



DÍOSPÓIREACHTAÍ PARLAIMINTE  
PARLIAMENTARY DEBATES

**SEANAD ÉIREANN**

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

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## SEANAD ÉIREANN

*Dé Céadaoin, 9 Nollaig 2020*

*Wednesday, 9 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 Erin McGreehan that, on the motion for the Commencement of the House today, she proposes to raise the following matter:

The need for the Minister for Health to provide an update on plans to increase capacity and reduce waiting times for gynaecology services.

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

The need for the Minister for Housing, Local Government and Heritage to make a statement on the process for making submissions on proposals for inclusion of buildings and other structures in the record of protected structures in the current Dún Laoghaire-Rathdown county development plan.

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

The need for the Minister for Housing, Local Government and Heritage to make a statement on the introduction of maternity leave for county councillors.

I have also received notice from Senator Micheál Carrigy of the following matter:

The need for the Minister for Housing, Local Government and Heritage to allocate urban regeneration and development fund, URDF, funding for the Camlin quarter in Longford town.

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 delivery of new school buildings for Scoil Mhuire, Maigh Cuilinn, Contae na Gaillimhe.

I have also received notice from Senator Ivana Bacik of the following matter:

The need for the Minister for Education to make a statement on the status of an application by Harold's Cross Educate Together Secondary School for the construction of a

permanent school building.

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 Fiona O'Loughlin of the following matter:

The need for the Minister of State with responsibility for community development and charities to make a statement on the *cy-près* scheme in respect of O'Modhrain Hall, Newbridge, County Kildare.

I have also received notice from Senator Sharon Keogan of the following matter:

The need for the Minister for Further and Higher Education, Research, Innovation and Science to establish a scheme of funded apprenticeships through local authorities.

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.

Of the matters raised by the Senators suitable for discussion, I have selected Senators McGreehan, Boyhan, Davitt, Carrigy, Kyne and Bacik and they will be taken now. I regret that I had to rule out of order the matter raised by Senator O'Loughlin on the ground that the Minister has no official responsibility in the matter. The other Senators may give notice on another day of the matters they wish to raise.

## **Nithe i dtosach suíonna - Commencement Matters**

### **Hospital Waiting Lists**

**Senator Erin McGreehan:** I welcome the Minister of State, Deputy Rabbitte, to the House. Before I address my Commencement matter directly, I welcome the announcement from the HSE this morning that women will be able to have their partners present at anomaly scans. I have been one of those women who has received the worst news from one of those scans. It is coming up to the fourth anniversary and there is not a day when I do not think about that little person. It is great that women going through similar experiences, and who will get similar news today and in the future, will not be alone.

I submitted this Commencement matter issue mainly from frustration and impatience. From personal experience over many years, I have wondered if women are being listened to in the Irish healthcare system. In all the history of our public health system, we have not seen waiting lists like this before for gynaecology services. The latest figures from the National Treatment Purchase Fund, NTPF, show that there were 4,446 patients on inpatient day case waiting lists for gynaecology procedures at the end of October, and around 1,200 of the patients waiting nationally have been waiting for longer than a year. This number has increased by 200 in 2020,

and by more than half in the last five years. The number of people waiting for more than a year to see a consultant almost doubled in 2020 and has increased by more than 1,000 in five years. These waiting lists are causing Irish women, young and old, to be exhausted.

I wish to highlight a specific illness called endometriosis. The lack of care, diagnosis and treatment for this illness is atrocious. Women can wait for up to nine years for a diagnosis, and that is if they persevere and do not give up and think that what they are experiencing is just normal. It is not normal to be in pain at any time of the month and endometriosis does not just cause difficulty during menstruation, it can cause difficulties and pain all month long. I suffer with this illness. I am standing here in absolute agony, as it happens, but many women around the country are in the same position as me and go through their daily lives in pain which is usually untreated. There is not enough awareness and there is not enough training. I have heard horror stories from women who have been told that they have imagined this and to take painkillers or go for a run. That advice is all very well and good if one is fit to go for a run and not crippled in pain. Such advice is very insulting to say the least and something drastic must be done. Women are being ignored, women's chronic pain is being ignored, and illnesses are not being diagnosed so, therefore, are not treated.

I am very aware of the HSE's national women and infants health programme that seeks to help the majority of patients with endometriosis and other gynaecological problems by improving their access to gynaecological services. However, from the previous figures that I have stated, serious efforts must be made to meet the demand for gynaecological services. We cannot help diagnose patients if there is an outstanding demand for gynaecological services. I look forward to hearing the details and actions, hopefully, from the Minister of State about the Department of Health's plan to increase capacity, reduce waiting times for women awaiting gynaecological appointments, update us on phase 1 of the model of care and a timeline for the opening of new clinics.

**Minister of State at the Department of Health (Deputy Anne Rabbitte):** I thank the Senator for raising this matter. I am replying on behalf of the Minister for Health so the answer I will articulate is directly from his Department.

The demand for gynaecological services consistently outstrips supply, with increased waiting lists being experienced across all service delivery areas. I am advised that in an effort to improve access and ensure a more sustainable gynaecology service, the HSE's national women and infants health programme has developed an ambulatory gynaecology model of care. It is envisaged that the implementation of the model of care will help to reduce the waiting times mentioned by the Senator for women awaiting general gynaecology, including patients with endometriosis. The new model of care involves the establishment of one-stop see and treat ambulatory gynaecology clinics. These clinics will help to ensure that gynaecology patients receive safe and appropriate treatment, reduce the need for multiple appointments, ensure a more effective use of public funds and improve clinical outcomes.

I understand that approximately 70% of general gynaecology referrals are suitable for management in this new setting. Moreover, redirecting appropriate cohorts of women for care in an ambulatory setting will bring direct downstream benefits by freeing up scarce resources in acute hospitals, such as gynaecology theatres that could then be used for more complex procedures. In addition, given the need for health services to continue to provide safe and appropriate care in the context of the ongoing pandemic, ambulatory gynaecology provides a real opportunity to move services into a community setting, thus avoiding the need to bring patients to a hos-

pital where Covid-19 might be prevalent. It is welcome that we are starting to treat women in their communities and not looking on these issues, which have been raised this morning, as something special that necessitate a visit to hospital because we should deliver services in a community setting.

I am advised that the roll-out of phase 1 of the new model of care commenced this summer with the establishment of the first three clinics under the governance of the Rotunda Hospital, Dublin, Cork University Maternity Hospital and University Hospital Galway. In addition, a more limited clinic is being developed in University Hospital Waterford. I am informed that the ambulatory gynaecology clinics in Cork and Galway are already providing services. It is anticipated that the Rotunda clinic will be operational in the new year once the necessary refurbishment works have been completed.

The implementation of this model of care directly reflects the Government's commitment to promoting and improving women's health, as highlighted in the programme for Government. Under budget 2021, funding of €12 million has been provided for maternity and gynaecology services. I am advised that a proportion of the funding will be used to develop up to five additional ambulatory gynaecology clinics next year. I am sure that the Senator will seek these services to be provided in her area with the assistance of Our Lady of Lourdes Hospital in Drogheda. Subject to funding availability, and in accordance with the model of care, it is envisaged that up to a total of 19 ambulatory gynaecology clinics will be rolled out across the country on a phased basis in the coming years. As this House will appreciate, the development of these key services will help to alleviate the significant pressure and extensive waiting lists for this key women's health specialty.

I welcome the news today that partners of women can now attend 20-week scans. That is something that all Members of this House, both male and female, have articulated since we returned here last September. They pleaded for compassion to be shown at the special times of one's life whether it be for good or not so good news but such support had to be recognised.

**Senator Erin McGreehan:** It is great news. As the Minister of State has said, €12 million has been set aside in the budget for gynaecological services. She has also highlighted the good news about the provision of three new clinics and that 19 more clinics will be rolled out. However, I insist that we do not take the foot off the pedal.

**Deputy Anne Rabbitte:** I am going to read out the concluding statement of the Minister for Health. I would like to emphasise that developing the gynaecology clinics is integral to improving access to services and reducing waiting lists for the specialty. I can confirm that the roll-out of the new model of care is under way with a number of the clinics already up and running.

Finally, on behalf of the Minister, I wish to emphasise that developing and improving gynaecological services is just one aspect of this Government's broader commitment to promoting women's health. This includes supporting the work of the women's health task force, including the development of a women's health action plan to tackle a wide range of issues that impact on women's health outcomes in Ireland, including gynaecological health. The task force priority will be supported by the budget allocation of 2021 and an allocation of a dedicated €5 million to the women's health fund. This funding is in addition to the €12 million provided in the budget for maternity and gynaecological services development in 2021. I am sure that the Senators are glad that I read out the Minister's concluding statement.

**An Cathaoirleach:** I thank the Minister of State. I thank Senator McGreehan for raising the issue and bringing her own personal experience to the floor. I hope that all of that will bring impact and change for other women who are in a similar situation.

### **County Development Plans**

**An Cathaoirleach:** The next matter concerns the inclusion of buildings and structures in the record of protected structures in the current Dún Laoghaire-Rathdown county development plan.

**Senator Victor Boyhan:** The Minister of State is very versatile. I presume she is representing the Minister for Housing, Local Government and Heritage as she will now discuss protected structures. I will keep my comments sweet and short.

My Commencement matter concerns Dún Laoghaire-Rathdown County Council, which is one of 31 local authorities in the country, and the designation of structures in terms of the record of protected structures. Each local authority is obliged to keep an inventory or record of protected structures for councils and the designation of the record of protected structures is a reserved function.

There is some concern. Dún Laoghaire-Rathdown County Council is in the process of developing a county development plan. The chief executive has prepared her draft and it was sent to the elected members for consideration. I understand that they have submitted a substantial number of motions that will be debated next week and will discuss, among other things, some proposed record of protected structures. There is conflicting advice around these local authorities and there is some concern by prescribed bodies like An Taisce and other heritage groups. There is concern among politicians and some citizens about when to interface or interplay with the local authority on proposals for additions to the record of protected structures. There is also an issue concerning deletions.

I am aware that the Minister of State's county of Galway is currently considering protected structures. I did not know beforehand that she would be here today but I can now tell her that I spoke to the chief executive of Galway County Council the other day and that the county council is considering the addition of protected structures not as part of its review of the county development plan but as part of its current plan. I believe, and I have always understood, that one can seek a variation of one's county development plan through a public consultation process that is advertised in newspapers suggesting that one would add something. The process includes consultation with the owners and the conservation office. The pros and cons are explained to the owners and they must be given a reasonable amount of time to consider the structural issues. The chief executive then supplies a report based on professional advice to the elected members and, ultimately, the elected members see and consider that advice before making a decision. So it is ultimately a reserved function.

I have outlined one way and I believe that Galway County Council is doing it the correct way. Other councils suggest that it is not and call it a county development process. What does that mean? A county development plan occurs every five or six years so it is rubbish to suggest that one can only add or delete structures every five years. A building in Portumna could come to the attention of the Minister of State tomorrow which she might raise with councillors and they might consider. If there is a crisis, it may need protection. On the other hand, it could be

necessary to make deletions. There are buildings that may not or should not be recorded as protected structures for various reasons. They have been listed because vexatious individuals want to block development. That is not right either. I want clarity on the process. I ask the Minister of State to bring back to the Minister the concern of elected members and the executive of the council and the need for strong guidelines in regard to each of their roles in regard to this process. I look forward to hearing the Minister of State's reply.

**Deputy Anne Rabbitte:** I am taking this matter today on behalf of the Minister of State at the Department of Housing, Local Government and Heritage, Deputy Peter Burke. As in the previous matter, I will read the script provided to me, following which I will offer my own opinion.

I thank Senator Boyhan for raising the matter and providing me with an opportunity to clarify the position. The making or variation of the statutory development plan of a planning authority is set out in sections 9 to 13 of the Planning and Development Act 2000, as amended. The development plan preparation process provides for the identification and protection of structures for addition to or deletion from the record of protected structures, RPS. Section 11 of the Act provides the procedures and process for the preparation of the draft development plan, including any buildings or structures to be included in the RPS. Section 12 of the Act stipulates the public consultation exercise to be undertaken for the draft development plan, including a public display period of a minimum ten-week duration, during which time members of the public and others may make submissions to the planning authority. Section 12(2) provides that a notice under subsection (1) shall state that a copy of the draft may be inspected at a stated place or places and at stated times during a stated period of not less than ten weeks and that written submissions or observations with respect to the draft made to the planning authority within the stated period will be taken into consideration before the making of the plan.

Following consideration of submissions received by the planning authority, the elected members may subsequently propose that material alterations to the draft development plan be made under section 12(6) of the Planning and Development Act and a period of not less than four weeks' public consultation must be held for the receipt of submissions on same. The legislation governing the material alterations stage of the development plan preparation process does not explicitly specify that a planning authority may or may not add to or delete from the RPS at material alterations stage. However, this part of the legislation does not specify any type of proposed material amendment. It is understood that the scope of material alterations that may be made to the draft plan includes material alteration changes to the RPS. In this regard, it is significant to note that after public display of the proposed material alterations, when they are subject to final consideration by the elected members of the planning authority, the possibility for any further modifications to the RPS being introduced is specifically excluded at that stage under section 12(10)(c)(ii)(II) of the Planning and Development Act. It is of further note that the variation process under section 13 of the Act, which may include proposals to add to or delete from the RPS, is based on a public consultation period of not less than four weeks.

The Minister of State with responsibility for local government and planning is aware that the Dún Laoghaire-Rathdown County Development Plan 2022-2028 is currently in preparation by the county council, with the publication of a draft plan expected shortly.

I await the Senator's commentary on the reply which I will report to the Minister of State.

**Senator Victor Boyhan:** I thank the Minister of State for the reply but it has only caused

more confusion. I was involved in putting through three county development plans. I refer the House to the expression “Don’t teach your mother to suck eggs”. The reality is that this reply has caused more confusion. I was hoping it would provide clarity in regard to this matter.

The reply confirms that there are two processes including the county development plan process of ten weeks after the draft is published. In the case of Dún Laoghaire-Rathdown County Council, it has only eight weeks, not ten weeks. The legislation states ten weeks. If a county council has only eight weeks of public consultation, it falls short of the statutory process and, therefore, it cannot consider submissions. If it operates on the basis of a variation, as confirmed in the reply there is a statutory obligation of four weeks. There are two different strands of timeframe for the public consultation.

It is a difficult and complex issue. We need greater clarity on it. Following on from the Minister of State’s reply I am none the wiser as to what is going to happen. People have contacted me. The elected members of Dún Laoghaire-Rathdown County Council have been told by the executive that there can be no further consideration of buildings under the record of protected structures during the lifetime of this plan and that it is a development plan process only. I am saying, and the Minister of State has confirmed - Galway County Council is doing this, which is good news for the Minister of State - that it can happen at any time subject to the proper processes in terms of a variation and, most important, the public consultation, which is two-way with the owners of the properties and the other people involved.

I thank the Minister of State for coming here to respond to this matter. As I said, it is a difficult one and I will follow up on it again with the Minister of State, Deputy Burke.

**Deputy Anne Rabbitte:** As identified by the Senator, there are two processes. Obviously, Dún Laoghaire-Rathdown County Council will not hit the bar in terms of the first one because it is a ten-week process, but my understanding is that if it engages in the material alterations stage, then if it needs to add or subtract, depending on the public representatives on the council, it is open to review on a continuous basis.

### **Maternity Leave**

**Senator Aidan Davitt:** I welcome the Minister of State and I wish her continued success in her portfolio. I urge her to continue all of the good work she is going in that regard. This matter relates to maternity leave for county councillors. I raised this matter in the previous Seanad. If my memory is correct, Fianna Fáil backed a motion on this issue in a previous Seanad. It is an issue that has been kicked around for some time and it came to light again recently in regard to a Minister.

A lot can be said about politicians. The people they represent worst in many ways are themselves. I firmly believe that. I am sure Senator Boyhan and other Senators will agree with me that the people councillors and others represent worst are themselves. This is a case in point in terms of a county councillor who might fall due for maternity leave. Following on from the recent announcement by a Minister, it is to be hoped we will hear more joyous news in the Dáil and the Seanad as well in our lifetime. It would be great to hear the patter of new feet. Currently, female councillors and politicians are told to take sick leave. What sort of society are we living in? Politicians need to take a look at themselves. There is nobody to blame for this but us. We are misrepresenting our own people. We should be ashamed of ourselves and the work

we have not done for councillors, Deputies and Senators in regard to this matter. This would not be acceptable in any other sector and it needs to be rectified immediately.

Ireland is at the back of the queue in terms of looking after councillors and other political interests. It would not be accepted anywhere else. I am of the view that this is illegal. I hope the Minister of State will be able to clarify if legislation on this matter will come before the Houses soon.

**Acting Chairman (Senator Erin McGreehan):** I am looking forward to the Minister of State's reply.

**Deputy Anne Rabbitte:** As I said in regard to the previous matters, I am representing the Minister of State at the Department of Housing, Local Government and Heritage, Deputy Peter Burke, today. I will read the script provided but I have a personal opinion which I will happily deliver when I have finished the script.

I thank Senator Davitt for raising the important matter of maternity leave for local authority elected members. In the programme for Government, Our Shared Future, the Government has clearly set out the commitment to address the need for greater diversity and gender equality in local government, especially where there are too few women involved in elected politics.

My colleague, the Minister of State with responsibility for local government and planning, Deputy Peter Burke, is determined to act on this commitment and, since his appointment, has already approved a number of important initiatives, working with key partners, to encourage greater participation of women in local politics. This work will continue through the current local electoral cycle and beyond.

It is clear that the issue of maternity leave is an important consideration for women entering political life at a local level. The matter is also the subject of ongoing debate within these Houses. However, as the Oireachtas debate has shown, the matter is not straightforward.

As the Senator will be aware, local authority elected members are officeholders rather than employees and, as such, are not covered under the statutory framework for employee protection on issues relating to leaves of absence, including maternity or paternity leave.

As matters stand, however, it is appropriate to point out that the Local Government Act 2001, as amended, already makes important provision for councillors' absence. Under section 18(4) of the Act, a councillor may be absent from meetings for six consecutive months while continuing to hold his or her seat - depending on who the chair is, I might add. This period may be extended for a further six months by way of a resolution passed by the other members of the council where the absence is "due to illness" or "in good faith for another reason". This can be extended again for another six-month period on foot of a further resolution, allowing for a maximum of 18 months' consecutive absence - I must add, depending on which county council one is a member of.

A councillor who has been absent from meetings for six months will continue to receive the full amount of his or her representational payment, worth €17,000 per annum. Thereafter the payment will be reduced by 50% for absences of six to 12 months' duration. No further payments may be made after 12 months' consecutive absence. Maternity leave is not an absence. I need to add that because it seems to be missing from the script.

**Senator Aidan Davitt:** The Minister of State could do without reading the rest of it.

**Deputy Anne Rabbitte:** I have to deliver it.

Separately, with effect from January 2017, the Social Welfare Acts were amended such that most councillors gained access to similar benefits as self-employed contributors. As a consequence, councillors under the age of 66 are now reckonable for the purposes of accessing class S benefits, including maternity benefit.

Any change to the provisions allowing for councillor absences would require an amendment to the Local Government Act 2001 by the Houses of the Oireachtas. The Department of Housing, Local Government and Heritage has previously examined the possibility of introducing amending provisions specifically to allow for maternity leave absences of longer than six months without the requirement for the other elected members to pass a supporting resolution. This was not advanced due to the possible implications for the status of councillors as officeholders.

I am aware that when this issue was debated in the Houses, important legal matters were also raised. It is important, therefore, that proposals relating to maternity leave for councillors are considered in the context of arrangements for all officeholders in the State.

The Minister of State with responsibility for local government and planning is willing and interested in inputting constructively to wider consideration on the matter, which is important in ensuring that elected councils are fully representative of the constituents they serve.

It is also important to say that the Act in question has not been changed since 1870. That is not in the script.

**Senator Aidan Davitt:** To be fair, we have a very proactive Minister of State with responsibility for local government and he has some cutting-edge legislation on councillors coming very soon, I hope. We are all very hopeful. This needs to be addressed, and the Minister of State, Deputy Burke, has shown he has the ability to deal with it. I ask him to be brave and grasp this nettle and deal with the matter because somebody has to deal with it. We have only ourselves to blame and we should hang our heads in shame as politicians with this going on. I thank the Minister of State.

**Deputy Anne Rabbitte:** It is also important to say that during the term of the previous Government, under confidence and supply, I brought forward legislation to address this. An amendment to the statutory instrument is what is required. I can speak *ad nauseam* about this. If we are to be really serious about increasing the number of women taking up roles in politics, we should ensure they do not need to use a sick certificate for maternity leave. We need to be very serious about this. It is important. I have no doubt but that the Minister of State, Deputy Burke, will shine a light on this. I will work constructively with all elected representatives to ensure we have the mechanisms in place for women who wish to enter politics at council or national level. This means the very basic maternity leave, not a sick certificate.

**Acting Chairman (Senator Erin McGreehan):** I must add my penny's worth. I know of many female councillors who are very joyously expecting at the moment and they will not get maternity leave. Our colleagues in Europe are absolutely shocked that this is the case. They do not believe me when I say it.

## Urban Regeneration and Development Fund

**Acting Chairman (Senator Erin McGreehan):** The Minister, Deputy Foley, is very welcome to the House.

**Senator Micheál Carrigy:** The Minister is very welcome. I wish to speak about the upcoming urban regeneration and development fund, URDF, funding for Longford. An application was submitted under category B in 2018 for a specific area of Longford town, addressing the infrastructural deficits on open lands from the Camlin river northwards for residential development. The application did not receive approval which allowed for subsequent detailed analysis of the area under the Camlin quarter urban framework. This study advocated a co-ordinated approach integrating strategic assets such as the considerable council-owned land bank in the area and using the Camlin river as a spine to increase the reach of the successful mall park. This project will co-ordinate the development of the northern area of Longford town, utilising its key assets and connected function area in a strategic way that maximises past, ongoing and future investment. The six elements contain and connect major residential, educational, recreational, amenity and public services and economic functions centred on major tourism events at the old Connolly Barracks site, Little Water Street, Bridge Street, the Albert Reynolds Peace Park, Abbeycarton and Great Water Street. In addition, the Providers innovation hub provides supporting connections and services as per the master plan. This plan incorporates an area of more than 55 acres, taking in the 18 acre barracks site, with renewed focus on the river. The project is designed to improve sustainable mobility and physical connection between the major functional areas in the northern section of the town core, enhance environmental quality and liveability and provide an environment that attracts and encourages inward investment into Longford, which is badly needed. Longford has a high ratio of jobs to resident population, indicating the need to provide suitable and attractive residential development in proximity to these jobs and to develop sustainable travel patterns and ensure the town derives economic benefits from these jobs. Longford town can then provide an enhanced range of services and facilities to the surrounding rural community and associated economies, including its function as a cultural and amenity hub, to act as a gateway for surrounding amenities, including the canal, the River Shannon, the associated blueways, greenways and peatways being developed and Center Parcs, as envisaged in section 4 of the regional spatial and economic strategy, RSES. There has been substantial investment from Fáilte Ireland, the outdoor recreation infrastructure fund, the URDF and the town and village schemes. There has been direct investment from the local authority, which is working towards achieving these aims. This project will represent a consolidation of this investment. Improvement to the western end of Great Water Street would incorporate the large council land bank in this area and will refocus on amenity, biodiversity and urban liveability, bringing the influence of the existing successful mall development to the town core, effectively providing a backyard for residents in the area. Children frequently play on the streets and in the back lands of this area at present. The provision of this additional space is essential in order to encourage town core residential uptake and compact, sustainable development into the future.

This project has been a priority for me over recent years and since being elected to Seanad Éireann I have worked to ensure continued support from the Government. In December 2018, an Tánaiste, Deputy Varadkar, visited this area as Taoiseach and met with members of the council and local businesspeople who described in detail how the lower part of Longford town had been ravaged in recent years, with the closure of many businesses. I ask that this project be prioritised in the upcoming announcements. I ask the Minister for Housing, Local Govern-

ment and Heritage to look at the Longford model in respect of local property tax, LPT. This model has been adopted by many local authorities. Under this model, an increase in the LPT is used to service loans which are used as matched funding to develop numerous projects, some of which I have already mentioned. We led the way with that. We need our county town to be supported. When it is supported, Longford County Council will deliver these projects not only for the people of Longford town, but the people of the county.

**Minister for Education (Deputy Norma Foley):** I thank the Senator. I am replying on behalf of the Minister for Housing, Local Government and Heritage. Project Ireland 2040, which was launched by the Government on 16 February 2018, is the overarching policy and planning framework for the social, economic and cultural development of Ireland. It includes a detailed capital investment plan for the period 2018 to 2027, the national development plan, NDP, for the same period and the 20-year national planning framework, NPF.

The principles of the NPF are underpinned by the NDP, a ten-year €116 billion capital investment programme. The National Development Plan 2018-2027 established four new funds, with a combined allocation of €4 billion to 2027. The urban regeneration development fund, URDF, has an allocation of €2 billion to 2027, primarily to support the NPF's growth enablers for the five cities and other large urban centres. The URDF, which was launched in 2018, is providing part-funding for local authority-led projects that will enable a greater proportion of residential and mixed-use development to be delivered within the existing built-up footprints of our cities and large towns while also ensuring that more parts of our urban areas become attractive and vibrant places people can choose to live and work in as well as to invest in and visit.

In 2019, approval in principle and provisional funding allocations issued in respect of the 87 major projects across the country approved under the first call. The URDF-supported capital programme has been very well received and already the URDF is providing assistance for this pipeline of major projects that will continue to regenerate and rejuvenate Ireland's five cities and other large towns.

Under the second call for the URDF, which was launched earlier this year, 76 proposals were received, with every local authority submitting at least one application. These included a proposal from Longford County Council in respect of the Camlin quarter project. Many of these proposals are of significant scale and complexity and require careful assessment. This assessment process is in train and the Minister for Housing, Local Government and Heritage intends to soon announce a new tranche of approved projects, which will augment the existing pipeline of projects from the first call and contribute to the achievement of commitments under the programme for Government and the objectives of the national planning framework and Project Ireland 2040.

**Senator Micheál Carrigy:** I thank the Minister. I note that she said that 76 proposals are under consideration, which include one from Longford County Council. If the Government is looking for balanced regional development, we need to balance where funding is given and at least one application from each local authority should be successful. As I have said, Longford County Council has only submitted one application. It relates to a major project for our county town. Anyone who knows the town will know that lower Main Street has been ravaged by closures. A lot of work has been done by the local authority. I compliment the authority and the regeneration team on the excellent work they have done so far.

I will refer back to the comments I made earlier. Longford County Council was the first

local authority brave enough to increase the local property tax by 15%. The Fianna Fáil leader on the council at the time, Councillor Seamus Butler, and I did this together for the betterment of Longford, in which respect it has proved successful. Other local authorities have since followed. We took a lead where others were not prepared to do so. The council and the people of Longford need to be supported. I look forward to success when the announcement is made shortly.

**Deputy Norma Foley:** I appreciate the points the Senator makes and the sincerity with which he makes the case for his home town. I will communicate his points to the Minister for Housing, Local Government and Heritage.

### School Accommodation

**Senator Seán Kyne:** I welcome the Minister and thank her for attending in person. It is very important that senior Ministers attend debates here in the Seanad. It is also important for my constituents. On 7 October 2015, a delegation from Scoil Mhuire, Maigh Cuilinn, travelled to Leinster House to meet the then Minister for Education and Skills, Jan O’Sullivan, to deliver a petition. The former Deputy, Derek Nolan, and I met the delegation. There were 4,500 signatures from parents and children in the Moycullen area on this petition. This is my school, which I attended until 1987. This project is, therefore, a very personal issue for me.

The hard work of the community paid off and, on 17 November 2015, Scoil Mhuire was included in a new five-year school-building programme to run from 2016 to 2021. Since then, there has been engagement between the Department and the board of management of Scoil Mhuire, which has done Trojan work over recent years. There was a meeting between the Department’s technical team and the senior planner for Galway County Council on 29 September 2016. There has been engagement between the Moycullen Community Development Association and the board of management regarding an alternative site for the new building. The board of management raised funds to purchase this site in Killarainey woods.

The project was in limbo for a number of years while a decision from the Department of Education as to the most appropriate site was awaited. In December 2018, I arranged a meeting with the then Minister, Deputy McHugh, followed by another meeting on 27 March 2019 in Galway. The Department came back to us with concerns regarding the costings related to the alternative site. It then made the decision to build on the existing site of Scoile Mhuire.

As I have said, the debate as to the most appropriate site for a new school has raged on. My own view is that the school should move to a new site and that the existing building should be used as a secondary school for the community. The Department, however, has settled on using the existing site. In May of this year, the school was granted funding for a design team to progress the project, which is very welcome. Over the summer, a new state-of-the-art temporary structure was installed. I acknowledge that and thank the Department for providing that funding. That new structure has been in place since the start of this school term in Autumn. These are huge improvements on the prefabs that have been in place for too long.

Tá frustrachas ann sa pharóiste maidir leis an easpa dul chun cinn ar an togra seo. Tá an scoil ar an liosta le haghaidh foirgneamh nua le cúig bliana anuas. Bhí go leor plé ann maidir leis an suíomh is feiliúnaí. Tá muintir Mhaigh Chuilinn ag lorg cinnteachta maidir leis an togra seo. Mar a dúirt mé, táim ag caint anseo faoi mo sheanscoil ar a bhfreastal mé mar ghasúr óg

suas go 1987. Tá brú mór ar an scoil faoi láthair. Tá beagnach 400 páiste ag freastal uirthi. Tá siad ag lorg foirgneamh scoile nua, rud atá ag teastáil agus atá tábhachtach do na múinteoirí agus do pháistí an pharóiste. I know progress has been made but it has been painfully slow. The Department has settled on the existing site. Will the Minister confirm that is the case and that the school is to progress towards the design stage and a planning application soon? Is that still the intention of the Department regarding this very important project for the Moycullen community?

**Deputy Norma Foley:** Gabhaim buíochas leis an Seanadóir as ucht na ceiste agus as ucht deis a thabhairt dom freagra a thabhairt air. I thank Senator Kyne for raising this matter as it provides me with the opportunity to outline to the Seanad the current position regarding the major building project for Scoil Mhuire. The brief for this project is to provide a new school with accommodation for the principal plus 16 mainstream classrooms, a two-classroom special educational needs base and ancillary accommodation on the existing site. The brief also allows for the demolition of the existing school building and the removal of all temporary accommodation on site.

In May 2020, the design team was appointed and this project entered architectural planning stage 1, preliminary design, which includes site investigations, the assessment of site suitability and the provision of design options. A briefing meeting was held in July 2020 with representatives from the board of management, the design team, the project manager and Department officials in attendance. Site options and site access were discussed during this briefing meeting and in subsequent interim pre-stage 1 meetings held between the design team, the project manager and Department officials. The board of management and its design team are exploring the best options and will present their preferred option to the Department at the stage 1 stakeholder meeting scheduled for Friday, 18 December 2020. Following the stage 1 meeting, the Department will revert to the board of management of Scoil Mhuire with regard to the future progression of the project.

**Senator Seán Kyne:** I thank the Minister for the update. I acknowledge the work of her Department's officials and the board of management over many years. As I said, there is frustration in the community regarding the pace of this project. I acknowledge the funding that was allocated to the design team in May of this year, the new temporary structures provided in September and the further progress that has been made, including the stakeholder meeting scheduled for Friday, 18 December.

However, there is concern that 16 classrooms will provide for a very limited increase in attendance at this school. The Department may be looking for another school very soon. This concern has been expressed to me regarding the choice of site. I do not want to go back over old ground, as the Department has settled on this site and I know the rationale behind that decision. I ask the Minister to engage with her officials to ensure they have plans to cater for an anticipated increase in the community's population. Many will wish to attend this school in the middle of the parish.

**Deputy Norma Foley:** I thank the Senator. I appreciate his personal involvement in this project. It is a positive development. From 18 December, we will know a lot more about the preferred option. I will certainly communicate the specific issues the Senator has raised with my officials.

## School Accommodation

**Senator Ivana Bacik:** I welcome the Minister to the House and thank her for appearing in person to address this Commencement matter. It calls for an update on the status of a school's application for the construction of a permanent building and a timeline for the commencement of construction. The school, details of which I have supplied, is the new Harold's Cross Educate Together Secondary School, ETSS, which opened in August 2020 with a view to eventually teaching 1,000 secondary school pupils. It will be a big school. It is currently housed in temporary buildings and awaits the granting of permission to construct permanent accommodation. Staff, parents and students alike are eager for construction of the permanent buildings to begin.

The planning application is currently at stage 2a. The principal contacted me in October to express his concern that the planning application has not yet been lodged and to ask me to contact the Department. I wrote to the Department and received an acknowledgment. The school community is conscious of the urgency of the matter, as am I. The school is located at 151 Harold's Cross Road, just beside Harold's Cross Park, south of the canal in Dublin 6W. As I have noted, it is a new secondary school. It opened in August 2020 following a concerted campaign for the opening of a new Educate Together secondary school in the area. It is my own area and I campaigned for it alongside many other parents. We were disappointed that the catchment did not include Dublin 8 and Dublin 12. It encompasses Dublin 6-Clonskeagh and Dublin 6W.

The school has four mainstream classrooms and two specialist rooms. This is a complex matter because, as the Minister will be aware, the school is on temporary accommodation which is shared with two primary schools, Harold's Cross Educate Together National School and Harcourt Terrace Educate Together National School. There are three schools in temporary accommodation on the premises. All are due to be moved to permanent accommodation. The secondary school will have permanent school accommodation which will ultimately cater for 1,000 students. There will also eventually be a national school for 400 students on a shared campus.

Five-year planning permission for temporary accommodation for all three schools was granted in August 2018 and is due to expire in 2023. The school community feels very strongly that while the students of 2020-21, this year's first years, have commenced their second level education in temporary accommodation, they should not have to finish it there when they complete their leaving certificate in 2026.

Looking ahead, the school is very concerned that the planning application will need to be submitted in early 2021, which is almost upon us. This expectation arises from the likelihood that planning permission will be appealed to An Bord Pleanála if it is granted by Dublin City Council. The school is working backwards from the decision process and is planning practically, as it should. The principal, Mr. Pádraig Conaty, has asked me to raise this matter with the Minister on behalf of the school community, parents and teachers and to seek a timeline.

**Deputy Norma Foley:** I thank the Senator for raising this matter and allowing me to provide the House with an update on the current position regarding the provision of a permanent school building for Harold's Cross Educate Together Secondary School. Harold's Cross ETSS is a co-educational second level school which will provide 1,000 post-primary school places and a four-classroom special educational needs unit to serve the two school planning areas of Dublin 6-Clonskeagh and Dublin 6W.

As the Senator has outlined, the school opened its doors to its first intake of pupils in September 2020. Students have been accommodated in interim accommodation on the site of the former greyhound racing stadium at Harold's Cross. This will be the permanent location of the school. The site will also form the campus for Harold's Cross Educate Together National School, which is also currently in interim accommodation on the site.

The joint building project for both schools is undergoing advanced architectural planning. An initial design for the campus was previously presented to Dublin City Council in a pre-planning meeting in August 2019. Various changes to the design were subsequently required and a further pre-planning meeting with Dublin City Council is now being sought. Provided Dublin City Council is receptive to the revised design, it is intended that the planning application will be lodged by the middle of the first quarter of 2021. A previous planning permission for interim accommodation on the site was appealed to An Bord Pleanála, as the Senator will be aware. There is a strong possibility that once secured, planning permission for the permanent build could also be appealed to An Bord Pleanála. However, once planning permission is secured, the project for both schools will be progressed to tender and construction stages. Until planning permission is secured, it would be premature to estimate the timeframe for tender and construction of the two schools. However, the management authorities of the two schools will be kept fully informed as the process progresses.

**Senator Ivana Bacik:** I thank the Minister for the update. It is good to hear some clarity on the date on which the planning application is expected to be lodged. I will certainly keep in touch with the Minister on this issue on behalf of the school, if requested to do so. I am very conscious that there will be significant demand for places in the school in the coming years. The authorities are particularly anxious to expedite matters because no space is available in the current temporary accommodation for any incoming students in September 2022. That is the board of management's projection, which makes the matter urgent.

I should have said that while three schools are currently housed in temporary accommodation, there will ultimately be one primary school on the site, Harold's Cross Educate Together National School, along with the secondary school. The Harcourt Terrace Educate Together National School will be moving to its own permanent accommodation on the site of the old Garda station on Harcourt Terrace. There are currently three schools at the Harold's Cross site, however, so the situation is particularly complex and there is a pressing need.

I thank the Minister for the update. I will keep in contact with her and the Department on this matter.

**Deputy Norma Foley:** I thank the Senator. I note her personal interest and the work she has done to date. As I have said, we will keep both schools informed.

*Sitting suspended at 11.28 a.m. and resumed at 12 noon.*

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

**Senator Lisa Chambers:** The Order of Business is No. 1, proposed division on Second Stage of the Finance Bill 2020, to be taken on the conclusion of the Order of Business, without debate; No. 2, motion regarding arrangements and sitting of the House for Friday, 11 December, Monday, 14 December and Tuesday, 15 December 2020, to be taken on the conclusion of No. 1,

without debate; No. 2a, report of the Committee of Selection, to be taken on the conclusion of No. 2, without debate; No. 3, Private Members' business, Deportation Moratorium (Covid-19) Bill 2020 - Second Stage, to be taken at 1.30 p.m. or 15 minutes after the conclusion of No. 2a, whichever is the later, with the time allowed for the debate not to exceed two hours; and No. 4, statements on the annual national transition statement on the Climate Action and Low Carbon Development Act 2015, to be taken at 3.30 p.m. or 15 minutes after the conclusion of No. 3, whichever is the later, with the time allocated to all Senators not to exceed six minutes and the Minister to be given no less than ten minutes to reply to the debate.

**Senator Rónán Mullen:** I convey to the Leader through the Deputy Leader my gratitude as when I raised two weeks ago the University College Cork report into a foetal medicine specialist's experience of carrying out late-term abortions in the context of children diagnosed with a fatal foetal so-called anomaly *in utero*, she undertook to ask the Minister to come in to discuss the matter in this House. I have not acknowledged that she did so and I am very grateful that she did. I ask that this happen as soon as possible and there would be a specific discussion on the matter, given its seriousness, and it would not just be one topic taken among many others.

The Oireachtas Life and Dignity Group has launched its discussion document on late-term abortion and foetal pain. These are desperately important matters and the question is asked of what happens where unborn children in these cases are subject to foeticide. Is there pain relief and does the procedure always end in the death of the child before the child is brought out? In cases where a child is induced, what steps are appropriate in the context of precautionary pain relief?

This is extremely serious and I hope the matter might unite people of all shades of opinion on abortion in this House. I ask for the debate as a matter of reasonable urgency.

I do not want to join the general pile-on to the Sinn Féin Party or Deputy Brian Stanley arising from his tweets. However, social media and politics often do not mix well. Tweets are not good vehicles for expressing complex ideas and as politicians we must check both our motivation, tactics and judgment when we start discussing important topics using Twitter or other forms of social media. There is a lesson to be learned.

When we debate matters such as the Kilmichael ambush and what happened at Narrow Water almost 100 years later, it is worth saying there is a distinction to be drawn. In one case, the majority of people in Ireland had voted for independence and the War of Independence that was taking place had the support of the majority of people in this country. What went on during the Troubles never had the support even of a majority of nationalist people in the North, never mind the whole country.

My third point is a lesson we can learn. President Higgins speaks about "narrative hospitality" in speaking about commemorating these events. In other words, it is about including other people's perspectives and sensitivities when we commemorate. To commemorate need not and should not mean "to celebrate". To sing about the boys of Kilmichael might have made sense when we were trying to keep a war effort going in Ireland and when people needed to know they could succeed against the occupying forces. It is not inappropriate for us to recall that whether they were auxiliaries or black and tans, some of these people were scarred by their experience of the First World War and very damaged people. All of them were somebody's son or brother; they were human beings and deserving of respect, even while we condemn the atrocities that took place. President Higgins's call to narrative hospitality is really important. He signals it as

an ethical imperative and he is right about that.

**Senator Annie Hoey:** I will be jumping around a couple of topics if that is all right. I draw attention to the Labour Party request sent to all Deputies and Senators that they pledge their support to getting the Covid-19 vaccine if and when it is ready and to encourage constituents and people they know to get that vaccine. I mention it for the people who have not yet signed up or tweeted their support. It has the hashtag #vaccineswork.

It would not be a normal week if I did not stand up to speak about my favourite topic, which is pay for student nurses and midwives. I flag a reason given for not paying student nurses, although I do not really accept it. It is that if we paid student nurses, it would come at the cost of eliminating the degree programme certification or somehow devalue the education part of their training. I simply do not agree and there is nothing intrinsic to student placements that prevent payment. Using this as an argument not to pay student nurses is not really acceptable.

The payment of student trainees should be a goal in all fields as otherwise the unpaid placements become a barrier to entry to such courses, reproducing and reinforcing inequality in society. I refer often to who is not in the room, who is not in the degree programme or who is not able to take on a learning opportunity because there are financial barriers in place. Those financial barriers are not only fees. It is a financial barrier to not be able to afford to take unpaid placement. If we want to build an Ireland of equals and opportunities for everyone, we have to think beyond just getting people in the door. Unpaid placements on courses are a financial barrier. They are locking people out of taking on these learning opportunities. Now more than ever we need nurses, midwives, doctors and people who are willing to take on these vocational roles. This is a matter of justice and equality. It ensures true access to opportunities that placements bring and also that work is properly recompensed and that is important. We cannot support unpaid labour. If the Government line is that it supports it, that is problematic.

The issue of pay restoration in the public sector and former Deputies getting a pay rise in pensions and contributions has been raised previously in this House. There are secretarial assistants working in the Oireachtas who earn less than the living wage. Student nurses are also not being paid. The big unions walked away from the Low Pay Commission on the back of a proposed 10 cent increase in the living wage. What Government is saying in terms of valuing work is concerning and shows a little bit of remove from the reality of the financial hardship experienced by many workers.

What is happening in the health system among staff who are keeping it going is happening in our own offices. We are not paying our secretarial assistants properly or enough. We need to set the standard for employment here in Leinster House and outside Leinster House.

**Senator Róisín Garvey:** I welcome the announcement last week by the Minister for Transport, Deputy Ryan, of a €50 million allocation for rural infrastructure for cycling and walking. This is the first time in the history of the State a Minister for Transport has thought to allocate money specifically for rural infrastructure of this kind. As somebody who has worked on modal shift and sustainable transport promotion in rural Ireland for 14 years, this gives me hope. It means the estates that have no footpaths, the schools around which there are high speed limits and the children who have nowhere to walk or cycle safely, might finally have those issues addressed. The funding is specifically for rural counties, which is great. To date, very little funding has been provided for this type of work and so there has been very little joined-up thinking. The result has been scraps of infrastructure such as a cycle lane ending at a footpath and so on,

leaving people to wonder if they were supposed to pick up the bicycle and put it in their pockets at that point.

One of the most important aspects of this funding stream for local authorities is that there will be an active travel network strategy. It will no longer be acceptable to do bits and pieces of work on a cycle lane, which no child could ever use safely, or to leave footpaths without dish-ing, which is the dip in the paths that enables people with buggies and wheelchairs to access them. This type of work has been acceptable in rural Ireland for too long. Now that the funding is in place, all of us in the House can engage with our local authorities on putting in place the infrastructure to link up villages and towns and to give people in rural Ireland options around walking and cycling safely, be that from estate to estate where there is permeability or outside schools. Our children spend a great deal of their time in schools. We have the highest rates of air pollution and safety issues at school gates. It is appalling. Now that there is €50 million at the disposal of local authorities, there is no excuse for them not to prioritise people with disabilities, children and people who want to choose modes of transport other than the private car. The local authorities now have the choice to do things right and to make sure they have in place a strategy that works for people of every age and ability.

**Senator Fintan Warfield:** I ask the Deputy Leader to schedule a debate in the House with the Minister for Housing, Local Government and Heritage, Deputy Darragh O'Brien, to clarify the position on co-living ventures and to also discuss how we combat the continuing illegal advertisement of rental properties that fall well below the standards already set. The Minister gave notice two weeks ago that co-living is to be banned, yet permissions are still being granted for existing applications. Co-living should not be a feature of our housing system. We need clarity from the Minister on whether there is to be an outright ban on co-living or if its use is to be only restricted.

A co-living development at the Brady's Castleknock Inn site on the Navan Road has been approved, as has a project on Merrion Square in Ballsbridge. This means that within the last two weeks well over 300 co-living spaces have been approved. The concerns that were raised around Covid-19 and this style of residence will still be an issue well into the future. One of the main reasons given in the report from the planning division of the Department of Housing, Local Government and Heritage for the rejection of future developments was that some co-living developments consisted of less than 29 sq. m. of space per person.

On the issue of the advertisement of rental properties, we still see private rental properties advertised online that fall well below the minimum space per person requirement. One such advertisement on Leinster Road in Rathmines received an awful lot of attention online last week. The photographs of the property showed a cramped lay out such that it appeared it would be nearly impossible to open the oven door without moving the bed. While many people pointed out how unsuitable it was to have an oven and a sink within arms reach of a bed, it was shocking to note that by the end of the day the property had been let for over €1,000 per month. People who commented under the online advertisement asked if this was illegal. Once the advertising platform had seen the lack of space in the apartment and the high cost of the monthly rent it would have had to take down the advertisement.

We need clarity on the ban on co-living and on existing applications for co-living developments. We also need the Government to ban the advertisement of unsuitable rental properties and accommodation on prominent property letting platforms.

**Senator Eileen Flynn:** Last week, Inner City Helping Homeless, ICHH, brought the Don't Forget Me campaign to the gates of Leinster House to highlight the 56 people who died in homeless services in Dublin this year. Dublin city councillor Anthony Flynn has asked me to raise with the Minister for Housing, Local Government and Heritage, Deputy Darragh O'Brien, the homeless numbers nationally, including how many people have died in our homeless services and on our streets in 2020. I would very much appreciate if this information could be sought and provided to councillor Anthony Flynn who has been unable to access it.

**Senator Erin McGreehan:** I want to raise a serious local issue for the people of north Louth, that is, the Louth County Council draft development plan and the fact that this process is going ahead during the Covid pandemic despite the restrictions in place in terms of meetings, including in people's houses, to discuss the plan's detrimental consequences. To say that it restricts one-off housing is not true. It does not restrict one-off housing, it prohibits it in many locations. The McGreehans have lived in Castletowncooley since the 1700s. This plan would ensure that the McGreehan's would never be seen in the 2100s in that it will displace an entire population. We are investing in rural schools. In 15 years time, under this development plan, there will be no new houses or young families living in their local areas.

When I raised this at council level a council official looked at me in a funny way because I would like to live where I grew up and where my people are. If I lived in a town and I wanted to move a few houses down the road to be close to my mother that would be acceptable but that is not acceptable in rural Ireland. We need to call a halt to development plans at this time. It was mentioned that people can access the plan online. People in north Louth do not have broadband. Some of them do not even have a landline never mind broadband such that they can go online to investigate or review the draft development plan.

I urge the people of north Louth to review this draft development plan and to make submissions to ensure it is stopped. It is not right. It prohibits people living where they belong.

**Senator Seán Kyne:** The Judicial Council Act 2019 allowed for the nomination of a date for the establishment of the personal injuries guidelines committee which would then prepare guidelines on the level of damages awarded for claims within the State and, for comparative reasons, outside of the State to allow for the promotion of consistency in awards and in terms of the principles for the assessment of awards of damages for personal injuries.

We know the cost of insurance has been crippling business for some time. I welcome yesterday's Government decision to publish a plan to reform the insurance sector. The plan sets out 66 actions to bring down the cost for consumers and businesses, introduce more competition into the market, prevent fraud and reduce the burden on business and community and voluntary organisations. The plan will replace the book of quantum with new guidelines on the appropriate level of personal injury awards. It will enhance the role of the Personal Injuries Assessment Board. It will also examine the duty of care to strengthen waivers and notices to increase protections for consumers, businesses, sporting clubs and community groups and further strengthen transparency through the expansion of the national claims information database. The plan is to monitor whether personal injury award levels need to be capped and to reduce insurance fraud, including placing perjury on a statutory footing, making the offence easier to prosecute. Another measure is to strengthen the enforcement powers of the Competition and Consumer Protection Commission, CCPC, to examine dual pricing and to establish an office within the Government to encourage greater insurance market competition.

I welcome the plan and, more importantly, the implementation of the measures outlined in the plan. The plan was launched by the Government yesterday. It included the Tánaiste, Deputy Varadkar, the Minister for Finance, Deputy Donohoe, the Minister for Justice, Deputy McEntee, the Minister of State at the Department of Finance with responsibility for insurance, Deputy Fleming, and the Minister of State at the Department of Enterprise, Trade and Employment with responsibility for trade promotion, Deputy Troy. They all took part in the launch of this campaign. It might be in order for the Leader to seek a debate on insurance with the Minister of State, Deputy Fleming, or whoever else might wish to participate. I welcome the progress evident yesterday in the launch of this comprehensive plan for insurance reform.

**Senator Sharon Keogan:** I also wish to raise the current development plans throughout the country. We need the Minister for Housing, Local Government and Heritage, Deputy Darragh O'Brien, to come to the House to make a statement on the existing restrictions on the maximum number of new housing units that may be built in each county. We also need to get clarity on the rural housing strategy and how many houses will be allowed in rural areas going forward.

I wish to read a quote:

The era of unrestricted development of one-off housing in rural areas has come to an end. It has been a fundamentally flawed policy for decades that is not just anti-rural but has been a contributory factor in the decimation of our towns and villages.

One-off rural housing is extremely expensive on local authorities and other agencies in provision of roads, waste collections services, groundwater pollution, electricity, lighting, postal services and broadband.

It continued:

Concentrating serviced planning, clustered around towns and villages and within towns and villages would give capacity to retail, urban mobility and to services such as water and wastewater, where urban areas are connected in to modern treatment facilities.

Those are the words of the Minister of State, Deputy Noonan, who currently has responsibility for local government. If the Green Party gets its way there will not be anybody living in rural Ireland. We will have the birds, the bees and the foxes, but we will not have rural housing. It is about time that we woke up to that, in particular those who are living outside the urban area of County Dublin and the bigger cities. We need to wake up to the fact that this is happening in every small town and village throughout the country. We need the Minister to come to the House for a serious discussion on the current development plans around the country.

According to a proposal in County Meath the other day, 315 ha were dezoned. With what has been proposed, the local authority does not even have enough zoning to build social housing itself. It is a crazy situation that is happening throughout the country and we most definitely need to have a discussion on it.

**Senator Mary Fitzpatrick:** I support Senator Flynn's comments about the deaths of homeless people. I raised the issue last week, having stood outside with Inner City Helping Homeless, who were protesting at the deaths of 56 homeless people this year in Dublin. It is far too many. I welcome the Minister's response to my request, which is that he has tasked the HSE and the Dublin Region Homeless Executive, DRHE, to compile a report and to bring it to him. It is a matter the Minister and our party is taking very seriously.

This morning I wish to raise women's health. I welcome the announcement by the HSE that it will allow partners of pregnant women attend their maternity visits and scans with them. That is very welcome and long overdue. Recently, I was in the Rotunda Hospital myself to meet with the master there. The Rotunda is the world's oldest maternity hospital and it is the busiest maternity hospital in the country. It delivers approximately 8,000 babies a year. One in six babies in Ireland is born in the Rotunda. One in four neonatal ICU babies is delivered in the Rotunda Hospital. The hospital gets approximately 500 gynaecological referrals a month and there is a waiting list of approximately 3,500 gynaecological appointments in the hospital.

The hospital is delivering 21st century medical care in an 18th century infrastructure. The building is creaking. It is overcrowded. The neonatal intensive care units are too small, and the postnatal wards are overcrowded. A woman has achieved her greatest achievement in life and pushed a baby out into the world, only for her then to be pushed into an overcrowded ward with no room for her, her partner and baby to have a little bit of privacy. That is just wrong. The delivery suites are insufficient. As I mentioned, there are 3,500 on the waiting list for basic gynaecological services for women's health. A report has been commissioned and a preliminary budget proposal has been made to the HSE. I renew my request for the Minister for Health to come to the House and to update it on the provision of women's health services in the Rotunda Hospital as soon as possible.

**Senator Aisling Dolan:** I wish to raise two issues, the first of which is local. The Balinasloe Says No campaign is up and running and we have a public meeting this evening. All Members are very welcome to join. We have invited Deputies and Senators from the Roscommon and Galway areas. It is a community group fighting for the health, safety and environmental impacts to low-lying floodplains. We are fighting on environmental issues. We have already brought this to the High Court under the habitats directive. It is extremely important to people in the area. We will deal with the issue as well under the county development plan. People have 25 working days to make submissions on the issue to the local authority. I would welcome the support of Members and colleagues on this matter.

I attended the Oireachtas Joint Committee on Agriculture and the Marine yesterday. The Irish Farmers Association, IFA, and the Irish Natura and Hill Farmers Association, INHFA, attended the first session and the second session was attended by Meat Industry Ireland and the National Dairy Council. They spoke very clearly about the significant impacts of Brexit on farming from a no-trade deal. There will potentially be more than €1.5 billion in tariffs a year.

Before coming to the Chamber, I watched Prime Minister Boris Johnson during Prime Minister's Questions. One would not believe there is going to be this crisis in the coming days. It is shocking. I can only wish the negotiators the best and that they will be able to negotiate a deal, which is so crucial for Ireland and for the UK. We are neighbours and we have a shared history, and it is so important that we will be able to work together in the time ahead and achieve the best deal for people on both islands. That would be very much appreciated. I wish them the best in the coming days.

**Senator Rebecca Moynihan:** I wish to raise the shocking "Prime Time" programme on overcrowding last week. I raised the issue a number of times in the context of the Residential Tenancies Bill and the budget. Hot-bedding is a phrase I never wanted to hear but I have heard it more than enough times in recent months. Unscrupulous private landlords and people who are subletting are letting rooms with bunk beds in it for up to ten people where one has no chance of social distancing. There is a crisis at the lower end of affordable accommodation. However,

we do not have proper robust legislation to deal with the issue of overcrowding. Local authorities have stated that the 1966 Act is not suitable as it is too cumbersome. As such, when local authorities tackle the issue, they use fire safety legislation. A Bill dealing with the issue was introduced by Deputy Cowen and is on Committee Stage but, in the context of a public health pandemic, the Minister for Housing, Local Government and Heritage, Deputy O'Brien, should introduce a Bill to address overcrowding as a matter of urgency. This is not just part of a housing crisis; it is a public health crisis. Members are aware that some of the infections that broke out in meat plants during the summer were as a result of the fact that the workers were hot bedding. They could not afford a room or even a bed of their own, so they were sharing beds. This is a public health crisis in the context of the current situation.

I also raise the issue of heritage buildings. I welcome that Lord Iveagh yesterday moved to take back the Iveagh Markets in Dublin 8. The Minister, Deputy O'Brien, should come to the House to address how the building will be restored as a market, as well as how it will be made structurally sound in the short term. It has been neglected and allowed to lie derelict by the person who had a long lease on it for the past 20 years. It is very important that serious, considered and immediate State action is taken to protect what is a jewel of a market in the south-west inner city.

**Senator Malcolm Byrne:** I start by agreeing with Senators McGreehan and Keogan on the need for a discussion around rural housing. One of the difficulties is that not only are people not allowed to build one-off houses in rural areas, they cannot even live in nearby villages because the required water and wastewater infrastructure is not in place. We need to have a discussion on that issue.

I welcome the news that Facebook, Twitter and several other social media giants will work with the national vaccine task force to combat the spread of disinformation and fake news. This is a very important step, but there is also a need for a Government campaign to explain the vaccine and to stand up for science.

I wish to raise the issue of the reopening of theatres, which has come up on several previous occasions. Obviously, I am disappointed by the decision of the Government in this regard. It still makes no sense that galleries, museums and cinemas are rightly open, but theatres have been excluded. My concern is that theatres cannot just open the following morning; an adequate notice period is needed. If a decision is to be made regarding theatres being allowed to open in January, that should be communicated to the theatres in plenty of time. There is a specific challenge with regard to many community theatres and not-for-profit theatres around the country. They are closed but, as they are not-for-profit organisations, they cannot avail of the same levels of business supports that commercial operators can access. We will have to support the amateur drama movement and musical theatre across the country. It will be a big challenge next year to get them all back on the road. It is very welcome that there is an additional €50 million for the Arts Council and arts funding, but we must ensure that money gets into the hands of arts venues, artists and musicians within the community. As Senators have stated many times, we need a debate in the House on the future of the arts.

**Senator Paddy Burke:** I ask the Deputy Leader to arrange the attendance of the Minister for the Environment, Climate and Communications, Deputy Eamon Ryan, for a debate in the near future on the issue of energy. It is a very important and exciting area. As Members are aware, the cost of generating energy from fossil fuels depends on the price of the fuel and the cost of the power plants that use those fuels, whereas it is completely different in the case of

renewables. We have the wind and the sun. Basically, the only cost is that of the technology that uses the wind or the sun to generate energy. As Members have seen, that cost has reduced dramatically in recent years. Although most Departments favour large-scale wind energy created by big wind plants, there should be a shift towards households generating their own energy. We could have a very important debate on that issue. I ask the acting Leader to arrange such a debate in light of the fact that the State is paying hefty fines to Europe as a consequence of its failure to generate enough renewable energy. It is an exciting area with significant potential for job creation. I ask that the debate be arranged for next week or as soon as possible in the new year.

**Senator Ollie Crowe:** I ask the Deputy Leader to call the Minister for Enterprise, Trade and Employment, Deputy Varadkar, before the House at his earliest convenience regarding unfair dismissals legislation. I would like the legislation, and the 1997 Act in particular, to be reviewed and amended. I raise this issue having been contacted by a constituent. To put the matter into perspective, he had 36 years service with a global organisation that has in the region of 9,000 staff. He was in the top 100 of those staff. The Cathaoirleach may be aware that the man in question was five or six years away from retirement age when he was told that his services were no longer required. Having sought legal advice at the highest level, he realised that all the advantages were with the company. The maximum payout is two years' salary and benefits and it is fully taxable such that one only receives 50% of it. Any welfare payment one receives within the two years is deducted from the payout. I am asking for the Minister, Deputy Varadkar, to come before the House and to consider the 1997 Act. The situation to which I refer is very unfair on an employee with 36 years service. There are similar cases in which the remuneration is just not suitable. Employees need to be protected at all stages. We need the Minister to come to the House.

**Senator Micheál Carrigy:** I wish to raise the issue of insurance. All Senators are well aware of the big problem it is for many people and businesses across the country. I welcome the new action plan for insurance reform published by the Tánaiste and Minister for Enterprise, Trade and Employment, Deputy Varadkar, but I wish to highlight some things I believe need to be changed. I wish to put on record that we should compliment Deputy Kieran O'Donnell, a former Senator, who brought many of these issues to the fore. He has not received the media attention he deserves as other parties have claimed credit for his work, but if people look back over the record, they will see he was the first person to really tease out the issue of insurance.

The Motor Insurers Bureau of Ireland, MIBI, was established in 1955 under an agreement between the then Government and the companies underwriting motor insurance in Ireland. Its purpose is to compensate victims of road traffic accidents caused by uninsured or unidentified vehicles. All companies underwriting motor insurance must be a member of MIBI. They fund it by means of an annual levy to which all those with motor insurance contribute. However, following personal experience, I found that MIBI has no liability for vehicle or property damage claims where the alleged offending vehicle is not identified by means of its registration plates. The MIBI will not assist claimants in such cases. The only exception to that arises where the claimant makes a personal injury claim. There is a fund that all those with motor insurance pay into to cover claims relating to uninsured and unidentified drivers, but unless one makes a personal injury claim as well as claiming for vehicular damage, one is not entitled to claim from the fund. Basically, one is not entitled to get one's vehicle fixed if that is all one is looking for. I know that from personal experience. I was injured in the incident but I have no interest in taking a personal injury case. I just want to get my car fixed but I was not able to do so because I

was not making a personal claim. This issue needs to be examined.

That said, we are moving in the right direction on the matter. Judges look at all the facts when motor claims come before the court. Last week, a court case was widely publicised on television news and in newspapers when a judge dismissed claims for up to €60,000 as the four men making the claims grossly exaggerated their case and knowingly misled the court about a collision in my home county of Longford. The men have received tens of thousands of euro in compensation payouts over the past 20 years. The law needs to be changed. It is a crime for people to make false claims.

**Senator Eugene Murphy:** We have heard a lot in recent times about maternity leave not being available. It is in that context that I wish the Minister for Justice, Deputy McEntee, and her husband, Paul, who is a good Roscommon man, every good wish for the future.

In today's edition of the *Irish Independent* Lorraine Hall, a Fine Gael councillor, talks about the treatment of pregnant Deputies. She stated that she had to return to work when her baby was three weeks old. That is appalling. I cannot stress strongly enough the urgent need to deal with this matter. I compliment my party colleagues, Deputy Niamh Smyth, and the Minister of State, Deputy Anne Rabbitte, who worked on a Bill on this issue when in opposition. I know that they are pursuing the matter again. I urge everybody to support their Bill so we can deal with this issue as a matter of urgency.

I mention another newspaper report, by Shane Phelan, in today's edition of the *Irish Independent*. It states:

The detention of an "actively psychotic" murder accused in prison is lawful even though he should be receiving treatment in the Central Mental Hospital (CMH), a judge has ruled.

Experts say the CMH is the only place in Ireland where the man can receive the care he needs. However, he cannot be admitted because it is full.

The matter is one of a number of recent cases highlighting difficulties caused by a lack of capacity at the hospital.

Lawyers for the man challenged the legality of his detention in circumstances where they said he was suffering from homicidal thoughts in prison and not getting the treatment he needs.

As the Cathaoirleach will recall, he allowed me to raise a Commencement matter on the lack of mental health services in recent weeks. Despite all the talk about this issue a few weeks ago, we now have another appalling case. I ask the Leader to speak to the Minister for Justice to see if the House can discuss the matter and assess what we can do. While there is obviously no space available in the Central Mental Hospital, there is a new centre in north County Dublin. I do not know what stage the project has reached but I understand some patients have been moved to the location in question. We need extra space to treat people rather than locking them up in jails where they obviously should not be detained.

**Senator Emer Currie:** The Leader of the House has said that sometimes supports or restrictions can be tweaked after their announcement because of the nature of Covid-19 and the challenges we face. I raise an issue concerning food outlets and pubs that genuinely fall between being a wet pub and a gastropub. This situation was not foreseen. The restrictions in

December include the clause that a designated food preparation area must be on-site, indoors and a permanent part of the building. These seek to discourage the partnerships of convenience that popped up previously and ensure there is a controlled environment. I fully appreciate that but there are also pubs with permanent food partnerships that were established long before Covid-19 and do not fit the criteria. For example, I know of a family business in Dublin 15 that consists of a long-established pub and a coffee and pizza van with picnic tables. The pub and van have different branding and are different businesses but they both trade on the same premises. The pub business has faced a lot of challenges and the sad part is that this pub has innovated in recent years to become more family-friendly and attract a new audience and new customers. Its partnership was approved by the environmental health officer last year, long before the onset of Covid-19. A substantial amount of money has been invested in making sure the entire premises is Covid-friendly and Covid-proofed. The hard part is that the proprietors expected to open over Christmas and invested but now they cannot open the premises. Can the pub or business trade if it had an established food partnership on-site that was approved, adheres to all of the rules and is open to inspection?

**Senator Mary Seery Kearney:** Yesterday, the Scottish Parliament passed fantastic legislation, the Period Products (Free Provision) (Scotland) Act, which means period products are now available free of charge in all schools, colleges and universities. I welcome the move because it lights the way for girls and women, or all who menstruate, to be fully supported with the cost of their periods during their time in education and without a means test or qualification.

Sanitary products can cost between €2 and €6 per product. Previous governments have ensured the products are zero-rated for VAT. If one assumes 13 periods a year and the use of two products per period, the final cost per year is as high as €156. Over a lifetime, that amounts to between €6,000 and €7,000.

Period poverty was acknowledged by the United Nations when it stated that “lack of menstrual health management and stigma associated with menstruation both have a negative impact on gender equality and women’s and girls’ enjoyment of human rights, including the right to education and the right to health”. Plan International conducted a survey of 1,100 girls aged between 12 and 19 years in Ireland that showed 61% of them have missed school due to a period and over 50% of teenage girls find it difficult to afford sanitary products. The high cost of menstrual products has led to girls using unsuitable products such as newspapers, toilet paper and clothing, which is horrific and unimaginable. I welcome that the programme for Government contains a provision to bring forward legislation for the free provision of menstrual products in schools, colleges and higher education institutes to ensure that no students are disadvantaged educationally. I am mindful of the economic hardship of the here and now so we need to advance the legislation more quickly. Therefore, I call upon the Minister for Health to bring forward the legislation as a matter of urgency and that we consider and be sensitive to all of the transgender requirements. We should follow the example of the Scottish Parliament as quickly and as closely as possible.

**Senator Lynn Boylan:** Yesterday, Oxfam released another report that showed lower and middle-income people have cut their emissions while the richest 10% have grown theirs. These are EU figures but there is no reason to suspect that they do not hold true for Ireland. The words “just transition” are regularly thrown about but these figures suggest that the transition is anything but just. The rich go on flying more, driving bigger cars and having more homes, while low and middle-income people go on doing their bit.

Climate change is a bit like Covid-19. We hear we are all in this together and everyone must play their part but not everyone is doing so. There seems to be a narrative that climate change could have been fixed if only we all changed our lightbulbs and bought a keep-cup. This is despite all of the evidence that shows the bulk of the emissions from consumption are down to the lifestyle of the top 1%. A just transition must target high-wealth lifestyles and corporations.

This week, I signed up to a campaign called Make Amazon Pay. Amazon has a carbon footprint of 44.6 million tonnes of carbon and its subsidiary, Amazon Web Services, works with the fossil fuel industry to extract more carbon. Amazon avoids paying taxes, its employees are forced to work during a pandemic without personal protective equipment, PPE, while the wealth of Jeff Bezos has increased by 65% during the pandemic alone.

We have had decades of Government policies that have set us on the wrong path where it is always the poor who have to make the cuts while the rich lead increasingly lavish lifestyles. What has the Government done? We have had proposals to ban the two-for-one food deals when what we really need are policies that target consumption by the rich. Individuals must play their part but it not their fault that they are locked into a fossil fuel dependent system.

This House will soon debate the Climate Action and Low Carbon Development (Amendment) Bill. I ask that the Minister for Environment, Climate and Communications, Deputy Eamon Ryan, listens to the Oxfam report, follows the evidence and ensures that just transition is placed at the centre of the Bill. I urge him to do all that when redrafting the Bill because the importance of getting this right cannot be overstated. We need a just transition to bring everybody along with us. If there is no just transition then we will not have any transition.

**Senator Lisa Chambers:** I thank Senators for contributing to the Order of Business this morning. Senator Mullen has raised a very important issue. I am not a medical doctor. I recall that the issue came up at the Oireachtas Joint Committee on the Eighth Amendment of the Constitution. There were differing scientific views expressed by medical professionals. I have no difficulty in the issue being re-examined. I certainly have sympathy for and am persuaded by the cautionary principle in relation to same.

On the Senator's points about social media, I fully agree that it is not the best forum to express what sometimes are very complex views. Unfortunately, we have come to a situation in politics where Government policy or Opposition policy is being announced for the first time on Twitter. It is certainly not something that I support and I would like to go back to doing things the old way, and I would not often say that about many things. I believe that progress in that regard has not been positive.

Senator Hoey raised the issue of the Labour Party vaccine pledge. I believe that the majority of Members, as leaders in their communities, will do their best to encourage people to take up the vaccine. I will be rolling up my sleeve. I am far down the pecking order for getting the vaccine, but as soon as I can get it I will be taking it. I fully support the Government's published plan for the hierarchy of the people who will receive the vaccine first, prioritising those in nursing home, front-line workers, and then based on risk and age. It seems like a fair and sensible way to do this. Ultimately, the quicker we can roll out the vaccine the better. Recent opinion polls showing certain levels of support among different political groupings for the vaccine will put it back on political parties to do their best to speak to their supporters and their base to make sure we reach that 70% and higher vaccine uptake, which is what we need to get this country back up and running.

Senator Hoey also raise the issue of student nurses and student midwives and their pay. Obviously, there has been much debate on the issue in recent days. I made my views on the issue very clear in this House last week. The Government is examining an increase in the allowances for student nurses. I agree with Senator Hoey in that I do not believe remunerating nurses and midwives would result in the degree programme no longer being viable. That does not make sense to me and we do not need to go down that route. We need to address the issue in a real and meaningful way. We will do this by working with the student nurses, the student midwives and with the INMO, to find a solution that is acceptable to its members.

Senator Garvey raised the issue of rural cycling and walkways. I welcome the €50 million investment by the Minister, Deputy Eamon Ryan, in rural communities for walkways and cycleways. We need to move to a place where people can leave the car at home and can walk and cycle between communities. If a person lives in a rural area within 10 km of the local town or village, then he or she should have the option to walk or cycle there. People would use the walkways or cycleways if they were there.

Senator Warfield spoke on the issue of co-living. I reiterate the Minister, Darragh O'Brien's very clear position that co-living has been banned. If there are certain processes in place with regard to planning, that is a matter for the Minister to take up with An Bord Pleanála and the local authorities. The position from Government is that co-living has been banned.

With regard to the rental properties being advertised that are well below standard, Senator Moynihan raised a similar issue about properties that are being rented out that are clearly not fit to be lived in by anybody. I agree with Senator Warfield that we need to look at ways of preventing those properties from being advertised. That can pose a difficulty, however, as it is very difficult for Government to regulate all advertisements. There need to be better supports and laws in place for local authorities to come down hard on these landlords.

Senator Flynn raised the issue of the task force and the Inner City Helping Homeless #Dont-ForgetMe campaign. It has highlighted the 56 lives that were lost to homelessness in our capital city in 2019. Senator Fitzpatrick raised the same issue last week. The Minister has responded that they are working on the issue. A task force has been set up. It is an issue the Government wants to see addressed. I do not have an answer for the Senator on how many lives we have lost in the capital in 2020. We do need to know those figures. It is important that they are highlighted and that it is known across both Houses and among the public.

Senators McGreehan and Keogan raised the matter of the county development plan. It is a real concern. This is not a new issue. This came up in the last development plan also. I was a local authority member on Mayo County Council at that time. We had a huge difficulty with the Department in trying to make amendments to our county development plan to facilitate once-off rural housing. I come from a rural village. It is difficult to get planning permission, but we do not want to make it absolutely impossible for people from an area to live in that area. That is certainly being pushed from certain quarters. It is not something I support. We need to support people to live in their communities. Why are we investing in rural schools and rural infrastructure if people are not going to live there? There is definitely that friction between the Department and some local authorities. Our councillors across all counties are doing their damndest to make sure the views of the public in their local community are reflected in their county development plan. It is in their remit to pass those plans.

Senator Kyne raised the issue of insurance and the personal injuries guidelines. I welcome

the announcement yesterday by the Minister of State at the Department of Finance, Deputy Fleming, of the reforms that will come into effect in the area of insurance and personal injuries, and around the guidelines for awards that can be made. I am aware there is also a particular issue the Government is working on whereby we want to see a cap on personal injuries claims, especially for the smaller claims such as whiplash where we know that people are taking claims that are quite frivolous but difficult to disprove. Awards for whiplash in Ireland are two and three times those in the UK. This is not acceptable and it cannot be justified.

We must also take into account the person who has a very serious accident. The Minister of State, Deputy Fleming, gave an account on radio yesterday of the child who may have suffered a catastrophic injury when very young and who will need long-term care for the rest of his or her life. Really, there should not be a prohibitive cap on those types of cases. It is about trying to strike the right balance. I am confident that the plan announced yesterday will bring about meaningful reform and change in the insurance industry. I compliment Mr. Peter Boland and his team from the Alliance for Insurance Reform who have done a lot of work on this in recent years to bring about those changes for businesses and for citizens.

I take on board Senator Keogan's quote, which she read into the record of the House. It was very important to bring that issue to public attention and to put it on the record of the House.

Senator Fitzpatrick raised the issue of the Rotunda Hospital. I am aware it is not the Senator's first time to raise the matter of the not-fit-for-purpose standard of the Rotunda Hospital building. This hospital delivers one in six of the babies born in Ireland. One in four of babies born in Ireland who end up in a neonatal unit come through the Rotunda Hospital. It is one of the busiest maternity hospitals in the country.

The Senator also highlighted the very important issue of women's health and the waiting lists for gynaecological appointments. This is a huge issue and often it is not talked about very much. Women tend not to receive a diagnosis as quickly as they should on many issues, and endometriosis certainly comes to mind. We have a lot of work to do in Ireland to put in place a proper care pathway to care for women, one in ten of whom suffer from endometriosis at different levels of severity. We have a lot of work to do on that. The figure of 3,500 on a waiting list for gynaecological appointments at the Rotunda Hospital is a shocking and disgraceful figure that needs to be addressed urgently.

Senator Dolan once again has raised the issue of Ballinasloe, always keeping her home community on the agenda and on the map. I commend the Senator on her fine work representing her community. I thank the Senator for extending an invitation to all Members of the House to attend the meeting tonight of Ballinasloe Says No. It is very important that communities get to have their say on issues affecting their community.

I concur with the comments of Senator Dolan on Brexit and the impact on the agrifood sector. In the event of a no-deal Brexit, we are looking at some €1.7 billion worth of tariffs on our exports, the majority of which, up towards €1.5 billion, will be on the agrifood sector. The impact of a no-deal Brexit on top of a pandemic really does not bear thinking about. I sincerely hope a deal is reached. While the progress yesterday on the withdrawal agreement was welcome, it was probably slightly overstated because that was the agreement we thought we had reached a year ago, so really we had only got back to where we were a year ago. The free trade agreement is quite separate to the withdrawal agreement. There are still considerable differences on fishing, governance and the level playing field provisions. We are not there yet.

We certainly wish Commission President Ursula von der Leyen well in her conversations today with the British Prime Minister. We hope that sense and logic will prevail.

I reassure citizens who may be watching that the Government is making every effort to get that deal over the line. We are making very real preparations in the event of no deal. Plans are being put in place even in relation to vaccines. We are ensuring a direct access from mainland Europe to Ireland, without having to use the land bridge, to get the vaccines here. We are making the necessary preparations in the event that a deal is not done by the 1 January, all the while hoping we do get there.

Senator Moynihan raised the issue of the “RTÉ Investigates” programme on overcrowding in rental accommodation. I watched the programme and I believe it is disgraceful. We need to  
*I o'clock* listen to the local authorities when they say they do not have the proper legislative basis to tackle these landlords, many of whom are criminals in my view. They are forcing people to live in absolute squalor, and putting their health, safety and well-being at risk. We need to make an example of these individuals and come down hard on them. I believe they should be getting significant custodial sentences for making people live in those conditions. Until we take the issue seriously and until people pay the price for what they do to good decent people who are just looking for a home, we will not see meaningful reform in this area.

We need to enact legislation that empowers local authorities to bring these people to court. The full rigour of the law must be brought to bear on the individuals who are responsible for these living conditions. I would not call them homes or places to live because they are neither of those things. I say to the people affected by these living conditions that we are listening, we will work on this and we hope to get a resolution to the matter very soon.

I thank Senator Moynihan for also raising the issue of the Iveagh Markets and heritage. I was not aware of the issue, but protecting our heritage and all such sites is really important not just for those of us enjoying them today but also for generations to come. We should look after what is the heart of our communities.

Senator Byrne raised the issue of rural housing, which I think I have dealt with.

I was not aware of this but I welcome the fact that Facebook and Twitter will work with the Government to try to get a positive vaccine message out there. We have a job of work to do on this. The anti-vax campaign is already up and running, spreading misinformation and scaring people. We have to acknowledge that some people are asking genuine questions and are really worried. They ask whether the vaccine is safe because it has been brought about so quickly, which is a reasonable question to ask. I am confident it is safe but I am not a scientific expert. As I said, I will be very happy to take the vaccine when I am allowed to get it. If we can come out and answer people’s questions in a very honest and transparent way, we will be able to deal with this. I understand that the HSE, the CMO and the Minister for Health, when they have approval from the EMA and are ready to roll, will be ready to start a campaign promoting the vaccine in a positive way. I trust that will come about in a very effective manner.

Senator Byrne also raised the reopening of theatres. I know that the Senator has been a strong advocate for the arts since setting foot in this Chamber. He has always advocated for protection of the arts and trying to get the arts sector back on its feet. It has been one of the most impacted sectors in the country, aside from retail and hospitality. The arts has really suffered,

with no real end in sight in the coming months because we just cannot see packed venues being a reality for the next while. There are questions to be asked here, particularly for not-for-profits that are not accessing supports that they may need. We need to facilitate these organisations in staying alive and viable so they can reopen when we are able to reopen them. I thank Senator Byrne for consistently raising the issue of the arts and the people working in that sector.

Senator Burke raised the issue of energy. It would be a really interesting debate, which we will try to facilitate in the coming term with the Minister, Deputy Eamon Ryan. As to how households might be able to generate their own electricity, there is definitely scope to facilitate microgeneration and getting people onto the grid. As an island nation, we have so much wind energy and wave energy opportunity. That is where things are going. It would be helpful and interesting to the House to have that engagement with the Minister. We will certainly seek it in the new year.

I do not have the details of the case Senator Crowe raised but I sympathise with the individual in question. To be employed for 36 years and then be told that one is no longer required when one is so close to retirement must be devastating for the individual and the family involved. Shame on the company in question for doing that to somebody. It is wrong and immoral. Regardless of whether the person in question was no longer needed in that role, a decent company would have found an alternative space for the individual, who should be a valued member of the company's team, having served the company for that long. I take on board the Senator's comments on the Unfair Dismissals Act. Perhaps we can explore ways to try to protect workers who have given that length of service and who require an additional support. Two years' salary does not really cut the mustard for 36 years' service. I agree with the Senator on that.

Senator Carrigy raised the issue of insurance and a very important issue surrounding the MIBI restrictions. The Senator may wish to table a Commencement matter on that issue and have the Minister respond because it is quite specific.

Senator Murphy raised the issue of maternity leave for elected representatives. I concur with the Senator's remarks and commend my colleagues, the Minister of State, Deputy Rabbitte, and Deputy Niamh Smyth, who in the previous Dáil tabled legislation to put leave for elected representatives - Deputies, Senators and councillors - on a statutory footing. We need to do this but we also need to have a wider debate. It is not simply the maternity leave aspect. This is a difficult profession in which to have a family. For the information of the public, it is not that Deputies and Senators are marched back into the office within days of giving birth, but there is often a very personal feeling that one needs to get back to work because of the competitive nature of multi-seat constituencies and the nature of the job. There is a wider discussion to be had on how we make this a more family-friendly working environment and put in place better supports. I refer to such things as a family room in the Houses of the Oireachtas, which I have personally requested of the Ceann Comhairle and Oireachtas staff since the previous term. When mums are with their young children while in either House, there should be a space to go to that is not just one's office but a more family-friendly space. We could make changes within these Houses very quickly that would make a difference to women in such situations.

I concur with Senator Murphy's comments on the Central Mental Hospital and that we need additional capacity there. I will pass that on to the Minister for Justice.

Senator Currie raised the issue of gastropubs and wet pubs and those that perhaps fall be-

tween two stools. The difficulty there is where one draws the line. There have been challenges across the board in trying to find the right balance in opening up, and a lot of wet pubs - and I really dislike that term, as I think most people do - are finding it difficult that they are not able to reopen this Christmas. At the end of the day, these are people, families, businesses, livelihoods and communities, and the impact is quite severe. My only hope is that we can just get past this, get into the new year and get things back open across the board.

Senator Boylan raised the Oxfam report. I agree with everything she said. I am not sure how we as a State, a Government or an Oireachtas can tackle the issue of big corporates such as Amazon that clearly have a far greater impact on climate change than the Senator or me as individuals or our families. I do not know how we go about doing that, but clearly there is a gap and it is widening. The vast majority of us do the right thing because it is the right thing to do. A lot of corporations are making moves to have better corporate social responsibility and to play their part. I see AIB making steps to become carbon-neutral by 2030. SSE Airtricity is doing good work. There are corporates that are taking this seriously but others are not. There is an element of personal responsibility as well if one is shopping on Amazon to think twice, to look to green companies and Irish indigenous companies, and to support the ones that are supporting communities. Perhaps that is the kind of campaign in which we as Oireachtas Members can have an impact. This is a global issue. Perhaps even at an EU level we need to start tackling it and we need to all work together.

Order of Business agreed to.

### **Finance Bill 2020: Second Stage (Resumed)**

**An Cathaoirleach:** Now we will deal with a postponed division relating to Second Stage of the Finance Bill 2020. On Tuesday, 8 December 2020, on the question that the Bill be read a Second Time, a division was claimed. That division must be taken now.

Question put: "That the Bill be now read a Second Time."

The Seanad divided: Tá, 31; Níl, 15.	
Tá	Níl
Ahearn, Garret.	Bacik, Ivana.
Ardagh, Catherine.	Black, Frances.
Blaney, Niall.	Boyhan, Victor.
Burke, Paddy.	Boylan, Lynn.
Buttimer, Jerry.	Flynn, Eileen.
Byrne, Malcolm.	Gavan, Paul.
Carrigy, Micheál.	Higgins, Alice-Mary.
Casey, Pat.	Hoey, Annie.
Cassells, Shane.	Keogan, Sharon.
Chambers, Lisa.	Moynihan, Rebecca.
Conway, Martin.	Ó Donnghaile, Niall.
Crowe, Ollie.	Ruane, Lynn.

9 December 2020

Daly, Paul.	Sherlock, Marie.
Davitt, Aidan.	Wall, Mark.
Dolan, Aisling.	Warfield, Fintan.
Dooley, Timmy.	
Fitzpatrick, Mary.	
Gallagher, Robbie.	
Garvey, Róisín.	
Kyne, Seán.	
Lombard, Tim.	
Martin, Vincent P.	
McGahon, John.	
McGreehan, Erin.	
Mullen, Rónán.	
Murphy, Eugene.	
O'Reilly, Joe.	
O'Reilly, Pauline.	
Seery Kearney, Mary.	
Ward, Barry.	
Wilson, Diarmuid.	

Tellers: Tá, Senators Robbie Gallagher and Seán Kyne; Níl, Senators Niall Ó Donnghaile and Paul Gavan.

Question declared carried.

**An Cathaoirleach:** When is it proposed to take Committee Stage?

**Senator Lisa Chambers:** Next Friday.

**An Cathaoirleach:** Is that agreed? Agreed.

Committee Stage ordered for Friday, 11 December 2020.

### **Sittings Arrangements: Motion**

**Senator Lisa Chambers:** I move:

That, notwithstanding anything in the Standing Orders relative to Public Business, the following arrangements shall apply in relation to the sittings of the Seanad on Friday, 11th December, Monday, 14th December and Tuesday, 15th December, 2020:

(1) The Seanad shall meet in the Dáil Chamber at 10 a.m. on Friday, 11th December and 2 p.m. on Monday, 14th December, 2020 and the following arrangements shall apply:

(a) Standing Orders 29 and 30 shall stand suspended;

(b) there shall be no Order of Business;

(c) the business to be taken shall be confined to the items set out in the Schedule to this paragraph and, accordingly, no other business shall be taken unless the Seanad shall otherwise order on motion made by the Leader of the House or such other Senator as she may authorise in that behalf.

### **Schedule**

#### **Friday, 11th December, 2020.**

*Finance Bill 2020 [Certified Money Bill] [Dáil] – Committee Stage.*

Subject to the conclusion of Second Stage of the Finance Bill 2020 [*Certified Money Bill*] [Dáil], the proceedings on the Committee Stage shall commence at 10 a.m.

#### **Monday, 14th December, 2020.**

*Central Mental Hospital (Relocation) Bill 2020 [Dáil] – All Stages.*

Subject to the passage by the Dáil of the Central Mental Hospital (Relocation) Bill 2020 [Dáil], the proceedings on all Stages shall commence at 2 p.m. and shall, if not previously concluded, be brought to a conclusion at 3 p.m. by one Question, which shall be put from the Chair, and which shall, in relation to amendments, include only those set down or accepted by the Government; the time allocated to all Senators on the debate at Second Stage shall not exceed 5 minutes, and the Minister shall be given no less than 4 minutes to reply to the debate; Committee and Remaining Stages shall be taken immediately thereafter.

*Suspension of Sitting.*

On the conclusion of the proceedings on the Central Mental Hospital (Relocation) Bill 2020 [Dáil], the sitting shall be suspended for 15 minutes.

*Social Welfare Bill 2020 [Dáil] – Second Stage.*

Subject to the passage by the Dáil of the Social Welfare Bill 2020 [Dáil], the Second Stage shall be taken on the resumption of the sitting; the contribution of Group Spokespersons on the debate on Second Stage shall not exceed 8 minutes and all other Senators shall not exceed 5 minutes, and the Minister shall be given no less than 8 minutes to reply to the debate.

(2) The Seanad on its rising on Monday, 14th December 2020, shall adjourn until 10.30 a.m. on Tuesday, 15th December, 2020 and the following arrangements shall apply:

(a) The Order of Business shall be proposed at 10.30 a.m. in the Dáil Chamber;

(b) Commencement matters shall be taken at 1.30 p.m. in the Seanad Chamber;

(c) Business ordered to be taken subsequent to Commencement matters, shall be taken in the Seanad Chamber.

Question put and agreed to.

### **Fourth Report of the Committee of Selection: Motion**

**An Leas-Chathaoirleach:** I move: “That the fourth report of the Committee of Selection be laid before the Seanad.”

Question put and agreed to.

*Sitting suspended at 1.25 p.m. and resumed at 1.40 p.m.*

### **Deportation Moratorium (Covid-19) Bill 2020: Second Stage**

**An Cathaoirleach:** Before calling on Senator Higgins I wish to congratulate the Minister, Deputy McEntee, on her great news. I hope that all Senators have wished her well. I am sure she can expect a lot of gifts from the Seanad.

**Senator Alice-Mary Higgins:** I move: “That the Bill be now read a Second Time.”

As the Minister will be aware, we have very recently discussed issues related to this Bill in debates on the Withdrawal of the United Kingdom from the European Union (Consequential Provisions) Bill 2020. I appreciated our engagement on wider issues concerning our international protection and immigration system and the reforms that are needed. I know the Minister is very much aware of the need for those reforms and is looking with great interest at the Day report. I really welcomed the indication she gave at the weekend that she would look at regularisation for those who are undocumented in Ireland. This is appropriate, particularly in light of our own history of migration.

This Bill deals with a very specific concern. It comes at a time of unprecedented international emergency in the form of a global pandemic. As of August 2020, 79 million people worldwide had been displaced because of the pandemic. The International Organization for Migration and the UN World Food Programme report that the pandemic is taking an immense social and economic toll everywhere. This could create uncertainty in public health systems and difficulties for those who are displaced. As a country in a position to do so, it is important that Ireland demonstrates public health best practice and solidarity with those worst affected by the pandemic. We should take public policy decisions which protect the health, human rights and well-being of individuals, and demonstrate best practice in international public health and migration policy.

The Bill we are proposing today would amend three Acts, the International Protection Act 2015, the Immigration Act 1999 and the Immigration Act 2003. Each would be amended by the insertion of a new section which would place a moratorium on the issuing of deportation or return orders, or the legal effect of such orders, during the period when powers granted to the Minister for Health under section 31A of the Health Act 1947 are in effect. This would effectively ensure that there would be no further issuing or execution of deportation orders during the period for which the State has recognised that we are in a health emergency, as set out in our own Covid-19 legislation. Our definition of the emergency period has a built-in sunset clause which is specified within the Bill. The proposed prohibition of the deportation of persons and the issuing of such orders will expire when our emergency Covid-19 legislation expires. The two provisions are tied together. As the Minister will be aware, that legislation currently extends until June.

I have previously had some engagement on this issue with the Minister of State, Deputy James Browne, on a Commencement matter. He noted that there was initially a policy of ensuring that only positive decisions would be issued. Only persons receiving a positive decision were informed so they could make relevant arrangements. Negative decisions, including deportation orders, were not issued in the early part of the pandemic. The issuing of such orders then resumed. As the Minister will be aware, we know from responses to parliamentary questions that 469 people have been issued with deportation orders since March.

It is very important that we review this and return to the question of positive decisions. Our legislation would resume this policy. It is a fundamental point that we should not issue such deportation letters. We also spoke in previous debates about the impact of these deportation orders. Their language is very clear and very hard. They state that a recipient is to present for deportation at a specific date. We know that people have even been asked to present for deportation this month, just before Christmas. The Minister and the Minister of State, Deputy Browne, have previously stated that a pragmatic approach is taken. However, orders requiring persons to present for deportation are being issued. Some 469 persons have been issued with such orders. If the Minister is not in a position to accept this Bill, as indicated by her motion, I urge her to indicate how she will move towards a position of issuing positive decisions only through policy, and how she will ensure that the 469 persons who have already received such letters can know that they are safe for the period of the pandemic.

From speaking to Members of the Oireachtas of all parties and none I know that many in the Dáil and Seanad are working with their local communities. Many are aware of the situation of individuals who are deeply embedded in their community. They will be aware that when deportation orders arrive at a time of great collective distress, the distress and fear is not confined to the recipients. There is a huge ripple effect on their colleagues, communities and in some cases partners. Some of the recipients of deportation orders have long-term partners here in Ireland. It is not just the fact of deportation that has a negative effect, but the very fact of such letters and the distress associated with them. They create situations where people want to gather to support somebody who they feel is under threat. People travel all the way to Dublin to sign in with the Garda National Immigration Bureau, not knowing if this will be the last time. They do not know if they will ever go back to their places of residence or if they will be deported at that point.

Some of my colleagues will be speaking about specific cases we have heard about, including health workers, arts workers, key community volunteers and people who have been playing very active roles in response to the Covid-19 pandemic. Some people in our immigration system have done extraordinary work in this regard. This is not confined to front-line health work, but also includes social work and community work.

As I have said before, I welcome the Minister's indication that she is looking at the process of issuing residency permits for the 17,000 undocumented migrants in Ireland. It is a sensible decision that will address some of the problems stored up in the past. It is a chance for us to move to something like a new page in our approach to these issues. Our modest proposal would be complementary to that. It would allow space for real consideration of the process of regularisation and the many other recommendations made in the report of Dr. Catherine Day. The Minister will be aware of those recommendations. The Day report is quite clear on the problems with the International Protection Office, IPO, initiatives, the questions in the interview process and the periods allowed for people to respond to various issues. This was one of my concerns about the Minister's motion. It is procedurally a little strange for a Government to

respond to a Bill with a motion. Normally a Government would simply support a Bill, decline to support it or defer. The motion includes several pieces of text about the reasons the Minister feels she cannot support the Bill. Unfortunately it does not contain assurances about the actions she will take. It is really important that she gives those assurances today. One of the aspects of the amendment about which I have particular concern is that it seems to reinforce the issue of the five days. Persons receive letters telling them they have five days in which to indicate that they will voluntarily leave the State and that they may face deportation if they do not. The Minister of State, Deputy James Browne, previously indicated that the Government was looking at the possibility of a 30-day period, which was a recommendation in Dr. Catherine Day's report. Such a period of time would allow people to seek legal advice, to talk to communities and to see what the situation would be if they were to leave voluntarily. It is a more appropriate period of time. I hope the fact the five-day period is mentioned in the amendment does not mean that the Minister is not looking at the question of a 30-day period for such notifications, as I believed she was.

My colleague and others will talk about the global situation. We cannot say that countries around the world are safe at this time when we are facing a global pandemic. The principle of non-refoulement referred to in Article 33(1) of the 1951 convention is very clear. It states that nobody should be sent to a territory in which their life or freedom will be threatened on the basis of their race, religion, nationality, membership of a particular social group or political opinion. As I said before, it is not simply a question of whether people may be persecuted on those bases but of whether they may be less able to access essential and necessary health services at a time of general danger based on these criteria. There is a real case to be made that the State has a duty of care and protection. It is also the case that international travel in itself, which we discourage except where essential, creates danger.

If the Minister cannot accept our Bill today, and it seems she cannot, will she tell us what we can tell the 469 persons who have already received deportation orders? Can she give them assurance that they will not be deported while the pandemic is under way? Is she moving back towards a position of making positive decisions with regard to the issuing of any further letters? Crucially, can we ensure that persons are not required to travel to Dublin to check in with the Garda National Immigration Bureau with letters that tell them they are going to be deported, because that is a real concern? I hope the Minister will indicate that she will use this time, when deportation is inappropriate due to the pandemic, to address the wider issues, to implement some of the positive recommendations in the Day report and to move those who have been here for eight or 12 years and who are deeply involved in their communities towards a position of regularisation over those six months.

**Senator Lynn Ruane:** I thank the Minister for being in the Chamber this afternoon. I support the Deportation Moratorium (Covid-19) Bill 2020. I am proud to be a co-sponsor of this important emergency legislation in the midst of a global pandemic. Our call is simple. We seek to amend our immigration and asylum laws so that, as long as the Government restricts travel and movement into, within and out of the State to combat the spread of the Covid-19 virus, there will be consistency in how the State treats vulnerable migrants and refugees in need of our protection. Such individuals should not be forced to leave the island and must be granted safe refuge in and until the pandemic abates.

It is the second time in a week that important issues relating to migration and legal statuses have been debated in this House, which is no coincidence. The Covid-19 pandemic has forced us to reflect on what it means to be safe and secure in one's own home and in one's own com-

munity as we are forced to rely on the physical structures around us, like the bricks and mortar of our own houses, and the social networks of our communities for protection, security and support. The pandemic has starkly lit up our own vulnerabilities and it has been sometimes scary to witness the intense fragility of the support systems around us. We must, therefore, always be conscious that the experience of this pandemic of those without such protections has been made impossibly harder.

However, in many areas, our communities and our policymakers have moved quickly to react to the pandemic's effects. We have introduced an emergency ban on evictions, an emergency social welfare payment, an emergency wage support system for small businesses and emergency restrictions on travel, socialising and public gatherings. In each area, we have identified the vulnerable person in need of support from the State and acted. This legislation must be seen in that same vein and as the latest in the suite of measures needed to protect the marginalised peoples who have borne the brunt of the impact of the virus, which includes refugees and migrants more than most.

The most fundamental principle of our migration and asylum systems must be that, where people cannot safely return to their homes due to threats to their safety, they will be granted refuge in Ireland while the threat still exists. With everything that we know about the role of international travel in the spread of the virus and the deteriorating situation in many other countries, how can we possibly justify forcing migrants to leave a current place of refuge to go to a place of uncertainty when their own health and, indeed, the health of others may be at risk from such travel? The safest and fairest course of action is to halt all deportations from Ireland until there is a stabilisation of the global public health situation, which looks more and more likely in light of the speed at which vaccines are being developed and distributed.

We are not alone in making this call. In May of this year, the United Nations Network on Migration said that states must “suspend forced returns during the pandemic, in order to protect the health of migrants and communities, and uphold the human rights of all migrants, regardless of status”. It went on to say, “Forced returns can intensify serious public health risks for everyone - migrants, public officials, health workers, social workers and both host and origin communities.”

In November, the Taoiseach stated in the Dáil, in response to an account of two Zimbabwean healthcare workers being issued with deportation orders, that he did “not believe that people should be deported in the context of Covid-19 to red zone areas or where the virus is in a much worse situation than is now the case here.” In light of Ireland's strong performance in international terms on the reduction of case numbers, such a policy would essentially preclude the making of any deportation order whatsoever.

I am disappointed that the Government is opposing a second reading of the Bill. I note that, in its countermotion, the Government states that only four deportations have been carried out since March while neglecting to mention the 469 orders that have been issued by the Department in that time. The motion also mentions the welcome decision of the Minister for Justice not to issue orders while level 5 restrictions are in place. Our ask is that such a policy be extended to all five levels for the duration of the pandemic. I ask the Minister to commit to such a policy on the record today. Every deportation order issued has the power to change an individual's life. It can challenge the foundations of his or her world and tear his or her community here apart.

Over the summer, I became much more acutely aware of the situation of migrants while working on a helpline during the first lockdown. As I triaged many members of our homeless and migrant communities before they were assessed to see if they needed to be tested for Covid, I became very aware that it was primarily people of migrant background who were testing positive for Covid-19 both in the homeless sector and in the community.

Somebody who rang had found one woman, who will remain anonymous but to whom I will be writing in the coming weeks, on the side of a road. She had been here two years and had been kept as a domestic slave. She did not even know where to go when she was thrown out of the house for contracting Covid-19, which must have been brought into the house by another as she did not have the luxury of ever leaving. Rather than being deported and not being able to go through the necessary process to seek asylum, her problem is that, although she has been granted leave to remain for the moment, she may now be put into a direct provision centre despite having been here two years and living under threat. Even in our domestic decisions, as opposed to our global decisions, we are putting someone who has been held as a slave in a home in Ireland into a direct provision, where she will be at further risk.

The Government amendment does not really tell us what positive actions the Department will be taking. As such, it is important that the Minister, in her response, tells us that these 469 people will be communicated with and will not be deported during the pandemic. That must be made clear to them so that when they have to check in or present themselves, they do not have to do so in fear or with the consistent threat of deportation.

This should not have to happen with the fear or consistent threat of deportation and they should be safe for the duration of the pandemic.

I would also like to hear the Minister's comments on the recommendations from the Day report relating to regularisation, which seem to be positive, although I have not read the report fully. We are doing considerably better than other countries, which indicates a person deported to any other country, no matter where that is, would be worse off than if that person stayed here. Given our numbers and how we have dealt with the Covid-19 crisis, we know we are the safest refuge for people until we see improvements around the world.

My colleague, Senator Higgins, has indicated that we have seen threats of violence in other countries, including political persecution, but right now somebody returning to a home country, possibly to no home and without money because of an inability to earn money here, would leave that person further under threat when it comes to health services. We need to acknowledge a threat to health as a threat to life if people leave this country. As Senator Higgins also mentioned, I would also like to hear a comment on the change of the five-day period to 30 days. Senator Higgins spoke about what it would take for somebody to make that decision in Ireland but could we imagine how a person would think if he or she had nothing or nobody in the country to which he or she was being deported? A person's decisions must also be based on whether people can put structures in place in the country they are returning to. These people should be able to reach out to the country to where they are being deported if they go along with the deportation. Five days is an incredibly short period for a person to process that level of information.

**An Leas-Chathaoirleach:** I welcome the Minister and congratulate her on the good news we saw reported recently in the media.

**Minister for Justice (Deputy Helen McEntee):** Thank you. I thank Senators Higgins and Ruane for proposing and seconding the Bill, as well as Senators Flynn and Black, who are also supporting the legislation. I fully agree with and support the overall aim of this Bill that compassion is shown to those issued with deportation orders for the duration of the pandemic. The need to show compassion during this extraordinary time is one we all share across all Government and Opposition parties.

The Government has tabled a reasoned amendment in response to the Bill, which outlines the pragmatic and compassionate approach that is being taken. I take the point that perhaps we have not expanded on that enough and I certainly intend to elaborate on our intention and some of the policy areas I am looking to develop. We have tried to focus on the approach that has been taken by my Department and the Garda National Immigration Bureau since the onset of Covid-19.

As Minister for Justice, I assure the House that I have addressed the concerns reflected in the Senators' Bill on an administrative basis and will continue to do so until this pandemic is over. We do not know when that will be but we hope it will be soon. I assure Senators I will continue to apply this approach until that time comes. I hope to provide reassurance to those who may be personally affected by what we are discussing today and who may be watching. I will speak in more detail on that shortly but it is perhaps important that I first outline the considerations taken into account as part of the permission to remain process.

Each case is examined in detail on its individual merits, considering all factors, such as humanitarian factors and employment. Private and family rights are also fully considered in accordance with the European Convention on Human Rights. For those who are in the international protection process, our objective is of course to have decisions made on their applications and permission to remain considerations as soon as possible. This ensures that those who are found to be in need of our protection can receive it quickly and begin rebuilding their lives here with a sense of safety and security.

For those found not to be in need of international protection, a full consideration of all aspects of their case is given before a deportation order is made. When a person receives a letter informing him or her of a negative international protection decision and that the person no longer has permission to remain in the State, that person is required to confirm within five days if he or she will accept the option of voluntary return, for which the Department will provide assistance.

I wish to be clear on this as I often get a sense that the feeling is that people must leave within five days. The person is not required to remove himself or herself from the State within five days but he or she is required to confirm within five days if the option of voluntary return, for which the Department will provide assistance, will be accepted.

Both Senators referred to the Catherine Day advisory group on the provision of supports, including accommodation to persons in the international protection process. The group has recommended that the five-day period for deciding whether to accept voluntary return should be extended to 30 days and children and students be allowed to finish the school year before departure. This, along with other recommendations, is being actively examined by my Department. I support this and am actively considering the matter in a very positive way.

The concept of voluntary return is actively encouraged prior to a deportation order being

made, as demonstrated by the letter which an applicant receives at this point in the process. The time taken for relevant voluntary return arrangements to be made will also take into account all factors, including Covid-19 restrictions and the limitations to travel this has created. If a deportation order is subsequently made, it can be amended or revoked by making a request to the Minister for Justice. This is an outline of the general process and not specifically related to the issue under discussion. I encourage people to be as detailed as possible in their representations to me and my Department so that fully informed decisions can be taken at the appropriate time.

It is also worth emphasising that the process whereby those who have been served with deportation orders are required to periodically register with the authorities, does not mean that a deportation itself is imminent. That question was raised with the Taoiseach on Leaders' Questions because people had received letters. I stress again that this is only to keep the State authorities up to date and informed of the status of those who have been served with deportation orders. It does not relate to any intention for these people to be deported.

With that said, I welcome the opportunity to outline to the House today the compassionate and pragmatic approach being taken as we deal with the extraordinary circumstances of the Covid-19 pandemic. This approach is reflected in the fact that there have only been four deportations since March 2020 and that three of these applied to deportation orders that were issued before March.

No deportations have occurred since March in respect of persons who were unsuccessful in their application for international protection in the State. The low number of deportations since March reflects that the discretionary approach I am applying on an administrative basis is working effectively.

During the level 5 Covid-19 restrictions, I also asked my officials to review the issuing of these letters and no refusal letters or letters enclosing a deportation order, have issued to anyone in the international protection process since. I am very conscious of the 469 cases that have been mentioned and to those who may have received deportation orders since the start of the pandemic but before this review, please be assured that we will continue to apply the same pragmatic approach I have just outlined and this will continue throughout the Covid-19 pandemic.

I am also conscious that we are about to embark on a vaccination programme for Covid-19. I strongly advise anyone in this country, regardless of their current status, to come forward to receive a vaccine when it is made available to them. I can give a commitment today that no information gathered as part of that process will be passed to the immigration authorities. It is worth stressing that we will continue the pragmatic, compassionate approach shown by the Department of Justice and the Garda National Immigration Bureau since the onset of the pandemic.

The Bill would, unfortunately, by implication prevent those who wish to consent to voluntary return from doing so. I cannot imagine that this was the intended purpose as it would neither be in the State's nor the individual's interest to suspend such returns. The current practice, on the other hand, already allows for discretion and flexibility. I, as Minister for Justice, and An Garda Síochána must have the discretion to remove those who may be a threat to national security and whose presence in Ireland would be contrary to the public interest but that discretion is used in the rarest of circumstances and only when absolutely necessary. Such cases arise where there are valid reasons in the interests of public security and the common good.

I will now move to the proposal in the Bill to suspend leave to land. Leave to land may be refused for a number of reasons crucial to maintaining the integrity of the immigration system and protecting the fundamental interests of the State concerning public order, public security and the integrity of the immigration system. Whereas the Bill provides that persons who are refused leave to land cannot be returned until three months after the expiration of the “emergency period”, it does not elaborate on what is to happen to these persons prior to removal and while the suspension is in effect. The State would not be in a position to pursue such persons as there would be no prospect of returning them in the immediate future under the proposed amendment in the Bill. This would have the net effect that persons who would not normally be admitted into the country for very valid reasons, including reasons of national security, would have to be allowed to proceed out of the port of entry without being detained or removed. It is also important to recognise that it is essential that the State can maintain its duty to protect its internal borders from a domestic and EU perspective. This is the case for all sovereign states and in this regard applies to the integrity of our immigration policy and practice. As Senators will know, we also have obligations to uphold as part of the common travel area with the United Kingdom.

Along with the Department, I am currently considering a number of policy changes which I am sure Senators will welcome, and I will briefly outline now. I have already mentioned the Catherine Day advisory group recommendation on the provision of supports, including accommodation, to persons in the international protection process. A number of its recommendations fall under my remit with the Department of Justice, ranging from trying to reduce the overall times people have to wait for their response to moving to an online system to providing legal aid, legal support and other types of assistance. The departmental group that has been established in my Department is already working to assess and implement some of these recommendations. This work is feeding into the work of the Minister for Children, Equality, Disability, Integration and Youth, Deputy O’Gorman, who will publish the White Paper before the end of the year. Other recommendations from the Catherine Day group which are relevant to the work of the Department of Justice are being actively pursued separate to the White Paper. As I said, we are already engaging on these proposals.

I am also considering a scheme to regularise the position of undocumented migrants and their dependants, which is a fulfilment of a programme for Government commitment. My intention is that the scheme will allow for long-term undocumented persons to apply for an immigration permission from my Department. As I outlined to the House last week, my Department’s information from the Migrant Rights Centre of Ireland, which I have met, is that this could be relevant to approximately 17,000 people, which could also include up to 3,000 young people or children. I have received a report in my Department on a potential approach to such a scheme and based on its recommendations, we will set in train a process for a pathway to legal residency, and ultimately to the privilege of citizenship, for the undocumented. Without preempting the report, because it has not been published yet, the most straightforward option is to adopt a programme which would apply under the executive power of the Minister for Justice. This approach has been taken in the past, for example, under a special scheme for non-European Economic Area nationals who held a student permission in the State. This happened in recent years and was very successful. It is a very positive way to deal with the issue. As I am sure the House will acknowledge, and as I have already noted, the executive power of the Minister for Justice regarding immigration matters is required for a number of reasons. This potentially includes our planned scheme to regularise the status of many undocumented here in Ireland.

We are all aware of the huge efforts to regularise the status of undocumented Irish immi-

grants in countries all over the world, particularly the United States. As a country, we have asked for generosity and have received such generosity for many years from other countries which welcomed Irish people to their shores. I believe it is our moral duty to treat those from elsewhere who seek to make Ireland their home with the same generosity and understanding others have shown to us. It is, therefore, my hope that our undocumented scheme will be as broad as possible to cover every eligible undocumented person and their family members living in the country. It is my intention to be in a position to outline precise details in the coming weeks.

While I support the good and humane motivations that are evident in this Bill, I believe the administrative approach I am already taking is achieving the compassionate outcome desired by the Senators. However, for the reasons I have outlined, this Bill would have other consequences. It is important that, as Minister for Justice, I am allowed to continue to have flexibility where there is a requirement or a need to apply a deportation order, in particular in regard to State security and where there are challenging issues arising. It is for all of these reasons that I consider that Seanad Éireann should decline to give the Bill a Second Reading. I hope that, irrespective of the differences raised here today, a united message goes out from this House to those who find themselves in uncertain and difficult circumstances during Covid-19. That message is that they will be treated with compassion here in Ireland. The Government and I, as Minister for Justice, are clear that our compassionate and pragmatic approach will continue throughout the pandemic. I hope this provides some reassurance to those who are listening in today.

**An Leas-Chathaoirleach:** I remind Senators that they have eight minutes to make their contribution.

**Senator Robbie Gallagher:** I move amendment No. 1:

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

“Seanad Éireann declines to give the Bill a second reading in view of the fact that:

Seanad Éireann:

- recognises that both the Department of Justice and the Garda National Immigration Bureau (GNIB) are taking a pragmatic approach to Deportation Orders in the context of the Covid-19 pandemic;

- notes that the Minister for Justice can and has addressed this issue effectively on an administrative basis, and will continue to do so;

- notes that the pragmatic approach to Deportation Orders will continue for the duration of the Covid-19 pandemic;

- acknowledges this is demonstrated by the fact that since the outbreak of Covid-19 in March 2020, there have only been four cases where a person was deported from the State; and that three of those arose from Deportation Orders issued prior to March 2020;

- recognises that a detailed consideration of all aspects of a person’s case is carried out before a decision is made to make a Deportation Order, including a full consideration of private and family rights in accordance with the European Convention on Human Rights, as well as consideration of their work situation and humanitarian and other issues;

- notes that if a Deportation Order is made, the Order can be amended or revoked by way of a request to the Minister for Justice;

- acknowledges that, for those who are in the international protection process, the objective is to have decisions made on their applications and permission to remain considerations as soon as possible;

- considers that for those not found to be in need of international protection, that when such a person receives a letter informing them that they no longer have permission to remain in the State, they are required to confirm within five days if they will accept the option of voluntary return, for which the Department of Justice will provide assistance;

- further notes that upon receiving a letter, the person is not required to remove themselves from the State within five days – they are merely required to give an indication of their intentions;

- notes that the concept of voluntary return is actively encouraged prior to a Deportation Order being made;

- recognises that time taken for relevant voluntary return arrangements to be made will take into account all factors, including Covid-19 restrictions and limitations to travel this has created;

- acknowledges that for the duration of Level 5 Covid-19 restrictions, the Minister of Justice asked her officials to review the issuing of these letters and no refusal letters, or letters enclosing a Deportation Order, have issued to anyone who have not been granted permission to remain since;

- considers that a properly functioning deportation and returns process is necessary for the integrity of any international protection and immigration system and for the policing of the State's external borders, which are also part of the external borders of the European Union; and that such a process is also important for the functioning of the Common Travel Area;

- acknowledges that the Minister for Justice requires discretion for the removal of non-nationals from the State, particularly where the removal of a person is in the interest of national security or in the public interest;

- notes that the Bill does not take into consideration the fact that a person may wish to return and has consented to the making of the Deportation Order and is cooperating with the GNIB with regards to their return."

I join with others in congratulating the Minister on her great personal news. I wish her well going forward.

Fianna Fáil will support the Government amendment to the Second Reading of the Bill. I commend those who brought forward the Bill, the purpose of which is to provide for a moratorium on deportations from Ireland for the duration of the Covid-19 emergency and for three months following the end of the emergency. While we accept that the Bill seeks to address a genuine issue, the problems it seeks to address would be better dealt with outside of legislation on an administrative basis, as is currently the case and as the Minister outlined.

Between March and October 2020, four people were deported from this country. In each case, the person was deported during a period of low-level restrictions. This demonstrates that the current approach adopted by the authorities on a discretionary basis is being operated with due regard to compassionate considerations in light of the current public health crisis arising from Covid-19 compared with usual levels of deportations for the same period in a given year.

During early March 2020 and in August, September and October 2020, a total of 469 deportation orders were issued, including deportation orders under section 51 of the International Protection Act and deportation orders for those who were otherwise illegal in the State. Of the 469 deportation orders issued during this time, one person was repatriated to their country of origin.

Our objective is to have decisions on international protection applications and permissions to remain considered as quickly as possible. During the early stages of the pandemic, it was decided to issue positive recommendations from the International Protection Office only. This was to ensure that applicants with negative recommendations were not disadvantaged by the time limits set out in the legislation within which to make an appeal or to request a review of a refusal of a permission to remain. As substantive processing and appeal hearings recommenced in more recent months, so too did the issuing of negative decisions. While the number of negative decisions has not increased, there has been a build-up in the issuing of such decisions, with a higher volume than normal issuing in recent weeks.

Ireland provides protection to those seeking refuge from conflict and persecution, as is required under international law. The current system needs to change. We are committed to ending the direct provision system and will replace it with a new international protection accommodation policy, centred on a not-for-profit approach. With 7,700 people in the current system, this cannot happen overnight and will take time to achieve. While we dismantle the current system, we will work to make improvements to the lives of the people living in it. In the short term, the Government has committed to act on interim recommendations from the chair of the expert group to improve conditions for asylum seekers currently living in the system. This includes vulnerability assessments, the right to work, the ability to apply for driver licences and bank accounts, an independent inspection process, measures to reduce the length of time in processing decisions, which is vital, mental health services and the training of managers of direct provision centres.

The five-day timeline set out in legislation must be referenced in correspondence but a pragmatic approach is being taken in this regard, as the Minister highlighted. Furthermore, we note the recommendations of the Day report with regard to extending that period in the context of the ongoing development of a White Paper, which will be produced by the end of the year.

We broadly support the need to suspend deportation for humanitarian reasons during the pandemic, but a blanket suspension would be inappropriate. It could have implications for the common travel area in the context of Brexit, which could impact on relations at a crucial time. In the context of the discretion which is already being applied, this would be unnecessary. It would also remove the right of the State to refuse entry and return immediately or detain for a short period in the interest of the security of the State. I am heartened by the Minister's comments that the compassionate stance already being adopted by the Department will continue. I welcome the enhanced measures that she talked about introducing to help those who need it.

**Senator Barry Ward:** I second the amendment. The words "compassion" and "discre-

tion” have featured particularly in this debate. That is the most important way we can approach this very sensitive issue. In that regard, I fully support the Bill’s aims. It is an entirely meritorious matter to bring before the House. I understand the circumstances behind the Senators’ decision to sponsor this important Bill.

Regarding compassion, Senators Higgins and Ruane mentioned a number of cases. Any one of those cases would cause anybody to think twice over whether we should deport anybody from this country. The process involved causes hurt, upset and anguish among the people subject to deportation. It causes harm to those people. However, it does not mean we should never deport people and I do not think the Senators are saying that either. Of course, in some cases it is necessary to carry out deportations and remove people from the State, even in circumstances where there is an emotional and, on the face of it, good reason it should not happen. It is important to take into account what the Minister said about compassion.

The Government amendment uses the word “pragmatic”. It is important to apply the compassion in a pragmatic fashion if the system is to function at all. As we debate this issue, we know there are major flaws in the system. For a migrant worker, somebody seeking international protection in this country under the International Protection Office, or people coming here under other circumstances, officialdom is a difficult hurdle for them to negotiate. I have been contacted by a number of people who have been delayed, especially because of Covid, in getting their stamps, visas or work permits renewed. It is a problem across the system.

In contemplation of this debate, I contacted someone who lives not far away from where I live, Órlaith Ní Mhadagáin, who is engaged to a foreign national, Jatinder Singh. She contacted me a number of months ago. He was the subject of a deportation order which he had appealed. They contacted me to ascertain when a decision would be made by the Minister’s office on that order. I contacted Órlaith to ask if I could mention her name in the House today. I received the very happy news that they had received an email from their solicitor that the appeal has been successful, and the deportation order has been lifted. I express my thanks to the Minister in that regard.

I hope that is also indicative of the approach her office takes to these issues. A functional, employed, decent person from another country has come here and put down roots, built a relationship with an Irish national and wants to stay here. It is entirely appropriate that he should be allowed to, even if there are good reasons he might be otherwise deported. I hope the Minister’s stepping in to revoke the deportation is an indication of the approach her office takes to these matters. That is also indicated by what she has said in her contribution to today’s debate.

Compassion is a very important element of the aspect of this. With compassion, we must also remember that hard cases make bad law. We cannot make decisions on whether deportations should take place on the basis of the cases where they probably should not. I think it is reasonable to suggest that the cases that have been outlined are definitely cases where a question mark arises. I encourage the Minister, as I know she will, to look at them with a kind compassionate eye, the very one she has been speaking about in her contribution.

The pragmatism and the discretion that these Houses afford to the Minister for Justice of the day to make these orders is very important. The Houses of the Oireachtas have delegated to the Minister for Justice the function of making the decision in respect of deportation orders with good reason. It would be entirely impractical for these Houses to make a decision on any individual application. Nobody is suggesting we should, both from an administrative perspective

and simply because these matters should be outside the realm of politics and judged on their merits. The same compassion we have discussed should be applied to them.

However, notwithstanding the good intentions of the Bill, I have a problem with removing that discretion from the Minister. It is important that we afford the Minister the trust and confidence of the Oireachtas in allowing her to exercise her discretion to make these orders where it is appropriate and where the compassion in the situation has not overcome the reason behind the deportation order. Regarding this Bill, I have great confidence that the Minister, Deputy McEntee, has the capacity, compassion and understanding to make the right decisions on those matters when the time comes.

Section 5 provides that the ban would also be in place for three months after the emergency period. There is a difficulty with not just the removal of discretion but the removal of the discretion after we have come out of the Covid pandemic, and we all look forward to that day. That is not the stumbling block to which I draw the House's attention. The removal of the discretion is a stumbling block for me. Passing the Bill would indicate that we no longer trust the Minister to have discretion in these matters.

One of my councillor colleagues, Baby Pereppadan, has brought to my attention a number of cases of people who are waiting for the Garda National Immigration Bureau to renew stamps and things like that. Many foreign nationals have been greatly delayed in progressing these applications. I have already brought many of these to the Minister's attention. That is also a problem with the process. In the context of those applications, it would be a mistake to remove the discretion from the Minister.

The Immigration Act and the other legislation that have delegated this function must remain in place. I come back to what I said at the start. The two governing principles in this must be compassion and discretion. We have heard about compassion. In her opening contribution on the Bill, Senator Higgins expressed concern that she did not have assurances from the Minister in respect of this. I hope she has now received them. They cannot be binding assurances because that would be another way to remove the discretion from the Minister. What the Minister said in her speech indicates that she understands the importance of taking a discretionary approach to these matters. She looks at the appeals and orders she is asked to make. She outlined the criteria that are considered by her office. I have confidence that the compassion is there. I also say that discretion must be there.

The Government amendment mentions that a number of deportations have not been effected in recent months. For all the reasons that have been outlined by other Senators, we need to consider that. That discretion is very important because it cuts both ways. It is not just a discretion to deport, it is also a discretion not to deport. We must trust that the Minister will have that compassion and we must trust the Minister sufficiently to give her that discretion.

**Senator Michael McDowell:** I welcome the Minister to the House. I listened carefully to her and find myself in agreement with everything she said. Having been in her position for five years between 2002 and 2007, I understand completely the significant difference, as Senator Ward said, between what is available as a statutory power and the discretion as to whether it is used in any particular circumstance. I am sure things have improved since my day, but even back then the voluntary departure regime was ingrained into the system and involuntary deportation was very much a last resort. Every opportunity was given to people to make a case against deportation on compassionate and similar grounds. If we put into law a prohibition -

even a temporary one - on the right of immigration officials to refuse the right to land in Ireland, it would endanger the common travel area and would be the subject of major political criticism to the effect that we were effectively jamming open a back door into Britain across the Border. We must be practical about this. As Senator Ward has said, discretion is the crucial issue here because nobody is obliged to be cruel or lacking in compassion. There is an abundance of compassion for those who are genuinely and bona fide in difficult situations. My experience is that an inflexible iron rule is not applied on the whole question of immigration, the right to remain, the issuing of stamps and the like. There must be an orderly legal process in place and it has to be humanely operated.

I welcome the Minister's comments on the subject of undocumented people in Ireland. It seems inherently undesirable that over an extended period of time, people should live in a society where they are afraid of a guillotine falling on them many years after they ceased to be documented or came to the country in dubious circumstances. The Minister has indicated that 17,000 people could be in such situations, and this may be right or it may be wrong. I encourage the Minister by mentioning that in the 2002 to 2007 period, people availed of a similar scheme, approved by the Cabinet at the time, to get onto a path towards citizenship. I am not exaggerating when I say that virtually every week, a person who was in that category approaches me on the street, in a taxi or just out of the blue, to express their thanks for what that Government did when it provided a pathway so that their situation could be regularised. Although the circumstances were slightly different then - the country was completely unprepared for refugee applications in the volume that existed then - a similar situation had arisen in that there was very significant backlog of seriously compelling cases and the State was simply never going to get to grips with it.

We cannot preach to the Americans about undocumented Irish people in the US and at the same time take a totally contrary approach to undocumented people here. I am not suggesting that anyone who wants to go to the US should be free to migrate just because they are Irish, or *vice versa*. I am saying that there are people in the US - and it is not just the Irish, because there are more Hispanic people who came up from Central America and Latin America - who live in a total shadow world. I thank God that we are nearing the end of the Trump Administration and the way it exaggerated the sense of fear among those people, many years after they commenced their residence in the US. The notion that people should live in fear, darkness and in the shadows of society for an extended period is repugnant in many ways. I stand for a workable migration system, policy and series of laws on immigration, and an effective system. As I mentioned the other day in respect of Senator Higgins's amendment to the Brexit Bill, which dealt with a similar line of country to her Bill today, when all of this messing in Brussels and London is over, I am confident that there will be an agreement. There has to be, because there is a logic to it. The common travel area is a matter of huge importance to us. Those who think we can have a policy concerning migration and immigration which is radically out of kilter with the maintenance of the common travel area are deluding themselves. We will have to live with the fact that there will have to be not an uncritical alignment of laws between Dublin and London, but an approximation of practice in the future, if the common travel area is not to become a serious political problem in the UK and for Irish-UK relations.

I also want to pay tribute to the proposers of this Bill and their obvious compassion, as shown in the cases they have mentioned in the course of this debate. I fully support the Minister's approach, which seeks to preserve the Executive's discretion within a statutory framework, and not to create a situation which I think we would regret. To say, for instance, that

leave to land in Ireland should be guaranteed to everybody who claims international protection, and that this should take place for three months after the end of the Covid crisis, is simply to go too far, and to reduce a Minister's discretion in a manner which would most certainly be abused, if it became internationally known that that was the state of Irish law. I support the Minister's proposal.

**Senator Ivana Bacik:** I welcome the Minister to the House and congratulate her on her personal news. I am glad that I had the opportunity to congratulate her personally. I note that my former Labour Party colleague, Niamh Bhreathnach, writing in today's edition of *The Irish Times*, has pointed out the need for a debate on supports for women in public office. I was first elected when I was pregnant with my second daughter, and I know how glad I was that there were female Oireachtas Members before me who had fought for an Oireachtas crèche and for recognition of the need to accommodate women and men with small children in the Oireachtas.

I thank Senators Higgins and Ruane for putting forward this Bill, and on behalf of the Labour Party, I am delighted to support it very strongly. They have taken a very positive initiative, and it compliments the Irish Nationality and Citizenship Bill 2018 and the Born Here, Belong Here campaign that I have been strongly involved in with Labour Youth and the Labour Party. I thank the Minister for her engagement with me and the Labour Party on that Bill, and I am glad to be meeting with her officials next week.

I welcome many aspects of the Minister's speech and the Government's approach, particularly the Minister's assurance to those who undertake vaccination as part of the vaccination programme that no information gathered as part of that process will be passed on to the immigration authorities. That is an important assurance, given that we have just received such positive news on vaccines. I am also glad that the Minister is engaging with the recommendation of the Catherine Day advisory group to extend the period for people to come back on the voluntary return issue from five days to 30 days.

I am very pleased to hear of the Minister's commitment to the scheme to regularise the position of undocumented migrants, and of her offer to set a process in train for a pathway to legal residency and ultimately to the privilege of citizenship. In our Irish Nationality and Citizenship Bill, we were seeking to ensure that people living here and who have a stake here in Ireland, but who have this dreadful fear hanging over them and face uncertainty around their legal status, would have a pathway to citizenship. I am really glad that we are going to see that scheme announced in the coming weeks and that it will be as broad as possible to cover every eligible undocumented person and his or her family members. I hope that in the course of the introduction of that scheme we will be able to discuss the issue of citizenship fees, which remain very high relative to other EU countries, and, more importantly, we will be able to see a good, robust pathway to citizenship for people here and to fulfil the motivations in our Bill.

Having welcomed those aspects of the Bill, I regret that the Government is seeking to deny this Bill a Second Reading. We will be opposing the Government's amendment. We do not think it is good enough to say that our approach relies on pragmatism and that that is enough for the many people who face the fear of deportation. In many other instances Private Members' Bills whose intentions have attracted general support have been subject to amendment by agreement with the proposer. I am sure the proposing Members will also be open to amendment in this case. The Bill is modest enough in that it only seeks to tie discretion for a temporary emergency period. That seems very reasonable to me.

I note the figures other Members have pointed out. I am glad to hear that only four people have been removed from the State since St. Patrick's Day. That reflects a compassionate approach. However, 469 deportation orders were issued between the outbreak of the pandemic and the end of October. Every one of the 469 recipients will have experienced a great deal of stress, anxiety and insecurity as a result of these orders, even it has not translated into actual deportation in his or her case. This does not reflect the number of persons who have taken the option of voluntary return, which can sometimes be less than voluntary. The figures mask this issue, as well as the stress and fear involved. Perhaps the Minister could comment on that.

Many of us have been contacted by individuals who have received deportation orders, especially this year. I have written to the Minister on behalf of several people, particularly Mr. Benjamin Akhile, who has been resident in the country for 14 years. He fled Sierra Leone many years ago. His partner has been an activist for many years. A good deal has been written in the press about him, including in *Hot Press*. He has been received a deportation order and has been ordered to leave the country by 10 December. A petition calling for revocation of this order has more than 21,000 signatures. This is one person who has been subject to real fear, substantive uncertainty, stress and pressure as a result of the receipt of a deportation order. Many others will also have experienced the same things.

During the course of the pandemic there have been real concerns about threats of deportation of front-line healthcare workers. In November approximately 160 people in direct provision were working in the healthcare system. We must be conscious of the fact that sectors which are significantly populated by migrant workers, including undocumented migrants and asylum seekers, have carried extremely high levels of risk during the pandemic. In November, two healthcare workers working in nursing homes were instructed to return to Zimbabwe. While the number of actual deportations has been low, people on the front line in healthcare have received deportation orders, which cause such uncertainty and stress. In May, my Dáil colleague, Deputy Sean Sherlock, called on the Government to regularise the status of all undocumented front-line workers during the Covid-19 crisis. I wish to repeat his call. At a minimum we should make a commitment not to deport those working on the front line in this way.

Regarding the Government position, I wish to refer to pragmatism. It is not enough for someone who has been working on the front line and has received a deportation order to be told that a pragmatic approach is being taken. In comments in the Dáil on 18 November, the Taoiseach, Deputy Micheál Martin, expressed his surprise at hearing about people being deported during the pandemic. He stated the view that persons should not be deported to countries with a high incidence of Covid-19. I understand that some removals from the State this year were to Brazil, where in some regions extremely high numbers of people have contracted the virus. Many of those issued with deportation orders since the start of the pandemic come from other countries with very high levels of transmission. In May, the United Nations Network on Migration, endorsed by the United Nations Children's Fund, UNICEF, called on all states to suspend forced returns during the pandemic. The appeal stated that such removals increase the exposure of very vulnerable populations and place additional strain on countries of return. It noted that at a humanitarian level, such returns exacerbate trauma and oppression. It is well worth emphasising that message.

Some commentary has suggested that a more generous approach to citizenship, the suspension of deportations and so on might be open to abuse. The figures on naturalisation and citizenship applications remind us that the scaremongering about abuse which we saw at the time of the 2004 referendum is not borne out by the reality. In my office, Ms Chloe Manahan has found

the data on naturalisation of minors which was not available to us during last week's debate on the Irish Nationality and Citizenship (Naturalisation of Minors Born in Ireland) Bill 2018. The number of people applying for citizenship through naturalisation has declined steadily since 2012. The share of EU nationals among new Irish citizens has increased from 4% in 2011 to 49% in 2018. The number of applicants from the UK has increased sevenfold since the Brexit vote. These figures show how immigration debates in Ireland are distorted by those who might prefer to be ungenerous in our approach to immigration. Research by the Economic and Social Research Institute, ESRI, shows that there were only 76 applications for citizenship by naturalisation on the grounds of birth in 2018. We need to be cognisant of the real figures when we speak about issues pertaining to citizenship and migration. I know that many people who are very vocal on this issue are, unfortunately, very ungenerous. We need to challenge their views.

I will finish by appealing to the Minister. In light of humanitarian considerations, the common good and international imperatives around Covid-19, it would be intuitive and sensible to bring in a temporary ban in line with the Bill proposed by Senators Higgins and Ruane for the duration of the pandemic. I look forward to engaging with the Minister and her Department on citizenship issues and pathways for undocumented people.

**Senator Niall Ó Donnghaile:** I welcome the Minister and congratulate her on her recent personal news.

I am sure the Minister will concede that it is very unusual for us to debate an amendment to legislation, especially such a significant and substantial amendment, on Second Stage. I do not question the Minister's personal bona fides on this issue for one second. However, like other colleagues I think that engaging with the proposers of this Bill and allowing it to progress to the next Stage would have been a much more positive and collaborative approach.

Sinn Féin will be supporting the Bill proposed by Senators Higgins and Ruane. The people of Ireland, North and South, have a good idea of what it feels like to live in a state of fear for one's life and the lives of family and friends. It is fair to say that we have all been living in very uncertain times. We have been uncertain about our health, our financial security and our futures. All of this is a result of the impact of Covid-19 on each of us personally and on our families and communities. The majority of the people in this uncertain state come from settled backgrounds and have an array of support mechanisms and resources. State, family and friends are available to soften the impact of the virus on us. Even with this welcome and necessary support, we are still on edge. Can the Minister imagine having to deal with all this pressure as a foreign national, perhaps unable to speak English fluently, trying to adjust one's day-to-day life to the streets of an Irish town hundreds or even thousands of miles away from home? That is the reality for many of the people this Bill seeks to protect and help. Those of us in this Chamber must remember when we comment on this Bill one way or the other that we are dealing with the lives of people just like us. That sentiment has been reflected in the debate thus far.

It is important that in our overarching approach to this we remember the human stories and get to know the human faces. Many of those whom this legislation seeks to protect are undocumented. Many are working on our front line, assisting in the Irish effort to combat the pandemic. They are assisting people here. They are seeking to make Ireland home and to contribute, add and give. We rightly want our own undocumented throughout the world to be protected and defended. We correctly laud the value the undocumented Irish bring to their new homes. That is precisely why as elected politicians, we argue, campaign and lobby for them to be allowed to stay where they are.

The Minister has said that her Department and An Garda are taking a pragmatic approach to the enforcement of deportation orders during the pandemic. I am glad that deportations have almost stopped during the pandemic and I acknowledge this step on the part of the Department. However, as other Members have noted, four people were deported to Brazil, a country with quite stark levels of Covid-19 infection. Almost 500 deportation orders have been issued during this pandemic. Those people with deportation orders hanging over them are in a very distressed state. Like us all, they are managing the threat that Covid-19 poses to them and their families, and we all know the mental pressure that brings. In addition, they are also dealing with the pressure of facing deportation. The Minister should ensure that the Department adopts not only a pragmatic approach to this issue, but also a humane one. For the duration of the pandemic, the Department of Justice should stop issuing deportation orders and no one should face deportation. This emergency situation requires understanding, compassion and solidarity. Having reflected on some of the contributions thus far from across the Chamber, there have been instances here where we have had no problem in pushing emergency legislation, which may have repercussions later, through all Stages in this House because we acknowledged this is an emergency situation and we are in exceptional times.

We have all taken decisions and voted for legislation and proposals which have come before us, which in any other circumstances we would have preferred to have approached in a much more nuanced, detailed and comprehensive way. Given that the proposal outlined by Senators Higgins and Ruane is a temporary moratorium, it should be adopted and adhered to by the Government. That is not to dismiss anything which my colleagues opposite have said regarding the Minister's discretion. These are exceptional times, we all acknowledge that, and they require exceptional decisions. Implementing this legislation would be a clear and sure way for this Government to show the understanding, compassion and solidarity to which I referred earlier. *Tacaím leis an mBille atá leagtha os ár gcomhair ag na Seanadóirí Higgins agus Ruane.* I support the Bill.

**Senator Catherine Ardagh:** I thank the Minister for coming to the House and I congratulate her on her good news. I commend the Civil Engagement Group for tabling this Private Members' legislation. It is probably one of the first times we have had the start of a meaningful debate on immigration in this House and we must have many more debates like it. I refer to immigration and its impact on us as an island and a member of the European Union.

Most of us are familiar with the asylum process and the subsidiary protection process. We all also know that deportation orders are issued as a last resort, after leave to remain is refused. As the Minister pointed out, leave to remain continues, even when a deportation order is hanging over someone's head. Many of us, however, have people ringing us when a deportation order is served on them, and they are often in major distress. A gentleman rang me to say he had been served with a deportation order. On the basis of being served with the order, he was not returning to the place where he was living. He was not going to return to the reception centre because he had witnessed scenes which may not have stemmed from the issuing of a deportation order. I refer to members of An Garda Síochána being present to deport someone. The man who spoke to me, with his lack of English, thought that receiving a deportation order was going to result in him being immediately deported.

I am glad, therefore, to have heard the Minister intimate that she might change the language of the form so that it is clearer for people and that the recommendation from Catherine Day would be taken on board to extend the process for voluntary leave from five to 30 days. We may need to consider how deportation orders are couched and the language used in such orders,

and put more supports in place for people issued with a deportation order. I state that because many people when served with such an order go off the radar. I do not like to use this term, but if they are caught up with, that goes against them. It is unfair and people are only acting in that way because they are scared.

I commend the Minister. All last term, I was jumping up and down here regarding the failure of the Burgh Quay offices of the Irish Naturalisation and Immigration Service, INIS. On several occasions, I mentioned that bots were used to block-buy appointments on the Internet and those appointments were then resold to vulnerable immigrants. I am glad, therefore, that the Department is going to put major investment into the online services in Burgh Quay. Anecdotal, we are already hearing that there have been large reductions in applications for visas, stamp 5 certifications and citizenship. People no longer have to queue for days outside Burgh Quay because of what I thought was some sort of administrative racism. I refer to people being on the streets queuing when their visas were up. It was very unfair and we would not have treated our citizens like that, so I am really glad that we are getting ahead of ourselves regarding the upgrading and extensions of the Burgh Quay offices.

I presume that for all of us here, it is great to hear that the Minister is putting a programme in place to legalise 17,000 migrants. The Minister must be commended on this radical step. Websites on the right, such as *Gript.ie*, have been appalled by this move, but it is very much the right thing to do. As Senator McDowell said, if we talk about undocumented Irish migrants in the United States, we must put our money where our mouth is and follow suit in dealing with this issue. I was delighted, therefore, when I saw that this action was going to be taken.

I also agree with my colleagues regarding the vaccination programmes. Portugal has granted immigrants full citizenship rights during the pandemic, which allowed them access to health-care and other rights to which citizens are entitled. I do not know if this is something the Minister's Department has considered, but I would know if it has been. I thank the Minister. I will not be supporting this Bill. I will be supporting our amendment instead, but I thank the Civil Engagement Group for bringing the legislation before the House.

**Senator Sharon Keogan:** I will be supporting this legislation. I congratulate the Minister and Paul on their great news. My issue concerns the roughly 200 unaccompanied minors who come into the country every year. What happens to them? I am not sure what we can do about this situation, but I sometimes have the privilege of looking after these children when they arrive at Dublin Airport. They come into my home. Hearing a child who is arriving without a parent in a strange country and into a strange house, wailing and crying for his or her parent or parents and other loved ones they have left behind in another country is possibly the saddest thing anyone can ever go through.

What happens to those children then is that they end up being taken by Tusla into the care system. Some of those children may stay in the care system, even without having any legal status, when they turn 18 years old and go into direct provision. Some social workers do take out international protection orders for the children but some do not. My concern is for those children and to be a voice for those children who are basically without any status here, despite having been here for perhaps the last ten or 12 years. They might have come here when they were four or five years old, having been put on a plane that arrived here. That is despite the fact that we have no direct flights to anywhere in Africa. When those children turn 18 years old here they do not have any status. That is an issue the Minister might need to look at during her time in office and I would like her to look after those children who have no status.

**Senator Frances Black:** I will be sharing my time with Senator Flynn, if the House agrees.

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

**Senator Frances Black:** I welcome the Minister to the House and I also congratulate her on her wonderful news. I am very proud today to co-sign this legislation with my colleagues from the Civil Engagement Group. This Bill provides proportionate protection to the 469 people who have received deportation letters in the midst of this Covid-19 crisis. This legislation accurately recognises the threat of Covid-19 to the most vulnerable members of society, which undoubtedly include those 469 people who are subject to deportation.

In the current climate, it is accurate to state that the forcible removal of persons residing in the State to foreign jurisdictions has the potential to be detrimental to global public health.

3 o'clock There are compelling public interest reasons to discourage the unnecessary movement of people to outside the State insofar as possible in order to reduce the spread of this virus. In unprecedented times, we must embrace emergency change. We have no choice about it. There is no doubt that it is an emergency period. This is terrain we have never before crossed and it does require an emergency response.

The amendments to the Acts mentioned in the Bill are absolutely necessary to attune to the current global state of health. The amendment to section 51 of the International Protection Act 2015 through the insertion of section 51A as proposed in the Bill is a reasonable response to the emergency. It proposes an extension to the current requirements such that the Minister shall not make a deportation order under section 50, which deals with the prohibition of *refoulement*. The amendment is essential as it recognises the severe risk Covid-19 poses to the life and freedom of persons subject to deportation, making it reasonable grounds for prohibition of *refoulement*.

Aside from all of that, there is a need for these legislative amendments on a more human level which all speakers have addressed. I too have received many letters on the matter, particularly given my work as a therapist. One tends to get phone calls from people who are in unbelievably stressful situations. They have made lives here for themselves and are absolutely terrified of being separated from their family. That fear which keeps them from sleeping at night is just beyond anything anyone in this Chamber could ever comprehend. I shudder to think of that experience in the face of the global pandemic in addition to the obvious risk inherent in the movement of people to outside the State.

The Bill follows a necessary route of compassion and understanding and would mean that nobody should have to experience deportation at a time when travel seems so deeply unsafe and threatening. We must have regard for the constitutional duty of the State to respect, defend and vindicate the rights of persons to life and bodily integrity. That said, I believe the Bill is a proportionate response to extraordinary times and will act to prevent, minimise or reduce the risks of persons being infected with Covid-19.

**Senator Eileen Flynn:** I thank the Minister for addressing the House. Although many Senators congratulated her on her pregnancy, I did not hear any of them using the word “pregnancy” in so doing. I offer her a big congratulations.

I listened to the Minister and certain Senators speaking about the risk of supporting the Bill. I am everything but naive; I understand the risks in this area. For me, the Civil Engagement Group is not seeking to address those risks in the Bill. What we are asking is that, in these hor-

rible and nasty times, kind measures be put in place for undocumented people such that they will not be faced with deportation orders. There have already been 469 people issued with deportation papers since March. We are seeking to prevent that from happening. There is enough going on for people at present, especially migrants.

We must remember that when we talk about deportation we are talking about people with lives, families, hopes and dreams. We must also remember that we are still in the grip of a global pandemic. The Government is forcing these people to leave and to travel during a pandemic. We must remember the terrible incident about which other Senators have spoken, that is, the two women healthcare workers who got deportation letters. For the information of the Minister, the deportation letters state that one must present oneself to the centre. I hope we are all clear on that. Many Senators spoke out against the injustice of those two healthcare workers being sent letters of deportation.

I hope we can count on the Government to stand with us. We are all clear that it is not supporting the Bill as it stands, but I hope it can look at this not on a political level, but on a human level in terms of asking people to travel outside the country. The Government tells me not to travel from Donegal to Dublin, yet it is expecting people to travel to other parts of the world. If we are serious about stamping out this global pandemic, we must look at deportation. There is no reason deportation cannot be suspended during the pandemic and for three months thereafter. It would be the right thing to do. The Civil Engagement Group, and Senators Ruane, Higgins and Black in particular, put this Bill forward because it is the right thing to do.

Senator Ruane spoke about a woman living in dire accommodation and going through a horrible experience in the middle of Irish society. That is not acceptable. We have to show a sense of solidarity with the thousands of undocumented healthcare workers who have given their services to us daily during the pandemic. The least we can do is to stop issuing deportation papers during the crisis and for three months thereafter.

**Senator Paul Gavan:** It is good to see the Minister. I wish her well. I wish to speak on the Bill because I feel quite passionately about it. It is a terrific initiative on behalf of the Civil Engagement Group and it deserves our support. It shows the flexibility and agility that we need to employ in these very precarious times. The intent of the Bill is to bring some compassion into how we treat migrants while the globe is in the middle of a once in 1,000 years pandemic. The Bill is compassionate, it respects health protection measures and it is practical. It is not intended as a long-term policy change to immigration legislation, it is simply putting protections in place that will last only for as long as the emergency legislation dealing with the pandemic is in place. It recognises the worldwide situation we are in. These unprecedented times require us to approach things differently and, most importantly, to treat people differently. The Taoiseach stated in the Dáil last month that he would not like to see anyone deported to countries that are badly affected by Covid-19.

Looking at the matter from the perspective of health protection for all those involved, continuing deportation orders does not make any sense. The current Government policy is that we should not undertake any unnecessary travel because travel is deemed a risk. That being so, why would we consider putting migrants at risk at this time? The Bill wishes to put a legal protection in place where there is none.

If a deportation order is issued, the only appeal mechanism currently available is that of judicial review. My understanding is that no legal aid is available in that regard at the moment.

Asylum seekers have 28 days to take a challenge through a judicial review, which is a very limited time.

The Minister asked her officials to review the practice of issuing negative international protection decisions. The response of the Government to the Bill is to make a statement that the Department is taking a pragmatic approach and that deportations are very few. That is acknowledged, but it is an informal arrangement with no legal basis. This situation could change any day or hour. If the Government really wants to do this, it should support the Bill and amend it if necessary on Committee Stage. The Bill will give legal security and certainty for immigrants facing deportation during these difficult and uncertain times. It will allow us to treat people with compassion in unprecedented times.

In my work as a representative of Sinn Féin on the Council of Europe, I have been faced directly with the horrendous migration crisis right across Europe and the horrendous response to it in many cases across the European Union. We hear so much in this Chamber about European values. That is not what I witness when I attend Council of Europe meetings when it comes to issues of migration, the behaviour of Frontex in getting involved in illegal pushbacks, which has been well documented at this point, or the immigration detention of children. I myself saw first-hand children in cages in Hungary two years ago. There are the horrendous deals done with Turkey. Europe is literally turning itself into a fortress.

I ask the House to think for a second of the signifying power of our Government saying we will not deport anyone during this crisis. I ask the House to think of the opportunity to send a signal to Europe to raise its standards and to do more. This Government and previous Governments need to do more because our record on bringing in migrants in terms of numbers is just not good enough. I know it may not be politically popular to say that, but it is important we all say it and recognise it. I ask the House to consider the crisis in Greece and the crises in other countries throughout Europe and the huge numbers of desperate people in the most desperate of circumstances. This country has not responded sufficiently in that regard. We could, however, send a powerful signal today, just as migrants are being treated appallingly across the borders of Europe, to say we will not deport anyone during this crisis. It is in the Minister's power, and I appeal to her to think again. I recognise the good things she said in her speech, in particular her point about the 17,000 people who, it is hoped, the Department will regularise. That is very significant and needs to be recognised, but we need to do more. The Minister has the opportunity to do more today because of this Bill, and I urge her and her colleagues to think again.

**Senator Alice-Mary Higgins:** Senator Gavan has made a very strong point. This is an opportunity to send a very strong and positive signal that we are listening to the message from the UN, as discussed earlier, that there should not be forced returns during this time. It is an opportunity to send a signal of intent as regards best practice which, it is hoped, would have effects elsewhere and internationally.

Returning to Ireland and the situation here, it was mentioned that hard cases make bad law. I always refer to the alternative formulation, "bad law makes hard cases". There are a lot of problems with our law. The Immigration Act and the International Protection Act both have significant issues. There are huge problems at a European level with some of the practices we have condoned and our relationships with various countries as regards immigration control agreements. Much needs to be done as far as the undocumented and unaccompanied minors are concerned, as others have discussed during the debate. All these issues really need to be addressed, and I hope we will be able to address them robustly.

The issue before us now, particularly as it relates to deportations during Covid-19, needs to be very robustly addressed. The Minister indicated that she hopes a strong and unified message will go out. I will be clear. I would like the language in the Government amendment to be stronger. I heard the points she made in her speech. It would be good, aside from those points, if there were some other way a public message, signal or statement might be made. While the word “compassion” was used in the debate, it is not in the Government amendment. The word in the Government amendment is “pragmatic”, which does not give assurance to people when we consider the case, referred to by Senators, of somebody who is due to report tomorrow. I am aware of that case too. People have referred to other cases. I have written to the Minister about particular people - artists, dancers and others - who have been directly affected. To be told, “Do not worry, we will deal with you pragmatically”, does not give a sufficient sense of satisfaction. I hope the Minister will indicate that she will exercise the powers she mentions in her motion - for example, her powers to revoke or amend deportation orders. It is really important that people get letters. Those 469 people have received letters - and they are letters, let us be clear. They do not read “please check in”. They read:

For the purpose of ensuring your Deportation from the state pursuant to the Immigration Act 1999 as amended. You are now required to present yourself ... [to the GNIB].

The letters also state that if the recipient does not comply, he or she may be arrested and detained without warrant. That is the concern people have. These are the letters they have received. They need really clear communication. We might be satisfied to hear there may be a pragmatic approach, and we might read into that what we will and hope it will mean what we wish it to mean, but it needs to be very clear. I note at the very end of the Minister’s speech that she mentions that deportations would be carried out only in exceptional circumstances such as situations involving the security of the State and so forth. I really hope, however, that this could be conveyed even more firmly.

Could we also have clarity on the policy of only positive decisions being issued? Again, I believe that is the Minister’s intent and, from engaging with her on this process, I think that is where she is going. I note, however, that the language of the amendment, and even some of the language in the Minister’s speech, does not quite give us as much as we should have on this. I want this to be clear to people, and I would like the Minister’s clarity and the compassion she clearly has to be reflected on paper, even in the communications received by those facing deportation orders. They should get a reassurance and a signal in that regard.

Members have spoken about the suspension of deportations for three months. This was to allow for the fact that while we might move out of a health emergency, other countries may still be in one. We have seen, unfortunately, that the roll-out of the vaccine may not be equal in every other part of the world. The suspension is to allow for a period for principles such as *non-refoulement* to be reconsidered if necessary in the context of the global pandemic. That is why we had left a lagging period while still ensuring there is a sunset clause.

I hope Members will consider supporting Second Stage of the Bill and again appeal to them to do so. Of course, we would always be open to amending the Bill as it progresses. If not, and if the Minister must - and perhaps she must - move forward with the Government amendment, I hope she might be able to give us some supplementary and further supports. I hear her and understand from what she says that she does not intend to issue more deportation orders or to deport persons except in exceptional circumstances. That is my understanding from what I have heard from her. Again, perhaps we could find ways to make sure that this is conveyed to

*Seanad Éireann*

the people who matter most and the people most affected.

Amendment put:

The Seanad divided: Tá, 30; Níl, 13.	
Tá	Níl
Ahearn, Garret.	Bacik, Ivana.
Ardagh, Catherine.	Black, Frances.
Blaney, Niall.	Boylan, Lynn.
Burke, Paddy.	Flynn, Eileen.
Byrne, Malcolm.	Gavan, Paul.
Carrigy, Micheál.	Higgins, Alice-Mary.
Casey, Pat.	Hoey, Annie.
Cassells, Shane.	Moynihan, Rebecca.
Crowe, Ollie.	Ó Donnghaile, Niall.
Currie, Emer.	Ruane, Lynn.
Daly, Paul.	Sherlock, Marie.
Dolan, Aisling.	Wall, Mark.
Dooley, Timmy.	Warfield, Fintan.
Fitzpatrick, Mary.	
Gallagher, Robbie.	
Garvey, Róisín.	
Keogan, Sharon.	
Kyne, Seán.	
Lombard, Tim.	
Martin, Vincent P.	
McDowell, Michael.	
McGahon, John.	
McGreehan, Erin.	
Murphy, Eugene.	
O'Reilly, Joe.	
O'Reilly, Pauline.	
O'Sullivan, Ned.	
Seery Kearney, Mary.	
Ward, Barry.	
Wilson, Diarmuid.	

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

Amendment declared carried.

Motion, as amended, put and declared carried.

9 December 2020

*Sitting suspended at 3.33 p.m. and resumed at 3.51 p.m.*

## **Annual Transition Statement on Climate Action and Low Carbon Development Act 2015: Statements**

**An Cathaoirleach:** I welcome the Minister to the House and thank him for coming in to discuss his very important issue. At one stage during the debate on climate change in 2015, the Pope said it was the most serious threat to humanity. That same week, the Pentagon stated that climate change was a greater threat to humanity than global terrorism.

**Minister for the Environment, Climate and Communications (Deputy Eamon Ryan):** I read at the weekend that the Pope's Christmas reading list includes Kate Raworth's book *Doughnut Economics*, which is about how the transition to a low-carbon future will transform not just the environment but also our society and our economy for the better. I look forward to seeing what he reads after that.

I recognise that what we are discussing today is the assessment of 2019 and not this year's emissions. We are looking back historically, due to a variety of reasons, including the Covid crisis and the fact we did not have a Government from February to June. The former Minister, Deputy Richard Bruton, introduced the transition statement in the Dáil in June but this is the first opportunity the Seanad has had to discuss it. Due to the timing, we are looking at a 2019 annual transition statement. It is a useful opportunity to assess where we are. I will give my perspective in a few brief comments that will only really scratch the surface of where we are going.

We should first acknowledge the league table published the other day by Germanwatch, which is a significant and leading international NGO. On the issue of environment or climate, we were not exactly where we would want to be out of 57 countries, although we have improved. We had previously been the absolute worst in class at the very bottom. In recent years we increased somewhat to 41st out of the 57 and then increased again to 39th. The main reason we have not improved further is that our emissions trajectory has yet to decelerate. We have yet to see the reductions we need to make but that is about to change, for a variety of reasons. Even the details of that Germanwatch study acknowledged that we would jump 11 points if there was a league table in the category of policy development. It is now up to us to convert that into action and emissions reductions for the good of all our people, the country and the wider world.

It is possible to do that for a variety of reasons but primarily because there is political consensus that this is something we are going to do and should do as a country. That consensus is critical. When we have broad consensus in this country on our strategic direction we can be very effective in making a change. In the 1950s and 1960s we changed from a closed economy to an open economy because there was agreement on that strategy across the board in the public service and the political system. In the two or three decades after that, when we had a stable political environment around that consensus decision, we joined the European Union, invested in education and set up foreign direct investment systems. That worked. We became a very successful open economy. What we need to do now is convert from an unsustainable economy to a sustainable one. It will take us two or three decades of similar stability in order for each successive Government to advance the decisions we need to make to get there.

Some of the decisions we have already taken in the past two or three years give me hope.

Four years ago we decided to set up a Citizens' Assembly on climate change. That process was hugely successful, very well researched and well presented, as was the analysis, and the hundred citizens who participated came back with radical measures that would set us on the right course. That was followed by the establishment of the Joint Committee on Climate Action, where a good number of Senators and Deputies from the previous Dáil and Seanad played a critical role. With that committee, we took the recommendations of the Citizens' Assembly and turned them into a climate action plan of real scale and ambition. The NGOs widely acknowledge that. That, in turn, influenced the then Minister, Deputy Bruton, in the drafting of his 2019 climate action plan. While that plan was not ambitious enough and there are things in it I would criticise, I must acknowledge that it was still a quantum leap better than anything that had gone before. The plan before that one, the mitigation plan from 2017, has rightly fallen foul of living up to the ambitions of the 2015 climate Act in the courts system. Now we have a new Government and the proposal is to almost double the ambition contained in that 2019 climate action plan. We will look for at least a 7% per annum reduction in emissions, on average, over the next ten years and radically transform our economy and society in the process. I believe that is possible and that it will benefit our country and all our people.

Our current political environment will help us deliver this change. I am following this from a distance because I am not directly involved but the current Joint Committee on Climate Action is doing similar good work in assessing the Climate Action and Low Carbon Development (Amendment) Bill 2020, which was published within the first 100 days of the Government. A number of commentators have said it needs to be strengthened in a variety of ways. I do not have a problem with that. Looking at legislation and, where necessary, changing language and considering alternative provisions and powers is part of our deliberative process. It is up to the committee to decide but I imagine it will publish its report at the end of this week or early next week and I look forward to responding to it in due course. It will probably be early in the new year by the time we manage to get the Government to come back with amendments, which I hope will reflect as much of the committee's report as possible.

I will summarise some of the key strategic choices being made, which will be necessary to meet this higher level of ambition, in descending order from where there is real agreement in the energy sector. There is agreement right across the political spectrum and among all parties that we need to switch to a renewable energy future. We must use that renewable electricity to power our transport system as well as heat our homes, and couple the development of renewables with real investment in energy efficiency by retrofitting at least 50,000 homes a year. In developing renewable power, we must also seek to develop solar power and offshore wind power at scale. There is some 35 GW of renewable power in offshore wind that we could tap into. We are on the path towards at least 70% of our power coming from renewable electricity by the end of this decade, which would put us at the forefront and cutting edge of what is possible.

However, there are things we will have to get right. I was talking to Senator Garvey when coming in here and I acknowledged that we have to learn from the mistakes being made with the location of wind farms. We must consider upland bogs in particular, given the environmental effects of bog loss damage we saw for the second time recently. I do not want to go into the details of any particular project but it is something to which we have to be attentive. We have to be attentive to the local environment and to public support. We do not want to cover the country in windmills but we will do it in a way that is co-ordinated and looks after our wider environmental objectives. I believe that is possible. Not only is wind power important for its own sake as an industry but the comparative advantage we have in low-cost wind power can deliver us a

competitive advantage for industries in other areas, particularly in parts of the country that may have previously found it difficult to get investment.

If we can locate the users of that power close to where it is going to be generated, then that could have significant benefits for balanced regional development. In the future that will be on the periphery of the country along the north-west coast, the west coast, the south-west coast and in the south east.

We could refer to myriad other projects. We have failed to date to develop solar power. Despite thinking and talking about it for the past several decades, we failed to support people to generate their own power. That needs to change, and it is starting to change. We  
*4 o'clock* saw the recent auction for renewables. We have the first seven community energy projects. We must expand that and go as far as we can in the direction of community ownership. In the new year the Government intends introducing a consultation process on the ability of people to generate their own power and to sell it from their own rooftop, business or house. I hope to have that in place by next summer. I could go on. There are myriad energy projects that we can and will deliver and that will help us to meet our targets.

The second area where we have had greater difficulty, and the figures for 2019 show this, is reducing transport emissions. In fact, they have been increasing significantly and now account for 20% of our overall emissions. The outgoing plan for 2019 is not ambitious enough in the area of transport. It cannot just be about switching from combustion vehicles to electric vehicles. We must change the entire transport system for the better. The motive for that is not just decarbonisation, it is also for a better society, better planning, and tackling the housing crisis as well as the climate crisis. The Government sets out the provision for this direction in terms of a switch towards public transport investment because that gives us the opportunity to have what we call transport-led development, where new housing is close to a high-frequency, high-quality public transport system. We must make that decision now and make it very clear that is where our investment is going in transport so that the development plans around the country in the coming months are steered in that direction and that developers and local authorities know that is where we need the emergency housing to go.

The national planning framework, which was produced in the previous Oireachtas, gives us the correct approach. It is about developing back towards the centre. It is also perhaps about using the Covid crisis – Lord knows when it will end – to build back better when we come out of it and develop the concept of the 15-minute city, town or village, where resources are all close together and they are accessible by active travel in a new form of urban design. This can apply to rural villages as much as it applies to cities. It is about changing everything.

It is also about changing the way all roads lead to Dublin and the excessive development of Dublin. A total of 90% of roll-on, roll-off freight traffic comes from Dublin Port. That is not balanced. Similarly, 90% of all air travel is through Dublin Airport. That is not balanced. Some 50% of new houses in 2019 were built in the counties surrounding Dublin, which could only be accessible by largely unsustainable transport systems in and out of the city. That is not sustainable, and it needs to change. We will do that by making sure some of the investment in the 2:1 ratio in favour of public transport goes into urban transport systems in Limerick, Cork, Galway and Waterford so that we get better balanced regional development. We will get a lower carbon solution, but we will also get a better economy and we will better implement the objectives set out in the national planning framework. That is going to be contentious. Whatever we are building, it is always difficult to get anything through planning. The BusConnects

project in Dublin is going to be difficult. The metro project in Dublin will be difficult. Planning is always the element that takes the longest, but I believe we can get it right. It will also be contentious because some people will say they want the motorway rather than the railway. That is one of the critical decisions we must start making. As I stated, it is not enough to switch to electric vehicles, it is about designing our life so we can travel less, and that we have services closer to hand.

A critical element is the significant investment the Government is now committing, which is 20% of overall capital spending on transport on active travel, walking and cycling. Unless we get that modal shift, where we are matching what is going on in Holland, Denmark and elsewhere, we will not reach our climate targets. It is that scale of change that we are seeking and the benefits in health, efficiency and social life because the transport systems that apply are available for everyone.

I hope I am not speaking for too long, Acting Chairman. I want to cover what is a very wide area. I wish to refer to agricultural land use. Today, the Minister for Agriculture, Food and the Marine published Ag-Climatise, which is its summary of the provisions it was implementing in the previous climate action plan. That is not the limit of the ambition that will be required. I sent our national energy climate action plan to the European Union in July. I said they were the measures we introduced with a view to meeting the 2019 climate targets, and we will be coming back with further ambition in 2021 and that they were only the interim measures we have agreed in that direction. Similarly, the Department of Agriculture, Food and the Marine today has outlined the measures Teagasc and others advised to meet our 2019 target, but in the first six months of next year we will have to go significantly further so that agricultural land use elements play their key part in meeting the climate change targets.

One of the most important elements within the Government's climate work is the development of the land use review. It is a top-down review of how we are using land in the country to help us direct not only how we decarbonise, which is critical, how we manage our bogs, what sort of forestry we have and where, what type of farming we have and where, but also how we restore biodiversity. We must tackle the biodiversity crisis and the climate crisis together. The land use review plan must map how we reverse the destruction of nature that has taken place over the past five decades and longer. It must also take into account what we need to do to restore the pristine water systems. In the 1980s, 500 of our river courses were in pristine quality condition and that has reduced to 20. We all know that must change. If we do not get the water quality right, then insect life and other ecosystems are not right, and we are dealing with a degraded and depleted natural world. The land use plan must map that. In doing that, it can map what we might do on flood management. Managing forestry and the re-wetting of bogs may be a more effective, efficient and better way of managing the flood risks than just engineering solutions. We can use nature to help us tackle a whole range of different problems that face us at the one time.

Critical in any land use plan is the social part of it. It is the planning and modelling of where young people are going to get jobs in the future in rural areas. We must look at how we can give a guarantee that in the provision of services such as clean water, greater biodiversity, and a decarbonised system with high quality genuinely Origin Green food, we can pay young men or women in their early 20s to get a good income, raise a family and have a good home in their community in a rural area over the next 30 to 40 years because this is the way the world is going. This country and the European Union will pay for the skills and ability to work with nature and the use of nature to help us solve problems. That is going to be critical.

We will not start by telling farmers what to do. A land use plan is not there to say one must grow this in that field, it is about saying we want to support farmers and we will listen to them and ask them for help and suggestions about what they think will work. We will tap into the co-operative instinct that exists in Irish farming for centuries, which we are going to be good at in this decarbonised future. The land use plan is critical in terms of where we need to go. What we are doing is in tune with what the European Union is saying.

The multi-annual financial framework will be considered at the European Council meeting tomorrow. My understanding from my European colleagues is that the key issue will be to make sure that 30% of the overall multi-annual financial framework budget goes to decarbonisation, not just the recovery and resilience fund, but the main budget. In order to meet that target, the CAP will significantly change too. In the next year we also need to tie it in to agreements in the United Nations Framework Convention on Climate Change, UNFCCC, process in how exactly we measure land use emissions. We must start to get credit for the work we are doing in restoring the bogs in the midlands. We must start looking to do the same right across the country.

The first question we asked at the Citizens' Assembly four years ago was how we can go from being laggards to leaders. This is the way. Biogenic methane counts, and it must be counted.

Let us count it in a way that allows us to get credit when we have a really sustainable agricultural system that is good on animal health, and more family-farm oriented rather than industrial lots. We can be good at this. We can address the three objectives of ensuring we have a successful and thriving Irish agricultural system with a healthy environment, and a situation where Ireland goes to the top of the league table that is published every year by Germanwatch rather than sticking where we are at the moment in the bottom half of the league.

**An Cathaoirleach:** I thank the Minister for his very insightful overview of the challenges that lie ahead of us all.

**Senator Alice-Mary Higgins:** I would like a copy of the Minister's statement.

**An Cathaoirleach:** The Minister was ad-libbing.

**Deputy Eamon Ryan:** Press rewind.

**Senator Róisín Garvey:** It will be on the video.

**Senator Alice-Mary Higgins:** We usually get transition statements before we get the copies.

**Senator Róisín Garvey:** The debate will be online in an hour.

**Deputy Eamon Ryan:** I am quite happy to so supply it and I have notes.

**Senator Alice-Mary Higgins:** That is fine. I have no problem doing it myself. Normally, because this is a specific reporting function it is accompanied by a more formal report as well. I appreciate ad-libbing as I do it myself.

**An Cathaoirleach:** I call Senator Garvey and she has six minutes.

**Senator Róisín Garvey:** Gabhaim buíochas leis an Aire as ucht a theacht isteach inniu. Tá sé go deas é a fheiceáil sa Teach seo.

I see Senator Boylan is here so I shall take this opportunity to thank the entire membership of the Joint Committee on Climate Action, of which she is a member, Deputy Leddin, the Chair of the committee, and members from parties and none, who have worked night and day. I also compliment another committee member, Senator Higgins, who is seated right behind me. I compliment the environmental NGOs who are not paid to be politicians but have had a huge input into the Climate Action and Low Carbon Development (Amendment) Bill 2020. I look forward to it being by far the best, strongest and most important Bill to come through these Houses. I acknowledge all of the hard work that has been done because I know from my colleagues, from colleagues in the other parties and the NGO sector that so much time has been put into this Bill to get it right and I look forward to the final Bill.

The revision of the climate Act 2015 results from a process of political consensus building in the last Oireachtas, which has continued in this Oireachtas with very detailed pre-legislative scrutiny. A political consensus has been important and brought all parties and none together, plus the NGO sector. It is really important that those in the NGO sector feel listened to and we take on their ideas because they are often the experts more than ourselves, as politicians. There will be major changes that we must make. We have no choice but to do so as we have a genuine emergency, of which agriculture is a big part.

I come from Clare and I am very proud of a few things that we have in the county. I have spoken before about the 328 farmers who participate in the Burren Life project. I know some of them personally, have visited the region and I am well informed about the project. It is like having 328 biodiversity officers for the Burren but they continue to farm. Such initiatives can be done, must be done and we have the solutions being practised already.

I watched a broadcast on the FBD Young Farmer of the Year competition. The top farmer for biodiversity award was won by a farmer in Cratloe, County Clare. His land has a completely different type of soil so he utilises different farming methods but he won an award for biodiversity and farming. I say all this because we will have to diversify.

The launch of the Ag Climatise roadmap today by the Minister for Agriculture, Food and the Marine and his Minister of State, Senator Hackett, is only a starting point. We are only warming up and not just the planet. The roadmap is only the start and is based on 2019. In case people are worried that it is etched in stone, I can assure them that it is far from that. We face great challenges but I feel hopeful because if we do this right we will have cleaner air, happier children, healthier homes, better food, a better environment, better biodiversity and warmer homes for the most marginalised. We saw the prioritising of retrofitting for social housing and an increase in the fuel allowance. A huge amount of jobs will also be generated in this sector. Last week, the Minister of State, Senator Hackett, and the Minister for the Environment, Climate and Communications launched 350 jobs in the midlands to replace the ones that were lost in the peat industry. It is amazing that we will have 350 new jobs and save bogs. It is hugely positive that we can do both. It is too late for an “us and them” attitude and all farmers, bankers, politicians, NGOs and more must come together. There is no time to fight over this and we must just do it.

The green economy is very exciting for me. I see that we already have a shortage of bike mechanics in north Clare, for example. All of the greenways have generated jobs with 400 jobs created in Mayo and 300 jobs created in Waterford. These are very rural places that had nothing going on. Kilmacthomas in County Waterford is now the perfect example of an amazingly live and thriving town that was once full of empty houses. There are great plans for the town using

the town renewal scheme.

All of this ties into providing a better quality of life that solves the problems of loneliness and disconnection. Let us consider transport in that regard. I often go everywhere in my car but I like to travel by train to Dublin, for example. By utilising other modes of transport one is more connected to all of the life that is around. Now, more than ever, people need to reconnect with society as evidenced by people reconnecting with and meeting their neighbours during the first lockdown. While I do not think we will have time to hang out with our neighbours all of the time there is a disconnect when one zooms around in cars all of the time. The town of Ennis has a ridiculous level of air pollution. Therefore, we must consider what we are doing and do it better. We owe that to future generations. We are the last ones that have a chance to solve climate change before the situation becomes too grave. I remain a glass half full type of person with this initiative and look forward to the 2020 Bill with the Minister for the Environment, Climate and Communications at the helm. Finally, I again thank the Joint Committee on Climate Action for all of the work that its members are doing.

**An Cathaoirleach:** I call the leader of the Opposition, Senator Victor Boyhan.

**Senator Victor Boyhan:** I welcome the Minister to the House. It is clear from listening to him that he undoubtedly has an amazing enthusiasm and expertise in this area. I shall focus on 2019 but I was not expecting an outlay of what is happening in the future and that is exciting. We were invited in here today to discuss the 2019 annual transition statement and welcome the comments made by a clearly enthusiastic Minister.

What has changed since 2019? We have had a significant general election that provide there was massive support for the environmental nature of politics. Fair play to the Green Party for reaping the benefits and took the brave decision to enter Government. Now that party is at the table and its feet are under the table. Therefore, the party has a unique period of possibly four and half years to deliver what the Minister said he would set out. In the last two years there has been a huge international focus on climate change, the international agenda of the environmental movement because this issue is larger than a green narrative. The Minister has talked about sustainability, having a fairer deal and the significance of the Common Agricultural Policy, CAP. I support all of those environmental policies. In fairness to the Minister, he put his finger on it when he said that we must bring the people with us. We must dumb it all down, simplify things and explain to people the real benefits of cleaner water, better mixed forestry, and of having softer, kinder and unified synergies with the environment. I do not doubt that there is anyone who does not support all of that.

The Minister mentioned 2019 and Deputy Richard Bruton. I acknowledge that Deputy Bruton did a very good job under difficult circumstances. The whole political shift has moved one since 2019 thanks to the Minister present and many others. Let us consider that the 2019 annual transition statement stated: “The first progress report of the Board was launched on 31 October 2019 and shows that 85%, of the 149 action items due for delivery in Quarter 2 and 3 have been delivered.” They might not be big action items but such progress is important.

As the Minister knows well, one of the big things for 2019 was the climate action charter agreed by the 31 local authorities, a copy of which I have in front of me. Significantly, every one of the 31 local authorities signed the charter that consisted of a few pages. I ask him to return to his office and consider the good things about the charter, and what has happened. I have spoken to councillors who have voiced their belief that it will be difficult to deliver some of the

aspects of the charter. Who are the champions of the charter among the local authorities? We need to assist them in championing this very significant charter. Every local authority recognised the needs in the charter. All of the signatories acknowledge that a whole-of-government approach is essential in addressing climate change. In this document reference is made to green procurement, which is extremely important, and to which the Minister is committed. That was in the 2019 document. In the context of green procurement, there are issues we must address as it feeds into something else. The Minister might take a look at Circular 20/2019: Promoting the use of Environmental and Social Considerations in Public Procurement. I contacted a number local authorities about it and they did not know anything about it, yet there is a note included advising how it was to be distributed. The Minister might consider that circular in the context of how we can drive the agenda for green procurement in line with the targets and objectives set down in 2019.

I want to focus briefly on agriculture. I am a member of the Joint Committee on Agriculture and the Marine and was elected on the agricultural panel. I recognise the importance of what the Minister said about the food chain, climate action change, environmental care, preserving our landscapes and environments and supporting generational renewal, all of which are key objectives of the Common Agricultural Policy. Much of this is central in European politics and policy. It relates to how we can have vibrant rural areas. Senator Garvey spoke about dispersement and enlivened and vibrant rural communities. That all ties into the vision the Minister outlined. Crucially important to that is our food and health quality. Our health is linked to our food and *vice versa*. That is an important factor. It relates back to the point that we must ensure there is equal and fair opportunity and fair income. We must address the issue of a just transition in its broadest sense. What is happening in the midlands in terms of the bogs and so on is fantastic. The big challenge for us is to dumb it all down and make it simple. Everyone wants to be part of this and to take this journey with the Minister and the Government. It is critically important. The Minister's party is one of the three elements of the Government to drive it. I believe the Minister will drive it. We are lucky to have him as the Minister with overall responsibility for this area because of his experience, vision and network across the country. He has enormous integrity and knowledge of this area. I wish him well. It is important we explain this issue and bring everyone on board with us on this journey.

**Senator Malcolm Byrne:** I thank the Minister for coming into the House and for his strong personal commitment to addressing this issue. We all know the facts. Reports are coming out every week highlighting the extent of this crisis, the fact that we have to reach the target of 7.5% reduction in emissions each year between now and 2030 if we are to avoid a 1.5oC rise in temperature that will cause us so much difficulty.

The Minister was right in saying we must learn the lessons of Covid as we emerge from it and how that will mean we can recover better. This is about more than just the response of his Department or that of the Joint Committee on Climate Action. This is a responsibility of all parts of the State, of the public and private sector and of all Members of these Houses. I am glad we will have the climate crisis on the agenda in this House on a weekly basis.

I am conscious the Minister also recognises we not only have climate crisis but a biodiversity crisis. This is an issue that has been championed by my colleague, Senator Garvey, in this House and it is an issue about which all Members feel very strongly. I welcome also that the Minister recognises the importance of regional development. Rather than the lip service often paid to it, this is an opportunity for us to examine how we can properly regionally develop Ireland. In the context of the Minister's reference to taking traffic out of Dublin Port, he will not

be surprised to hear me say that Rosslare Europort is a gem that is underutilised and there is an opportunity to develop there. As part of the Government's remote working strategy, we must examine how we can support our rural towns and villages. What is required in that context as part of planning is that we address the need for a proper water and wastewater infrastructure for our villages. The lack of that infrastructure is the reason many people are not able to live in many of those communities.

I will make a rapid series of points on a number of issues related to the programme for Government, some of which concern timetables which the Minister might be able to address. There is a commitment to move more towards the use of electric vehicles. However, there is not an incentive for the average punter to buy an electric vehicle, as there is still a significant price differential and a shortage of charging points around the country.

I wish to raise the issue of the need for clean air legislation, which I have raised on several occasions. We need to address the burning of smoky coals, It is ridiculous we still have such pollution in terms of the number of particles per million in towns where the sale of smoky coal is supposed to be banned. Regularly in Wexford town, where the ban has been in place for many years, we still have poor air quality and it is also seen in other towns around the country. Legislation addressing that problem needs to be prioritised.

The Minister mentioned renewable energy. That will be significant and for the east coast and the Irish Sea it will be a game changer. The marine planning and development Bill is stated to be priority legislation in the programme for Government. It is critical for the development of this sector. What is the timetable for the bringing forward of that legislation? I welcome the €50 million allocation for walking and cycling infrastructure for areas outside Dublin. The reflects the motto, build it and they will come. This can be transformative for local authorities. It is a positive development. We will need more of it, therefore, it needs to continue.

On agriculture, I agree with Senator Boyhan on the importance of bringing people along with the Minister on this journey. It is clear the farming community accepts the importance of having a sustainable agricultural sector, sustainable environmentally but also sustainable to be able to support family farm incomes. An issue I have always had around the question of carbon credits is that if a landowner chooses to plant forestry or invests in a carbon sink, they do not get to own the carbon credits. Why not let the farmer or landowner own their carbon credits so that they will be able to trade in them? Again, it is about the sustainability of those farms.

As part of the debate we will have on this issue, I would like to hear set out in advance of the UN Climate Change Conference of the Parties, COP26, to be held in Glasgow next year what Ireland hopes to achieve from the conference and the agenda we want to set at it. I hope we will be ambitious. Given the scale of Ireland's ambition, I suggest we would seek to hold a global climate change conference at some stage in the future and invite the composite parties to come here; we can show what we have achieved and what we are going to achieve.

Regarding our role within the European Union, in a G2 world that is increasingly dominated by the United States and China, there is an important role for the EU to use our soft power as well as our economic power to drive the kind of change internationally that we are talking about. Much of the concern must be around China because there is not much point in the European Union achieving all our targets if we do not use encouragement or influence to be able to impact on what China is doing.

I thank the Minister for his work and all I can say to him is to please continue to be ambitious.

**Senator John McGahon:** It has become common courtesy that when a Minister comes into the House the first words uttered by Members are platitudes stating how great it is to have the Minister in but I genuinely enjoy it when this Minister comes into this House. Of all the Ministers who come into this House, it is clear he is very much on top of his brief, he is earnest in what he wants to do and his ambition is completely unparalleled for the job we need to do. It is a pleasure to see him come in here without a script or notes and be totally on top of his brief. It is impressive.

I am also a member of the Joint Committee on Climate Action. As a new parliamentarian, I find the concept of prelegislative scrutiny fascinating. We are in the middle of putting together legislation, going through detail line by line having listened to hours upon hours of expert testimony. There are people on that committee from my party, other political parties and none who are so much more experienced than I am and have spent years working in the sector and know it inside out. To be able to listen and learn from them is very beneficial to me as a new and younger parliamentarian.

My interest in climate action is with regard to transport. The Minister's comments were very reassuring. A point I want to make about electric vehicles, and I have said it before to the Minister in the House and on the Order of Business, is that it has broken my heart in recent times to see friends of mine invest in electric vehicles but after a year and a half they decide to pack it in and go back to petrol or diesel. The reason they did so was that it was just not feasible for them because the proper charging infrastructure is not there. I have a list of some of the financial investment by the State, including up to €2,500 for new plug-in hybrids, grants for installing chargers at home and VRT relief. We are providing many financial incentives, which are great and they are a great way to encourage people to do it. People see all of these financial aids and decide they will buy an electric vehicle. Then, all of a sudden, they realise they will struggle to get from Dublin to Cork or Dublin to Belfast because when they get to the charging points they are faulty or someone is parked in the space while inside having lunch. How do we change this? We do so by having a huge campaign and the Government is trying to do this with local authorities. We need a huge campaign on increasing the number of chargers and having them throughout the country. What I would love to see, and I believe we are trying to do it, is planning permission for new housing developments having to have electric vehicle charging points. Once we really reassure people that, for want of a better phrase, battery anxiety will be a thing of the past they will buy into it. We have listened to other Members. I have no doubt about Irish society. The green agenda has just exploded in the past 18 months and people are so excited about it. They want to take part in it but, as Senator Boyhan said earlier, it needs to be made as easy as possible for them. The way to do so is to make it as easy as we can to get from A to B.

I want to pick up on the point made by Senator Byrne, which is an issue I have raised on the Order of Business and I hope to have a Commencement matter on it soon. It is with regard to the smoky fuel ban. It is absolutely ludicrous that we have ten towns, including my home town of Dundalk, with a smoky fuel ban but people can still buy smoky fuels in the towns. It is virtually impossible for local authorities to enforce it. Perhaps they are sending a litter warden around to enforce the ban on smoky fuels. We need a total outright ban on it throughout the country. This would provide huge opportunities to hit the 7% targets we have set ourselves in the programme for Government.

CPL Fuels has met many Members of the House in recent weeks about this issue. This morning, in preparation for the debate, I read a paper it has prepared. It states the first step towards achieving the targets of 7% will be the banning the sale of smoky coal and it has to be a nationwide ban. Significant CO<sub>2</sub> savings can be achieved if the solid fuel mix in Ireland moves to smokeless as a first step. We are speaking about a 0.9% reduction in total residential emissions. Ovoids containing 30% biomass would mean a 5.9% reduction in total residential emissions while ovoids containing a 50% biomass would mean a 9.3% reduction in total residential emissions.

In 2019, the State retrofitted 1,000 homes and it is acknowledged that 35,000 homes would need to be retrofitted to make a real dent and impact on our CO<sub>2</sub> emissions at a significant level. A viable alternative to achieving these emission reductions in the residential sector at no cost to the State is mandating a switch to low carbon and solid fuels in homes, followed by the long-awaited smoky coal ban. The ambition the Government has is in no short measure a result of the Minister and his Green Party colleagues sitting at the Cabinet table and my Green Party colleagues being part of the Government. It is because of their ambition that they are dragging us along with them on points they have been advocating for decades. Let us be ambitious about it. Let us set out and achieve everything the Minister outlined in his opening statement today. We can absolutely do it. Society has bought into doing it. However, we have to make it as easy and simple as possible.

**Acting Chairman (Senator Fiona O'Loughlin):** I thank the Senator who finished with one second to go. That is absolutely superb timekeeping. I completely agree with him on trying to make things easy. Affordable accessible public transport, as well as ensuring those who use electric vehicles do not have to suffer that charging panic, is hugely important.

**Senator Rebecca Moynihan:** I thank the Minister for coming before the House. Other Senators have pointed out that when he comes to the House he has a passion and understanding for his brief, as do his colleagues. It is no small measure that there has been a marked change in Government communication since the Green Party entered. I sincerely hope we get the type of climate Bill that some of the non-governmental organisations are advocating for. At least with the Minister, as opposed to previous inhabitants of the office, they will be pushing against an open door on it. In this House, in particular people on the Opposition benches, such as Senators Garvey, Boylan and Higgins, have good interest in working together with the Minister to strengthen the Bill.

We have had an increase in extreme weather events in recent years. We have had a number of storms and this is the ninth consecutive year that the temperatures in Ireland have been above normal and winter has been the warmest on earth. It is an undeniable fact that climate change is not something of the future but very much with us.

The one level of criticism I would like to address is that sustainable forms of transport will be key to a just transition. While they are very important, and I am a cyclist and I want better cycling infrastructure in our towns and cities, I do not believe they will be key to addressing a just transition. Key to a just transition is to ensure that workers in carbon heavy industries can transition over. This means training them up and investing in them. It also means companies in profitable green industries will be asked to pay their fair share in training people up and into the just transition. As part of this, the Minister's Department should not operate in a silo. Rather the just transition should go across the Department of Enterprise, Trade and Employment, in particular, so we get people in school and those losing their jobs and focus on them.

I want to address the issue of housing in terms of new builds and retrofitting. The Government needs to make a decision on whether it will prioritise new builds or retrofitting because we simply do not have the workers to do both. I ask that the Government give consideration through the climate action plan to eco-friendly measures in new builds and prioritising them in social housing. I spoke to the Minister about this when I tried to get a green roof and allotments for social housing units being built in my area. The local authority said it could not do it. It said the green roof was too heavy and that it would destabilise the structure, and every reason possible was given as to why it could not put the green roof on the building. This needs to be mainstreamed in local authorities. It is not just individual actions that will address the climate crisis. It is by using collective action, and through the State and its organisations such as the OPW and local authorities, that we can have a real impact on making our buildings green and sustainable.

I will go back to the five tests of Government set down by the Stop Climate Chaos Coalition. Does Government policy acknowledge the scale of the challenge? Does the climate plan accept that Ireland must get to net zero emissions by 2050 and that the 2030 targets must be strengthened? I believe the Minister does, as do his Green Party colleagues, but I am not sure whether it is true in other Departments. Will the Government enact amendments to the 2000 Act before the end of 2020? Work is progressing on this. Does the plan cut emissions in every sector and not just consider and explore? I believe the Minister does, as do his Green Party colleagues in the Government, but I am not sure it has been mainstreamed throughout Departments.

I thank the Minister for appearing before the House and for the work that he and the Green Party are doing to put that on the agenda and keep it there, and to try to mainstream it across Departments. On the Opposition benches, it is a challenge that we all need to be able to tackle together and we will support them in doing that.

**Senator Lynn Boylan:** I welcome the Minister. As others have noted, his contribution set out the passion he, like me, has for this area. I am sure he will also agree, however, that accountability is an important part of climate legislation and that Government can make all the promises it wants, but without reducing emissions and delivering a just transition, and if the Government is not held to account, the promises will not worth be the paper they are written on.

One of the main mechanisms for accountability in the Climate Action and Low Carbon Development Act 2015 is that the Minister comes before both Houses of the Oireachtas and debates the national transition statement. That is a progress report that sets out, among other matters, the details of mitigation and adaptation and the effectiveness of our emissions reductions. In 2016, 2017 and 2018, the annual transition statements were published and fairly swiftly debated but, unfortunately, the same cannot be said for the 2019 one. Here we are in December 2020 and we are debating the 2019 transition statement. I do not blame the Minister for the delay, given that the statement was not taken by him but by his predecessor. Perhaps the reason we did not have the debate on that statement earlier was there was an election in the offing and we knew that climate change was such an important issue that Fine Gael probably preferred not to draw attention to its record on climate change. We then had a pandemic in intervening period, but even then, the Dáil managed to have this debate in June.

While this raises questions about the aversion to scrutiny, the reason I raise this issue relates to the climate Bill. It shows the importance of getting climate legislation right in order that irrespective of who is in government, they will be held to account. The Minister is appearing before the House under the provisions of the previous climate Bill, the 2015 Act, but in the

future he will be here under the next climate Bill, so I will turn my attention to that. As has been pointed out, the Oireachtas Joint Committee on Climate Action has been scrutinising the climate Bill carefully. We have spent more than 30 hours on the subject. I think the Minister will accept there was a push to rush it through. He asked that we would give only two weeks to pre-legislative scrutiny.

We have listened to all the experts and they have been crystal clear that accountability is critical if we are to have any chance of meeting our targets. The experts also told us that we need a robust framework in respect of how those targets are set and of how we hold people to account. During the pre-legislative scrutiny, we heard that the Bill presented to us was flimsy, non-binding and full of loopholes and weasel words. It had a dangerous reliance on negative emissions and the targets within were inadequate for meeting our obligations under the Paris Agreement. Those are not my words or criticism; they come from the most eminent environmental law and climate academics in this country and outside it. When one expert was asked how the Bill compared with other international examples, he put it in football terms. He stated that the Bill, as it stands, would be in the relegation zone of the league table, but that if we get it right, it could put Ireland among the leaders in terms of climate change legislation.

I hope the Minister will take on board the recommendations that came from both those testimonies to the committee and also, hopefully, from the committee's report on the pre-legislative scrutiny. We cannot continue to be a laggard. I know the Minister understands that but, as Senator Moynihan noted, we are not convinced that his partners in government understand that. We have been ranked 19th in the EU, just above countries with heavy industries such as Hungary, the Czech Republic and Poland. We are falling short of all our international commitments. The experts also raised concerns about the absence of any mention of the just transition. We heard international examples of how that can be incorporated. That there was no mention in the Bill of a just transition is deeply concerning and I hope the Minister, again, will take that on board. The report from Oxfam yesterday showed that while the transition is under way, it is not a just one. Oxfam reported that lower and middle income people have cut their consumption emissions but that the richest 10% have grown theirs. To address climate action we have to address wealth and consumption.

We also have to address energy poverty. Whole cohorts of people in society are falling between the stools in respect of supports against energy poverty. The Society of St. Vincent de Paul is spending €5 million a year supporting families. I have been conducting an energy poverty survey and the findings are stark. People have told me they are choosing between food and heat. A response from the Minister's office to a parliamentary question recommended that families change supplier. With respect, that is very difficult to do if someone does not have a credit rating and it is a market-based solution. Renters and people with disabilities are more likely to live in poorly insulated homes, while young families with mortgages who may be just over the threshold for the warmer homes scheme cannot afford to retrofit their homes.

I ask the Minister to take on board the statements from those academics to the committee. He has an opportunity to redraft the Bill and to make it the gold standard of international climate Bills. The nation is putting our faith in him to do that.

**Senator Alice-Mary Higgins:** I welcome the Minister to the House. I can understand the desire to focus on the future, even though we are here to respond to the 2019 transition statement. We need to be serious and solemn about where we are now in order to be credible when we speak about the future. Climate change is continuing apace. The UN Environment

Programme has been clear that even despite the pandemic, we are on track for a 3% increase in temperature this century. That is devastating. We declared it was a crisis and we know it is a crisis. The impact of climate change is no longer a future issue; it is a present issue. We see the evidence of its impact all the time and we know that it hits hardest those in developing countries and countries that have done the least to cause it, which is related to that principle of climate justice.

Ireland has not done its fair share. We talk a great deal about bringing people with us, but to bring anyone with us we need to be going somewhere. For the past decade, Ireland has not been going anywhere. Ireland has stayed still and let others, including poorer countries, carry the burden and the work of trying to address this existential crisis for our globe. Ireland is in 19th place in the European Union. We are not just in the bottom half but well into the bottom half, towards the bottom third of the league tables in the report released yesterday by the climate change performance index. We have been failing. We are not now in a matter of convincing people that climate change is an issue and that perhaps we should take action on it. Much of the public does not need to be brought along with us; they are ahead of us, they know it is a crisis and they reflected that in the election. They know it is urgent. The ambition, when one speaks to individuals about what they want from climate change, often far outstrips the political ambition.

It certainly far outstripped the political ambition in the draft Bill, which, as the Minister acknowledged, is being subjected to pre-legislative scrutiny. We have had very positive engagements and important input from experts. It is important that those diverse experts' views be listened to and reflected on, and that we reflect them in our report, not just in our recommendations and actions. Those experts and critical perspectives are one of the greatest assets we have. It is really important, when we talk about bringing people with us, that we do not seek a false consensus or a lowest common denominator consensus in respect of climate change and climate action, but that we agree the key principles of moving forward. We must try to find legislation. I am hopeful that if the Minister takes on many of the recommendations, when we agree them and finalise them on the committee, this could be strong legislation. It is important that we reflect that in our legislation but also that we are always listening to those who are saying more needs to be done. We have seen that things have changed, and that the urgency is continuing to gather momentum. There are tipping points that are very hard to reverse. No matter what argument or beautiful rhetoric we might have, we cannot magic up again a glacier that has melted, as that is beyond our capacities. We need to be very clear on the direction of travel and the urgency of travel.

The Minister will be aware from following the debates in the climate committee, which are still under way, that 2050 is too far away as an ambition and that we need to have very clear and strong legal commitments by 2030. It is the next ten years that is the UN decade of action, and where we have the very blueprint, which Ireland helped negotiate, of the sustainable development goals to help guide us in terms of achieving this. These are the ways. If we talk about just transition as a sustainable development goal, it is how we move forward in a way that minds society, the economy and the environment together. They are a very useful blueprint and they sit alongside our Paris commitments.

The key year is 2030. We cannot afford to lose even one year, which is why I am concerned that some of the things being talked about are still long-fingered. We are talking about green procurement but it was recently being talked about for 2023, when it should be next year. Many of these things can be scaled up now. We have a two-year window in which the fiscal rules and requirements have been suspended in Europe. This means we do not need to choose between

new builds and retrofitting, and we can do both. We have 0% finance available to us, so let us be extremely ambitious on that. On that issue, let us also look to the unnecessary demolition of building simply for the sake of profit and the building of a higher building, because there are huge omissions lost on that issue.

We will have a chance to engage Minister by Minister, I understand, around each of the issues in each of the areas. What we cannot afford is to have language, or loose language, replace action. There are difficult things we are going to need to do. Ireland needs to stop trying to get a derogation on the nitrates directive. We need to step up on that. We cannot simply ask others to make an exception for us when we are one of the wealthier countries in the world, and one of the countries that has pleaded exception the whole way through.

Senator Byrne referred to international objection. Let us be leaders on that. He spoke about the importance of Ireland taking a strong position at the United Nations Framework Convention on Climate Change, UNFCCC, talks but we also have the opportunity to take a strong position at the European Union level. This week, the Minister will be meeting with the European Council and he will be determining what the European Council believes should be the collective target of ambition for Europe. In the European Parliament, the Minister's colleague and my former colleague, former Senator Grace O'Sullivan, now MEP, who has been awarded the status of rapporteur on some of this issue, has called for 60%, and that is what the European Parliament is recommending. I urge the Minister to support that at the European Council meeting. He will, of course, be aware that the climate committee has written to him in respect of that issue.

Let Ireland step up as a leader. Let us not give ourselves excuses. Let us replace language with action and let us put our commitments hard on the table in law.

**Senator Timmy Dooley:** I welcome the Minister to the House and thank him for his, as always, very thoughtful presentation and for sharing with us his ambition. Maybe I am not as taken as others by his presentation today because I have had the benefit of working with him on committees for years, and I have seen the diligence and the approach that he has taken, which has continued here today. I thank him for that.

There is no shortage of ambition and no shortage of desire among the Irish public about addressing climate change. That, to me, is probably the biggest shift in the past ten or 15 years. When Roger Garland was first elected here as a lone member of the Green Party, many people were surprised about the agenda at that time, but it has grown to become part of the political lexicon. For sure, people recognise the impact that the way we live our lives is having on the climate, and they see how it impacts so negatively on them.

There ends the consensus. As we talk to people, and even when listening to the different contributions from the various sides here today, everybody has a solution but it is not to come from the people they think they represent. If anything, what we should try to do, in the way the Minister has always done throughout his career, is try to bring people with us, and that requires getting compromise from our own people as well. I am often taken by a level of laziness that exists in the vernacular among certain commentators or the commentariat within certain sections of the media. The first question is usually, "So when do we cut the national herd?" That immediately divides urban and rural, and it has made an urban-rural divide again. This is where we have to be extremely careful in regard to bringing people with us.

I have great respect for Senator Boylan from the Sinn Féin Party and her commitment to

addressing climate change. I worked on a committee previously where her party were really engaged with the committee and did fantastic work, but when it came to accepting the principle of a carbon tax, which is recognised right across the world as the way to go, there was immediately a rejection of it. I would have rejected it flat out too if the committee had not recommended responding in a way that Senator Boylan has rightly identified, namely, ensuring that people do not suffer from a poverty associated with fuel.

It is really important that we do not leave people behind us. In the community I have represented for many years, there is concern among the agricultural community that it will impact negatively on them. We talk about just transition, yet the Government still has not responded to the impact on the west Clare area and the fallout from the decision - the right decision - to end the burning of coal at Moneypoint. I accept it is not possible to get money to resolve every issue, but we have to resolve the big issues. Everybody will be affected in some way. The Minister, right from the get-go, has always said we should address the problems but try to mitigate to the greatest extent possible the problems for those who will be most affected, particularly those on low incomes and those depending on social welfare.

However, we cannot not let it all be about the negatives because there are real opportunities, and the real opportunities are in the green tech sector. We should be doing much more in regard to the capturing of wind offshore, but it is not just about capturing wind offshore. It is about getting in at the start of the wave of technological development that will see the activity sustained and will employ people for generations to come. It is not just about the negatives, the cost and the impact. That is there but we have to advance, in parallel, a vision that looks to the upside of that change.

We see it in regard to the potential for the greater use of rail, the greater use of airports outside the capital city, and the rebalancing of some of our air activity to Cork and to Shannon. We have to look too at the issue of wind turbines. This has become a very vexed position because much of the low-hanging fruit, to use that terrible term, has been captured at this stage, in that most of the sites that do not impact overly on the livelihoods and the lives of people have already been developed. Now, there is a lot of negative feedback from communities who do not want to see the further development of wind turbines. Therefore, we have to move very quickly to look at the alternative, and that is offshore, to my mind.

The nitrates directive has been addressed. Again, we have to be careful with regard to the farming community. I listened with interest on the radio today to a PhD researcher who was  
*5 o'clock* putting forward a comprehensive plan for addressing the impact of the agricultural sector on carbon emissions, looking at the genomic make-up of our herds and the diet of cattle, and looking at how the methane output from our national herd can be addressed. The research is looking at the targets and at having mitigation in place.

It behoves us all to adopt a broad outlook to find solutions rather than look to our own constituents and seek to suggest that somebody else carry the burden. There has been a broad debate today and I look forward to my continued participation in that.

**Senator Aisling Dolan:** I welcome the Minister. It was good to hear his speech. The Joint Committee on Climate Action meets every single day, so there is a huge amount of cross-party work being done. I come from the constituency of Roscommon-Galway. It is an area that has traditional industries, such as Bord na Móna. Ballinasloe is 10 km from Shannonbridge and not far from Lanesborough. The area has been affected. The phrase “Let us bring everyone with

us” is easy to say but means an awful lot because many people have been left behind a little bit. The just transition fund is fantastic as it went to those particular regions to support the creation of other types of income such as the provision of funding for remote working hubs and ecotourism. All that is crucial but we must also consider what other off-farm incomes we can support. I was very happy to hear about the 350 jobs that were supported in terms of the rehabilitation scheme.

I will speak to the farming element. I come from a farming background. My Dad is a small drystock farmer who participated in the rural environment protection scheme, REPS, and most recently in the green low-carbon agri-environment scheme, GLAS. We have a small section of a field where we grow natural broadleaf trees, such as oak and ash trees. It is important the Common Agricultural Policy, CAP, supports smaller farmers, particularly with environmental measures. Farmers are at the heart of protecting the environment as they look after the land and maintain fields to ensure we have hedgerows and so on.

Teagasc is the research arm of the Department of Agriculture, Food and the Marine and it has done great work on methods that use less technology, such as low-emission slurry spreading, and has done analysis on ways to work together to reduce emissions. The genetics of animal breeds has been mentioned. There is so much that farming can do. We must ensure farming is part of the solution because it is a vocation like teaching, nursing and public life. Farmers are part of their communities and the farming community is the backbone of towns and villages. Therefore, we must find sustainable ways for farmers going forward.

In terms of off-farm income, there are greenways. I am very happy to see an allocation of €50 million for active travel, particularly walking and cycling. Consultations are taking place on a Dublin to Galway greenway and five routes between Athlone and Galway city are being analysed. I hope the greenway will pass by my home town because we are fighting hard for that. I see the importance of the greenway to Dungarvan in County Waterford and the Westport to Achill greenway in County Mayo. One can see how much off-farm income is generated through ecotourism, which I very much support. I look forward to seeing more investment in counties to develop spurs off this national infrastructure.

In response to the comments made about public transport, I have been squashed like a lemon when travelling on trains from Galway to Athenry and to Ballinasloe. It is wonderful to have a train service and pre-Covid many people commuted daily between Ballinasloe and Dublin for work. However, many people must drive 20 miles to reach the train station in Ballinasloe or drive to Athlone because it has more frequent rail services. The standard of train services and infrastructure must be upped. Irish Rail has spoken about doing so for a long time and I would like to hear more about what investment will be made in Irish Rail. Unfortunately, there are many villages to which buses do not go. Obviously services have been reduced during Covid. How will we provide services to towns so people can access public transport to get to very important places like hospitals, work and schools? The only way people can get to the hospital in Ballinasloe is to drive. There are no public transport options for older people. I would love to see them but they do not exist currently. It is important access is considered from a regional point of view.

In terms of local authorities, wind farms generate much income, particularly offshore wind farms in which I am very interested. Local authorities need these forms of income as they are starved of income at the moment. However, I would like local authorities to invest in providing more biodiversity officers and enhance the protection of biodiversity habitats. I am part of a

community group in Ballinasloe that went to the High Court two years ago to fight for the habitats directive because of the impact of a development on the low lying flood plains of a local river. We fought about the water quality and its impact, which is not being done by local authorities. I see the role of local authorities as protecting the biodiversity in habitats. Therefore, I am very interested in the development of habitats and how we protect biodiversity. In this particular location where there are food plants, we had the only sightings of the only European protected butterfly, the marsh fritillary butterfly. I refer to bogland areas previously linked to the Grand Canal and Bord na Móna boglands. We must develop and protect habitats but what investment are we putting into local authorities to do such work?

These are exciting times. We all know that no matter what party we belong to we have to do our best to combat climate change and that it is very much about bringing people with us. There are many more challenges in regional areas than in urban centres, a fact that must be taken into consideration.

**Senator Micheál Carrigy:** I welcome the Minister. One positive that came from the Covid lockdowns was that people walked and cycled in their local areas, thus leading to a greater appreciation for the current infrastructure. That is why I welcome the significant investment that has been put in place to continue and develop more cycleways and walkways.

I welcome the recent midlands retrofitting programme that provided a significant €3 million investment in my own county of Longford. Starting in the second week of January, 47 homes in my local village will be retrofitted, which is extremely welcome, especially by low income families as it will reduce their energy consumption and energy costs. When private owners see local authority houses being retrofitted, they will want more significant grants to enable them to retrofit. Recently, An Post rolled out a green hub so it will give grants to retrofit private houses but private householders must make a significant investment. I ask the Minister to consider increasing grants.

Have local authorities used up the funds available to provide charging points in their counties? Is the data recorded? To my knowledge, some local authorities have not done so.

Recently €108 million was allocated for the bog rehabilitation scheme. That is extremely welcome in my area, following the closure of the ESB plant and the Bord na Móna venue in Lanesborough. There is an opportunity for us to turn these places into an asset, such as the mid-Shannon wilderness park. I am sure the Minister is quite aware of the project but I want him to commit to its development. A 20,000 acre national park would be a fantastic tourism asset to County Longford and the country but I disagree with having a wind farm on a site and, therefore, I totally agree with locating wind farms offshore.

When the Minister was here a number of months ago, I asked for support for a number of projects that were put forward to create employment in County Longford, particularly in Lanesborough and the surrounding area. I thank him for his commitment because all of the projects were funded up to the value sought. It is most welcome that extra money was found on top of the €11 million allocation to make sure that all of the projects can proceed. It was a very good day for us in County Longford to see that commitment and funding and supports being provided to enable the projects to go ahead, thus ensuring that anyone who lost his or her job with the ESB and Bord na Móna will be re-employed. The allocation shows the Government's commitment to the areas that suffered following the closure of the plants.

Senator Dolan's comment that agriculture has to be part of the solution was 100% correct. I firmly believe that. There is a fear that farm income will be decimated but I believe there are ways of maintaining or increasing it. By working together with the agriculture sector, it can be part of the system.

I would like to get a commitment to the effect that the M4 will continue. It is the last link in connectivity around the country. When looking at a map of Ireland, we see the need for a link from Mullingar towards Sligo to give access to our major cities.

We spoke about rural Ireland and the lack of rural transport. Maybe an Uber-type system of transport could be used, especially in the more rural areas. We cannot have a system with buses servicing every small lane in rural Ireland. This is a matter that could be worked on.

I thank the Minister for his commitment, particularly to those of us in the midlands, and I also thank him for the significant funds that have been put in place to help to create more jobs in our area.

**Senator Mary Fitzpatrick:** I thank the Minister for coming to the House and for all the work he and his Department are doing. I thank everybody on the Joint Committee on Climate Action, which is meeting daily. It is great to see such energy and cross-party consensus. Similar to how we all tried to suppress the virus, there is a political movement whereby collective energy is being applied to try to have the Seanad and Dáil take significant climate action. This is great and really encouraging. It genuinely encourages the young people who protested for so many Fridays during the term of the previous Dáil. It gives hope that we can achieve a just transition to a climate-resilient and carbon-neutral economy by 2050.

I will limit my comments to three areas that I would like the Minister to consider. The first concerns energy. I am a member of the Joint Committee on Housing, Local Government and Heritage. We have been engaging in the pre-legislative scrutiny of the marine planning and development management Bill, which the Minister will be aware will create a planning and regulatory system for our marine territories. It will be a major Bill and it will be important that the State get it right. Offshore wind energy presents a great opportunity. I had some appreciation of it but as the pre-legislative scrutiny meetings have proceeded, I have become much more aware of what is entailed. Not everybody in the House may know that Ireland, as a small island, has the offshore wind capacity potentially to generate 20% of Europe's renewable electricity. That is an enormous opportunity. I am not saying we are going to realise it in full but it is enormous. It has been stated many times that no other single intervention could deliver us as much renewable energy in one fell swoop. It is great and I am very supportive of it. We need to pass the legislation.

A concern I have regarding the Bill relates to protecting biodiversity. One of the first Bills the Minister brought to this House was the National Oil Reserves Agency (Amendment) and Provision of Central Treasury Services Bill 2020, which ring-fences funds from the oil industry for the climate action fund. What are the Minister's thoughts on creating a mechanism within the marine planning legislation to apply a levy on the industry such that the accruing funds could be ring-fenced to invest in protecting marine biodiversity?

I fully recognise and commend the Government on the €220 million allocated for retrofitting. I fully support the decision to allocate the biggest chunk of money to low-income households. That is appropriate. It is important that everybody, particularly those who need help

most in upgrading their homes, be supported by the Government. Can the Minister provide us with an update on the national retrofit office that was promised? I specifically seek information on grants for middle-income earners. If we can help people to have healthier, more sustainable homes, it will help the individuals therein but also our communities and country.

On public transport and transportation generally, transport accounts for 20% of all our emissions, 51% of which come from private cars. In no place more than Dublin do we need to get out of our cars. While Covid-19 has emptied the streets of cars and while the city has become much more comfortable for cycling and walking, the bus transportation service, which has continued at a reduced rate, has become more important in Dublin commuters' minds. Could the Minister update us on the investment in buses? I am aware there was a commitment to have 100 hybrid buses. I believe a hydrogen bus is being trialled. Could we have an update on that?

BusConnects is a very ambitious project. I support it. We need more affordable, accessible and reliable public bus services in the city, but we also need to ensure there are appropriate services farther out from the inner city estates. I hear this particularly in the county areas. A small local bus service is important. The Minister mentioned in his opening remarks the ideas of 15-minute communities and 15-minute cities. Small local bus services can be a lifeline not only for elderly people but also for schoolgoing children and other students. Increasingly, we should be ambitious for Dublin so people living there will not have to own a car and will be able to rely primarily on public transport services. To achieve this, we will need to increase the capacity and the operations of the bus services.

Regarding the Royal Canal greenway, we opened the stretch from Spencer Dock up to Newcomen Bridge at North Strand. It is great but the Minister is probably not aware that it has taken us 15 years. The pace at which we are delivering such projects has to be accelerated. Over the course of 15 years, we had to engage with Waterways Ireland, Irish Rail, CIÉ, Dublin City Council, the National Transport Authority and the Department of Transport. All the stakeholders came together do a superb job, delivering superb infrastructure, but we need to accelerate the model considerably. We have a route from Spencer Dock all the way to Athlone and beyond. Let us really bring the greenway on the Royal Canal to life. It is fantastic, sustainable infrastructure. I encourage the Minister to do all he can to accelerate it in his time in office.

**Senator Vincent P. Martin:** I welcome the Minister to the House. It is so important that hope and the recognition of the challenge coexist in the same room; they are not mutually exclusive. I recall the current Minister, Deputy Eamon Ryan, addressing a public meeting in Naas a few years ago when the latest league tables were published and Ireland was a laggard. I recall him saying we still have our hope. Therefore, I am confident and assured that he has hope, but I am equally confident and assured that he recognises the sheer challenge facing us, best encapsulated, perhaps, in Sir David Attenborough's most recent documentary, "A Life on our Planet", in which he lays out the war humanity is waging on nature. There can be only one winner. I want to make sure we do not forget about hope, especially for our young people. I meet young people most days and some of them are genuinely traumatised. We must cling to hope. In a sense, the conversation has moved on. On Saturday, the Minister of State at the Department of Agriculture, Food and the Marine, Senator Hackett, visited Rathcoffey zero-waste community garden. The goodwill was palpable.

There is a golden opportunity for the Greens to deliver. How could the Greens turn down the opportunity of having the two big political parties in government, the two big parties that can reach out to every parish to drive home, to explain, to demystify and to bring people with

us on this journey? There is a third party that we have to reach out to in particular, Sinn Féin. If we are going to take people on the journey, there has to be full consultation. When I say Sinn Féin, I also mean every politician from other political parties and Independents.

Is it not ironic that it took the horrific Covid pandemic for the penny to drop for some? A friend of mine recently got back up on his bicycle with his children. He heard the birds sing for the first time. Now more than ever, there are people on our side.

I welcome the Minister referring to the transport strategy and the DART+ programme. It has been essential. In County Kildare, the Connolly Station to Sligo rail line stops short in Maynooth and does not go to Kilcock. The Heuston Station line, heading to Cork and Galway, stops short in Hazelhatch and Celbridge but does not go on to Naas. It should go on to Newbridge and Kildare, which will be music to the ears of Senator O'Loughlin and others. I hope the Minister will review this because that would be a game changer with the acceleration of the volume of people using transport, along with the electrification of the line. We will keep pushing a review of that now that we have a new Government.

I am pleased the Minister referred to biodiversity. It has been inextricably linked. The Native Irish Honey Bee Society is concerned about the native Irish honeybee, *Apis mellifera mellifera*, which is under huge pressure of being diluted due to the European strain of the Italian honey bee being imported into the country. It does not adapt to our climate, is less frugal in the wintertime and more aggressive to handle. We all accept the importance of pollination. The Green Bar Association - it is not the Green Party Bar Association; it is inclusive - is working on a proposal on a ban on the importation of a strain of bee species which would not be good in the long term for our traditional native local Irish honeybee.

I am delighted the Minister referred to the offshore wind at scale. This is a huge game changer. The Minister is passionate about this and is fully aware of what it can deliver. I am delighted with the just transition programme being rolled out which could create 800,000 jobs. In Allenwood, just one example, eight acres of former Bord na Móna lands have been used to create 150 jobs. Senator Dooley is correct that we are the friends of the farmers. We must bring farmers with us. No change should happen to the detriment of farmers. The change that happens should enrich, improve terms and conditions and quality of life for farmers. Just transition is pivotal in doing that.

There must be buy-in from people. Friends of the Environment Ireland v. Ireland overturned a High Court decision in the Supreme Court which determined that the national mitigation plan, formulated pursuant to statute, was justiciable. In other words, one could bring a judicial review because the national mitigation plan required to specify the manner in which it is proposed to achieve the national transition objective. We need people's participation, accessibility and accountability at the heart of the forthcoming climate Bill. Crucially - a point the Greens get - no party has exclusive rights to this. We have been saying that for years. We are not in politics forever. We have many other policies on social justice. We will only win and succeed when everybody, Opposition and Government, comes together to tackle the greatest challenge facing humanity.

**Senator Martin Conway:** I welcome the Minister, Deputy Ryan, to the House. I sincerely thank him for opening the National Council for the Blind charity pop-up on Grafton Street recently. I asked him to do it. The Minister, being the gentleman that he is, absolutely agreed to do it. Charity shops in their essence are environmentally friendly. One cannot get better in

terms of recycling than charity shops.

**Deputy Eamon Ryan:** On a point of openness and transparency, I got my wife a lovely jacket there for €20 on the occasion which she was thrilled about. The shop is at the bottom of Grafton Street and is open for the month.

*(Interruptions).*

**Senator Mary Fitzpatrick:** I saw it.

**Acting Chairman (Senator Fiona O'Loughlin):** It is always tricky for a gentleman to buy for his wife.

**Deputy Eamon Ryan:** It was not tricky on this occasion.

*(Interruptions).*

**Senator Martin Conway:** Eamon being the absolute gentleman that he is actually bought something in the shop. I was not going to mention it because many Ministers turn up to do an event and go. Eamon actually bought in the shop which was well-noted and is a testament to the man.

As I do not drive because of my disability, being visually impaired, I get the train to Dublin all the time when I come to the Oireachtas. On occasion I have stayed in Maynooth. I listened to Senator Martin speak about extending the train services to other parts of Kildare. He is correct. The service from Maynooth to Dublin is fantastic. There are proposals to extend and develop it, perhaps, into a light rail service. That would be welcome. Any investment in rail transport is worthwhile and justified investment.

The Minister is committed to extending the rail link to Foynes Port in Limerick and the western rail corridor to Tuam. This would be fantastic. When the western rail corridor was opened from Ennis to Galway, it had a slow start with only one, two or three people on it in the morning. Before the pandemic, the number of people using the Ennis to Galway line was fantastic. There were times one could not get a seat. On Friday evening with students coming home to Ennis and then on to Limerick, it was standing room only. It takes time. We need to have patience when investing in rail infrastructure. Every single penny that is invested in our rail network is justified.

Two months ago, I asked the Minister about when the lift would be installed at Ennis railway station for people with disabilities, wheelchair users, older people and mobility impaired people. I am delighted the lift is now in place and the lights are on. In several weeks' time, it will be operational. Deputy Ryan is a Minister who delivers. That asset to Ennis railway station was promised by many Ministers in the past. It took this Minister to say this needs to be done, get on with the job of work and install a lift. For that I am very grateful.

My colleague, Senator Carrigy, has spoken about the just transition fund and the benefit it brings to Longford. I would like to know what is the status of the just transition fund from a Moneypoint perspective. Many people in west Clare have benefited from employment in Moneypoint. The scaling back of Moneypoint creates a challenge. The just transition fund can be a lifeline in providing educational opportunities and other employment opportunities. I would like to hear the Minister's views on the fund and how it sits with regard to Moneypoint, the people who have worked at the plant and the workers who may no longer be work there in

future. Moneypoint is a significant political issue in County Clare and clarity is necessary at this stage. The people working in the plant whose lives are essentially on hold are waiting for a decision and clarification on what will happen. Such clarification would be welcome. If there is bad news, let us have it and we will deal with it. Coupled with any such bad news, we would want a plan. We want to know what will happen in future. At this stage, most of society has brought into the principle that what has happened in Moneypoint in the past will not happen in the future. Society, County Clare and the country will move on.

Green issues will only really succeed when they become political issues. Unless green issues become mainstream, we will not achieve our common goal. Most politicians in this Chamber espouse green issues but until they become mainstream, we will not achieve the results we want. I thank the Minister and look forward to his replies.

**Senator Eugene Murphy:** I welcome the Minister. As many speakers have said, he is an honourable man. One of the most important qualities in politics is to be able to listen and understand people. I have often defended the Minister in rural areas, particularly with some farming groups. I have said the Minister will listen and understand and knows we have challenges, particularly in agricultural areas. From speaking to him, I know what the Minister wants to do for small and medium-sized farmers. He wants to make farming pay for them and come up with new ideas.

Although I spent the past 20 years in radio and television, I trained in horticulture and I have a great understanding of the horticultural business. I constantly go on about the opportunities we are missing - I know the Minister is on my side on this - by not having a brand new plan for horticulture. When I was writing up part of the Fianna Fáil policy on horticulture for the party's Government programme, I looked at the amount of money we spend on importing vegetables and fruits. We cannot grow all fruits here but if we take Bramley apples as an example, most of the apples bought in this country come from France. While we sometimes get severe frost which can hamper apple growth, we have a perfect climate for growing apples. So much could be done in that regard. I know the Acting Chairman has a big interest in the horticultural business as well.

There are opportunities and the Minister will work with us all. He will not say a certain Senator is from this or that party. We have proof of that in our part of the country in just transition, to which some of my colleagues referred. We have a huge commitment on this from the Government. I told people in the area that the Government and Minister would deliver. Just transition is now well accepted in the area. I hope we can dot the i's and cross the t's.

Replacing the loss of Bord na Móna jobs is a major issue for my locality. In every second house in my area, somebody was either in the ESB or Bord na Móna. If we accounted for every job linked in to the demise of the ESB and Bord na Móna, we are talking about not a hundred or five hundred but thousands of jobs. These companies were the economic lifeline of the midlands for 70 years. Their demise presents a major challenge but it gives me great comfort that we can talk to the Minister and Government and they understand that we need assistance. We need more assistance and I know the Minister will come to speak to us and get all of our views. There is access to all areas. Substantial funding was provided for a boat on the River Shannon. Having lost our power stations, the distillery in Lanesborough has been huge for counties Roscommon and Longford and even for parts of counties Offaly and Galway.

I will make a brief point on the power stations. I am probably fighting a losing battle but I

think the demolition of the power stations at Shannonbridge and Lanesborough, which is still in planning, will be a major opportunity lost. We have an opportunity to keep the power houses and develop them as a tourism museum. We could keep some of the railway tracks to bring people onto our bogs and talk to them about flora and fauna. That would be a massive project but it would be environmentally friendly and good for the area. The planning states clearly that the power stations have to be demolished. I would like that requirement to be reviewed and the power stations retained, certainly in the short term.

I implore the Minister to push the N5 national primary route. It is a €200 million project that is ready to go between Ballaghaderreen and Scramoge near Strokestown and not far from the Longford border. This section of road has a poor safety record and many lives have been lost on it. We need to get the works done. The project must be committed to and I hope capital funding will be provided for it next year.

**Senator Mary Seery Kearney:** On biodiversity, just transition and ideas around that, about 25 years ago, my husband was involved in pioneering the plantation of blueberries in Allenwood and the peatlands. It was an idea to see if this fruit would take in Irish soil and it was a great success. There are ideas that have been out there for years and it is great to see them being embraced now. When I was a councillor, I asked South Dublin County Council why we were not planting on top of bus shelters. We could do with a redesign of bus shelters to bring additional flora into areas and encourage bees, as Senator Martin has said.

I am a member of the Joint Committee on Housing, Local Government and Heritage. We are working our way through the marine planning and development management Bill, which is a big tome. In the course of our deliberations, the future of green energy and the careers it promises have come up. I have a five-year-old who talks about what she will be when she grows up. I tell her she will not decide that now because we do not know what careers will be available. I find it exciting to hear different experts at the committee forecast what will happen in wind energy and other areas and talk about the careers that have not yet been invented. These careers will be available by the time my daughter is a teenager and, hopefully, goes to college. It brings to mind that we need an education and vision-casting programme in schools for our young people, who already are visionaries and who challenge us on recycling and everything connected with our carbon use. They need a vision for the careers that lie ahead and what they might do with that vision. My second main point concerns public consultation. Tonight I will leave here, and following my meeting with the parliamentary party, I will participate in a zoom call with a number of residents' associations on the issue of BusConnects routes, because we are trying to get as many people informed as possible as to what is going on. I have written to the Minister's office and spoken to his officials, and in that regard, I believe that the six-week consultation period has been far too short, and that it needs to be extended because we need a longer period of time. The descriptions and the meetings in respect of these bus corridors have been for representatives only, then those representatives have to go and get that information out into the community. In the middle of a pandemic that has been very difficult. Not everybody has access to the technology required to participate, so the period of consultation must be extended past 16 December 2020 in order to ensure that we have a true and full public consultation.

Where I live, there is a very small area that is impacted by three bus corridors, and of the six conduits into the city, up to four of them are now closed off. Therefore, it is one thing to get people to change how they use transport and to start using public transport, but it is another thing to deny them the opportunity to understand it and speak about it. I hosted a meeting last Monday evening, and in the course of it I had people from all sides who made constructive

descriptions and points. Indeed, one participant pointed out that for those coming into Dublin from Kildare on the M50 via Templeogue, there is no park and ride service, but yet commuters still have to get into the city, so services like that need to be created. There are positive things that can be done; not everything has to be negative in respect of BusConnects. There are positive suggestions that must be taken on board. However, if we are in the last dash of public consultation on this issue, there have been some fairly dramatic changes around the Kimmage corridor that are resulting in roads being closed and all traffic being diverted down Stannaway Road that people need to be made aware of. Older people in the community are now going to travel longer distances just to get shops. These aspects must be dealt with.

I wish to thank the Minister as his officials have confirmed that in respect of the metro feasibility study that is currently being conducted, it is not confined to any one route, it is open to several suggestions in respect of the route, and there will not be a terminus at Knocklyon, which is what it would appear to suggest. However, the suggestion of that metro route finishing at Knocklyon is also repeated in the transport strategy for the greater Dublin area. That needs to be changed in order for people to have confidence that they are being heard. I thank the Minister for the confirmation it is not a case of one singular, linear route being considered, and the route will be decided should the feasibility study prove to be fruitful and worthwhile.

**Minister for the Environment, Climate and Communications (Deputy Eamon Ryan):** I thank Members for their contributions; I was slightly blushing behind my mask at some of the compliments.

**Senator Mary Fitzpatrick:** The Minister was feeling the love.

**Deputy Eamon Ryan:** I was, and while I am unable to respond to all the points, I will respond to some of the comments raised.

Senator Boyhan is right on what he said in his contribution. The purpose of the structure of the Climate and Low Carbon Development Act 2015 is to hold the Government to account, and perhaps I could and should have done a more detailed assessment of what happened last year. The circumstances are difficult, because I understand that the annual transition statement was made before the House in December and I do not know why it has taken this long for it to lead to these oral statements, but the Senator's point is correct that we need to follow proper process.

In response, some of the facts from 2019, which perhaps I should have provided earlier, as Senator Martin has said, do give us some hope, in that there was around a 4.5% reduction in emissions in 2019. There was around a 9% reduction in emissions in the emissions trading system, ETS, sector. We are effectively starting to switch away from the use of coal in Moneypoint Power Station and to stop using peat, and that is where the big reduction was made. There was also a reduction in agriculture and domestic dwellings, mainly because of a mild winter, which came out of a drought in 2018 and reduced the amount of fertiliser being used. It is complex, but while there was not an underlying shift, it was a welcome reduction. The 8% to 9% reduction of emissions in the ETS sector showed us what is possible, and that kind of reduction in one year gives me a certain amount of hope.

Senator Byrne raised a number of points, some of which I will address in my other comments, but he is absolutely right on his point about the clean-air legislation. It is a clean-air policy and it is critical that we have win-win situations when we are dealing with climate issues. We are expecting to launch a new clean air strategy in January, and that will be followed fairly

quickly by a consultation process, with a view to imposing a complete ban on the use of smoky fuels across the country. The way regulation will be carried out will not be by having the Garda check people's houses, but at the point of sale, which will simplify the process. We will add to that the phasing out, over time, and in the same way, the use of other smoky fuels, so that we are not beset by legal challenges in terms of favouring the use of one fuel over another. These developments will be critical in terms of saving lives, but they will also help us with climate emissions reductions.

I very much appreciate Senator McGahon's comments on the electric vehicle, EV, charging network, and he is right that that will be the critical element in the transport sector. It will not be the only element, because as others have said, we must see modal shifts and start getting out planning right so that we can achieve the balance that will enable people to have shorter commutes and access a community within 15 minutes of where they live so that they do not need to drive everywhere. However, for those who do drive, changes are coming. The electric car will improve, its range will get longer, there will be more choice available and the price will come down. Electric cars also provide certainty for drivers because they are better cars. I had a meeting recently with the oil industry representatives from the filling stations across the country, and I told them that we need to see progress in advance of those vehicles coming. There must be an up-front investment made, because we cannot wait until the cars have arrived before we realise we have a huge problem and then invest. Some of the climate fund was invested in a project with the ESB, working with various filling stations to see if we can put in high-speed charging ahead of the arrival of this new fleet of cars in the next two to three years. I will be honest, and admit that the pace of delivery on that work has been slower than we would have hoped, and I have passed that message on to the filling station representatives. We must get this right, or else we will have to look at alternatives, such as passing a regulation which states, for example, that we will use supermarkets for the charging of EVs. We will have to put in place new infrastructure if we cannot use existing infrastructure, which seems to me to be the more sensible way to go.

I very much agree with Senator Moynihan's comments. I posted a tweet last week stating that the switch to cycling is central to the just transition. My former colleague Saoirse McHugh pointed out that it is more of a spoke of the change rather than being the hub, and she is probably correct - it is one of the strands of the just transition, but it is an important one. When I was a city councillor before I became a Deputy, I recall the high percentage of those working in Dublin City Council who did not own a car, and it has not changed that much. Almost half of the households in Dublin do not own a car already. When it comes to transport planning, everyone assumes that everyone has a car, but actually a large proportion of those in Dublin do not. I always thought that the provision of public transport, cycling and walking infrastructure is for those sections of society who do not have access to a car. It is a social justice issue, as I see it, in that those who typically live without a car in the most central parts of our city are those who suffer most from the poor air quality that results from the cars passing through. It is a social justice issue, and it always has been, but I take the point that the switch to cycling is only one of the spokes in the change brought by just transition.

It is not regarded as unfair, I will take the comments of Senators Boylan, Higgins and Dooley together, because all three spoke well about the Climate Action and Low Carbon Development (Amendment) Bill 2020, which is passing through the Houses at the present time. I had the pleasure of working with Senators Higgins and Dooley on the joint Oireachtas committee on climate action, and I am aware of Senator Boylan's work in the area. Senator Boylan stated

that the aim was to rush the Bill through, but there was not any expectation of it being rushed. There is a timing issue, but I do not believe that there has been fundamental disagreement in the committee about some of the structural changes being brought in, namely, the three five-year iterations, which are similar to those in place under the UK legislation, and represent an appropriate development and iteration of the original 2015 Act. I read the Supreme Court judgment as stating that the plan needed a level of step-by-step enhancement in ambition as we go. The reason I am keen on the time aspect is that if we can get it up and running as soon as possible, that will allow us to include 2021 in the first of the five-year cycles and that would have the benefit of starting straightaway.

It seems that the process of pre-legislative scrutiny has turned into a legislative process, which is strange and may have worked out well, we will have to wait and see at the end of the process. We presented a full draft text which I do not think is ordinarily the situation for pre-legislative scrutiny. Perhaps, in some ways, much of the deliberation that has been done would ordinarily have been done on Committee Stage or Report Stage. It is a strange process in which I am not directly involved, but am just following from a distance. I thought it was a useful chance to outline some of the background.

Senator Higgins said that to bring people with us, we have to be going somewhere, and that is absolutely true. I agree with Senator Dooley and others about no false consensus. There cannot be too weak a consensus but I think there is an appetite for consensus. What I hear in this Chamber is that desire exists.

I will use Senator's Dooley's contribution as a chance to branch into the issue of agriculture. Burrenbeo is a good example of how to bring the agricultural community with us in west Clare. I will connect that to what Senator Dolan said. She cited her father, who was a drystock, small farmer in Ballinasloe. She said that farming is a vocation and she is right, but we would all agree that it cannot be a vocation that comes with a vow of poverty. We need to pay our young people. We need to get young people into farming. The truth is that our drystock and suckler farmers get all the blame on the climate front but they are not the enemy or the problem. We need to get them to pass on their skills in the next ten or 15 years. Their average age is in late 50s or 60s. We need a generation of 20 somethings to learn from the other generation and we need to pay them both, one to teach and one to learn and take it on. Where we get the money for that is going to be key. It will come from Europe under the Common Agricultural Policy. Some of it is already coming from some of the funds that we get from the climate fund to which we have committed in advance. It comes down to what we value and if we value natural system services, carbon storage, good quality food, high quality water and preserving biodiversity, we are going to have to make political decisions around their funding. That is where the consensus becomes difficult because people have so many different resource requests. We will have to commit to funding because there is not an urban-rural divide. We need good nature and food. We want a balanced country and do not want to live in a land of industrial factories. I think, therefore, we can steer the consensus in the direction of considering how we pay our young farmers.

Senator Fitzpatrick mentioned various issues. I will pick up on one specific detail relating to national retrofit and how we deal with householders. She is right that much of the funding so far is being targeted at the warmer homes scheme and those in receipt of fuel allowance, by definition targeting people who are less well off, and it is absolutely right to do that. I expect that by June of next year, we will have a package for those in ownership of their own house. I expect that we will maintain a grant but it will not be the only or key element. The retrofit scheme

will also come with the potential for a loan finance package which will be open for a variety of financial institutions to opt into. That will have a guaranteed mechanism whereby the State, perhaps with the support of the European Investment Bank, EIB, will provide a capital fund to guarantee a certain tranche of the loans. That then de-risks some of the loans from default and brings down the cost of interest, which starts to make the numbers make sense, coupled with the grant. This is a significant investment in a home and could cost €30,000, €40,000 or more but will transform a home and people's health for the better. That mechanism of a guaranteed loan system, available through a variety of lenders, and mixed with the national retrofit office, is one of the ways that I hope we will progress.

In response to Senator Martin, I love going from hope to honey bees. I will pick up on one of the things that he said about consensus and the potential to build back better after the Covid-19 crisis. I think the pandemic has transformed the sense of the local and the importance of the local environment. To face the climate challenge, we have to translate the insurmountably large-scale problem back to something about people's homes, communities, streets and local environment to which they can relate. I absolutely agree with the Senator.

**Senator Vincent P. Martin:** May I offer the Minister a point of information?

**Deputy Eamon Ryan:** By all means.

**Acting Chairman (Senator Fiona O'Loughlin):** The Senator should speak through the Chair, but I will allow it.

**Senator Vincent P. Martin:** Through the Chair, the consensus has to start in the Oireachtas. I would love to see climate action receive the same scale of cross-party support as our approach to Brexit and the Good Friday Agreement. It is too big to mess around with. I know the Minister would agree with that.

**Deputy Eamon Ryan:** I absolutely agree. I will speak to my colleague, the Minister of State with responsibility for heritage and electoral reform, Deputy Noonan, about those Italian honey bees and see what can be done about the matter.

I hope I will not leave anyone out and will respond to most Senators. I appreciate the comments of Senator Conway. I am glad to hear that the lift at Ennis train station is going to be fixed. The Senator, and a number of others, raised the wider issue of Moneypoint. We are going to stop burning coal, everyone knows that, and we have to do it quickly. There is considerable potential for the Shannon Estuary. Floating offshore wind is not quite commercial yet but it will be in the coming five years. Everyone is betting on it and investing in it. Our sea area is ten times our land area and we have windy conditions off the west coast. It seems to me that the Shannon Estuary is one of the areas where that will come home to roost and whether in the form of hydrogen storage or connecting to the grid at Moneypoint, it will require significant investment, potentially including the use of port facilities to service and deliver the industry in the first place. I mentioned one of the things that will come with that in my earlier contribution. We will need to locate industry close to the power. We will have a competitive advantage in our power supply at scale, approximately 30 GW or more. It is not quite 20% of our energy needs but it is not small. Take, for example, Aughinish Alumina. Instead of heating it by gas, as is done at the moment, can we look to use electricity or hydrogen? Are there other applications that could be applied in a similar way? Similar to what we spoke about in relation to the western rail corridor, my urge is to ask if we can put that location close to the clean power sup-

ply, together with other infrastructure, the likes of the harbour infrastructure. In Moneypoint, we have a large quay, a jetty, deep water connection and electricity grid. That is a combination with which we can go to industry players and offer clean power, good logistics and international connectivity. Surely we will create new industry for the west in that way. That is absolutely possible.

I will turn to Senator Murphy's contribution. At the launch in Bord na Móna of the approximately €150 million we are putting into the re-wetting of bogs, the chairman of Bord na Móna put it well when he said that it was an historic day for the company because it was the day it became a climate-solutions company. It is not just those 350 jobs, or the 6 o'clock 33,000 ha that will be re-wet, or the hundreds of thousands of tonnes of carbon, it is the potential for future development of the company, the potential investment in new products. Some of it will be power and Bord na Móna will still be based in producing power but it will not be through centralised power stations. We will have to wait and see what those power stations turn into and we are open to all sorts of ideas. Its new business will be a combination of power, carbon storage and the growing of new products in bogs as horticultural produce, as the company is committing to. It will learn. It has been a tough old practice. As I understand, it started with perfumes last year and it was going well until it rained at the wrong time, or the sun came out at the wrong time. We have to learn by doing. It is not easy. I believe in the company and that the people in the midlands can do it. The path to a just transition is to invest in the future and to be good at this.

That is what the chief executive and the chairperson said on the day, that is, that the company was now a climate-solutions company. That gives companies a future, and it gives the midlands a real future too.

To respond to Senator Seery Kearney, we will go local. I also attended a BusConnects meeting last night in respect of Terenure and Templeogue. We got right down to the level of local bus stops. While Senator Martin was focusing on bees and so on, Senator Seery Kearney has gone from blueberries to bus stops and BusConnects. This all comes down to the real world and how, in that junction in Terenure, there are two junctions beside each other, with a Y formation. It is really tough. Last night, when I met the various combined residents' groups of Rathfarnham, Terenure, Rathgar and so on, I pointed out that the NTA has done a good job in the consultation. It has been open to listening. This is the third round of consultation and I have encouraged the agency to continue examining every specific area to see what we could still do better. It is a slight leap in the dark. People do not realise the scale of the change that is coming in Dublin. It is very significant and will be potentially really good. It will be really good if it delivers, as Senator Fitzpatrick suggested, a system where people can use car shares or where that 30% of rush hour traffic, which at the moment is caused by us driving our kids to school, may not be necessary. If that happens, villages will be freed up and it will all start to work in a positive way.

I will finish with a message of hope. I do not know about the Senators, and perhaps I am biased because I come from a cycling-campaigning and BusConnects route in my area of interest, but I now see people out there with their young kids trying to get them safely to school. We have an obligation. This is not just about BusConnects or cycling but about creating a public realm that is fairly radically different and that is a safe, healthy, clean-air space. I think that is doable.

**Senator Alice-Mary Higgins:** I wish to raise-----

**Acting Chairman (Senator Fiona O'Loughlin):** I cannot allow anyone in. We were supposed to finish at 6 p.m. but it has gone past 6 p.m.

**Senator Alice-Mary Higgins:** What about the issue of global policy?

**Deputy Eamon Ryan:** The Senator is absolutely correct. Part of the global issues will be addressed by the Taoiseach tomorrow at the European Council, where we will have to decide on the level of European ambition. I hope that can be agreed to be as ambitious as possible. There is a technical issue with how we define land use in the system as an overall percentage. Europe has led and China has responded in recent months. With the change of US Administration, there is a possibility that the world will row in behind this. We can go from the bus stop in Rathfarnham to the bigger picture in a way that really works.

I have to leave now because I have to speak at an online climate event in the next few minutes.

**Acting Chairman (Senator Fiona O'Loughlin):** Of course. I thank the Minister for his interest, his openness and his commitment to consulting. It is very important. When we talk about social justice and people who do not have cars, we have to talk about the social choice as well. Many people make a choice not to have a car and, therefore, need public transport and so on.

The Seanad adjourned at 6.05 p.m. until 10 a.m. on Friday, 11 December 2020.