deputies McDonald and Doherty on the radio yesterday. They were both on at roughly the same time, just after 8 a.m. - one on Newstalk and the other on RTÉ - giving



the same lines. I am not sure that the response to date by the Sinn Féin leadership has been adequate or satisfactory and I hope that we see further action taken on that particular issue. I am sure there is more to come on it.

Senator Wall raised the issue the CSO report on mental health in the context of Covid. It is a very serious matter that needs to be raised. We have done a very good job in this country of protecting physical health in the Covid pandemic, and our immediate emergency response focused on physical health, protecting our hospitals and making sure that the health service was not overrun. We have done quite a poor job in protecting people's mental health. The figures in this regard are quite stark, with a doubling of rates of depression and there has been an impact on younger people. We must do better on that front because we have failed to protect people's mental health in the last number of months because we were firefighting and trying to respond to an emergency. However, we must learn from that because it will not be the last time that we come up against something of this nature. We need to do things better in the future and react now.

Senator Garvey raised the issue of remote working hubs and I thank her for putting on the record the information on the role of the broadband officer. I am aware of the broadband officer in Mayo County Council but it is an important point to make that if community groups are looking for access to broadband in different hubs across their county, there is a point of contact there that probably is underutilised because it is not very well known. Therefore it is important to get the message out to citizens.

Senator Ó Donnghaile raised the issue of health and well-being support for those who have survived institutional abuse. If things are being done better in the North and if there is a system in place there, of course we should learn from that and work with them. If we can replicate that here, there is no need to reinvent the wheel, because if something is working really well somewhere else, we should engage with it. I will certainly bring the Senator's points back to the relevant Minister because we have failed victims in respect of the provision of support services for them. Having a far-reaching counselling service that is difficult to get to, and which people do not know about, is not really providing a service - it is paying lip service to the issue and applying a sticking plaster to the problem. If there is a system elsewhere that is working well, we should look at it.

I also take on board the Senator's point about the anti-vax campaign. Work to address the issue is well under way and there is much to be done to claw it back. I know that the HSE and the public health experts have been waiting until they have the full data and information so that when they start their campaign to combat the anti-vax campaign, they have all the supports that they need. However, there will be a job of work for us to do as community leaders. I do not think that it is mad to suggest that perhaps certain influencers or those in high-level leadership roles should come out publicly and be seen to be getting the vaccine and to support it. It may require that. Certainly, I will have no difficulty in lining up to take the vaccine when it is made available to me. I am sure that I will be at the back of the queue, because thankfully I am of a relatively young age and am healthy. However I will certainly get the vaccine as soon as I can get access to it.

Senators Black and McGreehan raised the issue of the public inquiry into the murder of Pat Finucane. I share in their disappointment that the British Government has refused to hold a public inquiry. In my view, that has been done solely to protect the interests of the British Government and nobody else. It does not serve Geraldine Finucane and the family who suffered a

tragic loss. I commend her on the fact that for over 30 years, she has been campaigning to get to the truth of this matter and she is not going to stop in that fight for truth.

Senator Ardagh raised the issue of the reconfirmation by AIB that it will close its branch in Crumlin and reduce its workforce by 1,500. Covid has accelerated the pace of change in terms of automation and moving things online but that does not work for everybody because we have a lot of older citizens who rely on a face-to-face service. I trust and hope that AIB will take on board the comments made by Senator Ardagh and others asking that it look after its elderly customers who are as important as all other customers and will make sure a proper service is provided. Also, for the staff who are looking at the potential loss of their jobs, I hope that every effort will be made to relocate them to other areas of the company to make sure that they are not left without their jobs.

Senator Kyne asked for a debate on greenways, blueways and walkways. We will certainly make that request to the Minister for Transport. I thank the Senator for bringing to the fore in this House the great success story of the Great Western Greenway. In terms of getting the greenway up and running, no compulsory purchase order or CPO was needed. Negotiations took place with a huge group of farmers right across the county. With no small work done by Pádraig Philbin and his team on Mayo County Council, agreement was secured from every landowner to make the greenway happen. That is the preferable way to do things and I agree with Senator Kyne that a CPO should be the last port of call. We should not block public projects that benefit the wider public so if we have to go there then we will go there. It is by far preferable to get the agreement of landowners in advance by working with them and listening to their concerns. Very often people are reasonable and will work with local authorities to provide public spaces so if they say “no”, there is a reason. Let us work with people and avoid the CPO process as best we can.

Senator Boyhan raised the issue of the promised interim payment from the age of 65 to 66 and before one reaches pension age. That promise was made by my own party and others before the election. I hope and trust that it will be delivered on. I do not have a direct response as to the stage that has been reached. I have sought a response and will provide it directly to him as soon as I have it. These people have worked all of their lives and should not be put back in the dole queue in order to deal with the break of a year when many of those workers have no choice but to retire at 65 years. My party made the promise and I will do all that I can to make sure it is fulfilled.

Senators Byrne and Seery Kearney raised the Schrems decision. Senator Byrne mentioned air quality and the need for a clean air Act. Last weekend, Dublin city experienced difficulties with air quality. Apparently, the reduced air quality has been linked to “The Late Late Toy Show” and people lighting fires to create an ambience or mood in their houses but perhaps that is anecdotal evidence. The incident brought back memories of the 1970s and 1980s when people used smoky coal. The incident also shows that it does not take much to increase air pollution and that is not good. Every year people lose their lives due to bad air quality and we can do better than that in 2020.

Certainly we will again look for a debate on the issue of Poland and Hungary. I will not comment in too much detail on the issues in Belgium but will say that the absolute hypocrisy displayed by an MEP is quite shocking given that he drafted the constitution for his own country. Basically, he is saying one thing publicly and doing another thing in private but I do not wish to get too adversarial about the issue. In terms of the Fidesz party remaining a member

of the European People's Party, EPP, some minor sanctions being issued really does not go far enough. I ask Members to reflect on that and address same to the satisfaction of all right thinking Members of this Parliament.

The report on youth unemployment by the Central Statistics Office, CSO, needs to be addressed. The last time I raised the issue we were at 40% but now it is 47%. Those jobs may not return in the short term. This issue needs to be addressed because younger people need employment opportunities.

Senator Burke raised the issue of Eir and other companies in terms of trying to break a contract with a company where one has signed up for a utility. I have come across an issue myself. Obviously the normal contract law of the country applies. If one cannot contact the individual company sometimes sending a letter is the best method because there are better ways to spend two hours than trying to contact Eir. Yes, ComReg has a role to play. I know the matter has been raised with the Joint Committee on Transport and Communication Networks. Last week, we specifically raised the Eir issue and certainly it may be worth contacting ComReg about it again. Contract law applies. If conditions of a contract have been breached then a person is entitled to break his or her contract.

**Senator Timmy Dooley:** ComReg will be before the committee next week.

**Senator Lisa Chambers:** I thank the Senator. ComReg is before the committee next week so we will be able to raise the issue at the committee meeting.

Senator Hoey raised the issue of young carers. The figures show that there is a stark gap. If there really are 67,000 young carers between the ages of ten and 17 providing unpaid care in this country and one in four of them goes to bed hungry then that is a massive problem that I was not aware of. We need to seek an urgent debate with the Minister on that particular issue because these carers often do not have a voice. In the last decade the people of this country have talked a lot about the voice of the child and Tusla has done a good bit of work on that. The publicly available figures show a huge gap and that needs to be answered for, quite frankly. We will seek the debate at the earliest opportunity and I thank the Senator for raising the issue on the floor of the House.

Senator Dooley raised the issue of community employment schemes. I fully endorse everything that he has said about the importance of the schemes to every local community. If we did not have the schemes all of the services that we take for granted, such as the Tidy Towns competition and meals on wheels, simply would not run or work without volunteers. For the sake of €20 the six-year rule needs to be looked at. Many people, particularly older men, have found themselves out of the workforce because the jobs that they did are now being done by machines and automation so such work is dwindling all of the time. There is huge social capital to be gained by allowing people to continue working and be part of their communities. This issue needs to be addressed.

Senator Ahearn raised the important issue of reopening the arts sector. He made the point that it is not just about money and it is not. The arts, theatres and performing artists are part of the heart and soul of this country. We have a very proud tradition so we need to protect artists. They have had a really difficult year and more than any other sector because with a complete shutdown there was no way to earn money. The outlet could be lost to a lot of people who may have to go elsewhere. The Senator also raised another important issue, concerning anti-vaxxers.

Senator Fitzpatrick raised the issue of 56 black balloons hanging on the gates of Leinster House lest we ever forget the 56 homeless people who have lost their lives this year. There is no excuse for a First World wealthy country to have homeless people on the streets. It is not just about providing a bed. It is the wraparound services to deal with issues may they be mental health, addiction and other supports that people need to get back up on their feet and back out into the community. The issue is a really important one to raise here and we stand in solidarity with those individuals who have lost their lives. The Inner City Helping Homeless is a community group that has been set up to do this work. They do fantastic work on a voluntary basis on which I commend them.

Senator Keogan raised the issue of parents being allowed to attend the Croke Park matches and suggested a sensible solution. I will contact the Minister of State at the Department of Tourism, Culture, Arts, Gaeltacht, Sport and Media, Deputy Jack Chambers, about the issue. Perhaps it could be suggested that each player bring two people whether it is a partner, parents or whatever. Given the size of Croke Park, let us be a little bit flexible and reasonable. I have expressed my personal view and do not know what the Minister of State's response will be but I will pass on the reasonable and decent suggestion.

Senator Murphy did a round up of the Order of Business at the start of his contribution, for which I thank him. He also raised the issue of the N5 upgrade. I have driven the road for years so I know that the worst part is the section in Roscommon. The road does need upgrading and partly because many Roscommon people drive by Athlone and up the M6 so the other road has been neglected. For those of us who live in Mayo, Sligo, Leitrim and other counties the N5 is an important route that needs to be supported. The national development plan review is currently under way, on which many of us are working on submitting a submission, and this matter will certainly be part of the Fianna Fáil submission on the west of Ireland.

Senator Dolan raised the issue of inappropriate planning. I am not completely *au fait* with the issue that she raised. If the community is so collectively united on this issue then one should be able to liaise with local authority and An Bord Pleanála to resolve the issue. No project should be bulldozed through a community where nobody gives their support because that, to me, highlights that there is a big problem. This matter goes back to what Senator Kyne raised around CPOs and trying to get people on board. At the end of the day, the community comes first. If the project serves the people they will support it but if it does not then they will not. Is that not a basic principle? I hope that a resolution can be found that is to the satisfaction of the people who live in the area.

Senator O'Loughlin came in to support the community employment scheme debate and raised the issue of pensions for CE supervisors, which is an ongoing campaign that I fully support. She also raised the issue of the horticultural sector that directly employs 6,600 people and indirectly supports 11,000 jobs, which is a huge number of employees. The arbitrary planning and licensing process, and the four to six year wait, sounds unreasonable and excessively bureaucratic. The matter needs to be addressed and certainly I will pass it up the line.

Senator Lombard raised the issue of the post office network, which is one that has dominated debate in both Houses for the last number of years. We are a changing and evolving country. Rural Ireland is changing, people's movements are changing and even post offices are changing. However, post offices still provide an essential service to many older people not just for post office services but also community contact. That checking up on elderly neighbours and keeping an eye on people is really important. I commend An Post for its work and how it

has changed the business around. From a position where it could have ceased to exist, An Post has turned it around. The AddressPal part of the organisation has been successful and the parcel delivery service has done well.

Senator Cassells raised the issue of the Navan rail line. I can attest to having listened to the Senator raise the issue on many occasions and I know he is deeply passionate about the issue. There has been a boom in the population of Meath and it clearly needs that rail line. I agree that the area has been waiting 20 years for it. We have a similar issue in the west of Ireland and have been banging the drum for the western rail corridor for many years. I am glad that the Minister for Transport, Deputy Eamon Ryan, has been supportive of rail in general and the need to provide that service to citizens because people want to get out of their cars and use public transport. That must be a top priority for the Government and the Navan rail line would be a fantastic addition to the people of Meath whom the Senator represents.

Senator Mullen raised the issue of universities and blended learning. It is farcical to call it “blended learning” because it is just learning from home. If universities can make a student stay at home, they will. They might get away with it this year because we are still in the middle of a crisis but universities are going to have to reflect on this and take a long, hard look at their fee structures because costs are justified by the college experience of people being on campus. If students are learning from home, it simply cannot cost the same to provide a course. Universities cannot justify their exorbitant fees. The fees for Smurfit business school are huge. I have been contacted by members of a campaign who are rightly looking for a reduction in costs because they are hard to justify. That brings forward the broader issue that the Government is going to have to deal with Peter Cassells’ report and how we fund third level. That was not addressed in the previous term and that report has been gathering dust for quite some time. We must have a real conversation in this country about how we want to fund third level education. The heart of our response must provide access to third level for all students in this country, not based on who has money. Every young person should have the opportunity to go to third level.

Senator McGahon raised the issue of confidence in the vaccine and I think I have addressed that. If we are all willing to get on board and put confidence into the heart of this campaign, we will do that, but we have a job of work on our hands. Broadly speaking, I think people are welcoming the news of a vaccine and the data has been positive. I am not an expert on this stuff but I certainly feel reassured by what I am hearing.

The Senator raised an important issue around the responsibility of the media. If they are going to invite on representatives of the “other side” of the issue, if we want to call it that when it is unfounded in science or fact, there is an obligation on the media and journalists to make sure they are ready to come back at those contributors with hard facts in order to debunk and rubbish false assertions. It is a dangerous place to tread. If a media outlet is going to invite the other side onto a programme to participate in a debate, it needs to do its work to ensure that facts make it out to the public.

Senator McGreehan made an impassioned speech about peace and reconciliation on this island. I took from what she said that we need to embrace our shared past. I would certainly concur with her words about the Pat Finucane inquiry and what she said about the comments made by Deputy Stanley about Narrow Water. There has been widespread political condemnation of those comments which has shown the public that we are past all of that, moving and looking forward. That type of comment has no place in a democratic society that respects the rules and values of human decency, reconciliation and peace on this island that we all care for

so much. I reiterate that we are expecting a better and more appropriate political response on the matter and I hope we will not be found wanting.

Order of Business agreed to.

*Sitting suspended at 1.24 p.m. and resumed at 1.37 p.m.*

### **Planning and Development Bill 2020: Report and Final Stages**

**An Leas-Chathaoirleach:** I welcome the Minister of State, Deputy Peter Burke. He has made a number of previous visits to the House. Before we commence, I remind Senators that a Senator may speak only once on Report Stage, except the proposer of an amendment who may reply to the discussion on the amendment. Also on Report Stage, each non-Government amendment must be seconded.

Amendment No. 1 in the names of Senators Boyhan, Keogan, Craughwell and McDowell arises out of committee proceedings. Amendments Nos. 1 to 5, inclusive, are related and amendments Nos. 2 to 5, inclusive, are physical alternatives to amendment No. 1, therefore, amendments Nos. 1 to 5, inclusive, may be discussed together by agreement. Is that agreed? Agreed.

**Senator Victor Boyhan:** I move amendment No. 1:

In page 4, to delete lines 1 to 5 and substitute the following:

“(i) shall hold public meetings (except in such grave and limited circumstances as may be prescribed by law, such as an emergency period, where the holding of such a meeting is not reasonably practicable, in which case a planning authority shall make alternative arrangements for effective and inclusive public consultation as it deems appropriate) and invite submissions in writing from members of the public, in relation to a proposed development plan, and”.

**Senator Rebecca Moynihan:** I second the amendment.

**Senator Victor Boyhan:** I welcome the Minister of State, who has overall responsibility for planning. This is a very important aspect of his work. I thank his senior Minister and the other Minister for State for taking various aspects of this Bill. We had a good, healthy, robust engagement on it.

The Minister of State will note from the amendments before him that my signature is on the amendment along with those of my colleagues, Senators Keogan, Craughwell and McDowell. In terms of the crux of this amendment, it provides that a planning authority:

... shall hold public meetings (except in such grave and limited circumstances as may be prescribed by law, such as an emergency period, where the holding of such a meeting is not reasonably practicable, in which case a planning authority shall make alternative arrangements for effective and inclusive public consultation as it deems appropriate) and invite submissions in writing from members of the public, in relation to a proposed development plan ...

On the face of it, that is pretty simple. The Minister of State will know from his and his

colleagues' experience in local government that it is critical to have public engagement. I understand what Covid entails and the necessity of all this legislation. I have no difficulty supporting any of the legislation, except in the context of the obligation imposed on a planning authority. We should remember that the determination is not in the gift of the elected members; it is a matter for the executive, which initially has its draft. It is important that there be public engagement.

Senator Dolan, from Ballinasloe, made a very eloquent, short and concise statement on the Commencement debate earlier. She talked about the importance and significance of the community in Ballinasloe in identifying issues and counteracting potential developments on floodplains. She referred to environmental issues and the protection of habitats. Her views are representative of those of many others in these Houses who have been engaged as councillors. Most of us in the Oireachtas and in city and county councils became politicised through participation in, and activity related to, sustainable planning for villages, towns and communities. The Minister of State will appreciate the importance of this.

What I am saying in essence is that this aspect of the legislation has served elected members well. It has also served the city and county managers well. It is a question of engagement with the people. We know from Tidy Towns and public consultation in other areas that this is important.

The other day, I referred to the National Children's Strategy: Our Children - Their Lives, a very impressive document about public engagement and the participation of children. Luckily, I was able to pull it off the shelf immediately after my speech. It is available online and is 20 years old. Its forewords were written by the then Taoiseach, Mr. Bertie Ahern, the then Minister for Health and Children, Deputy Micheál Martin, and the then Minister of State with responsibility for children, Ms Mary Hanafin. It refers to the participation of and engagement with young people, including children. It refers to planning and various aspects of engagement to which I referred. When I referred to the document, I did not have it to hand and I had not looked at it for nearly ten years. It refers to active participation of all people within our community. I was particularly drawn to an infographic depicting Hart's ladder of participation. The lower end, which pertains to non-participation, comprises "manipulation", "decoration" and "tokenism". In the next category, which shows degrees of participation, in which I am interested, the rungs are "Assigned and informed", "Consulted and informed", "Adult-initiated shared decisions with children", and children involved in making decisions about their own community. There are various rungs of this kind on the ladder. The document is really informative and good. It refers to participation in the community of a certain sector, in this case, youth, including children. The youth are an important part of our future and have a major stake, if not a bigger stake than we have, in terms of how the community is going to evolve and develop in light of the great potential.

I told the Minister of State responsible for heritage, Deputy Noonan, about the importance of engaging with young people in addition to their advocates, which include schools, teachers and sports clubs. He agreed with me. The engagement determines many aspects of strategy in regard to open space, recreation and community. The Minister of State present will be familiar with all this.

I was a member of a county council myself and have been involved with three county development plans. I am aware of the significance of engagement with people. There are different levels of skills, including IT skills, among people. It is important to acknowledge and recognise

that. I welcome what the Bill is trying to achieve in this regard. I have no difficulty with all that, but there are those who would find it very difficult to understand a plan. Many might even have a difficulty with orientation in terms of north, south, east and west. The meetings I attended were always positive. My experience of them was that they often involved people closely connected to the map, plan or a potential change to the plan, including farmers. Individuals may have an interest in rights of way or greenways, which are to become quite common, or in specific local objectives, zoning changes, coastal and forestry interests, and all the various amenities. Not all the contributions are negative. There are positive contributions, even regarding An Bord Pleanála. It is not always the case that there are people objecting; there are those who make positive observations and engage in the process.

Another benefit of the public meetings is that one meets professional planners. It is not just politicians setting up stall to talk about planning. They are entitled to do that, and many of them do so, but professional planners know every line of the plan or written statement and know the nooks and crannies, alleyways, byways, motorways, hills, mountains and the sea. They know the place and they understand it. They are best placed to give accurate, true and impartial advice and information to citizens - the citizens whom many of us have represented on city and county councils. This is important.

I do not believe we are poles apart at all. Can we have both elements? Can we make it an obligation? So many politicians, in the Dáil, Seanad and sitting county councils, have an interest in this. The Minister of State will be aware, from his engagement with the Local Authority Members Association and the Association of Irish Local Government, of representatives' talk of issues associated with the powers of the chief executives of the councils. I have had good experiences of them and I support them. I support a new, reformed role for them but we also want to empower our elected members.

Let me refer to what I am trying to achieve simply in this legislation. I do not want to politicise this process by saying politicians, or the majority of politicians, in a sitting county council should make the decision about a public meeting. I do not believe that is right. On the other hand, however, I do not want to empower chief executives to make that determination and say it should be within their gift. I would say that most chief executives will go along with the public meetings but there should be no ambiguity about it. It should be clear. The legislation, since it has served us so well in recent years, should state clearly that the chief executive and council are required to hold a public meeting on the draft city or county development plan.

I took the time to examine the approach of a number of councils. Kerry County Council, on its website, details to a great extent its public engagement meetings. That was interesting. I was highly impressed with Kilkenny County Council and with Cork city and county councils. Cork City Council is now entering its development plan process. There is extensive information on the process, which is, of course, subject to Covid developments. This must always be to the fore in our decisions. There is a requirement to have the meetings, subject to considerations associated with Covid or an emergency. The attendees enjoy the meetings. I have spoken to planners who have said they are very effective. They learn. There is soft information to be picked up on issues that a planner might not necessarily know about.

I do not want to dwell on the point. People hear what I am saying. I hope I am articulating my position in a way that makes it clear. There are no winners or losers. I do not want to empower the executive over and above elected members. I want to have included in the legislation an obligation, outside the context of an emergency that may arise, to have meaningful,



constructive public engagement, face to face with the citizens of the communities we represent.

Senator Seery Kearney referred to BusConnects recently. I fully agreed with her. She made a valid point on the importance of engaging with citizens. There have been changes to BusConnects as a result of engagement. I have been to one-to-one meetings on BusConnects and, in addition to my bringing something to them, I have had people explain to me what was happening, such as the taking down of trees and their replacement with other trees. It is a two-way engagement process. I hope the Minister of State will be agreeable to the amendment and see the sense of it. We could leave it there for the moment, and if it presents a problem in the future, we can revisit the matter. It is my hope, view and respectful ask of the Minister of State that he would agree to the amendment.

**Senator Gerard P. Craughwell:** My colleague, Senator Boyhan, has made the case for all of us. I recall the first day the Luas track opened in Leopardstown. I waited for the Luas to arrive to go into town. An elderly lady came up to me and said, “Isn’t it marvellous that the Harcourt Street line is open again for business?”

In thinking about the Bill and public consultation, I found myself thinking about planners. The Luas line was a vacant piece of land running from Leopardstown into Harcourt Street. In all the years that it lay idle following the closure of the Harcourt Street line, nobody touched it. Planners saw the benefits of maintaining that piece of ground for future use.

There are other such places around the country. I recently heard people talk about trying to reopen the Clifden line and various other lines, such as the line from Ennis to Galway. All these lines were preserved to a large degree by planners who had foresight and were able to think about what may be required in the future..

I also think about public consultation and engagement. Where I live in Leopardstown, a number of planning applications have been made over the past number of years. One was to build an 18-storey block close to the British ambassador’s house. The public were engaged with that. Those on the estate where I live are totally and utterly engaged in everything that takes place in the local area. There is a fear in this country that we are pulling everything back to central government.

One constantly hears local representatives, including city and county councillors, complaining that they are losing more and more power as the years go on. They are the front-line people who, when development plans are put in place, hear complaints from local constituents and who would like to maintain public consultation in any development plan. When we start removing the public and their views from the process, we are running down a very dangerous road.

We do not always like what people say. I appreciate that in recent years there have been some fairly militant groups dealing with all of the different plans of Government. Maybe it would be ideal to have a situation where we did not have to listen to them, but citizens and taxpayers pay our wages and from that point of view it is vitally important that they are engaged as much as possible in anything to do with the areas in which they live.

From that point of view, I appreciate that we are on Report Stage and that the Minister of State’s officials will have advised him to, as far as possible, resist any changes to the Bill, but at the end of the day, his name will be on the bottom of the Bill that is enacted and he will have removed the public from the consultation process.

I ask him to listen to what Senator Boyhan said. He has years of experience on local authorities. I never served on a local authority so I do not know what happens. I trust my colleague, Senator Boyhan, and other colleagues in the House who have spoken to me about the need for public consultation. I will not waste any more of the Minister of State's time. I ask him to take the amendments on board. I thank him and appreciate his time.

**Senator Rebecca Moynihan:** I support the amendment. We tabled similar amendments on Committee Stage, which essentially stated the same thing. The clarity of the wording in this amendment is probably stronger.

As Senator Boyhan said, this fundamentally comes down to using the term "shall" or "will" hold a public meeting. This is a sneaky change in a Bill, which is needed. It is essentially a technical Bill for the purposes of the pandemic. We are likely to be in a situation where some local authority managers will decide not to have public meetings. We need to modernise and move online, and Zoom meetings need to be held. However, there is a value for a lot of people, in particular when they are initially engaging in the development plan process, in having a planner available who is able to describe why height and density are two different things or why something is needed in certain areas but not others.

I spent a couple of days trying to read the various planning frameworks issued by the Department going back to 2007. There are planning guidelines, frameworks and circulars. It is a very complicated area. The planners are experts in this and they know the process. In a lot of ways, this is about having expertise open to the public.

It is not the case that online meetings cannot be held; they can be held in a draughty town hall. Things might occur to people in a draughty town hall after they have seen plans. Most of us have looked at development plans. When one is looking at them on a screen, it is very difficult to zoom in on things. There are giant maps, which are not accessible through technology or on a screen. Sometimes people have to sit down and look at the different colour codes and zonings.

I ask the Minister of State to take this amendment on board. We do not want a situation whereby in future development plans, due to particular reasoning, rationale or streamlining a local authority carries out it is decided not to hold public meetings. This goes to the heart of the consultation we have in local areas and the principles of local democracy.

Successive Governments – I include my own party in them – have generally taken power away from local government. The knee-jerk reaction is to put something into the hands of the Executive and make it faster and quicker. Other European countries have much more devolved levels of local government, participation and decision-making.

We are likely to reduce what people term NIMBYism when people are involved in and understand the process and understand that a proposal does not involve a single planning application but sits within a larger framework. People will do that if they are part of the process. Sitting in a draughty town hall with a giant map and a planner who is able to explain technical terms to them is part of the process for many people.

I ask the Minister of State to take on board the one small change the Independent Group has proposed. We are on Report Stage, but the Bill has to go to the Dáil. He has an opportunity to accept the amendment. It is a small change that will not have a significant impact, but it is likely that there will be a detrimental impact in years to come if local authorities decide to stop

engaging with people on a face-to-face level.

**Senator Alice-Mary Higgins:** Very good wording has been put forward by Senator Boyhan and others and I will be happy to support the amendment. I have tabled a number of amendments that seek to address the same fundamental issues in two or three lines. I am perhaps leaving a little more of the original text intact. The core point stands.

A local development plan is not just a planning application, a development on an individual street or one building. These plans are about the future of the places where people live around the country. Local development plans that are due to be developed in the next year will be fundamental because they will determine how we engage with the major challenges of climate change and what we have learned about living together after Covid. There is a mandated obligation in the programme for Government that local development plans reflect sustainable development goals.

*2 o'clock*

Part of the sustainable development goals is inclusion and participation in terms of good governance. The real concern here is that the permanent change being introduced in section 11 could mitigate against proper and appropriate public participation by people on shaping the places in which they live. My amendments seek to address a couple of specific issues and I have broken them into two sections. Amendment No. 2 goes to the fundamental point that public meetings need to be online and in person. Amendments Nos. 3 and 4 give the caveat of a public health emergency with regard to the “in person” meeting. Again, my preference is to have both. If proper consultation cannot take place it should be postponed. I accommodate these in a similar manner to that done by Senator Boyhan, who set out situations where alternative arrangements might be made and the wording is very good on that.

I want to point to the problem with the Bill. I hope the Minister of State will accept either Senator Boyhan’s amendment or one of my amendments but if he does not I strongly urge him, given that he needs to bring the amendment he made on Committee Stage back to the Dáil in any case, to consider changing and amending it. Right now, the language states it “shall include the holding of a public meeting or an online public meeting”. Right now, the legislation is, in fact, going to quite a degree to prohibit holding both a public meeting in person and an online meeting. It states “shall include the holding of public meeting or an online public meeting”. This was an issue raised with representatives of the Government prior to Committee Stage. This is a concern. I would like to see “or” replaced explicitly with “and”. We have heard that it is important to have young people being more engaged. It is not just an age thing. There are older people who are online and younger people who struggle with literacy. We have huge diversity and I will come to some amendments on diversity shortly. The key thing is there are those who may be able to engage with an online process and who may not have gone to an offline public meeting in the past. Similarly, there are those for whom a public meeting in person, with the presence of a planner and where they can ask questions, is how they will appropriately engage.

On Second Stage, we spoke about the fact that Ireland has very high levels of digital illiteracy. It is an extraordinarily high number of our population and it is not about aspersions or generalisations, it is just a fact. Approximately 50% of people do not have strong digital skills. These are the European statistics on Ireland. If a local authority decides to go only with an online consultation it will exclude huge portions of people about whom decisions will be

made. These decisions will shape where they live and whether they can stay living in an area, what playgrounds their children may be able to access, whether they will have transport routes and what those transport routes are. The planning decisions that are made will shape literally hours of each of these peoples' days and they will effectively be excluded from participating in the process where only an online consultation is held.

Similarly, if we were to go only with a public meeting it would create disadvantages for some, for example, those with a disability who may have difficulties engaging with an in person meeting. This is fundamental because place by place it will shape what Ireland looks like. The question is whether we want the people of Ireland to be able to participate properly. At present, as it stands the legislation does not require public meetings and online public meetings. It does not require both. There is not even a caveat with regard to the health emergency. We will see a lot of places in Ireland where those who live there end up not having a say in the local development plan.

Amendment No. 2 is a short amendment that simply specifies that public meetings be online and in person. Amendments Nos. 3 and 4 specify there may be exceptions such as an emergency period. Amendment No. 5 is small. It is with regard to submissions in writing from members of the public. Again, given that many people and members of the Government parties spoke passionately about the importance of online communication in the previous session, I suggest they might want to support the provision that submissions, which are separate from the meetings, might be made online or in writing. Perhaps the Minister of State will clarify whether the interpretation of "in writing" will include online and postal submissions. There is an issue with planning applications at present. Those who submit online are limited in terms of characters and the amount of what they can submit. It is only those who can submit in person who are able to make more lengthy submissions on planning.

These are my concerns. It is a serious concern. When local area development begins people who are very concerned will feel cut out of the process unless we address it now. It would be much better to address it upstream at this point rather than have many local representatives inundated with people who are worried or upset about something that has happened and who did not know they could have engaged on it. If the Minister of State will not accept our amendments perhaps he will indicate whether he is open to changing the word "or" to "and" when he brings it back to the Dáil.

**Senator Sharon Keogan:** I welcome the Minister of State to the house. I hope he will take into consideration the amendment tabled by the Independent Senators. None of us are here purely because we walked in the door. We had to get elected to get in here. We all started off as community activists in one form or another. Part of this involved getting engaged in our communities, going to public meetings and seeing what was happening. In my community that was how I got involved. I realised the bishop wanted to rezone a community space in our town for housing. There were not too many engaged at the time but I knew it was a very important piece of land. It was zoned for community and I wanted it to remain so. I took off to find out what was happening at a public meeting. Now the Minister of State wants to take away this opportunity for ordinary citizens to have access to public meetings. This is quite astonishing.

I remember receiving documents in 2014, when I was first elected, about putting people first. The mantra of the Government of the day was about putting people first. This legislation is certainly not doing that. This is very much a top-down approach where the citizen is not put first. As Senator Higgins has just pointed out, 50% of our nation do not have digital skills. An-

other 500,000 people cannot read or write. This Bill is very disempowering. I really hope the Minister of State accepts the amendment.

**Senator Mary Seery Kearney:** I find myself going backwards and forwards and checking and rechecking because when I hear the contributions being made I wonder whether I am missing something. The text, as per the amendment made on Committee Stage by the Government, clearly states a planning authority “shall consult with members of the public”. The element of consulting with members of the public is absolutely preserved in this legislation. There is no question of the public not being consulted. We are talking about how it is consulted. That either happens in person or it is online but it is still a public meeting. There is a theme running through the contributions, a suggestion that the public is being caught out. It is not. The word “shall” is instructive. It is mandatory to consult the public at this stage but this is not the last or the only point of consultation in a development plan. There are subsequent sections in the Act that oblige various levels of consultation and contribution so it is not the case that the executives sit in their lofty offices and put together a plan and will now exclude the public and then it will be a done deal. There are elaborate measures to ensure there is consultation thereafter. At this point, there is consultation.

In my contributions on this the last day, my concern was about how that discretion is to be exercised. I asked the Minister of State, Deputy Noonan, if he could draw up guidelines and outline best practice in the expression of that discretion. My intentions were good but that has already been done. I presumed the absence of something when it was already there. There I was thinking I had taken a novel approach but this is already a requirement for public authorities. The best practice is already set out. It was in the Oireachtas Library and Research Service document. I referred to this before asking that it be the guideline but this is the guideline and this is the manner in which public consultation is to occur. The document states online consultations can complement face-to-face public meetings but should not fully replace them. There is no question but that there will be an exercise in discretion and the way in which that discretion is to be exercised is set out in a list from A to F. If at some point it is onerously exercised so as not to have in-person public meetings or there is a rogue local authority that consistently excludes the public, there is recourse to this and the matter can be raised as a motion or in the Chamber. There are lots of means of addressing this and ensuring that discretion is not exercised against in-person meetings.

When I was elected to South Dublin County Council I was struck, at the first *in camera* meeting we had, by the number of metrics put before members. I was also struck by the way in which members prided themselves on public consultation and they counted how many times such consultation had taken place. How effective some of those public consultations were is another matter but that is the ongoing robust exchange that takes place between the public and members of the council. Members ensured they went out to the public and prided themselves on doing so. In my area, there are bus shelter advertisements on various issues.

We are not dealing with a malevolent group that is opposed to the public, although some individuals may be. In general, we are dealing with local authorities and their executives which are committed to serving the public. We are creating a narrative that is untrue and disingenuous. Elected members of city and county councils throughout the country have the power to keep this in check. They have something to say. By presupposing this, we are denuding them of their ability to stand up for themselves and for the public they represent. Elected members also have many opportunities to contribute to, check, recheck and build into development plans.

We are discussing here the stage prior to publication. There are several other stages to the development plan, all of which invite consultation. We are talking about whether it happens in public, in person or online. We are not talking about eliminating public consultation. We need to bring this down a level and dial down the drama of the debate because this measure is not excluding the public. It is merely opening up the vista and the possibility of including far more people.

While I have reservations about and criticisms of BusConnects, public consultations on the programme did not stop. There were huge numbers of submissions, most of which were submitted online. While I agree that a certain proportion of the population is not good on digital literacy, I am also heartened that my party colleague, the Minister for Further and Higher Education, Research, Innovation and Science, Deputy Harris, has a programme in place to make sure we have digital literacy. We are moving to ensuring that people have access to online forums and are literate online. Why not open that out to remote areas and big counties where people have long distances to travel in order that they can access public consultations from their homes? I understand the spirit of what the Minister of State, Deputy Noonan, was trying to convey to us during the first debate on Committee Stage. It was about inclusion. There is no malevolent intent here. This is about opening up the process and not closing it down.

**Senator Eugene Murphy:** I agree with much of what Senator Seery Kearney has said. This debate is important and it is very important that everybody states what they think of this Bill. If Members have doubts about certain sections of it, this is the way to have the debate but I do not agree with my good friends on the other side of the House. The provisions in this section will enable further engagement with the public. It will not remove engagement from the equation. Senators from Fine Gael, the Green Party and Fianna Fáil would not support anything like that.

I am no legal eagle but I would consider myself of at least average intelligence. Last night, I looked up the definition of the word “shall”. This might give Members some solace if they have doubts. The definition of the word “shall” - and I am sure Senator Seery Kearney will know this - legally means something-----

**Senator Victor Boyhan:** We know that.

**Senator Eugene Murphy:** The Senator might allow me to make my point. The definition of the word “shall” legally means something must be done as opposed to the term “may”, which simply means that something is allowed. In other words, “may” means it can be done but it does not have to be done. Surely the interpretation and legal definition of the word “shall”, which is clearly stated in the Bill which provides that a planning authority “shall consult with members of the public in such manner” and so forth, is in black and white and means the process must be done and carried out.

**Minister of State at the Department of Housing, Local Government and Heritage (Deputy Peter Burke):** I will read out a technical response to the amendments first and then I will comment on a few of the issues that were raised. I genuinely appreciate the engagement of the House and Senators’ connection with this Bill. I know many of the issues raised are genuine and Senators are well-meaning. I fully understand that.

I will address amendments Nos. 1 to 5, inclusive, as they have been grouped together by the Bills Office. These amendments each seek, by various means, to instigate the holding by the

planning authority of a mandatory public meeting at this stage of the development plan preparation process. More specifically, amendments Nos. 1 and 3 propose that the provisions only apply during limited circumstances, such as the emergency period. Amendment No. 5 proposes that written submissions from the public shall be online submissions.

While I understand the intention behind the proposed changes, I must reject these amendments. Section 11(3) of the Act relates to the initial stage of the development plan preparation process. It is conducted before a pre-draft or draft plan has been prepared and can be described as the stage when the initial relevant issues and topics are identified for further, more detailed consideration in the subsequent planning process. For this initial strategic stage, planning authorities therefore spend substantial effort preparing and publishing written issues, documents, paper, reports, exhibition and information material, videos and questionnaires and so on in order to assist the public in preparing their submissions on the strategic planning issues of concern.

In the traditional public meeting format, not everyone wishes to speak and often those who do may seek to dominate the meeting with specific interest issues only, despite the fact that section 11(3) of the Act is intended to focus on the strategic, not the specific. It is also the case that there is no mechanism or obligation for what is said at a public meeting to be taken on board, as submissions need to be made in writing, through completing a questionnaire or some form of feedback. Increasingly, local authorities are moving to an online platform for public display of information, with presentations that may be pre-recorded, as well as the capacity for online receipt of written submissions. This has facilitated citizens to participate in processes from their own homes and at a time of their choosing. It also serves to generate written submissions that can be properly recorded and reviewed by the planning authority. This facilitates those who may be otherwise excluded from attending a public meeting or for whom it may be inconvenient as a result of disability, caring responsibilities, employment or some other commitment. While every effort is made to hold multiple meetings at different times of the day, evening and week in accessible venues to ensure as many people as possible have the opportunity to attend, this can dilute what already tends to be a limited audience to consider the pre-draft plan issues at this stage of the development plan process.

Experience has been that people are more willing to engage remotely with online processes, and such experience has accelerated as a result of Covid-19 considerations. Throughout the Covid-19 period, my officials have been engaging directly with senior planning staff of the planning authorities on keeping the planning system open and operational, in particular through an ongoing dialogue with the sub-committee of the County and City Managers Association. Through this forum, local authorities highlighted the difficulties in conducting a public meeting as required by section 11(3)(b) of the Planning and Development Act during the public health restrictions of the pandemic. In addition, they provided their experience of the limited attendance and value of the traditional public meeting, especially at the early strategic issue stage of the development plan preparation process, as is the case with section 11(3)(b). Greater levels of valuable public engagement were considered to be derived from written and digital submissions, where citizens can examine prepared material and information in their own time and submit issues and concerns in detail accordingly. It is, therefore, considered appropriate that it should be an option for some or all of the early public consultation stage of the development plan process to be facilitated to take place either online or in person and to extend this beyond the current Covid-19 pandemic, with such decisions to be made locally. This does not rule out holding a public meeting in person or a combination of a meeting and an online engagement. Rather, it allows for greater focus, efficiency and flexibility to encourage increased public par-

ticipation in the development plan process.

Amendment No. 5, tabled by Senator Higgins, proposes to insert a wording which would have the effect that submissions in writing from members of the public would be treated distinctly from online submissions from same, with respect to the proposed development plan. As it stands, the provision simply invites submissions in writing from the public and this could include either online written submissions or physical written submissions, submitted by post or in person. I cannot accept the amendment, as it is unnecessary and may also introduce doubt elsewhere in the Planning and Development Act that online submissions may not be possible wherever submissions in writing from the public are invited regarding development planning and where the term “online” is currently not present.

I have had the privilege to lead my own local authority as cathaoirleach in 2013 and 2014, when we finalised the county development plan process. Preceding that, I was chair of our area committee in a time before the current reforms. The cornerstone and bedrock of my local authority and in my experience and interaction with the executive was public consultation, including meetings throughout each stage of the development plan. I remember going out to small towns and villages, engaging with people on local area plans and the planners going there one to one, explaining in detail all the provisions of the county development plan. It may come as a surprise to Members who have raised the public engagement issues in terms of the meetings that take place at each stage throughout the current development plan process that none of these are specifically required in regulations. They happen because the local authorities want to engage with their communities and because the executive and local authority members want the best for their communities. They want to hear people’s views, take them into consideration and chart a way forward which will make our local areas better. Central to that is public engagement and that has always been the place, in my experience, of local democracy.

I will mention briefly a few points Senators have raised. I take each one of them as a genuine point. A pre-draft process is very general and strategic. Senator Keogan mentioned the field that generated the public meeting and the matrix or zoning that was specifically required and we are precluded from discussing micro-items like that at a pre-draft stage. Why? I go back to Senator Boyhan and the report he mentioned in terms of the issues contained in it. One of the words he read was “manipulation”. What happened decades ago at these meetings was that suggestions were made for fields or areas to be zoned which were not appropriate, and that is why legislation was passed in 2010 that no one is allowed to influence the micromanagement of our area at these meetings. That is why significant safeguards had to be introduced at that time. This meeting is about high-level issues. Is the area, community or county in question going to grow over the next seven years? What path should it take? It is not about micro-issues. In terms of micro-issues when we get the plan together, public engagement is central every step of the way, from our executive down to our councillors, working together to ensure the public is brought on board.

I see what councillors do in terms of Cór na nÓg and such issues, trying to get young people engaged in the development planning process, which is key. They reach out to schools and youth centres. Councillors do that well and I compliment them on that. I have reached out to the Association of Irish Local Government, AILG, to have a quarterly meeting with it during my term as Minister of State to ensure that, if our councillors have any issues regarding this, they are pointed out to me earlier so I can respond to them.

While I accept and understand the *bona fides* of some of the points that are made, I point



out that the requirement is there. There will be a public meeting, be it online or in person. We need to be careful here. There is an absolute willingness by the local authority system and the executive to engage with the public at all stages of the plan. That is not required in legislation or regulation. It happens because they want to do it. In my experience, I have never seen any reluctance on the part of the local authority sector to engage with that.

We are trying to make it easier for people. Other Senators articulated in the previous debate how participation can increase when it is online. For a local community, it is about whether the local field will be zoned open space, recreational, educational or suitable for residential. That is where communities get into the minutiae of trying to assess what is best for their communities. Local authorities engage in this at that point.

Senator Moynihan and others referred to maps and zoning matrices. None of this is at the pre-draft stage because there is no plan. It is at the very start. It is the inception and the authorisation to begin the process of drafting the plan. We need to be clear on that.

In my term as Minister of State, I do not want to take power away from local government. I want to give it more power. That is why we are progressing with the mayoral election in Limerick. That is why I signed a submission recently to start off the process of engagement to reform our local councils and provide the supports councillors require. Going from local authority to local authority, I know the deficits in some areas. I want to give councillors back power to address this.

I have heard the views expressed. I do not believe the provisions in question water down democracy or public participation. If anything, they assist them.

**Senator Alice-Mary Higgins:** Will the Minister of State clarify the matter concerning the word “or”.

**Deputy Peter Burke:** It is at the discretion of the local authority to either hold an online meeting or a public meeting or both. They have to do one. That is sufficient. There is no implicit action that a local authority is trying to prevent the public from getting involved. That does not happen in the local authority system. Local authorities want the public involved.

**Senator Victor Boyhan:** I thank the Minister of State. I respect his position. He takes his advice and puts his best case forward. I thank the contributors to the debate. It is not over, however. As the Bill was initiated in this House, it will come back from the Dáil and there will be another debate and set of engagements with the Minister of State.

I thank the Oireachtas Library and Research Service. Many Members have referred to its digest on the Bill. It is an excellent piece of work.

On technology generally, we have a long way to go. I have a letter from An Bord Pleanála and its hope for a new IT management system. I have been four years on the Oireachtas housing, planning and local government committee. The programme for Government contains the objective of having a fast, online and efficient IT system for planning. Many local authorities do not even have colour scanners. Some in rural parts of Ireland cannot access detailed montages or coloured drawings, etc. We have a long way to go but I accept it is on the way. We have had a few setbacks but it is something on which we all need to focus. I, as do many, embrace new technologies in terms of planning and understanding development plans.

I also want to take this opportunity to acknowledge the enormous work of our city and county council chief executives, their directors of planning and executive teams. They do a particularly hard job. It is not an easy one. I would not want any suggestion to go out of here that they were, in some way, deliberately setting out to frustrate public engagement. They are not necessarily doing that.

My problem, however, is this discretion. The Minister of State also referred to it in his response. The Bill's digest stated "The Bill also replaces the mandatory requirement [of city and county executives] to hold public meetings about a proposed [city and county] development plan, with an obligation for planning authorities to consult with and to invite written submissions from members of the public on a proposed development plan." That is the difference. It is an issue of empowering the executive. I understand and accept that, in the strategic nature and early stages of development plans, it is wholly and exclusively a matter for the executive in terms of preparing it. The executive puts it to the elected members who propose amendments, which are voted on by them. At that point, a draft plan is ready to go out to the public.

That is where we are. I am somewhat disappointed that the Minister of State is not agreeable to the amendment. That is his prerogative, however, which I have to accept. We have done our best. It is an issue which will come up. I am mindful of the fact that the Minister of State, I and other Members are strong advocates for councillors and local government. We have to be consistent about empowering local authorities with all aspects of power. I was hoping to take it out of the discretion of the executive. I did not want it to be politicised for the politicians either because I do not believe that would be right, appropriate or proper. The balance of power in the majority of councils changes from time to time. We have had this provision in legislation since the 2000 Act. It has served us, city and county councils and development plans well for a long time. It was my hope that we would put it into the legislation and that it would not be a choice of anybody. Instead, it would be a legitimate expectation of the citizens that they would have this opportunity.

That is where the difficulty is. I note from looking at development plans online that they are at different stages. Politicians of all sides and none hold successful meetings themselves. I am not sure if they are all very accurate in terms of representation and planning because they do not have the same expertise, however. It is important professional planners are there.

Will the Minister of State consider, before the Bill goes to the Dáil, bringing clarity to the next stage of the process to ensure somewhere in it we would have an obligatory public consultation? The Minister of State made a valid point about the first stage, where it is strategic and involves the executive's input. At some other stage in the development plan process, it might be possible that the Minister of State stitches in some measure to make it obligatory, given health considerations, Covid and emergencies, to have a physical public meeting in a public place.

Amendment put:

The Seanad divided: Tá, 14; Níl, 30.	
Tá	Níl
Bacik, Ivana.	Ahearn, Garret.
Boyhan, Victor.	Burke, Paddy.
Boylan, Lynn.	Buttimer, Jerry.
Craughwell, Gerard P.	Byrne, Malcolm.

*Seanad Éireann*

Flynn, Eileen.	Carrigy, Micheál.
Higgins, Alice-Mary.	Cassells, Shane.
Hoey, Annie.	Chambers, Lisa.
Keogan, Sharon.	Clifford-Lee, Lorraine.
Moynihan, Rebecca.	Conway, Martin.
Mullen, Rónán.	Crowe, Ollie.
Ó Donnghaile, Niall.	Currie, Emer.
Sherlock, Marie.	Daly, Paul.
Wall, Mark.	Davitt, Aidan.
Warfield, Fintan.	Doherty, Regina.
	Dolan, Aisling.
	Dooley, Timmy.
	Fitzpatrick, Mary.
	Gallagher, Robbie.
	Kyne, Seán.
	Lombard, Tim.
	Martin, Vincent P.
	McGahon, John.
	McGreehan, Erin.
	Murphy, Eugene.
	O'Loughlin, Fiona.
	O'Reilly, Joe.
	O'Reilly, Pauline.
	O'Sullivan, Ned.
	Seery Kearney, Mary.
	Wilson, Diarmuid.

Tellers: Tá, Senators Sharon Keogan and Victor Boyhan; Níl, Senators Robbie Gallagher and Seán Kyne.

Amendment declared lost.

**Senator Alice-Mary Higgins:** I move amendment No. 2:

In page 4, lines 1 to 3, to delete all words from and including “(which” in line 1 down to and including “meeting)” in line 3 and substitute “which shall include public meetings online and in

person”.

**Senator Eileen Flynn:** I second the amendment.

2 December 2020

Amendment put:

The Seanad divided: Tá, 14; Níl, 30.	
Tá	Níl
Bacik, Ivana.	Ahearn, Garret.
Boyhan, Victor.	Blaney, Niall.
Boylan, Lynn.	Burke, Paddy.
Craughwell, Gerard P.	Buttimer, Jerry.
Flynn, Eileen.	Byrne, Malcolm.
Higgins, Alice-Mary.	Carrigy, Micheál.
Hoey, Annie.	Cassells, Shane.
Keogan, Sharon.	Chambers, Lisa.
Moynihan, Rebecca.	Clifford-Lee, Lorraine.
Mullen, Rónán.	Conway, Martin.
Ó Donnghaile, Niall.	Crowe, Ollie.
Sherlock, Marie.	Currie, Emer.
Wall, Mark.	Daly, Paul.
Warfield, Fintan.	Davitt, Aidan.
	Doherty, Regina.
	Dolan, Aisling.
	Dooley, Timmy.
	Fitzpatrick, Mary.
	Gallagher, Robbie.
	Kyne, Seán.
	Lombard, Tim.
	Martin, Vincent P.
	McGahon, John.
	McGreehan, Erin.
	Murphy, Eugene.
	O'Reilly, Joe.
	O'Reilly, Pauline.
	O'Sullivan, Ned.
	Seery Kearney, Mary.
	Wilson, Diarmuid.

Tellers: Tá, Senators Alice-Mary Higgins and Eileen Flynn; Níl, Senators Robbie Gallagher and Seán Kyne.

Amendment declared lost.

*3 o'clock*

**Senator Alice-Mary Higgins:** I move amendment No. 3:

In page 4, lines 1 to 3, to delete all words from and including “(which” in line 1 down to and including “meeting)” in line 3 and substitute “(which shall include public meetings, online and also in person except where the holding of a meeting in person may be detrimental to public health)”.

**Senator Eileen Flynn:** I second the amendment.

Amendment put and declared lost.

**Senator Alice-Mary Higgins:** I move amendment No. 4:

In page 4, lines 1 to 3, to delete all words from and including “(which” in line 1 down to and including “meeting)” in line 3 and substitute “(which shall include public meetings online and, except in an emergency period, also in person)”.

**Senator Eileen Flynn:** I second the amendment.

Amendment put and declared lost.

**Senator Alice-Mary Higgins:** I move amendment No. 5:

In page 4, line 3, after “submissions” to insert “online and”.

Amendment, by leave, withdrawn.

**Senator Alice-Mary Higgins:** I move amendment No. 6:

In page 4, line 5, after “and” to insert “shall ensure that where a member of the public chooses to make a submission in writing online they are not subject to a limitation in terms of length of submission, and “.

**Senator Eileen Flynn:** I second the amendment.

**Senator Alice-Mary Higgins:** Amendment No. 6 is specifying where a member of the public is making a submission in writing. I have withdrawn amendment No. 5. I have accepted the valid point of the Minister in relation to that. Sometimes when we have online submissions, we have constrained spaces in which people are asked to contribute. I want to ensure that people are not limited.

We talk about this at a strategic level. Members of the public have strategic ideas and strategic input. It is important that they would be able to provide input at the strategic level in that early stage in the development process because if issues are not raised in the earlier parts of the process, it becomes difficult to insert them at a later stage. A person may have views on particular playgrounds but may also have a view that he or she wants intergenerational spaces as a strategic point. For example, a person may want issues of environmental sustainability, biodiversity or wildlife corridors to be reflected and they may relate not to a particular tract of land but to a strategic vision. In fact, on many of those strategic issues, members of the public have been frequently ahead of where the political plans have been. We have seen that on biodiversity, for example, and on wildlife.

This is specifically to ensure that where somebody is choosing to make a submission online, he or she is not constrained. I will point out, however, it is a constraint that is being inserted right now. We heard that in the guidelines previously there could be online consultation but that it should not replace the public meetings that might take place. We heard definitions of “shall” but we do not need a definition of “shall”. That was in all of the amendments we have already discussed. What we need a definition of is “or”. Right now, the Bill states, “shall consult with members of the public in such manner (which shall include the holding of a public meeting or an online public meeting) as it considers appropriate”. This is a problem. The Minister of State is building a binary into this Bill with the use of the word “or”. When he read it back, the Minister of State said “or both”, probably because he heard how it sounded. The words “or both” are not here in the text. I would like the Minister of State to replace the word “or” with “and” so we can be guaranteed both public online and in-person meetings. I hope the Minister of State will do that. If he is not willing to put in “and” instead of “or”, he needs to put in “or both” and specify it because, otherwise, he is going against the spirit of the existing guidelines, which state that online consultation should not replace in-person consultation. He is going against those guidelines and he is creating a dynamic where, for example, Limerick City and County Council or Galway City Council could choose either an online meeting or an in-person public meeting.

I do not think that is what anybody intends. I am not attributing bad intent to anybody and it is probably inadvertent but we need to make sure we try to get it right. Again, my amendment relates specifically to this question. I was reassured by the Minister of State’s answer in regard to amendment No. 5, which is why I withdrew the amendment. Perhaps the Minister of State might be able to reassure me that amendment No. 6 is not necessary and that there will not be a constraint, for example, of 200 characters or 600 words on those who engage and submit by writing online.

**Senator Paddy Burke:** It is a long-term strategy that will be in place. To address the amendment, it is necessary to read the original Act in conjunction with the amendments. This Bill is amending the original Act. The original Act planned for public meetings anyway, so this Bill would only add meetings that are online. This Bill, which has been brought forward to amend the existing Act, is going to introduce online meetings and we would have public meetings under the original Act which has been in place for many years.

**Senator Mary Fitzpatrick:** I look forward to the Minister of State’s response. It is a legitimate issue that has been raised. As I am not a lawyer, I will defer to the legal eagles. However, I ask that we would not lose the context of what we are legislating for. This is the statutory public consultation process. We have more than 31 city and county councils with more than 940 elected representatives. They are not self-appointed. They are not anonymous people. They are living in their communities, dealing with their constituents on a daily basis. They spend at least two years engaging in the formal process of a city or county development plan but they spend a lot more time engaging with their communities, their counties and their cities in an informal way, consulting on what the strategic development and planning ambitions would be for their county or city area.

The House needs to be careful not to lose sight of what our piece of business is today and not to have a message go out that this Chamber, or any chamber, is legislating to exclude or minimise public participation. Everything we are about is about engaging and energising public participation, and in creating opportunities for the public to participate. There is nothing in this legislation that will stop any citizen in the country from talking to their local councillor or

Deputy, writing to any of them, emailing any of them, phoning any of them, or stopping them in the street and engaging with them on what they want in their development plan.

**Senator Mary Seery Kearney:** Senator Higgins is correct that the “or” does make it binary, so I would urge a review of that and to allow the possibility of “or both”.

I have full confidence in the views of the executive and the members in local authorities around the country, and that they would not be so minded as to hide behind the word and say that if they had it online, they could not have a public meeting. I do not believe that is likely to happen. As many of us are former county councillors and elected members ourselves, we appreciate that is not likely to ever happen. However, the Senator’s point is correct and I agree with that.

The only place I have ever come across a word limit is within a planning permission, and I have experienced it in planning permission submissions with just one local authority. It does not preclude sending information in as an attachment by email, and it is only where they are provided with a box that a person has to cut and paste into. That would suggest it is a technology issue rather than anything else. We have to be mindful of the implementation of the submission process to ensure there is not something in the technology to preclude that. While I can see where the Senator is coming from, I am not sure it is necessary in this instance because it is only in that context of a cut and paste box, whereas a document can be attached in other formats and it is unlimited.

**Senator Rebecca Moynihan:** I support Senator Higgins in regard to the difference between “or” and “and”. It is a binary choice. I want to address this point. It is my experience of being on a local authority for 11 years that management do quote the legislation if they decide not to do something. I just had that experience last night when I had underlying legislation quoted at me as to why they had decided not to do something.

A public meeting is a very valuable thing to have. Nobody wants to stop online meetings happening, but there is a requirement to have a public meeting. As Senators Higgins and Keogan said, there are people who do not have online access, do not have good literacy and do not have an understanding of the planning process. What we are simply trying to do with this amendment is make sure it is kept more inclusive.

There is a central point that this Bill is being rushed through the House because it needs to be done in the context of the Covid emergency, which is fine. However, there is a provision in the Bill that is not in the context of the emergency but is seeking to make this permanent. Nobody knows what is going to happen in five years, ten years or 15 years. It is not a question of people using this nefariously but it is a question of people deciding, because of resources, that they have completed this. Senator Fitzpatrick and I have been on Dublin City Council for a long time and we know that when it comes to some of the issues, public consultation is not necessarily good enough and we have to go back again when people learn about it. This is about trying to make sure there is more robust public consultation and that it is a public meeting.

I want to go back to something the Minister of State said when he referred to it being at the draft stage. One cannot reintroduce issues when it is coming to the elected members and issues have to be raised at the draft stage. As Senator Fitzpatrick said, this is the statutory process. This is the bare minimum stage of the development plan process. It includes the additional extras but we are simply trying to make sure that a very simple thing within the statutory process

is that there are public meetings and online meetings, and we are trying to limit that for the purposes of Covid. It is fairly simple.

**Deputy Peter Burke:** I will read out a technical response first and then respond to each of the issues that have been raised. I will first address amendment No. 6 as jointly tabled by Senators Higgins, Ruane and Black. While I recognise that this amendment is well intentioned, I cannot accept it. Planning authorities routinely conduct public consultation exercises, inviting submissions from the public across a wide range of functions and areas of responsibility and have demonstrated the required capacity to undertake such important engagement activities in a transparent and equitable manner. The amendment suggests that there is or has been a restriction operated by the local authorities to seek to limit the extent or length of submissions made by the public. I am absolutely not aware of any such approach by a planning authority and do not believe the amendment is warranted or necessary when considered in light of the well-established practices that are currently operated in this regard.

I will now address the issues raised by Senators. First of all, as I pointed out very clearly, from pre-draft to draft, if there are material changes and a manager's report again at the final stage, public consultations, meetings, officials going out to brief members of the public or agencies like our chambers of commerce, our youth agencies, and public participation networks, that all happens through the county development plan process. Not one part of that is required by regulation or under statute, so why does it happen? It happens because our local authorities want to reach out and want public engagement, because it creates a better environment and locality for us all to live in, and it is beneficial to our citizens. It is a fact that we want engagement.

In response to Senator Moynihan's point, this concerns pre-draft stage, not draft stage, so issues can be introduced. It is about seeking permission to initiate the process. Nobody can come into a meeting at this stage and ask for a field to be zoned or a school to be built in a particular area. It is strategic and it is about high-level issues and helping areas to grow. A local authority is not prohibited from having a public meeting or an online meeting. It is very clear in the Bill that it is up to the local authority to decide whether to have a public meeting or an online meeting. However, it must have a public meeting, whether it is online or in public, and that is key. What is most beneficial for the local authority and the citizens in terms of conducting business and getting the most effective response should be done. I want to bury the rumour that public meetings are being stopped, because they absolutely are not. As someone who has been a cathaoirleach of a local authority through the county development plan process, I have seen at first hand the length that officials and councillors go to to brief the public and to work with them to get the best possible outcome. The greater the engagement in a county development plan, the greater the reach out to our citizens and the better the result. That is what we all want to achieve.

**Senator Alice-Mary Higgins:** On my amendment, if more engagement is better, I think the Minister needs to consider changing "or" to "and", or instead, he could add in "or both". This is not about the intent of anybody. I know that people are passionate about these issues and want to meet, but the law of unintended effects could be present here. I am concerned that there is an inadvertent mistake in the language in the Bill. There will be opportunities to address the issue in the Dáil, so I urge the Minister of State to address it, because I am sure he does not want to constrain and tie the hands of these well-intentioned local authorities that we have heard about. They should have the option, should they so wish, to hold both forms of meeting. I would prefer that they were required to do both, but we should at least ensure that they have



the option to do both.

I accept the Minister of State's point on my amendment, that it is perhaps not an issue for legislation and perhaps should be dealt with in the guidelines. As Senator Seery Kearney rightly highlighted, as technology evolves, the issue could probably become more about technology. Therefore, I withdraw the amendment and will address the issue in respect of guidelines in the future.

Amendment, by leave, withdrawn.

**Acting Chairman (Senator John McGahon):** Amendments Nos. 7 to 9, inclusive, are related and may be discussed together.

**Senator Alice-Mary Higgins:** I move amendment No. 7:

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

“(iii) shall take active steps to support equality of access to participation in public consultation, in relation to a proposed development plan, with particular regard to obligations under the Public Duty on Equality and Human Rights, the United Nations Convention on the Rights of Persons with a Disability and the Aarhus Convention.”.

**Senator Eileen Flynn:** I second the amendment.

**Senator Alice-Mary Higgins:** Amendments Nos. 7 to 9, inclusive, relate to the fact that it is not just a matter that there should be consultation with a member of the public or that there should be the opportunity for submissions in writing to be made, but it is instead to insert a clause, of which there are three different versions, that proactively encourages members of the public to engage. We have heard descriptions of good practice from the Minister of State, and these amendments are to ensure that this good practice is embedded.

Since some of the last public development plans were drawn up, a new public duty on equality and human rights has been introduced which, rather than just simply requiring that local authorities do not violate equality and human rights, instead requires them directly to actively promote equality. There are great examples of good practice and others of less good practice. These amendments seek to mandate local authorities to, “take active steps to support full equality of access to participation in public consultation, in relation to a proposed development plan...”. In amendment No. 7, I mention the public duty on equality and human rights. I also note the United Nations Convention on the Rights of Persons with Disabilities, which Ireland has now ratified and asks us to ensure that persons with disabilities are actively supported and encouraged to engage. I would also add to that those who live in congregated settings and those in nursing homes.

We must look at how we can encourage the full diversity of persons who will be affected by a development plan to participate. It involves moving from a space that allows for that public consultation and engagement. I recognise that individual councillors may reach out to those persons, but these amendments ensure that the practice reflects the public duty to do so. The Aarhus Convention is also mentioned in the amendments, which specifically concerns participation in environmental decision-making.

Amendment No. 7 sets out some of the provisions. I recognise that in law it is often preferred that specific provisions are not set out. Amendment No. 8 is a slimmed-down version of

amendment No. 7. It is not prescriptive in respect of the steps that need to be taken, but it states that such active steps as deemed necessary should be taken to promote full equality of access. Amendment No. 9 is an important one. It is a version of amendments Nos. 7 and 8. Although I recognise that there are complexities around the timing of this, it specifies that where there are particular communities, marginalised groups or age cohorts, whether they are young people, older people, or some of the groups who have traditionally not participated, or where they are not represented in the public consultation, their participation should be encouraged. Senator Moynihan and others described examples where these groups went back again. There should be active strategies to ensure that if the public consultation is not reflecting the social mix in our community, more active steps will be taken to address this.

**Senator Eileen Flynn:** I thank the Minister of State for coming to the House and affording us the opportunity to make our points. I understand that the majority of local authorities want the best for their local communities. In 2011, I was looking for a unit for a family in Labre Park who did not have running water or electricity. I remember speaking about the redevelopment of Labre Park and how we should look at future-proofing it. It is the same here today. We should be future-proofing our planning at a local level, and through this, we should be empowering people from all walks of life. Those from the Travelling community, those living in direct provision, those with visible disabilities and those regarded as troublemakers in a local community, are most likely to be excluded from these places and from local development discussions.

As people know, I was born and reared in Ballyfermot. A few years ago, it was widely reported that apartments were being built in Cherry Orchard, and because the community was not engaged in that consultation on who was going in to the apartments, there was uproar. It is about the empowerment of the community. In many working class areas it is the unknown for many people from different walks of life. What would not happen in Blackrock or Foxrock should not be allowed to happen in Ballyfermot, Clondalkin or Bluebell. It is really important that young people are brought to the table and empowered, and that must be looked at going forward.

One of the main points I wish to make is about communities. If local authorities want sustainable communities, and communities that will work with them, then the communities must be brought to the table. There must be engagement and participation of the elderly and young people within those communities, because engagement is the future.

**Senator Fintan Warfield:** I will speak on amendment No. 9. The explanatory memorandum talks about the modernisation agenda. This amendment to develop further strategies if the initial work does not encompass all of the voices that we need it to will trigger more imaginative processes. Senator Boyhan mentioned young people and art. The Dublin City Council Culture Company has had tea and chats with people of all ages across the city. There is work going on and engagement with people. If I have only one minute to speak, I will not go on. I will allow the amendment to proceed.

**Senator Paddy Burke:** It is important how the message is communicated to the public if there are going to be online meetings. How will that message be communicated? In some areas, we have local radio and newspapers. In other areas, there are few means of communicating that these public meetings are going to take place. The Minister might address that point.

**Acting Chairman (Senator John McGahon):** As it is now 3.30 p.m., I am required to put the following question in accordance with the order of the Seanad of this day: "That amendment

*Seanad Éireann*

No. 7 is hereby negatived, Fourth Stage is hereby completed, and the Bill is hereby received for final consideration and passed.”

Question put:

The Seanad divided: Tá, 41; Níl, 4.	
Tá	Níl
Ahearn, Garret.	Boyhan, Victor.
Bacik, Ivana.	Higgins, Alice-Mary.
Blaney, Niall.	Keogan, Sharon.
Boylan, Lynn.	Mullen, Rónán.
Burke, Paddy.	
Buttimer, Jerry.	
Byrne, Malcolm.	
Carrigy, Micheál.	
Casey, Pat.	
Cassells, Shane.	
Chambers, Lisa.	
Conway, Martin.	
Crowe, Ollie.	
Currie, Emer.	
Daly, Paul.	
Davitt, Aidan.	
Doherty, Regina.	
Dolan, Aisling.	
Dooley, Timmy.	
Fitzpatrick, Mary.	
Gallagher, Robbie.	
Garvey, Róisín.	
Hoey, Annie.	
Kyne, Seán.	
Lombard, Tim.	
Martin, Vincent P.	
McGahon, John.	
McGreehan, Erin.	
Moynihan, Rebecca.	
Murphy, Eugene.	
O'Reilly, Joe.	
O'Reilly, Pauline.	
O'Sullivan, Ned.	
Ó Donnghaile, Niall.	
Ruane, Lynn.	
Seery Kearney, Mary.	

Sherlock, Marie.	
Wall, Mark.	
Ward, Barry.	
Warfield, Fintan.	
Wilson, Diarmuid.	

Tellers: Tá, Senators Robbie Gallagher and Seán Kyne; Níl, Senators Sharon Keogan and Victor Boyhan.

Question declared carried.

*Sitting suspended at 3.51 p.m. and resumed at 4.05 p.m.*

### **Irish Nationality and Citizenship (Naturalisation of Minors Born in Ireland) Bill 2018: Committee Stage**

#### SECTION 1

Question proposed: “That section 1 stand part of the Bill.”

**Senator Ivana Bacik:** I welcome the Minister. I want to first thank her for her very constructive engagement with me on this Bill, which I welcome. It is a very positive way to approach Private Members’ legislation. I thank colleagues across the House for their support for the Bill. I will speak briefly about the history of the Bill and the reason we brought it forward.

The principal Act we are seeking to amend, as section 1 sets out, is the Irish Nationality and Citizenship Act 1956, so it is helpful at the outset of Committee Stage to refer back to the reason we are seeking to amend that principal Act in this legislation and to chart a way forward in keeping with that principal Act and the legislative framework set out in that Act as per section 1. It was wonderful to get such support from across the House but we had support across the House before when we in the Labour Senators group brought this Bill forward on Second Stage in the Seanad on 21 November 2018, which was passed, and we had hoped then to make further progress with it.

We restored it to the Order Paper this summer and were indeed prompted to do so and to take further action on it in memory of our dear colleague and comrade, Cormac Ó Braonáin, who was chairperson of Labour Youth and who died very tragically almost exactly one year ago. He had been passionately exercised by the need for us to do more for the rights of children born here in Ireland and to secure a pathway to citizenship for those children. Cormac and I had many conversations about how we would make progress with this very Bill. We are bringing it forward in his memory and Labour Youth, led by Cian Kelly and others, have instituted a great Born Here Belong Here campaign seeking support from across the country for a more generous approach to citizenship laws. We are also very grateful for the great support we have

received from NGOs working in this area, in particular the Migrant Rights Centre and Mairéad Mc Devitt who has been tirelessly campaigning on this in recent weeks and emailed just yesterday from the centre, including to Senators, a very helpful background briefing to help in this debate. The Immigrant Council of Ireland and Brian Killoran, Nasc and the Movement of Asylum Seekers in Ireland, MASI, are all very anxious to see some change in the law in this area.

One of the initial motivations for bringing the Bill forward in 2018 was the case of Eric Xue, the nine-year-old boy from Bray in County Wicklow who, colleagues will recall was born and had lived all his life in Ireland but whose family were then threatened with deportation in 2018. His classmates in fourth class in Saint Cronan's National School in Bray organised a campaign to enable Eric and his family to stay. It was successful as it turned out and the Minister for Justice and Equality at the time granted humanitarian leave to remain as it was within the discretion of the Minister to so do. Our concern as Labour Party members and parliamentarians who had opposed the citizenship referendum in 2004 was that our law following that referendum had been drafted too restrictively, which meant that children who had such a strong stake in Ireland, like Eric, were not being given any pathway to legal citizenship or protection against deportation. Unless they could organise a campaign and the Minister was willing to grant this discretionary leave to remain, it would be impossible for them to secure a route to citizenship. We were anxious to try to provide such a route to citizenship.

Colleagues will recall that the 2004 referendum that I referred to inserted the 27th amendment into the Constitution amending Article 9. This is crucial when one looks at section 1 in the legislation that we have just referred to because the text of Article 9.2.1° of the Constitution following the 2004 referendum says:

Notwithstanding any other provision of this Constitution, a person born in the island of Ireland, which includes its islands and seas, who does not have, at the time of the birth of that person, at least one parent who is an Irish citizen or entitled to be an Irish citizen is not entitled to Irish citizenship or nationality, unless provided for by law.

That final clause is the clause that enables or empowers the Oireachtas to legislate for citizenship entitlements up to and including citizenship by virtue of birthplace or *ius soli* citizenship, based on the place of birth. In fact, the Oireachtas, following that referendum - which the Labour Party opposed as we believed that we should have retained our right to citizenship on birth which is the *ius soli* citizenship - and its passage, passed the Irish Nationality and Citizenship Act 2004. This Act amends that principal Act mentioned in section 1, which is the 1956 Act, and effectively denied children born in Ireland an automatic right to citizenship by virtue of birthplace. What we see in the legislative framework since the principal 1956 Act, and following in 2004, in particular, is a very generous citizenship law when it comes to *ius sanguinis*, the old idea of birthright citizenship by bloodline rather than place of birth. Someone who has a parent who is an Irish citizen or is entitled to be one, is entitled to apply for Irish citizenship, whether or not they are born or are indeed resident in Ireland.

We have generous laws on that basis but what we lack now is that sort of generosity of approach when it comes to children born here in Ireland. What it has meant in practice and outcome, not so much because of the referendum itself which simply removes the constitutional provision entitling citizenship by virtue of birthplace but more by virtue of the subsequent legislation, is that we have seen that the children who have been born in Ireland, have grown up here and have known no other home but here are effectively stateless if they do not have Irish citizenship. They are being threatened with deportation along with their families. We have

seen that deportations can and have taken place at the end of lengthy immigration or asylum application processes that could take years to determine, years in which a child is born, raised and educated here. We do not need another referendum to reverse or address this situation for this small number of children and their families. The 2004 referendum amendment, as I have said, gives the Oireachtas exclusive power to legislate for citizenship pathways.

Many of those who first supported that referendum in 2004 have agreed that this sort of legislation is required to enable children born here, and their families, to have a pathway to citizenship provided for in law. I am sure that our colleague and friend, Senator McDowell, will not mind me quoting his speech on this Bill on Second Stage on 21 November 2018 when he said:

I support this Bill and it should be given a Second Reading. It is well-intentioned and addresses an aspect of our current law which needs to be addressed by the Oireachtas. [...] I believe Senator Bacik's Bill is timely and appropriate and there has to be a mechanism for children in these circumstances to enter into a process where discretion will be exercised rather than just sit in a limbo for years, wondering if a knock will ever come at the door. That is not appropriate and it is the situation that Senator Lawless [Senator Mc Dowell was referring to then Senator, Billy Lawless] is dealing with in America. It is unjust and inhuman and we have to provide for it.

He then, having spoken about being the architect of the 2004 referendum, said:

The effect of that referendum was to vest in the Houses of the Oireachtas total responsibility for our citizenship laws to deal with it in any way it likes. That is not mean-minded but democratic.

It is important to emphasise the power of the Oireachtas because it is within the terms of the Constitution to provide for legislation of the sort that we are seeking to bring forward today. I welcome the Minister's support for progressing the legislation further.

I also quote from the current Tánaiste, who responded to my party Leader, Deputy Alan Kelly, on 12 November in the Dáil that he would see what he could do, saying:

We have found solutions to these issues in the past. Only last year we brought in a scheme to regularise people who came here on a student visa, whose student visa lapsed and who ended up in the workforce. Many have been here for years. This is pretty much what happens to the undocumented Irish in America.

[...]

Perhaps we can come up with a scheme to facilitate these young people as well.

The Tánaiste was talking about allowing people to apply for regularised status and was speaking just a few weeks ago.

I also welcome the very positive comments made about this legislation by the Seanad Leader, Senator Doherty, and by the Deputy Leader, Senator Chambers, and indeed by my Green Party colleagues here in the House. Fianna Fáil and the Green Party had in fact supported the Bill on Second Stage in November 2018.

How then would our Bill, if it were passed, change things and the regime as set out in the principal Act and the amending legislation? It would make three key changes to our naturalisa-

tion regime, remembering that naturalisation is also covered in this Bill and it is not just about citizenship. This is made clear in the title and section 1.

First, someone normally applying for naturalisation must have a period of one year's continuous residence in the State immediately before the date of application, plus a total residence of at least four of the eight immediately preceding years. Our Bill would, just in the case of an Irish-born child, change that four-year requirement to two years, effectively replacing a five-year residency with a three-year residency requirement.

Second, we would lift the requirement that the parent or guardian of the minor or child must satisfy eligibility criteria. We are seeking to ensure that the child's status is the determinant for an application for citizenship.

Finally, in calculating a period of residence, we know that under the current legislative framework, periods of residence where the person was supposed to have had permission to remain but did not have permission, or where it was for a temporary purpose, are disregarded. Our Bill would lift that requirement, but just in the case of an Irish-born child. We believe that this modest Bill represents a sensible and compassionate approach to regularising the position of Irish-born children who have spent years of their childhood resident in this country but who currently face an uncertain future and even threat of deportation. We know from more recent surveys since 2004 and, indeed, from a 2018 behaviours and attitudes poll that more than 70% of people believe that those born in Ireland should be entitled to citizenship.

I have received great correspondence that is very supportive of the legislation but some correspondence suggesting that the current legislation reflects a more European-wide practice or framework for enabling citizenship and naturalisation. In response, I would say that there is a very helpful document that was produced in July 2020 by the European Migration Network called "Pathways to citizenship for third-country nationals in the EU". I am very grateful to Chloe Manahan, my assistant in the Seanad, for bringing it to my attention because it is really useful as a guide to what are European-style laws for citizenship. The first thing that is pointed out in the document is that "the conditions of acquisition and loss of citizenship fall within the remit of national competence" so it is a matter for each national government of each member state. Ireland has sovereignty over its own citizenship laws so there is no EU legal template as such. It states "all Member States offer the possibility for third-country nationals to acquire citizenship of their jurisdiction through ordinary naturalisation, although the rules regulating this process differ across countries". It is a very helpful guide on the sort of rules that apply.

In some countries, residency requirements range from three years up to ten years in some cases. Some countries have special provisions for children born in the country to parents neither of whom are nationals, which is essentially the sort of provision that we seek to introduce. Some countries provide citizenship on an unconditional *Ius soli* basis for specified groups of individuals born on the territory at predefined times. This is of interest because there is a perception that this is not the case. In fact, Luxembourg and Malta have some unconditional *Ius soli* provisions or birthright of place provisions.

I am conscious that I have spoken for a good deal of time about section 1 but it is hugely important to set out the context for the Bill, the reasons we have brought it forward and seek to amend the principal Act referred to in section 1, namely, the Irish Nationality and Citizenship Act, and the reasons to amend further legislation subsequent to the referendum. This is a Bill that is entirely within the terms of the referendum. It does not seek in any way to be undemo-

cratic or rewrite the referendum. Clearly, the referendum on the 27th amendment gives the Oireachtas the power to legislate.

Before I sit down, I note the Migrant Rights Centre has provided us with some testimonials from parents affected by the current citizenship laws and the absence of a clear pathway to legal citizenship here. One testimony that was written by a parent whose daughter was born and raised in Ireland simply says:

My five year old daughter was born in Ireland, she's now going to primary school here. She's a bubbly, fun and creative person. She says 'I was born in Ireland. This is my country.' She doesn't know any other home than here. She is very smart and when she grows up, she wants to be a teacher and dancer. I hope that dream will come true for her. This bill would be a dream come true for my daughter and our family because it will help us live without fear and mean she has a bright future. I see the impact of growing up undocumented and I worry about the affect this is having on her— it breaks my heart every day.

That is just one of the testimonials. I have heard from others, including one man whose three children have been born here, and go to school and preschool here, about whom I have written separately to the Minister. He stated, "He just wants to see his children happy, not live the life as we are now and to be allowed to stay in Ireland because we feel safe here and his children are at home here.. There is a clear need, which has been acknowledged by the Tánaiste and Government spokespeople in this House, for us to address the situation of undocumented children in Ireland in keeping with the spirit of our Born Here Belong Here campaign.

I am delighted to engage with the Minister here. I look forward to working with her and her officials. I know we have an agreement that we will meet over the coming weeks and that, early in the new year, we will have Government time to progress this Bill further on Committee Stage. Today, we hope to adjourn Committee Stage just after 5 p.m.. I also look forward to engaging with other colleagues across the House on ways to make progress with this important legislation.

**Senator Lisa Chambers:** I lend my support and commend Labour Youth. It is lovely that Senator Bacik started this debate by stating that it is in memory of Cormac Ó Braonáin. I commend the Labour Youth organisation and the Labour Party on bringing this Bill forward again. I was happy to be part of the group that supported this last time and that my party, Fianna Fáil, supported this. I am really happy that we have found a solution to progress this forward, that the Government is supporting this measure and that we will bring this legislation back in the new year to progress it and eventually get it on to the Statue Book. It is a commendable piece of legislation that will make a huge difference to the lives of these children. It is a small number of people but this is a decent and right thing to do. Given that we spend so much time talking about the undocumented Irish in other parts of the world, particularly in the United States, and calling for action to be taken there, then the very least that we can do is do as we say and do the same for the people who live in this country.

Once again, I thank Senator Bacik for bringing forward this legislation. I am very happy to see a resolution and lend my support.

**Minister for Justice (Deputy Helen McEntee):** I thank Senator Bacik for the approach that she has taken and the fact that we are having a general discussion about this today. As she has rightly pointed out, we will meet within the next two weeks to look at the issues that



have been identified here, the problems we have and how we can move them forward whether through legislation or other means. I look forward to working with the Senator and others in that regard.

A country's citizenship laws are critical to the integrity of the State and the rights of the people. Therefore, it is very appropriate that we debate these issues in this House. I appreciate the intention of the Bill. As I have said, I want to work with Senator Bacik and others in trying to progress the concerns that have been outlined.

I welcome the opportunity to flag some of the developments that have taken place since the Bill was first presented to the House as I believe it will help in addressing some of the challenges that already have been outlined and are faced by many families and their children who have come to Ireland seeking international protection or, indeed, who may in fact have no valid immigration permission. I understand and appreciate that the Bill before the House specifically and intentionally focuses on children and that the aim is to protect children who are already integrated into Irish society who face the risk of being removed. Obviously we have all heard of different cases. We have seen very publicly where one has young people who have grown up here but who as a result, perhaps of their parents' illegal status, find themselves in a very difficult situation. It is very difficult for all of us to see a situation where one has a child who enters into education, goes through primary school, secondary school and even some getting as far as college, to suddenly find their very presence here in Ireland in doubt when they have been born here, grown up here, lived here and built their life here. This is what we are all trying to address and I fully support Senator Bacik in that objective here.

Ireland is an open democratic State that already provides many legal pathways for non-EU or non-EEA citizens to migrate here and contribute fully to Irish life. Ireland greatly benefits from this migration, whether it is economically, socially or culturally. In this regard, our citizenship laws are some of the most liberal in the European Union. Senator Bacik has outlined some of the others where there are more lengthy periods of time. I think it is Belgium where one has to wait for ten years. Our citizenship laws contain few obstacles overall in terms of citizenship for persons to lawfully reside in the State who meet the transparent legislative qualification criteria. We recognise the value of legal migration pathways, as do other EU member states, particularly more recently in working to deal with Covid-19 and seeing how important it is in that regard.

If I may, I wish to highlight some of what has happened and positive developments since the Bill was debated in the House in 2018. We have already taken action to address a certain cohort of the undocumented population in the State. In October 2018, a scheme was introduced to regularise non-EEA nationals who came into the State lawfully under a student permission and who maintained a lawful presence for at least two years. All successful applicants under the scheme were given a residence permission allowing unfettered access to the labour market. As of September 2020, the immigration service delivery function of my Department has made a decision on 3,106 of those cases, of which 2,253 have been granted and just 853 of those have been refused.

I was delighted also to bring with my colleague, the Minister for Children, Equality, Disability, Integration and Youth, Deputy O'Gorman, the report of the advisory group on the provision of support, including accommodation, to persons in the international protection process to the Government in October. Having received the report from Dr. Catherine Day, the report obviously outlines a new and more permanent system to replace direct provision and proposals

for transition from the current system to the new system. The White Paper is currently being worked on and will be published by the Minister, Deputy O’Gorman, shortly. This will set out a new approach, we hope, to implementation, involving actions by multiple Departments, including my own Department. We are working very closely with the Minister, Deputy O’Gorman, with the Taoiseach’s Department and others to ensure that this can be presented, and the White Paper presented, by the end of the year. That work has already started but will continue on a number of key recommendations in that report.

It is important for me to say that I am currently considering an approach to regularise the position of undocumented migrants and their dependants in line with the programme for Government’s commitment. This would allow for long-term undocumented persons to apply for an immigration permission from my Department. I understand from speaking to the Migrant Rights Centre Ireland that this could be relevant for about 17,000 people, which could also include up to 3,000 young people or children. I have a report that has just come into my office this week from my own Department. Based on that report’s recommendations, having engaged in extensive consultation with a lot of the organisations, representative groups and individuals, we will then set the process in train to set out a pathway and framework for the undocumented. The commitment is very clear in the programme for Government that that will be done by the end of the year and I very much intend to stick to that. It will, hopefully, support up to 17,000 people of which 3,000 are children.

There is a lot of merit in our current arrangements to make determinations on a case-by-case basis, as has been mentioned by Senator Bacik. It is open to the parent, guardian or person *in loco parentis* to the child to lodge an application for naturalisation on behalf of the child. The conditions for the naturalisation require a total of five years residence in the State, as provided in the Act. I know that the legislation before the House proposes to reduce the time. Inevitably, granting a residence permission to children, to young people who reside in Ireland without residency permission, will require that other family members must also be allowed to remain here in order to care for them, to support those children, in line with the broader rights to family life enshrined in domestic, international and EU law, and they would be entitled to apply for citizenship in due course.

As Minister for Justice, I have discretion to deal with each immigration case before me on its merits. There are statutory mechanisms in place to allow and make sure that every party can make representations in support of their claim and, of course, in support of their children. This is a discretion that has been frequently exercised in favour of the child, particularly where the family has claims on substantial and humanitarian grounds to remain in this country. My ministerial predecessors have frequently exercised this discretion in favour and support of the child in that instance.

In many cases involving children born in Ireland, leave to remain is granted. In terms of citizenship grants since 2010, approximately 28,781 were children. This includes 25,552 children of non-EEA nationals. They have become citizens of Ireland through naturalisation. This demonstrates in real terms the results of effective compliance with our present legal pathways to citizenship. The existing arrangements are fair and work for all of those who respect the laws and comply with them.

I wish to outline some of my concerns, and those of the Department and others, with elements of the Bill. If the Bill was enacted as it is proposed then it would create a situation in Ireland that would make us unique in the European Union, which Senator Bacik has touched

on. Ireland would be the only state that granted citizenship to any child born on the island of Ireland, regardless of the legality of their parents' residence. We do have a duty to consider the consequences arising from the Bill if it were to be enacted in its current format, including the fact that from an EU point of view we would, in effect, be granting not just Irish citizenship but EU citizenship to children as well, and not just to children but inevitably to a much wider circle of people, as I have already mentioned.

Existing citizenship laws have also been carefully calibrated taking into account the complexities and very complex nature of the position in Northern Ireland and, more generally, keeping in line or broadly in line with other EU member states. The Bill if enacted, as proposed, would change the rules significantly for Irish citizenship entitlement in Northern Ireland as well. Currently, one parent must be an Irish citizen or be entitled to claim the same for the child to qualify for Irish citizenship, or one parent must have been lawfully resident on the island of Ireland for three out of the last four years. Of course with Brexit coming down the line, as the UK leaves the EU in the coming weeks, a range of amendments to current domestic legislation and administrative arrangements are under way to try and address the implications of this development in itself. This includes providing for residents of specified non-EEA national family members of UK citizens who move to Ireland post-Brexit by facilitating their entry and residence in the State. There will, obviously and undoubtedly, be children who will also benefit from these changes.

In the context of this proposed Bill, we do need to be conscious of the possible unintended consequences of changing our immigration laws at a time of huge flux. Covid-19 and Brexit are already likely to negatively impact on the economy and employment levels in Ireland. In addition to that, immigration rules have, potentially, wider implications for State services looking at immigration provision but also housing, education, medical services and welfare. All of these need to be carefully assessed and time needs to be given to look at those possible implications.

In summary, the proposed Bill is well intended and I support its objective. We all agree that many of the situations that we have discussed, and have been discussed previously when the Bill was introduced, should not be allowed happen where a child is born here, develops a life here, goes through school here and then finds himself or herself in a difficult situation. There are a lot of implications if we were to implement the Bill, as it currently stands, not least for our standing within the EU but the common travel area, Northern Ireland, our relationship with the UK but also other Departments and agencies as well. We have to take all of these into account.

I assure the Seanad that I will continue to exercise my ministerial discretion in cases involving the immigration status of children, particularly where humanitarian needs are presented to me and substantiated. I believe the positive developments that I have outlined, and the work that is under way, will have a positive impact on those we are trying to support today.

I want to work with Senator Bacik to address a lot of the issues that she has outlined, be it through legislation or other ways. I am fully committed to doing that and working with the House to address any of the lacunae in the law that currently exists. My apologies, I had a lot to say and I tried to condense it into the shortest period of time. I thank the Senator for her co-operation on this issue. I do want to work with her and look forward to working with her.

**An Cathaoirleach:** I thank the Minister for outlining all of that to the House.

**Senator Marie Sherlock:** I thank the Minister. The concept of home is a very powerful

one. It relates to a sense of belonging, a sense of community and it is the anchor in many of our lives. For those of us with a home it means that whatever the misfortune, ill health or crisis there is always a sanctuary. If one talks to people who are homeless they will talk about the gaping hole that it leaves, and about the stress and uncertainty of not having a place to call their own. What is in question in this debate is something very similar and no less fundamental. The reality in Ireland today, as the Minister has acknowledged, is that there are children who are either stateless or citizens of a country that is completely alien to them. They think of themselves as Irish but our legal system declines to recognise their identity and all because, in 2004, the Government of the day decided that it needed to stop so-called maternity tourism. It was a cruel decision then. It was challenged by my party, the Labour Party, and by many others in civil society who foresaw the damage that it would do. In recent years, we, as a country, have embraced a broader and more inclusive view of what it means to be Irish. Certainly, we believe that it is well past the time to extend that spirit of equality to those who should and would have been citizens had the twenty-seventh amendment not been passed.

The time has come to restore birthright citizenship, which should never have been taken away. I am very proud, as a Labour Party Senator, that the leader of our party in the Seanad, Senator Bacik, brought forward this Bill in 2018 and has brought it forward again today. The Bill was spearheaded by the Senator, campaigned on by Labour Youth and many other groups, and campaigned on so passionately by the late Cormac Ó Braonáin.

I want to acknowledge the comments made by the Minister and representatives of the other parties who will speak in support of the objectives of our Bill. It is critical that we press on with this Bill and do not delay because its importance for the many new Irish families cannot be understated. There are children in this country who are living under a cloud of uncertainty. They never know if or when the notice of intention to deport may arrive for their parents. They never know how safe they are in the country they call home. It is a life sentence having to live under the radar so these parents are without a driver's licence or passport, without access to the rights and duties of citizenship, and without the ability to work lawfully. This is a situation that is ripe for exploitation. Even though children born here who may now be young adults, about to turn 18 years or go to college, speak with an Irish accent and received all of their education here could, for whatever reason, be hit with a notice of intention to deport. They could be sent to a country halfway across the world, and a country that they have never known, all because with the 2004 referendum there is now no legal avenue for children born to undocumented parents to acquire residency or citizenship at a later stage in their lives. Restoring the right to citizenship is the only answer that can fit with our view of ourselves as members of a fair, just, free and equitable country. It is not enough to say that the rate of deportations is very low, for which we should be thankful, or that parents can apply for permission to remain and then access a legal path to residency. That is not acceptable. We cannot leave to chance the rights of children born here or brought here as babies. We cannot leave those rights to the discretion of officials in the Department of Justice. We cannot have an arbitrary system of immigration in which these matters are left to the discretion of civil servants. We need a standard system for all babies born here, particularly in cases where parents could be refused permission on so-called character grounds, that is to say, if they have a conviction or other matter on their file. Where does that leave the child?

The Irish Nationality and Citizenship Act 2004 stands out as one of modern Ireland's great hypocrisies. If one is born with the right heritage and the right Irish blood in any part of the world, one can have Irish citizenship as long as one can prove that link through one grandparent.

If one actually lives in Ireland and was born in Ireland, it does not matter whether one speaks the language, whether one knows and loves the country or whether one thinks of this place as one's only home if one has the misfortune of one's parents not having the right paperwork. It is not acceptable that we continue to cut these young people off from full legal recognition within the Irish national family. We cannot continue to deny them the full and enduring security in their home that only the right to citizenship can provide.

**An Cathaoirleach:** For the purposes of clarification, while this is a Labour Party Private Member's Bill, we are on Committee Stage. The rules of normal Committee Stage procedure apply. There is no rota by party or group. Members must indicate if they wish to be on the list of speakers. The other issue is that the House agreed that this debate would adjourn one hour after it started, which means it will adjourn at 5.09 p.m. We will adjourn at that stage.

**Senator Lorraine Clifford-Lee:** I will keep my comments brief because I know a number of other speakers want to get in on this very important topic. I commend Senator Bacik on bringing this Bill before the House today. My colleagues in Fianna Fáil and I supported her in 2018 and are very happy to do so again. It is a very fitting tribute to the Senator's late colleague, Mr. Cormac Ó Braonáin, that she is bringing this before the House. I hope we can progress it together on a cross-party basis and see that proper pathways to citizenship are afforded to children who have made Ireland their home. These children are Irish. They contribute to our communities and enrich our society. The Senator referred to Eric, a little boy from Wicklow. There have, unfortunately, been many Erics since then. With all due respect to the Minister, it is simply not good enough to say there is an *ad hoc* system available by which to gain leave to remain. It is not acceptable that an *ad hoc* system decides these matters, which are very important to people.

People are living under the shadow of deportation. They are waiting for the knock at the door or for the letter to arrive. This fear and anxiety have a traumatising effect. We all know that childhood trauma can leave deep scars and this is not something we want for any child. We are a humane people but this system is inhumane. We talk at length about our Irish citizens abroad and about protecting their rights in the countries they have decided to call home, yet we turn a blind eye to what is happening here. It is not good enough. Many undocumented people live here and provide essential services such as care services or work in the food industry. As we have all very recently seen, these jobs are vital to our way of life in this country. It is completely unacceptable that vulnerable people like this are left. I really hope the Minister will listen to people's voices today and will work with Senator Bacik and her colleagues to progress this Bill because I, for one, want to see it come to fruition. I want all children who are born here and who form part of our nation to live free of the anxiety of waiting for a knock at the door.

**Senator Annie Hoey:** I have never spoken from this part of the Chamber before. It is a different layout or space for me. The referendum in 2004 is one of my earliest memories of politics. I was 16 at the time so I was aware of the concept of politics but it the first time I was really aware of a political discussion happening. I remember being quite uncomfortable about the way some girls in my school were talking to others. I remember a sense of unease around it. I was not entirely what the story was, but I was uneasy. I remember a lot of talk about prams and buggies. All of these things were flying around. As has been said, I know the intention of this referendum was not mean-spirited but I believe we all recognise that, unfortunately, the discourse around it became very mean-spirited at the time. It really stoked a lot of fears in people and created a kind of thinking about migrants in Ireland whose knock-on effects we are still feeling.

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This is a positive and good Bill. We have seen a lot of material online over recent weeks. There have been a lot of hand-wringers in the comments sections saying that we voted for this system. We also voted for a clause allowing us to legislate, however, which is exactly what this Bill does. There is no underhandedness and no one is trying to undo anything; there was a very clear clause in the amendment allowing us to legislate in this way. I commend my colleague, Senator Bacik, on leading the charge in this regard.

I will quickly provide some figures supplied by Migrant Rights Centre Ireland. It did some research in 2019 with more than 100 undocumented parents and found that 68% of their children were born here. Some 58% of these were over five years old while 20% were over ten years old. Some 32% of the children and young people concerned were born outside of Ireland, 78% of whom had been living here for five years or more. In some cases they had been living here for more than 16 years. None of these children and young people has any rights to residency or citizenship despite being born or growing up here.

I echo the comment of my colleague, Senator Sherlock. People all over the world are able to claim Irish citizenship by virtue of lineage but those who have been living and growing up here, who are part of our school system and whose parents have been working here are now growing into adulthood and do not have that automatic right.

I will quickly talk about some of the impacts that growing up undocumented has on young people. An area about which I particularly care, but rarely talk about, is that of access to higher and further education. The children of undocumented parents do not have the same access to post-second level education as their peers. It is incredible to think that these children have come through the Irish schools system, including primary school and all the rough and tumble that comes with it, the junior certificate and the leaving certificate, and that they have often become Gaeilgeoirí who speak Irish better than many of us, but cannot access further and higher education in the same way as Irish citizens. That has a really severe knock-on impact on their sense of self, of belonging and of what they can contribute. As I always say, not everyone has to go on to further and higher education. That is a choice for people to make. For a group of people who have been here and who have been participants in Irish society to be locked out of this opportunity for growth and learning, however, makes me very sad. We need not go into the knock-on impacts of not being able to access education such as low-paid work and cycles of poverty. These young people have a valuable contribution to make.

I will not go on too much longer because I know my other colleagues want to speak. There is a mental stress and burden on people. Senator Clifford-Lee talked about Eric and said that there has been many other Erics since then. It must be really frightening for children to know that they could, at some point, get a call telling them they have to leave. It is not good enough that the reason these children do not end up having to leave is that parents, schoolteachers and schoolchildren stage sit-ins and other protests and organise petitions. That is not how we should treat young people who were born here, who live here and who belong here. It is not good enough that they must face this fear and mental stress.

There is also the matter of fear and stigma. Particularly in recent times, there has been a real stoking of racism and anti-migrant sentiment. I talk to my friends in the Mosney direct provision centre. We hear all the time about incidents of racism, exclusion, taunting and other stuff. It is just not good enough.

As I stated, I am very glad to be part of a party that is putting forward this Bill. I commend

my colleague, Senator Bacik, on leading on this issue and I commend Labour Youth on its Born Here, Belong Here campaign and on being a progressive youth voice for change. There has been some terribly unpleasant stuff hurled at the young members of my party who are putting forward this progressive vision for Ireland, namely, that those who are born here belong here and that all are welcome. They are doing astounding work.

In 2004, I was too young to vote in the referendum, although I was acutely aware of what was happening. I am very glad that, 16 years on, I will have an opportunity to vote on this issue and, I hope, to right some of the wrongs done in 2004. I remind anyone watching these proceedings that this is about children. It is about children who were born here and who I, my Labour Party colleagues and, I think, many other Senators believe belong here. They are very welcome. I look forward to working with the Minister and my colleagues to get the Bill over the line.

**Senator Róisín Garvey:** On behalf of the Green Party, I welcome the opportunity to speak on the Bill. Under the then Minister for Justice, Equality and Law Reform, our colleague, Senator McDowell, the 27th amendment to the Constitution, which was passed in 2004, removed the automatic right to citizenship upon birth. Once it had been passed, children born in Ireland lost the constitutional right to citizenship upon birth. The amendment instead gives the Oireachtas power to legislate for routes to citizenship and naturalisation. I say “well done” to the Senator for that. I remember my son was five years old at the time and I put him in the shoes of children who were born here but whose right to citizenship was removed.

In early 2004, the Green Party was the first political party to announce its opposition to the referendum. We campaigned fiercely for a “No” vote from the outset. Our campaign called out the Government proposal for what it was - a debasing of politics at the expense of the most vulnerable people in Irish society. We also pointed to the rushed nature of the referendum, arguing that the Government had not devoted enough time to a debate on the matter and that its claims that citizenship tourists were putting hospitals under pressure did not stand up to scrutiny. Now we see that those very migrants are the people working as nurses or doctors on the front line.

I am glad to say that the Green Party was not the only party to voice grave concerns about the referendum. We were joined by the Labour Party and Sinn Féin in campaigning for a “No” vote. It is a very happy day to be in the Seanad when one sees all Senators in agreement on this issue. The then Human Rights Commission, chaired by Maurice Manning, voiced serious concerns regarding the substance of the referendum and the manner in which it was developed and put to the people.

Thanks to all the gods, we have evolved since 2004 in a significant way, whereby we see cross-party support from every party, big, small and none, such that all Members agree that the amendment to the Constitution is ridiculous. I welcome all the work that has been done to date by the Minister for Justice, Deputy McEntee, and my colleague, the Minister for Children, Equality, Disability, Integration and Youth, Deputy O’Gorman, on this issue. The Bill has been fast-tracked. It is 2020 and the time is now. I have worked with hundreds of schools and have seen children from all over the world who are more Irish than the Irish themselves. They play the accordion and have better Irish than I do. It is ridiculously wrong to think that those kids are not Irish in every way. I again commend Senator Bacik on bringing forward the Bill.

**Senator Eileen Flynn:** I thank the Minister for coming to the House. She is very welcome. In 2015, I worked with the Migrant Rights Council of Ireland, MRCI, for three months. To say

it was the best three months' work experience of my life is an understatement. I got to meet the most powerful young people in the world. I do not mean that in a patronising way. I hate it when people tell me I am a brilliant young Traveller woman. The young people I met were young, paperless and powerful. That is exactly what they were back then and still are today. It was a brilliant experience. Many of them became my friends. Those young people grew up in an Ireland where they did not know when there would be a knock on the door to tell them they had to get out of the country. I remember doing a workshop with a few of them where they put paper over their faces so that they could not be identified for who they are. They had to hide their identity. It opened my eyes to the inequalities in Ireland, especially the inequalities that I would not like to see for my daughter, Billie, or other young people.

There are a few points I wish to make, as well as reflecting on the issues raised by other Senators. The MRCI estimates that there are between 2,000 and 3,000 undocumented young people living in Ireland. I understand that the young people with whom I worked in 2015 are now documented, but one of them told me this morning that she will never get back her youth and childhood which she spent living in fear because she did not have papers. She still works on the campaign seeking justice for the undocumented young people. To me, that is powerful. I do not wish to go off the point.

Under the Act governing citizenship, the Oireachtas has the power to legislate for children born here to have rights from birth and to be citizens of Ireland. Last February, *The Irish Times* reported on the case of a ten-year-old child who was faced with deportation. A 14-year-old teenager from Galway faced a deportation order, as did another child of 12 years of age. These are young people who play. We are all big GAA fans here in the Oireachtas. I know I am; I grew up in a GAA house. These are young people who play for their local football teams and speak the Irish language. We do not have to justify that they are Irish or say they have better Irish than other people do or that they do certain things better than we do. These young people are an equal part of our society.

The Ireland of 2004 is a far cry from the Ireland of 2020. Migration is a part of human activity. We need to make sure that families who move here or children who are born here are safe and treated with dignity and respect.

**Senator Lynn Boylan:** Speaking on behalf of the Sinn Féin Seanad team, I thank the Labour Party for bring forward the Bill. Sinn Féin favours restoring the full right to citizenship and believes that, 16 years later, it is time to revisit the decision that was taken, especially when a recent poll indicated that 71% of Irish people would support it being revisited. That said, we welcome the conversation today on the Bill because we all know the current immigration system is patently unjust and that there is a significant amount of work to do to right the injustices in it. We need to provide a way for children who are undocumented to regularise their immigration status.

The House has heard today that under the current system there is no path to citizenship for children who are born here to undocumented parents, children who came to Ireland to join undocumented parents or children whose immigration permission has lapsed. We have heard about children who have grown up here and joined local GAA teams and gone to local schools but who are all in a legal limbo and living in fear. They cannot travel or access third level education. Without permission to work, they very often end up in exploitative jobs. In effect, the current immigration system prevents these children from reaching their full potential. They are reduced to participating in society while that society refuses to accept them in full or to recog-



nise their full right to be here. They live under the threat of deportation to another country they have never called home. It is an unspeakably cruel system.

Senator Hoey is correct that this has a significant knock-on impact in terms of their sense of belonging. Ireland is an outlier among its European peers in that regard. Research carried out by the Migration Policy Institute shows that 24 of the 27 EU member states provide some way for undocumented children to regularise their status.

*5 o'clock*

It is time that Ireland caught up. We have heard the heartbreaking appeals and speak of primary school children who are campaigning for their friend to be allowed to remain the country and being forced to plead with a Minister for Justice not to deport that friend. These are only the high-profile cases. There are many others that do not capture the public attention or do not manage to tug at the heartstrings of Ministers or embarrass them into action. It is completely inappropriate that decisions such as these are being left at the discretion of a Minister.

It is worth putting on the record and recalling how we have ended up in this situation in the first instance. It is because the then Government misled the Oireachtas in 2004 into believing that there was a crisis of maternity tourism in order to force the referendum on the issue. There were claims that there was a spike in anchor babies being born. Senator Bacik rightly pointed out in her article in *The Journal* that the Government of the day inflated those numbers in that the statistics for babies born to non-Irish mothers with Irish fathers as well as babies born to parents with EU citizenship who did not benefit in terms of immigration status were all wrapped up in them. The Government decided to hold a referendum on a fundamental constitutional right to citizenship on the basis of little more than a rumour. It is akin to the current Government effectively holding a referendum having seen a racist meme on Facebook. We have seen this move before. A crisis is invented that plays on the fears and whips up the anger that is then directed towards the vulnerable scapegoat and away from where the failure lies, which is usually at the door of Government. It is the classic move from the reactionary playbook, one that we would all do well to learn from.

At the time of the 2004 referendum, the then Minister for Justice and Equality stood in this House and stated that by pandering to right-wing elements, the centre could halt their rise. I would like to point out that we do not defeat racism by pandering to racists. Racism must be resisted everywhere. The far right is on the rise in this country. We would do well to remain vigilant and not to pander to it. We have a chance now to undo some of the wrongs of the past and embrace all of the benefits that immigration brings to our society.

I thank the Labour Party for bringing forth this Bill, but we do need to revisit in its entirety the decision made in 2004.

**An Cathaoirleach:** There are only seven minutes remaining and four more speakers, Senators Moynihan, Ruane, Keogan and Wall, are indicating. In terms of where we are at, this is not the end of the debate. It will continue on another day.

**Senator Rebecca Moynihan:** I will try to make my points as quickly as possible. I am proud to support my Labour Party colleagues who drafted this Bill, particularly Senator Bacik. The Labour Party campaign was spearheaded by our comrade, Cormac Ó Braonáin, who has been on my mind a great deal over the last couple of days as I watch Christmas lights going up and I recall the tragedy of his death last year. It is fitting that we are discussing this Bill as the

first anniversary of his death approaches. Cormac believed in this campaign because he was a young man with passion and compassion. This Bill is about a passion for equality between the children of this island and compassion in the sense that no child should be left behind or have to live under the shadow of his or her being deported to a country to which he or she has no connection.

Ireland is a country of immigrants. We should appreciate more the difficulty and insecurity of not having a legal right to remain in a country. The Cathaoirleach has been very active regarding the rights of the undocumented in the US, yet we have many undocumented in this country and many of them have children. My Labour Party colleagues and I will support the Government in the context of the programme for Government commitment to regularise the rights of the undocumented. I pay tribute to the Minister for Children, Equality, Disability, Integration and Youth, Deputy O’Gorman, and the Green Party for their work to get that into the programme for Government.

I stand shoulder to shoulder with the undocumented in this country as they seek the same treatment that we ask from US politicians. I remind the House that in March next year or, perhaps, the following year when we don our green rags to advocate for the Irish undocumented, another basic principle of the US is that the children born there, for whatever reason, are entitled to US citizenship and can become US President. One of the basic provisions of this Bill is that all children born here are equal and have the right to the protection of this State. Simply put by my Labour youth colleagues, children born here belong here.

The Migrant Rights Council of Ireland which does incredible work on this and many other issues for migrants in Ireland estimates that there are between 2,000 and 5,000 children who are undocumented and do not have citizenship. Behind each of these numbers there is a story, a child with friends, hobbies, dreams and a Dublin, Cork, Meath or Mayo accent. They are Irish children. We hear in this House that the referendum in 2004 was not a mean-spirited in nature, but it was. That referendum weaponised fear among people in 2004. I recall tales of pregnancy tourism, open borders and anchor children. The people who are suffering the consequences of the framing of that discussion, which was unnecessary, are children born on this island.

Another referendum that used the same scare tactic of the unknown people who come here, displaying images of immigration into Britain, was that relating to Brexit. It gives me an uneasy feeling knowing that many of the people who voted to leave in that referendum based on the issue of immigration have more of a right to an Irish passport, with no requirement to visit here let alone live here, than children who live in this country.

I commend the Minister on her speech and on agreeing to work with all Senators across this House to right the wrong that was done 16 years ago. Let us continue to work together to make sure that we do that for all of the children born on this island.

**Senator Lynn Ruane:** Most speakers have covered the logistics within the legislation, the statistics, the referendum and so on. In the couple of minutes I have available, I will try to outline how I feel about this issue. Approximately two years ago, I attended several court hearings in regard to a deportation. As I sat in the courthouse, I was struck by the accents and Irishness of the people around me. As mentioned by Senator Flynn, we do not need to measure Irishness because people bring their own culture and heritage and we appreciate, support and love that too. I sat in that courthouse with a mother and her two sons waiting to hear yet again that they will be deported. I was sitting beside the eldest son, who was hoping to go to University

Limerick, and the youngest son, who was in third year at that time. My arm was resting on my leg beside his arm. We were both wearing the same bracelet, which had been given us to us by an artist for our participation in his work. This artist gives the same bracelet to all participants but this young man had not been in an art piece with me so I was reminded that somewhere along the line he had participated in another part of the country in work by the artist with whom I had worked. I remember feeling incredibly connected to him in that moment. My bracelet broke. To remember the idea of this perfect circle and how love goes around and how when we treat each other well love is equal between people, families, nationalities and cultures, I had the bracelet tattooed on me so I could be reminded of that moment sitting in that courtroom and the sense and feeling of hopelessness that I would not be able to help that family in any shape or form. Luckily, following a campaign and through ministerial discretion, we managed to have the deportation order lifted. Two years later, I visited that woman, whose character was dismantled in the courthouse that day. She was unrecognisable to me. Her skin was glowing, her hair was beautiful and she stood tall. I could not believe how tall she was. I had spent several days with her in the courthouse and I saw the physical effect on her of living undocumented. Eighteen months to two years later, she looked like a different woman and could stand tall. I keep that vision with me. We could give this to so many people and families and lift from them that burden they are carrying with them.

**An Cathaoirleach:** I thank the Minister for coming to the House for the debate and I thank all members for their contributions. Members who were not able to get in on this occasion will be able to do so when the debate is resumed.

Debate adjourned.

*Sitting suspended at 5.10 p.m. and resumed at 6 p.m.*

### **Technological Universities Agenda: Statements**

**Minister for Further and Higher Education, Research, Innovation and Science (Deputy Simon Harris):** I am grateful for the opportunity for me and the Minister of State, Deputy Collins, who will also contribute to the debate, to update the House on the progression of the technological university agenda nationally. I am delighted to see such interest in this in Seanad Éireann. It warms my heart that the time for these statements was extended. I am encouraged that there is great interest across the country about the transformation that these technological universities can bring to the regions.

The opportunity to be here today arises in part following a recent Oireachtas committee hearing on the draft order appointing 1 January 2021 as the date on which the new Munster Technological University, MTU, will be established. I thank the Seanad for its approval of the order which I signed today. It will see on the first day of next year the realisation of many years of hard work with the legal establishment of the MTU, the second such technological university, TU, in the State. As Senators will know the first TU in the State is TU Dublin which also has the honour of being the largest higher education institution with more than 29,000 students and 3,500 staff. It is indicative in many ways of what we are striving to achieve with the TU agenda.

We are seeking to create, in the merger of smaller institutes of technology, ITs, - in TU Dublin's case those of DIT, IT Blanchardstown and IT Tallaght - stand-alone multi-campus entities which are of significant and sufficient critical mass that they can punch well above their weight

as individual institutions, and that as reconfigured are much more than the sum of their parts. That is in no way to undervalue what has been and continues to be achieved by institutes of technology.

I was thinking about this today when signing the order effectively dissolving Cork IT and IT Tralee. While we are moving to higher ground and an exciting new agenda, I take the opportunity to thank all the people who have worked and served in IT Tralee, Cork IT and all the institutes of technology over the years. I know there is a real affinity with many of these institutions. They are fine institutions and have served our country well for the past 50 years, putting down roots in regions and communities and providing first-class technical and technological education with wide student access and diversity, and with an embedded connectedness to local and regional business and enterprise.

The Government and the Oireachtas wish to retain and build on what is best in the IT model but to ally that with the best of the university system such as deepened research capability, level 10 designated awarding powers, and international reach and recognition. It is an exciting prospect that Tralee will be a university town from 1 January and this change has the ability to transform our regions. We want to amplify the best attributes of both types of institution into something unique. This uniqueness is to be found in the sheer bandwidth of TUs, which provide research-informed teaching and learning excellence across all levels of the national framework of qualifications, NFQ, from level 6 to level 10, from apprenticeship to doctoral degree.

Last year, the then Department of Education and Skills established a high-level working group entitled the TU research network, TURN. This group, which included the presidents of TU Dublin and of those institutes of technology involved in TU development, the Higher Education Authority, HEA, the Technological Higher Education Association, THEA, and the Department, produced a seminal report in October 2019. This report sets out in detail the blueprint for successful TU development in this country. It describes the rationale, benefits and key requirements of this new type of higher education institution in Ireland. The report is entitled “Connectedness and Collaboration through Connectivity”, which sums up the ethos and model for TUs. These universities are closely connected with their regions, stakeholders, students and staff. They are collaborative partners with enterprise, research communities, local and national government, and other education providers at home and abroad. Their connectivity is reflective of the modern, globalised, digitally connected world in which students, staff and stakeholders live, work and study.

The report makes a series of 12 recommendations for outcomes that will provide a solid foundation for the development and progression of TUs, centring on the thematic areas of investment in integrated multi-campus digital infrastructure, research capacity-building and realignment of the policy framework and funding for TUs. The focus is now on the implementation of these recommendations, including the development of academic career structures, by the sectoral stakeholders.

Arising directly from the TURN report, budget 2020 introduced a new TU transformation fund of €90 million going out to 2023. This represents a trebling of annual funding and will see TU-oriented funding increase to over €120 million by 2023. The fund will assist in key investment areas including digital infrastructure, research capacity building, change management, systems integration, governance and project management structures and information sharing to establish TUs and assist them to deliver key strategic social and economic development objectives and to respond to specific diverse regional and sectoral impacts such as Brexit.

On 7 October, I announced that the HEA, which is overseeing and administering the fund subject to Department policy requirements, was making a total of €34.3 million in funding allocations. The funds will be disbursed in two tranches in quarter 4 this year and quarter 1 next year. Further allocations will be made in 2021 and 2022 with an emphasis from next year onwards on assisting inter-TU and consortia collaboration on systemic projects as TUs bed down and start to operate within their new environments, in pursuance of their missions and functions.

We want this fund to be utilised to create a network of these universities spanning the country and by 2023 five technological universities could be - I hope they will be - established. The fund will also continue to assist established TUs in those crucial formative years. It is important to have ring-fenced funding to bed in these new universities. In tandem, we are working with stakeholders to establish the mechanisms through which TUs can stand increasingly on their own two feet. This includes the development of a borrowing framework that will enable TUs to access non-Exchequer funding such as the European Investment Bank provides and put them on an equal footing with the traditional universities. It will enable them to build their research capacity in both applied and theoretical fields, attract both increased research funding and retain and attract high-calibre research staff. It will involve the reconfiguration of the financing models currently in place in the publicly funded higher education sector.

This is not just a one-way street, however. The Government requires the TUs to become engines of regional development and socio-economic progress. That is why we are doing this. It is to achieve balanced regional development and greater access in the regions to higher education, and to try to advance some of our socio-economic objectives. We want the TUs to be magnets for students seeking the finest of educations in top-class, student-centred environments, but without necessarily having to always travel to the big smoke, the capital or the major cities. These facilities should be available in the regions and people should not have to leave these regions to access higher education. Connectivity and state-of-the-art facilities will ensure access to the highest levels of education provision, irrespective, within reason, of location, and subject to the continued roll-out of broadband and other connectivity avenues.

Over time, the TUs will be in a position to “wash their own faces” and facilitate the delivery of national strategic objectives in the areas of higher education provision, access, skills retention and creation, research and innovation, regional development and social progress. I have been meeting with regional skills forums throughout the country and there is a real excitement among the business community, the educators and the citizens of the regions about the difference this will make. Business owners, employers, students, education providers will be able to sit down together and plan the skills needed for the regions. They can ask themselves what they want to be good at in a particular region, and then provide the education to ensure that the workforce is available to achieve that. This will also transform the decisions that younger people will make. If they can stay in their own community and access a university education, they are much more likely to maintain their roots in that community, and that can only be good for balanced regional development.

Regarding where we are today with the TU agenda I have mentioned that we have one TU in situ - TU Dublin - with another less than a month away from establishment MUT. There is also more good news in this regard. Less than a fortnight ago, I also received an application for TU designation, under the relevant legislation, from Athlone and Limerick ITs seeking to establish a university in the midlands and mid-west and that has started a prescribed process of assessment and decision-making under the legislation, so that could well be our third TU. Further applications are anticipated from the Connacht-Ulster Alliance of Galway-Mayo, Sligo

and Letterkenny ITs in early quarter 1 of next year. In respect of the south-east, which is the only region that currently has no third level university facility, an application from the TUSEI consortium of Carlow and Waterford ITs is expected in early quarter 2 of 2021

If we get through this process there will be just two ITs that remain unaligned with TU consortia. However, both of these - Dundalk Institute of Technology and Institute of Technology, Art and Design, Dun Laoghaire - are exploring possible trajectories for TU development under the legislation, with the assistance of the transformation fund.

The TURN high-level group I referenced is also being reconvened under the chairmanship of Dr. Alan Wall of the HEA with a view to the technological sector itself taking significant ownership of the TU agenda going forward, subject to national policy and strategic priorities.

Since their genesis in the National Strategy for Higher Education to 2030, better known as the Hunt report, in 2011, the technological university agenda has come a long way. While it has not always been an easy or straightforward journey, since the enactment of the Technological Universities Act 2018 we are now seeing the realisation of what may have seemed a distant dream to some people in past times. I assure Senators of my own and the Government's commitment to delivering fully on the TU agenda. This is a major priority for our new Department. This is also a priority in the programme for Government 2020, with a particular urgency being accorded to the delivery of a TU for the south-east, the only region currently without a university presence.

We are making good progress in that regard and following the appointment of a new, highly experienced programme executive director last July, and building on the significant work done by the proactive team led by the presidents and governing body chairpersons, there is a renewed sense of enthusiasm and can-do spirit, which I am confident will at last rid the south-east of that unenviable label of being the only region without a university.

A TU in the west and the north-west will be of immense benefit to the people of that region, and will help forge relationships on a North-South and cross-Border basis. I would love to come back to this House to talk about how we can collaborate on an all-Island basis when it comes to higher education and research. There are significant opportunities, and some very significant civil rights issues in this space.

I see these developments and the TU agenda as integral to the Department's main mission of uniting educational opportunities with enterprise, research and innovation. I look forward to working with colleagues on all sides of the Oireachtas in pursuit of this goal and I look forward to hearing the Senators' comments and questions. Go raibh mile maith agaibh.

**Senator Aisling Dolan:** I welcome the Minister to the House. It is great to hear an update on the TU agenda. As Fine Gael spokesperson on further and higher education, research, innovation and science, I am delighted with the progress the Minister has achieved to date with his officials in this brand new Department. It is quite exciting to be starting off with nothing having gone before and it being wide open for the Minister to achieve what he will. The goals that he has set out here will amount to an amazing achievement when they are delivered. It will take time, but it is amazing to see it happening.

The Dublin TU, which brings together DIT, Blanchardstown and Tallaght, and the Munster TU, which brings together Cork and Tralee ITs, amounts to a total of six campuses, that are going to be university campuses, which is brilliant.

**Senator Rónán Mullen:** Should it not be “campi”?

**Senator Aisling Dolan:** An application has also been received from Athlone and Limerick ITs. Athlone Institute of Technology is close to my heart as it is only 15 minutes away from my home in Ballinasloe, and it is very important for the east Galway area as well as the midlands and the mid-west. The Connacht-Ulster Alliance application that will soon be submitted will bring together the Galway-Mayo, Sligo and Letterkenny ITs.

This project is so important. The Saolta hospital group and others across the country are linked to universities and have university status, such as the Letterkenny, Mayo and Portlincula hospitals. It is phenomenal that these hospitals and their excellence are linked to the universities, and it is something I would like to see with the TUs. We need to build the link with both industry and healthcare and the hospitals in each region.

The establishment of the TUs will be transformational for regional areas. As the Minister mentioned, each town with a campus will become a university town, which is a sought-after status. The Government has committed to providing a total Exchequer funding of €90 million through the HEA under the transformation fund. It is the right time to build our research excellence across the country, which is so vital to attracting foreign direct investment. Covid-19 has had a major impact on our community and on our businesses. Many people are seeking other types of work and accessing the pandemic unemployment payment, for example. Students themselves have become very disconnected over the past year from the joys of college life. I was very happy with the supports that the Department has brought in for students, such as helplines and the 50808 text service, which students can use if they are feeling down so they talk to someone and get expert help. Our students today will be our leaders tomorrow, and we need to ensure that they are protected in this difficult period.

Third level courses in each region will ensure that we are building up our talent base and skill sets to attract industries of the future, such as e-health, internet of things, big data, or facing future challenges with research, as has been done in the case of Covid-19. We have seen researchers coming together to look at possibilities. When the pandemic began, in March and April 2020, researchers were working in NUI Galway on the idea of splitting ventilators, so that two patients could access one ventilator, which shows that research is not in an ivory tower, and that researchers are engaging immediately with communities and society to deliver an impact immediately. It is not a case of waiting four or five years to see the impact of research.

We want Ireland to be a global leader in innovation, and we are on our way to achieving this. When I speak with staff in organisations such as Science Foundation Ireland, IDA Ireland or Enterprise Ireland, they always talk about innovation and how Ireland can become the pinnacle of innovation. If one looks at countries such as Singapore, it becomes apparent immediately that it is about excellence and engagement between industry, universities, and third level education. That is exactly what draws the best of the best to countries that are able to demonstrate that excellence and engagement. Of course, Ireland has been able to attract multinational companies from across the world based on the excellence in our research and researchers in third level institutions. We are well-positioned in the healthcare, medtech and pharmaceutical sectors, building on the investment in existing universities through Science Foundation Ireland centres of excellence, where industry and academia work together to deliver results. The Enterprise Ireland commercialisation fund, feasibility grants and technology transfer offices translate our research and discoveries into real-life applications. We do not and cannot just perform excellent research. The key to these technological universities is that researchers, lecturers

and people who are teaching will have time dedicated to research. This is what is crucial about them. When speaking to those working in third level, one always comes across the issue of people who are teaching not being able to dedicate enough time to research. To do that, we need to ensure we can allocate time and that those people will have dedicated time to do research in order that they can compete to attract the funding they need to continue.

We also have to develop the commercialisation aspect in this regard. Enterprise Ireland is currently very strong on this in the institutes of technology and will be in the technological universities as well. By doing so, we will see the impact of research in society. When we talk about commercialisation, there is a gap from when we deliver research to when we actually get it out into the community. If it is not commercialised it will never end up in the community or in society, where we will be able to see the benefit. It is about building the links between research, academia and day-to-day life and living. We need to think about that and it has to be funded and protected. If that is not done through the commercialisation of research, it will not happen. The commercialisation aspect is extremely important, especially for technological universities, which are about the practical need for industry. As I have mentioned, our institutes of technology have real strength in this area of practical application and have been responsive to industry need.

International peer review is important and measuring ourselves against international standards is crucial. Our graduates are highly sought after in many industries and that is how we attract industry. We must be able to speak to and point to how we are meeting international measures for excellence. That has to be how we judge ourselves and the success of the technological universities as a whole.

Ireland attracts researchers from across the world. When I worked as a contract researcher and project manager on a European project, I got to meet nationalities from all across the world. I have been very fortunate in doing that. Some 20% of Galway is cosmopolitan. The people who decide to stay here in Ireland and the researchers who come from across the world do so because they are able to attract funding. They are able to do what they want as they have the laboratories and infrastructure. We have key agencies, like Science Foundation Ireland, SFI, Enterprise Ireland, and the Irish Research Council, which are there to fund research. This will continue with the technological universities in which we are investing. I understand the precarious nature of contract researchers who are dependent on funding and awards. If we are to look at raising NFQ levels from 6 to 9, we must also develop our PhD teams, our PhDs, and our postdoctoral studies. They are usually funded through European programmes, as well as national programmes. We must ensure we can attract that type of funding. I ask the Minister to look at measures to support our contract PhDs and postdoctorates, to make sure we keep our talent here and that we attract new talent, particularly given the challenges of Brexit and the UK leaving the EU. We must also protect the budget for European Research Council awards at a European level, in order to keep excellence here.

As the Minister has mentioned, these technological universities will deliver higher education access, skills retention and creation, research capacity building, research-led teaching and socioeconomic progress. In other words, they will embed research excellence in our local communities. Strong education, including infrastructure, resources, and crucially, access, is a key tenet of what the Irish Republic means for every Irish citizen. Our technological and national universities will engage actively with the communities in which they are based to share learning and build bridges with key experts in the community outside of the laboratory and the lecture theatre. This will build wealth in our society through access to factual, evidence-based research



and information. They will support all of us in community groups, businesses and regional areas to make the right decisions for our region. Technological universities will work closely with the regional skills forums in their areas to bring industry, employment agencies and local enterprise offices together. They will be crucial in being responsive to industry need. What further supports could be considered for SMEs to access research to become more innovative in their fields? Currently we have Enterprise Ireland innovation vouchers, SFI industry fellowships and Irish Research Council industry fellowships.

Reference was made to Norway. The Technological Higher Education Association, THEA, brought an expert in to speak about the model Norway has had for the last 20 years. The expert spoke about the importance of clusters of excellence, allocated time for research and networking to make sure these institutes and campuses work well together.

The year 2021 will be a better year. We will have a vaccine for Covid-19 thanks to research and in the case of the Pfizer vaccine, it is research from two German researchers of Turkish descent.

**Senator Malcolm Byrne:** I thank the Minister for coming into the Seanad for this very important discussion on the technological university sector, the changes that have been happening over the past decade and how they will play a part in the higher education landscape, nationally and internationally. It is important that we also thank the staff, students and governing bodies of all the institutions involved, such as the THEA, or Institutes of Technology Ireland, IOTI, as it was previously, the people in the Department and my former colleagues in the Higher Education Authority. This has been a decade-long process to develop the technological universities. One of the greatest successes we have had in this country is providing opportunities in education. We do not often appreciate the change that has happened from the time when access to higher education was very much for the elites. Now, the highest ever number of school leavers are going on to higher education this year and those numbers will continue to grow.

I welcome the progress we have seen with regard to TU Dublin and I congratulate Munster TU. The Minister will not be surprised to hear me raise the question of the technological university of the south east, which he has been working hard on delivering. There is a consensus in the south east that this needs to happen, not just because we are the only region without a university, but because a university is essential to driving the economic and social development of a region. A commitment has been made by the Minister and all the players, including IT Carlow and Waterford IT, that we will have designation on 1 January 2022. That is a target on which we must continue to be focused. It will be a multi-campus university and if the Minister is the one cutting the ribbon, I hope he will do it in Carlow and Waterford but also in Wexford. Other alliances are being formed and while we need North-South co-operation between all our institutions, I would like to see the Connacht-Ulster Alliance develop closer co-operation with the Magee and Coleraine campuses in the context of a shared island and this should be explored further.

I ask the Minister to respond to or consider a number of specific areas. The Technological Universities Research Network does not have student representation. That must be addressed. There must be input from students and researchers in that network. It is essential that we focus on building the research capacity within our technological universities. They have been doing a very good job but in the new competitive world, we need to look at doing that further. The recurrent funding allocation model, RFAM, must be reformed to allow that to happen and to allow for more focused research funding as part of the RFAM. I welcome the Minister's com-

ments on the borrowing framework, which is certainly important for the sector. We have to remember that these universities will be working together. They are not competing with each other any more. Universities and higher education institutions are now competing internationally and they have to be able to operate on the international stage. That requires us to build further international collaborations. I hope - and the Minister has given an indication that he will do this - that with, for instance, the more than €80 billion in EU funding that will be available over the coming years, we will have more Irish representatives in Brussels to be able to target that funding and to build partnerships with other European institutions, particularly in a post-Brexit scenario, where our comfort of often falling back on relationships with UK institutions might not be as easy, although it is essential that we continue to build those strong bilateral relations we have between our higher education institutions here and those in Britain.

Furthermore, there will be a challenge for the TU sector in particular because it has a very strong tradition of lifelong learning and because of its role in apprenticeships and so on. However, because of the technological revolution we are now experiencing, every single one of us will need to upskill and reskill. We have to be conscious that we will be looking at short courses and microcredentials, and because of its experience and its regional reach, the TU sector will be ideally placed to facilitate those. I ask, therefore, that a clear strategy be set out as to how our higher education institutions will help to prepare our citizens for the technological revolution we are experiencing. This will mean upskilling and reskilling during our lifetimes.

The access agenda has always been the success of the regional technical colleges and the institutes of technology. In many ways the traditional universities were slow to catch up in addressing the access agenda. The regional technical colleges, RTCs, and institutes of technology, IOTs, however, and now the technological universities have very strong records of offering opportunities in higher education that had not been offered to many sectors of the community heretofore. There certainly still are major challenges around socioeconomic access to higher education. The statistics from the HEA show in the case of UCD and Trinity that only about one in every 20 students comes from what is classified as a disadvantaged background, whereas the institutes of technology have an extraordinary record and are far more representative of the community as a whole. It is really essential that as part of the development of technological universities, the record of the good work they have done on access both for those in socioeconomic disadvantage and for mature students and students with a disability is continued.

The final comment I will make concerns the question of governance and this applies not just to the TUs but to our universities generally. The role of universities in society is now vastly different from what it was 50, 60 or 70 years ago. The 21st century will be the century of the battle for talent. We can talk about the Irish economy being based on tax and talent only for so long. Yes, we defend on the tax side but the battle this century is about talent. The technological universities and the traditional universities will be the driving force and the engine at the centre of this. Their governance structures must be equipped to drive this, and their mission must be aligned with that drive. This is the rationale behind the Minister's Department. It is preparing us for the future and for driving that change. His Department cannot be simply an administrative Department, and I think he knows that. We have seen a real and renewed commitment to the technological university sector in the recent past and I believe that any work the Minister does will receive the full support of this House.

**Acting Chairman (Senator Eugene Murphy):** I understand that Senator Craughwell is spokesperson for the Independent group.

**Senator Gerard P. Craughwell:** I am not a spokesman. As I am an independent Senator, I do not take a spokespersonship but I will speak on this matter.

**Acting Chairman (Senator Eugene Murphy):** I simply wanted to clarify that the Senator has eight minutes.

**Senator Malcolm Byrne:** Senator Craughwell is not shy.

**Senator Gerard P. Craughwell:** The Minister is very welcome to the House. Massachusetts Institute of Technology is world-renowned. Nobody ever had to call it a university. I was president of the Teachers Union of Ireland, TUI, when we started the technological university drive. I was not convinced. I am still not convinced we need to refer to these institutions as universities. The previous speaker, Senator Byrne, spoke of the tremendous record of the regional technical colleges, which subsequently became the IOTs, and now we are driving them forward as technological universities.

If I may step back a little, Deputy Harris is also the Minister with responsibility for further education. I am delighted to see that because a man with his drive and energy is what is needed. I was always impressed by his drive when he was in the Department of Health and I hope he brings the same to this portfolio. The further education sector was starved from the time it came about and we all know that it came about through osmosis. There were schools with empty classrooms looking for courses to fill them. The one problem we had, and this will be a challenge for the Minister, is as follows. My courses were in the area of computer network systems and operating systems. I remember that a student would get a level 6 qualification in my college, would progress to one of the Dublin colleges, typically, and would have to go back and do the level 6 course because level 6 in further education and level 6 in higher education were not the same, even though they were. On the national framework there was nothing to separate them. We therefore have to see much closer co-operation between further education and higher education, and particularly now that we have technological universities, we have to do that. In the technological university sphere we also have to do what is being done internationally, that is, we have to hold vocational education and academic education as peer equals. We have to ensure we have pathways whereby a student can move from a vocational trajectory over to an academic one and back to the vocational one if that is what he or she wants to do. We have to have vocational qualifications that go to level 10. If we are really serious about tackling the future in education, that is where we need to go.

I will now speak about TU Dublin. I was extremely impressed by the attitude taken by my members of the TUI at the time and the management at governing bodies in DIT, IT Blanchardstown and IT Tallaght. The work they did together to get that organisation off the ground was incredible. There were difficulties - I will not pretend there were not - but there was a level of co-operation and the mantra seemed to be "solve the problems, whatever they are" rather than finishing up in the Labour Court, the Workplace Relations Commission, WRC, or whatever else. They did a tremendous job, and I am really proud to see it up and running, even though I have some misgivings about the idea.

Let us move on. We are one month away from the creation of Munster Technological University, and today its representatives were in the Workplace Relations Commission. They will be there for I do not know how long more. Somebody needs to go and knock heads together and get the differences that exist between staff and the management out of the way and get this project up and running if this is the direction we are going in. Incidentally, the same applies to

Carlow and Waterford. There were cosmetic differences, for the want of a better description, between the two colleges there. Both are excellent institutions but for one reason or another, the nonsense of “they are not as good as us” or “we are better than them” crept in. We need to get that out of the way, knock heads together and move the project on. I want to see the south east develop as well. I still have misgivings about the notion of technological universities but now that we have committed to it, let us drive it forward quickly.

Regarding the staff and staffing, my colleague has referred to the issue of teaching contracts. The one thing that held back the IOTs was the fact that those who were employed in them were employed as lecturers within the system. They were employed in order to deliver programmes in classrooms or lecture halls. There was no real facility for research. A lot of research went on but there was no real facility for it. A lot of it involved *ad hoc* arrangements and the like. We need to drive that forward with contracts of employment that ring-fence hours for research within the system. I want to see that happen.

The moneys the Minister announced, the €90 million, are relatively new, from what I gather. We were expecting these institutes to work within their own budgets to try to put together technological universities, so I am pleased to see that the Minister has put this money in place. It is a great step forward. Going back to further education, I hope the Minister has some money for that area as well. When he is rooting around in his pockets at some stage, he might find it. That really is important.

The ability to borrow in order to carry out research and to develop colleges is a fantastic idea. The one thing I would like to see is additional funding for innovation centres associated with each of the TUs in order that we can get microbusinesses to develop within the university structure and then perhaps branch out, as has happened in UCD, DCU and other colleges.

I have a concern about the Connacht-Ulster Alliance. It goes back to a meeting I had with the president of Letterkenny Institute of Technology many years ago. His favourite option was to link up with the University of Ulster. I know there is a problem with respect to the fact that Brexit is coming down the road and we are no longer one big happy family within the EU. The point he made to me at the time is no different today than it was then. He said if a meeting was called in GMIT, in Renmore in Galway, it was a day’s drive down to attend the meeting, stay overnight and then a day’s drive back. He said that is nonsense when he could just drive across the Border and have a meeting with the University of Ulster. As part of a shared island forum, we need to develop the east-west relationships that should exist in terms of the University of Ulster and Donegal.

The connection between Galway and Sligo is pushing it as far as one really can. Galway, Mayo and Sligo involve quite a chunk of the country. The connection between Athlone and Limerick is a bit odd geographically. They do not sit neatly together but, nonetheless, I am delighted to see that they have come into the frame as well and that they are working in that particular area.

I got hung for this shortly after I came into the Oireachtas when I wrote an article about the delivery of educational programmes. I would like to see educational programmes delivered from 9 a.m. until 9 p.m. My colleague, Senator Byrne, referred to modular programmes where one can opt in and opt out.

I will finish now. At the end of the day I wish the Minister well as he goes forward with

this programme. I think he is the man to drive it. I would be happy to assist in any way I can, provided I am not shot by my former union members as I leave here today. Like Senator Byrne, I also want to see much longer days for the delivery of education and more accessibility.

**Senator Annie Hoey:** I welcome the Minister to the House to discuss the technological universities agenda. My notes are scattered across various pieces of paper so I apologise to the people typing this up. First, I congratulate the Minister, CIT and IT Tralee for signing today for the legal establishment of the Munster Technological University, which will be effective from 1 January. As I always do when I speak in the House, I shall toot the horn of the student movement. When I was president of the Union of Students in Ireland, the student unions of IT Tralee and CIT had already completed their work to amalgamate the student unions. That was four years ago, so it is super that their parent bodies have now also completed that work. It was a big issue during my time and the student unions were champing at the bit to get themselves together, so it is an exciting time to see this starting to speed along and come to fruition.

It would be remiss of me not to talk about some of the areas that need to be looked at in the higher education sector. I spoke here previously about the rather discouraging piece in *thejournal.ie* on the series that was done by Noteworthy on the way staff in the higher education sector are being treated. Many are on zero-hour contracts or term-time only contracts and are not being paid for the enormous amount of overtime that they do. Institutions consistently argue that they do not have the budgets to pay all of their staff, hence the use of postgraduate students for unpaid tutorial or lecturing work. I do not think that is any way to treat staff. Over the summer, postgraduate students in NUI Galway were expected to teach as part of their postgraduate studies with no remuneration. This has been a widespread practice for a long time but it was the first time I saw it so blatantly circulated in black and white. It is no coincidence that vocational roles in Ireland are treated so poorly. Teaching and healthcare staff are often affected. As I always do, I may as well mention the plight of student nurses and how they are working and not being paid. They are on the Covid front line every day. I am going to talk about it until we get them paid.

I did make a request, through the Leader of this House, that the Minister for Enterprise, Trade and Employment and the Minister for Further and Higher Education, Research, Innovation and Science would come into the House to discuss the precarious work practices in the higher and further education sector. The reason I bring this up is because we are talking about technological universities and the future of higher education and how we are being innovative. However, I struggle to see how we can have this wonderful stride forward in the TU sector unless we are committed to dealing with the precarious nature of employment in the sector. There is no point in investing all of this money in the sector and building new consortia and brilliant centres for the regions if we are going to make the same mistakes of the past in terms of precarious work. I am interested to hear the Minister's comments on that and what we are going to do to ensure that we stem precarious work in the sector. We must ensure that it does not continue in the new technological universities and that they are a bastion for what we are looking for in the higher and further education sector. I do not want them to be hamstrung by this blight, which is the only way I can describe it, in terms of how workers are treated in the higher and further education sector.

The Minister mentioned the borrowing framework. This has been an issue for IoTs for a number of years. I remember talking about this in the HEA and we were all pulling our hair out. We said they could not borrow money and that it was a nightmare. The Minister said there will be five more technological universities but, potentially, two institutes will be left out from

joining the technological universities. Does the Minister have any comment to make on that, so that we ensure those two institutions do not get left behind because they simply cannot compete with the rest of the technological universities and universities that are able to access funds through the borrowing framework? I have other concerns about how those institutions will be left behind or may not be able to compete with the technological universities and the university sector. I am interested in particular in hearing about borrowing, as that has been an issue for the IoTs and now that will be addressed, but we cannot leave two institutions behind. Does the Minister have a comment to make in that regard?

The Minister also spoke about the TUs being an opportunity for the regions and for people to be able to access education. It would be remiss of me not to speak about my second favourite topic, which is funding and fees and how people are able to access higher education. We have the second highest fees in Europe and, if and when Brexit finally topples over the line, we will have the highest fees in Europe. We need to have a genuine conversation about access to higher education. We can put all the schemes in place and do everything to try to get people through the cracks but, ultimately, if there is a financial barrier in place that decides who is in the room and who is not in the room, that creates a homogenous group of people. Previous speakers have alluded to who is and who is not in the room and who has access to education in terms of people from various socioeconomic backgrounds. If there is a financial barrier in place, it decides who is in the room from the get-go.

I probably do not need to say too much about the impact of not being able to access education in terms of the waste of potential and loss. We talked in the debate about the Irish nationality and citizenship Bill about those people who are not able to access education, whose parents are undocumented, and the impact that has on them. I always say, and in fairness the Minister does too, not everyone needs to go to university. Not everyone needs to get a qualification. There are lots of opportunities for work, training and apprenticeships, but everyone should have the opportunity to access lifelong learning if they so wish. It is an extraordinarily large investment that the Minister has outlined for the TU sector and I hope it will open up the opportunity for many more people. We talk about investment in the regions and this being an opportunity for the regions. I am positive and optimistic about the impact the TUs will have in the regions in opening up opportunities for people who perhaps have not had them previously. I am an advocate for lifelong learning from cradle to grave. We must ensure that the move to the TUs does not repeat the mistakes of the past. I talk about precarious learning. My sisters and I all had very different ways of learning. I went to university, one of my sisters went to an IT and another went through post leaving certificate courses. My mother went to the Open University and my dad was sent to Liverpool to train as an accountant before becoming a farmer. We all accessed education in very different ways, so I am very excited to see how the TU agenda gives that opportunity to many more people and the different ways of learning. There is also communication, which the Minister spoke of a lot. We say people need an education, but they need opportunity to do so. I hope the TUs open people's eyes to the opportunities available if they want them.

I echo the importance of student representation. I cannot emphasise enough how important it is to have student voices and student consultation at every level, the technological research network and the whole way through.

A Star Wars quote came to mind: "You can't stop change any more than you can stop the suns from setting". The higher and further education landscape is rapidly changing. We have a lot of work to do to make sure that the Oireachtas and Government can respond to that change

and to the needs of people who are clearly calling out for change. I hope we can keep up with the rapid change that is happening. TUs are an important step in that and I wish the Minister well as he steers that ship. We must make sure that some of the mistakes hampering the further and higher education sector do not infect the technological university sector as well.

**Senator Fintan Warfield:** I ask for a little leeway from the Acting Chairman to continue on from Senator Hoey's remarks. I feel a little leeway can sometimes save us a Commencement matter. As we are addressing technological universities, I must mention the fantastic contribution made by our student nurses, those who have just graduated and who are currently studying in our ITs. I appeal to the Minister to go back to Cabinet to say these student nurses should be paid for their role as front-line workers. Their position as students should not be seized on to pay them any less, or even, in many cases, leave them out of pocket for travel expenses and accommodation. They are subject to work restrictions due to cross-contamination prevention measures, which are reasonable and which the students accept, to protect patients, but they mean that students have to forego part-time work. They may need to pay rent and bills but they cannot forego the placement as it is a requirement for their degree.

I accept that the Minister has mentioned a framework for borrowing by the TUs in conjunction with the Department of Public Expenditure and Reform. He also mentioned the improvement in the all-Ireland dimension in subjects and hopes that by 2023, five TUs will have applied. I would like an update on the Connacht-Ulster Alliance technological university application. It was due to be made before the year's end. There is an added dynamic to this alliance as it provides increased opportunity for collaboration with another third level institution in Derry. Has the Minister examined how the range of courses that will be offered by the Connacht-Ulster Alliance can complement rather than compete with courses offered on the newly expanded Ulster University campus at Magee? A graduate entry medical school will take in students on the Magee campus from next September. There is collaboration between Ulster University and NUIG on the medical school curriculum but there must also be room in the middle for GMIT, of which I am a graduate, and the Sligo and Letterkenny ITs that make up the Connacht-Ulster Alliance. As a graduate entry programme, it will be looking for students with a primary qualification in science or related subjects.

**Senator Eileen Flynn:** I welcome the Minister to the House. I second what many other Senators have said. It is remarkable that we are here talking about opportunities and third level education, universities and all the work that we have to do to get into these universities, be successful and then come out the other side after all the hard work. Student nurses are on the front line and are not being treated as equal to more senior nurses. I second the call for student nurses to be paid, particularly during this crisis.

The new TU for the west and north-west is welcome. It will give students in Donegal and beyond new opportunities in higher education at all levels with courses online and remote learning. The technological university will also play a key role in helping the region compete on an international stage. I hope it will bring greater economic and social benefits to the west and north-west, including cross-Border communities. The Bridging the Gap report on Ireland's digital divide found that 42% of people describe themselves as below average in digital skills and 29% said they do not know where to learn. This would be a great opportunity for the new universities to ensure that measures are put in place to improve digital literacy and understanding.

The pandemic has shown that the challenges faced around the world require many different

kinds of research. The Irish Research Council contributes funding for research in the sustainable development goals. There should be more funding like this for education.

Young people in Donegal welcome the university and we look forward to working with the Minister in the future along with Donegal ETB to make it happen.

**Senator Niall Blaney:** I welcome the Minister and the Minister of State to the House. Following the recent election, before the Government was formed, many had their say on higher education and whether there was a need for a senior and junior Minister for the sector. Some said it was not necessary, but tonight's debate shows why it is.

As Senator Byrne noted, the regional technical colleges did a great job in their day. They became institutes of technology, which moved everything on to the next level, introducing some research and expanding the courses available to students across the country. Those developments played a major role in us becoming the multi-tech and pharma employer we are today. If one stands still, nothing will change but what will happen is the influx of jobs and opportunities over the past decade and more will cease to exist in the future. Some like Senator Craughwell question why there should be technological universities; that is the reason.

*7 o'clock*

We cannot afford to stand still. We need to move forward with innovation and research. Every area of the country is entitled to that access for all our young people coming forward, and those who go to learn later in life, so they have the opportunity to going to a more localised university setting. I very much welcome the work of the Minister, Deputy Harris, and the Minister of State, Deputy Niall Collins. They have taken on a lot of work. It is very welcome. I refer also to my local strategic partnership, the Connacht-Ulster Alliance. I will address the remarks that were made by Senator Craughwell with regard to the president of the Letterkenny Institute of Technology, LYIT, Paul Hannigan, and the remarks he made many years ago. I assure the Minister, Deputy Harris, that the president of the LYIT is 100% behind the Connacht-Ulster Alliance. Over and above that, Mr. Hannigan is already working hand in glove with Professor Malachy O'Neill, the provost of the Magee campus of Ulster University, with the heads of the North West Regional College in Derry, and with the Donegal Education and Training Board, ETB.

It is only a few weeks ago that I organised for Professor O'Neill and the president of LYIT, Mr. Hannigan, with the stewardship of the Chairman, to address the Committee on the Implementation of the Good Friday Agreement, which they did. They outlined the great work and co-operation that is going on there at the moment. They are co-operating from the point of view that if one campus cannot deal with a certain area in providing a new course, they collaborate together to ensure the north west gets a proper representation of courses. This has to be welcomed and a lot more development can happen there. I will come back to this point before I finish.

In his speech the Minister referred to balanced regional development, which is key. I believe that the Minister and the Minister of State will play a key role in balanced regional development on a North-South footing. A lot of our students go across the Border, and particularly along the Border, but very few come across to here. With the shared island approach, the Ministers will play a key role in developing trust within communities in Northern Ireland. I have had this batted about with regard to border polls. We need to work with all sectors across



the Border and show what we have to offer down south.

I want to make one strong point on the Connacht-Ulster Alliance, which is the issue of the TUI signing off on each technological university. I believe it is wrong that each area is asked for sign-off by the TUI. I ask the Minister and the Minister of State to look at this. It should not be happening on a local basis. Obviously, one is going to have something over and above the other, and *vice versa*.. This should be addressed at a national level. It is wrong and I ask again that the Minister and the Minister of State would look at this.

I wish the Minister well in the work ahead. I look forward and hope that the Minister takes an interest in the shared island unit and how the Department can contribute to that. I believe the Minister has a lot to contribute in this regard. I welcome the opportunity, as mentioned by the Minister, to have a North-South debate on higher education. It would be very useful.

**Senator Jerry Buttimer:** Ar dtús báire, cuirim fáilte roimh an Aire. Is lá iontach é inniu mar tá ollscoil nua á socrú i gCorcaigh agus i dTrá Lí.

I welcome the Minister to the House and I congratulate him on his appointment. Today is an important day in the framework of the evolution of technological universities, with the dissolution of IT Tralee and of Cork IT and the creation of the Munster Technological University. Many of us remember the days of the creation of Cork Regional Technical College and then its evolution to Cork IT, and now to the Munster Technological University. It is important that we get it right. This has been a very elongated process that has had many false dawns and many different struggles. Ultimately, a technological university for Munster has been achieved because of collaboration and co-operation by many different personnel. On the floor of the House tonight I pay tribute to Dr. Barry O'Connor of the Cork Institute of Technology who is retiring in December, for his stewardship in the past years in achieving today's dissolution. We also remember the former president of CIT, Dr. Brendan Murphy.

The Minister, Deputy Harris, spoke in his address about the borrowing framework that will be put in place for the technological universities. I believe there should be a borrowing framework. This will allow and facilitate the universities to avail of the supports of agencies, such as the European Investment Bank, to develop their mission of service and of building a community of enterprise. It will also create a level playing field with the traditional universities, together with supporting the full continuum of education provision from apprenticeships to degree programmes to PhDs. Therein, the issue of apprenticeships and the need to pursue the apprenticeship programme comes under the remit of the Minister's Department.

The new governing body of the Munster Technological University will be very important. The Minister is acutely aware from his own experience as a public representative dealing with boards of management on public bodies that we need to put in place people of strong professional experience and of vision. To that end, people like Mr. Bob Savage, who chaired the governing body of CIT, deserve great credit, praise and thanks. We need that type of person. Equally, there needs to be a whole level of continuity, and especially now that we are creating a new framework and a new technological university. There must be continuity in that governing body. At the same time, when it comes to the membership of the governing body, I hope that the ETB in Cork will be recognised. It is critical that we nominate and put in place people who will serve, who have vision, who will have impetus and, in this case, come from the point of view of Cork.

I congratulate the Minister on today. This is a good news story, which we all support and celebrate.

**Senator Rónán Mullen:** I thank the Leader of the House, *in absentia*, for facilitating this debate on foot of a request I made last Wednesday when we had a motion on this topic before the House that was to be taken without debate. That followed a rather short and truncated debate at the Oireachtas Joint Committee on Education, Further and Higher Education, Research, Innovation and Science some weeks ago. It is important that Seanadóirí discuss these issues as they progress. The motion before us last week was on the establishment of the Munster Technological University and the merger of IT Tralee and Cork IT. I welcome that development, as does everyone here, since it will strengthen the quality of education provided by those bodies, and I do not to detract from the good work already being done. It will enhance the opportunities of those who attend those campuses. A critical mass is being created in the merger of these institutes of technology in becoming a technological university. There is also the question of increased financial stability for the entities involved.

I am on leave from what is now TU Dublin, the largest university in the State based on numbers of students. I am very pleased to see matters progressing on all fronts. The merger of Athlone and Limerick institutes of technology is well advanced, and GMIT, IT Sligo and Letterkenny IT are also set to merge. I believe that a formal application was expected there before the end of the year. The proposals for a south-eastern technological university has been somewhat more sluggish, as other speakers have referred to. I understand that an application is due there by April 2021. These mergers cannot be just about a new name, new logos and letterheads, and websites, like the intermittent merger of Government Departments or the merger of the health boards into the HSE some time ago. There needs to be a culture change that allows the newly merged bodies to do the best they can to achieve the educational needs of young people in their region, while in turn acting as conduits for investment from at home and abroad into those regions.

Significant concerns existed about the financial position of IT Tralee, arising from a study conducted by the Higher Education Authority, HEA, almost two years ago. Perhaps the Minister might update us. Significant problems remain in the technological university or institutes of technology sector. The simple merging of institutions will not necessarily solve them. I have flagged here a number of times the alarming drop-out rates in our institutes of technology. According to the HEA, it is an incredible 33% and rises to much higher levels in certain sectors such as computing and IT. Those figures should prompt hard questions.

I wonder whether the abolition of third level fees in the mid-1990s eroded the sense of value placed on third level education as a resource. Are we failing young people? Are many people going to third level due to societal pressure? Should they choose another route that better suits their needs and ambitions? Are we also failing the taxpayer by forcing everybody into the same model to pursue? Significant resources are perhaps being spent on sending some people to college who really do not want to be there or whose opportunities might lie elsewhere. We need continued focus and investment. Yes, in higher education to be sure but also in apprenticeships and skills-based jobs more generally given the serious and acute shortage of skills in many areas.

I wish to mention one thing about the name of the new institution being established. I received correspondence from Mary Fitzgibbon who is a lecturer in nursing in the Institute of Technology in Tralee. She was concerned, as I think others there were, about the proposed

name starting with “Munster”. I know very well about the Technological University Dublin and a senior academic in Blanchardstown who reminded me that the proper name matters. A great deal of effort goes into the branding of these new institutions. My correspondent was worried that some people would think the acronym for the institute sounds like empty. Sadly, universities have been empty this year and will continue to be. There is also the potential confusion with Münster in Germany and Munster rugby. There is the fact that two of the institutes of technology in the province of Munster are going into alliances with institutes of technology from other areas entirely. I presume that the Minister will say, if he sees fit to answer, that this ship has sailed. Certainly, correspondence with the former Minister of State at the Department of Education and Skills, Mary Mitchell O’Connor, in May 2019, pointed up the fact that this is a matter for the relevant institutes upon successful designation as a technological university under the Act. I do wonder whether there has been sufficient consultation with all of the stakeholders in all cases about the names to be given to these new designated institutions.

In the time remaining I might mention that the Minister recently issued a statement on sexual harassment and the bullying of staff and students in higher education institutions. That is a very important topic to which we need to return.

In conclusion, I must say the following to any Minister with the responsibility for higher education. The sickly sweet term of “blended learning” is non-existent in reality as students are increasingly frustrated about the fact that there is no college experience as so much is online. They want to see that reflected in reduced fees, which is another topic to which we must return.

**Senator Seán Kyne:** Cuirim fáilte roimh an Aire Stáit. I welcome the progress on the concept of the technological universities, which we have seen here in the TU in Dublin that was designated in January 2019 and also Munster Technological University, notwithstanding the name concerns that Senator Mullen has raised.

I wish to acknowledge the work of all of the officials in the Department. I also acknowledge my colleagues in government, ranging from Richard Bruton, Joe McHugh and Mary Mitchell O’Connor to the present Minister, Deputy Harris, and the Minister of State, Deputy Collins, for their work in continuing this very important area of change within the third level sector.

Cardinal Newman, who founded what became University College, Dublin, or UCD, felt that knowledge and learning should “be pursued for its own sake” in his essay *The Idea of a University*. One could say that the idea of a technological university should give rise to the pursuit of knowledge, science and technological research for all our sakes, which is central to the idea behind the concept. Rather than having institutes of technology working in isolation or competing, having them work together in one bigger institution in a region serving industry and community makes perfect sense. Different institutes of technology have different strengths and specialties to enable the cross-fertilisation of ideas so one large university brings benefits for all.

I am pleased to see that the Connacht-Ulster Alliance is making progress with the combination of the Galway-Mayo Institute of Technology, GMIT, and the Institute of Technology Sligo, ITS. The initiative will create a university of scale across four campuses in Galway, Castlebar, Sligo and Letterkenny, and I am not forgetting the other very important places like Letterfrack where GMIT runs its furniture design college, and Mountbellew in the area of agriculture. The potential for such a university is immense. The strengths of each campus will complement each other to create a full range of studies across all fields, including: Letterkenny’s specialised area

in law and forensics; Sligo's specialty of online learning where it has approximately 3,000 distance learning students making it the largest online learning community in Ireland; and GMIT that offers courses in hotel management, the culinary arts, creative arts and nursing. These all combine to provide an extraordinary range of studies. Also for the west and north west there is technology, medical device innovation, tourism and arts. The Connacht-Ulster Alliance will support all of these sectors in a unique way, providing top-class graduates and creating centres of research like the innovation hub at GMIT.

The combination of the three institutes will open up opportunities to access research funding from Europe. The advantage of having an English speaking research partner post-Brexit must be attractive to other European institutions. We cannot just create a number of technological universities and leave them to their own devices when it comes to funding. We must resource them to allow them to survive and prosper. When opportunities arise to expand and develop, the Government cannot be found wanting. GMIT has had a long-running interest in acquiring additional land in Crowley Park that is near its campus in Galway. The HEA is engaging on that and I hope the acquisition can be supported.

We must continue to put the foundations in place. This is a long game so we must ensure that our technological universities are central to education, industry, research and community if they are to fulfil their potential. The relationship between the existing institutes of technology is very important. Hopefully, in the future it will be technological universities that work with business and play a hands-on role in providing the graduates that businesses want. That relationship in terms of designing courses, ensuring that students learn what is required to get them into positions in industry up and down the country is very important.

I acknowledge the work that has been done. I hope to see the application for the Connacht-Ulster technological university in the spring. I know there is work being done at the moment. It is not just throwing in an application but working with unions and student unions on organisational issues to ensure that this is part of the application, and that these issues do not cause problems, and unforeseen problems, when the technological university is in place. I welcome the progress that has been made to date. This is a very exciting area and one that will lead the charge in our third level community across this island for years to come.

**Senator Eugene Murphy:** I welcome the Minister of State. He has had a keen interest in education over a long period. I know that with him and the Minister, Deputy Harris, we have two people who will drive this project. It is in safe hands. So many speakers have mentioned that it is great to have the development that we have now. To have the ongoing consultation and drive to make things happen following this announcement is important.

This project is really exciting for the west and north west. We often ask in the west and north west what is missing, why can we not get employment and develop the west and north west. This project will provide a golden opportunity for my part of the country. In saying that, I acknowledge the work of the Athlone Institute of Technology, AIT, that has well in excess of 6,000 students of 63 different nationalities. AIT has one of the country's best records of placing students in employment. People there are very excited about this development. I welcome the fact that Athlone Institute of Technology is to be linked with Limerick Institute of Technology. Both institutions are on the River Shannon. The knowledge, schemes and ideas we can share with each other will be fantastic. It will be a huge shot in the arm in the context of foreign direct investment. Political parties and Governments have talked a great deal in this Chamber about balanced regional development. This is a real tool that will help balanced regional develop-

ment. I am thinking specifically of places like Roscommon and Ballinasloe. They already have links with Athlone Institute of Technology, but those links will now be far stronger. That is important. I do not want to leave out Institute of Technology Sligo, which has also been really important to north Roscommon.

Athlone Institute of Technology covers many different areas, including engineering, health, science and hospitality. It was named “Institute of Technology of the Year” by *The Sunday Times* in 2018. It is a great driving force with a great interest in its students. Sometimes we talk about the great economic activity colleges and universities bring to towns, cities or villages. This is something more than that. It is about working with the people in the area. Roscommon, Galway and the adjoining counties will derive quite a lot of benefit.

I would like to comment on apprenticeships. I would like our education system to ring-fence a percentage of apprenticeships for young people who grew up in the care of the State. I do not know if this is the right approach. There may be a scheme in place at the moment but as far as I can see, there is not. We should make a huge effort to make that happen. It would be a great gesture and it would give some of those people a really good chance.

**Senator Paddy Burke:** I welcome the Minister of State. As Senator Murphy stated, this matter is in good hands with him and the Minister. I have no doubt that they will bring this to fruition in the not-too-distant future.

I was the recipient of the free education and school transport introduced by the then Minister for Education, Donogh O’Malley, in 1967. That was the first year it was available and it was my first year in secondary school. I do not think anybody going to secondary school in 1967 realised the enormity of what Donogh O’Malley had done. We took it for granted. Very few of the people who had gone before us had the opportunity to get an education. This development at third level is on par with what Donogh O’Malley achieved. It will give everybody an opportunity to attend third level in their own region. In the 1930s, 1940s, 1950s, 1960s and probably the 1970s people had to board in secondary schools to get their second level education. Very few people have to go to a boarding school for a second level education now. All of those opportunities are available to people in their own region. That is what this legislation is going to do.

This is also a great opportunity to re-educate people. I feel very sorry for people who lose their seats in these Houses or retire. Some are young people who have been here for ten or 15 years. When they seek employment there is very little out there for them. They see a huge change in the jobs they were doing before. The Houses of the Oireachtas should provide educational opportunities for people who lose their seats to enable them to return to their previous professions, for example, as doctors, solicitors and teachers.

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

**Senator Paddy Burke:** I would like to discuss governance. I can speak about governance because the Mayo campus of GMIT was at a huge disadvantage for quite a long time. When the ETBs were changed, local authorities put members on their governing bodies. Mayo County Council appointed members to the Mayo, Sligo and Leitrim Education and Training Board, but the board responsible for GMIT was the Galway and Roscommon ETB. As a result, the Castlebar campus was downgraded every year for many years.

The new president recently addressed Mayo County Council. I have a Private Members’

Bill which I am ready to introduce. It would give the Minister the power to appoint people from a certain region to a governing body. In other words, the Minister would have the power to appoint someone from the Mayo area to help to govern GMIT. That Bill was cosigned by former Senators Mulherin and O'Mahony. I am not going to move it now. The new president of GMIT has advised against it. She has said that the most important thing is representation on the governing body. When the Minister of State is appointing people to governing bodies, I ask him to ensure a good regional balance. That applies not only to the west and north-west, but to all regions. They should all have representation on governing bodies.

This is a golden opportunity. I wish the Minister of State well. I have no doubt that this can be rolled out fairly quickly, given what Donogh O'Malley achieved with transport and education in one or two years. The same thing can be done now. There is great need for it. This is a great opportunity for the young people of this country. It will put us on a level above any other country in Europe.

**Senator Martin Conway:** I listened with great interest, as I always do, to our long-established and learned colleague, Senator Burke. I often think about what would happen if I lost my seat. The Houses of the Oireachtas have a duty of care to people who have given good service but through no fault of their own are not re-elected. There should be a significant retraining and education programme to assist those people. That point should be considered by the Houses of the Oireachtas.

This is my first time welcoming the Minister of State to the House. He has been a good friend of mine for a long time and it is great to address him as Minister of State. He holidays in my village and he will continue to do so. He has a deep interest in education. He is most welcome to the House. We look forward to seeing him over Christmas.

**Deputy Niall Collins:** When the restrictions at county boundaries are lifted.

**Senator Martin Conway:** Under his stewardship and that of the Minister, we will hopefully see another technological university in the mid-west. Ennis in County Clare has the capability, structure and character to be a university town. The Limerick Institute of Technology opening a campus in Ennis this time last year was a significant incremental step towards developing its potential. Ennis is famous for culture. Clare County Council appointed the first ever local authority arts officer in the 1980s or early 1990s. We have hosted the most successful national Fleadh Cheoil na hÉireann in recent times. Ennis is the capital of County Clare and its traditional cultural, arts and music areas. The town has a cultural heart which fits in well with being a university town. The observation by LIT of that link and its potential was a clever move. The campus in Ennis is going exceptionally well, although people are working and studying from home now, unfortunately. Its birth and first three months were enormously successful. The retail and business community in Ennis was extremely happy with it. The birth is over and the baby steps have been taken. We now need to build on that.

Education is so important. The Minister of State's fellow Limerickman, Donogh O'Malley, has been mentioned previously in the context of what can be achieved through education, and that percolates into business. Most of the European head offices of the technology companies are based in Ireland and five of the seven leading pharmaceutical companies have their European head offices in Ireland. That did not happen by accident. It came about because we have a highly skilled, flexible workforce with transferable skills as a result of what is, by and large, free education in this country. Let us look at the cost of education in other areas of the world,

such as the United States. If anybody in this country who has the ability and achieves the points comes from a family who cannot afford to send him or her to college, the State will step in and provide the necessary financial support. That is revolutionary in its own right.

This programme of rolling out technological universities will bring more people into the educational sphere for longer. It will encourage people who are talented and skilled in their own right, but who might have thought of taking a different route, such as going abroad or pursuing a career internationally, to look at Ireland and the raft of courses, skills training programmes and other opportunities that exist here. Other speakers referred to the silly competition that exists between third level institutions. We are a small island and we all need to be working together. We must pool our resources. The pooling of resources to date has resulted in us being so competitive that we have been able to attract five of the seven leading pharmaceutical companies to locate their head offices to Ireland. If we continue to work together and pool our resources, we will become a world-class economy. That is what education can achieve in this country.

**Senator Micheál Carrigy:** I thank the Minister of State for the funding given last October to the consortium of Limerick Institute of Technology and Athlone Institute of Technology. It allowed for the progression of proposals which the consortium had formally commenced in October 2019. The targeted date for the technological university to open is 1 September 2021. Both institutes of technology voted overwhelmingly in favour of the measures contained in the application for this project. Professor Ciarán Ó Catháin, president of Athlone IT, said:

This is a transformational development for the Midlands, and once it comes to fruition, it will provide significant social and economic benefit to communities across the region and beyond. Becoming a TU will broaden access to higher education and create opportunities in areas that have previously been under served with respect to apprenticeships right through to PhD.

Confirmation that the consortium has finally submitted its application to the Government is a major breakthrough and indicates the project is on course to proceed on 1 September 2021.

Athlone Institute of Technology is home to 6,000 students. More than 11% of the full-time student population is from overseas, with 63 nationalities represented, reflecting the globalised nature of the campus. The institute's global focus is also evident in the 230 partnerships and agreements it has signed with universities and research institutions around the world. Recently, Athlone IT was included for the second consecutive year in the U-Multirank Top 25 Performing Universities in the World in the category of interdisciplinary research. The U-Multirank rankings "show how Irish colleges are performing in comparison to their international counterparts", so Athlone IT is right up there with the top-ranked colleges in the world.

A formal legislative process must now take place but this is an exciting prospect for the midlands and the mid west, particularly for Longford-Westmeath. It can be transformative for the region. The Government has given a commitment to ensure the benefits of higher education and regional development are spread equitably across the country and everyone can avail of the high quality provision that technological universities deliver for students, staff, employers, enterprises and the wider local and regional communities within which they are embedded. The new institution is expected to have a student population of up to 15,000 and a staff complement of approximately 1,200 across the six campuses of Athlone, Limerick, where there will be two campuses, Clonmel, Ennis and Thurles. I hope there will be an opportunity to have a campus in Longford as well. It would be a fantastic asset to Longford and would alleviate the accom-

modation issue which might arise in Athlone.

An economic impact study commissioned by the consortium found that the combined impact of the two institutions on the Irish economy is close to €420 million and the proposed new institution would support more than 800 jobs, in addition to the staff complement. This is an exciting project for the midlands, the mid west and the Minister of State's local area of Limerick. It is particularly important for our area of Longford-Westmeath. I look forward to meeting representatives of Athlone IT to examine the possibility of a campus in Longford.

**Senator Garret Ahearn:** I welcome the Minister of State and wish him well in his portfolio. I have not had the opportunity to speak to him since he was appointed.

It is fantastic news that the order for a new technological university in Munster has been signed, namely, the Munster Technological University, comprised of Tralee Institute of Technology and Cork Institute of Technology. It is another statement of intent by this Government and the new Department which has been set up. The establishment of a third university in Munster is a real achievement for the area and brings huge possibilities.

This is one of the biggest statements the Government has made. When we look back and, hopefully, consider the successes of the Government, the Department of Health's actions in the context of Covid-19, for obvious reasons, and what has happened with Brexit, in respect of our immediate concerns as a country, will be included. In the long run, however, the decision to have a Department of Further and Higher Education, Research, Innovation and Science will be viewed as a significant change. We have focused on employment and work in the last ten years, obviously for the right reasons. Now is the right time to look at education, and both higher and, importantly, further education. I wish the Minister of State well in that endeavour in the years to come. It is an important task but he is certainly starting on a positive note.

I will focus most of my contribution on the announcement several weeks ago of the application by Limerick IT and Athlone IT for technological university status. It is another major development for the area, but particularly for my area of Tipperary. Many students in the county travel to Cork or Limerick to go to university. It will be phenomenal for regional towns like Thurles and Clonmel to have university campuses right on their doorsteps, which will be the position from 1 September 2021 onwards. Senator Burke referred to how this gives possibilities for those in regional areas to receive the highest quality education the country can provide in their own region. That just gives so many more opportunities.

I know the Minister of State, who is from a neighbouring county, is aware that Clonmel and Tipperary have been aligned with Limerick Institute of Technology, LIT, for many years. I encourage him to visit Clonmel when normality returns and to see the plans they have there. It is a real testament to where rural towns can go. As he is aware, the LIT campus is on the outskirts of the town, on the link road known as the Frank Drohan Road. With funding from the Government and plans in place, the old Kickham Barracks in Clonmel is being transformed into a new LIT and ETB campus right in the centre of the town. The Minister of State knows what such a project can do for a town and the businesses in the area - it totally transforms them. The project is an indication of where the Government is going in terms of the opportunities it wishes to give people in rural Ireland and the education it wishes to make available there. The project is being run in conjunction with the Department of Housing, Local Government and Heritage under the Minister, Deputy Darragh O'Brien, and there are many positive steps going forward from it. At its nucleus is the provision of a university campus in the town of Clonmel. That is



very significant and speaks volumes about where we are going in rural Ireland.

I wish the Minister of State well. He is always welcome across the border in Tipperary. I am happy to work with him going forward and I will support him in everything he and the Minister, Deputy Harris, do. I thank him for being here today.

**Acting Chairman (Senator Victor Boyhan):** Before I call on the Minister of State, I wish to take this opportunity to welcome him to the Seanad. I wish him well in what is clearly a very exciting portfolio for him. I wish him every success with it.

**Minister of State at the Department of Further and Higher Education, Research, Innovation and Science (Deputy Niall Collins):** I thank the Acting Chairman for his remarks. I sincerely thank Senators for a very informed, stimulating and incisive session. We have had several sessions in this Chamber relating to further and higher education and they have all been very engaging. I think all present agree that we are not just entering a new era in higher education, but advancing purposefully through it. It is an era where we are trying to meet and balance the rightful demands and associated challenges arising from our regional populations for equitable access to higher education, which was in large measure previously the preserve of Dublin and the other major cities. As we have heard again today, Waterford and the south east stands out as a place which is crying out for the provision of the type of higher education institution that a technological university is. Personally, I am very pleased that the Department has recently received an application for TU designation under the relevant legislation from Athlone Institute of Technology and LIT, which are seeking to establish a university in the midlands and mid west.

The move from the existing sectoral organisation to a new higher education landscape is truly what the Technological Universities Research Network, TURN, report has called a step-change in developmental terms. I have heard from a number of contributors. I hope the earlier remarks of the Minister, Deputy Harris, underline that this is not just a rebranding exercise to change the nameplate from “institute of technology” to “technological university”. That would be a wasteful and expensive mistake that would do a disservice to the sector and particularly to students and staff. It is a mistake that neither I nor the Government are prepared to make. That is why we are prioritising the TU agenda in the programme for Government. In addition, in practical terms there is prioritisation from the TU development consortiums themselves on the ground in regional centres and gateways such as Athlone, Carlow, Castlebar, Clonmel, Ennis, Killybegs, Letterkenny, Sligo, Thurles and Wexford on a pro-active basis. We want to ensure that all those towns and areas benefit as much as possible on an equitable basis from a TU multi-campus presence. I see the TU agenda as much through a regional development lens as one of higher education transformation. The TUs will enable the regions to explore, expand and maximise their potential through the choices and activities of the students, staff, stakeholders and communities which these institutions support and facilitate.

Naturally, not all TUs will be pursuing the same identical missions and nor should they. There will be particular strengths in different universities, whether that be their research focus or online or blended provision excellence. The latter is something that has been significantly accelerated with Covid-19 and which all higher education institutions must master considerably earlier than envisaged. Alternatively, there may be an emphasis on particular disciplinary strengths across unified institutions, allied to enterprise engagement and innovation spin-outs.

The threads that will run through all TUs are those identified in the TURN report, that is: ac-

cess; the provision of high-quality research-led teaching and learning excellence across all NFQ levels; and the creation of a welcoming and supportive personal developmental environment which will allow all learners and students to fulfil their individual and societal potential. The development of TUs will bring many benefits to regions and the nation overall. These benefits include: institutional reach; international recognition; research capacity building; attraction of foreign direct investment; skills retention and creation; regional development; enhanced staff and student experience; and opportunities and socio-economic progression.

The Government has committed to a very substantial financial package of support in the transformation fund in the coming years and, as the TURN report recommends, TUs and prospective TUs are being prioritised appropriately in terms of capital investment to underpin the cohesion of their regionally dispersed multi-campus. The fund will assist in key investment areas including: digital infrastructure; research capacity building; change management; systems integration; governance; project management structures; and information sharing, to establish TUs and assist them to deliver key strategic economic and social development objectives and to respond to specific diverse regional and sectoral impacts such as Brexit. Now more than ever, we need to stay connected and to collaborate with colleagues and partners as peers and equals in the technological sector and in the wider higher education ecosystem nationally and internationally.

The Department of Further and Higher Education, Research, Innovation and Science continues to work with other Departments and sectoral stakeholders on the implementation of relevant TURN report recommendations. We are encouraging ownership by the sector of the TU development process such as can facilitate this new type of higher education institution to assist the delivery of national and regional strategic priorities such as are set out, for example, in Project Ireland 2040, the national development plan, Future Jobs Ireland, innovation and Horizon 2020.

The TURN high level group which was so pivotal in producing the blueprint for successful TUs last year is being reconvened under the chairmanship of the Higher Education Authority, HEA, initially. The Department and the HEA continue to assist consortiums through the provision of policy guidance, including on appropriate pre-TU establishment governance structures, and by facilitating the exchange of expertise among consortiums and between TU Dublin and consortiums.

Department officials are working with the HEA, TU Dublin and the Teachers Union of Ireland to develop national responses to certain issues which have proved challenging at individual TU consortium level, including online and e-learning policy, review of lecturing, voluntary staff mobility and reassignment, researcher contracts, recruitment and selection policies. The Department is currently working with TU Dublin and will, in time, work with the wider technological sector and relevant Departments, as appropriate, on a process seeking to establish new academic career structures for TUs with sector-wide application. Officials have been in discussions with the Department of Public Expenditure and Reform on the establishment of a borrowing framework for TUs which would enable their accessing funds to progress capital infrastructure such as student accommodation and enable TUs to operate on the same basis as the traditional universities currently do.

Senators raised various questions on specific elements of TU projects and there is understandably a keen interest in the impacts and effects for their own areas, regions and localities. The Minister and I will do our best to answer all such questions in the appropriate fora. We

have made a start in that direction today. The Minister has updated Cabinet colleagues on two occasions to date on the TU agenda and we intend to continue to do so regularly as this vital agenda is delivered upon. He is happy to continue to brief public representatives, be that in the Houses of the Oireachtas through the parliamentary questions system or in sessions such as this, on the progression of the TU agenda. He is also meeting with Deputies and Senators on a cross-party regional basis to keep them updated. For example, Senator Malcolm Byrne acts as convenor for his colleagues in the south-east.

This is a good news story, one which we want people everywhere to feel pride in and one which they can take ownership of because these are, or will be, TUs in their regions, serving them. Once again, I thank all Senators for their attention and for the opportunity to discuss these matters with them.

**Acting Chairman (Senator Victor Boyhan):** I thank the Minister of State.

The Seanad adjourned at 7.52 p.m. until 9.30 a.m. on Thursday, 3 December 2020.