



DÍOSPÓIREACHTAÍ PARLAIMINTE
PARLIAMENTARY DEBATES

SEANAD ÉIREANN

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

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SEANAD ÉIREANN

Dé Luain, 1 Feabhra 2021

Monday, 1 February 2021

Chuaigh an Cathaoirleach i gceannas ar 11 a.m.

*Machnamh agus Paidir.
Reflection and Prayer.*

Gnó an tSeanaid - Business of Seanad

An Cathaoirleach: I welcome the Minister of State and thank her for coming in. Before the Minister of State answers Senator McGahon's question, I have to read out the matters submitted.

I have received notice from Senator John McGahon that, on the motion for the Commencement of the House today, he proposes to raise the following matter:

The need for the Minister for Education to make a statement on the provision of additional primary education places for south Dundalk, County Louth.

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

The need for the Minister for Children, Equality, Disability, Integration and Youth to make a statement on the development of a new national strategy for women and girls.

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

The need for the Minister of State at the Department of Enterprise, Trade and Employment to make it a mandatory requirement for companies to make annual public disclosures of the greenhouse gas emissions arising from their activities in the State.

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

The need for the Minister for the Environment, Climate and Communications to launch a nationwide campaign to highlight the damage being caused to the environment by illegal dumping.

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

The need for the Minister for Media, Tourism, Arts, Culture, Sport and the Gaeltacht to make a statement on the introduction of a universal basic income for artists.

I have also received notice from Senators Fiona O'Loughlin and Catherine Ardagh of the following matter:

The need for the Minister for Health to allocate funding to the HSE for the roll-out of IVF treatment through public hospitals.

I have also received notice from Senator Timmy Dooley of the following matter:

The need for the Minister for Education to address the shortage of secondary school places for sixth class students in Ennis, County Clare.

I have also received notice from Senator John Cummins of the following matter:

The need for the Minister for Health to make a statement on the timelines for the capital build plans for a multidisciplinary early intervention and respite care centre for children with complex additional needs on the grounds of St. Otteran's Hospital, County Waterford.

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

The need for the Minister for Health to review the role of public health doctors.

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

The need for the Minister for Education to make a statement on arrangements for the junior and leaving certificate examinations in 2021.

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

The need for the Minister for Foreign Affairs to provide an update on the provision of an overseas allowance for Irish citizens who represent Ireland as secondees to the Organization for Security and Co-operation in Europe, OSCE, special monitoring mission to Ukraine.

I have also received notice from Senator Emer Currie of the following matter:

The need for the Minister for Transport to provide an update on the development of the N3 to N4 link road.

I have also received notice from Senator Annie Hoey of the following matter:

The need for the Minister for Higher and Further Education, Research, Innovation and Science to make a statement on the impact of Covid-19 on placement availability for social care students in the 2020-21 academic year.

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

The need for the Minister for the Environment, Climate and Communications to provide an update on the annual transition statement for 2020.

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

The need for the Minister for Housing, Local Government and Heritage to make a statement on the implications of the Flemish decree judgment for the national planning framework and county development plans.

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I have also received notice from Senator Rónán Mullen of the following matter:

The need for the Minister for Health to make a statement on the Covid-19 vaccination arrangements for elderly retired members of a religious order in the care of a nursing home maintained by that order. Details have been supplied to the Minister.

The matters raised by the Senators are suitable for discussion and I have selected those raised by Senators McGahon, Lombard, Ruane, Wall, Byrne, and O'Loughlin and Ardagh, who will be sharing time, and they will be taken now. The other Senators may give notice on another day of the matters that they wish to raise.

Nithe i dtosach suíonna - Commencement Matters

School Enrolments

Senator John McGahon: I thank the Cathaoirleach for selecting this Commencement matter. He selected it before Christmas but I got my days mixed up. I apologise to him for that.

The Haynestown and Blackrock area, just south of Dundalk, is one of the fastest growing areas in County Louth in respect of population. Some 1,650 planning applications have been submitted for housing and more than 500 houses have been built in the area in the past three years. In Blackrock, which is beside Haynestown, the two primary schools are completely full, as is the primary school in Haggardstown. The reason I am raising this Commencement matter is to acknowledge the huge increase in the population of the area, which will only continue to grow as it is one of the most popular places to live in County Louth. We must plan appropriately for education in the area.

The Louth and Meath Education and Training Board, ETB, has identified a suitable site for a primary school in the Haynestown area. It has also obtained a valuation for the site which provides good value for money and has submitted a request to the Department of Education in that regard. It is important that the Department makes the identification of a suitable school location a priority. It is about planning ahead. We have seen substantial housing development in the area, one of the fastest growing parts in County Louth. Louth County Council is doing a wonderful job in that regard.

I am raising this issue today because, rather than me telling the Minister of State, Deputy Madigan, why it needs to be addressed, I want to hear her views in order to determine how we can move forward with this important issue.

Minister of State at the Department of Education (Deputy Josepha Madigan): I thank the Senator for raising the matter as it provides me with the opportunity to clarify the current position on the provision of additional primary school places in Dundalk, County Louth.

As mentioned by the Senator, in order to plan for school provision and to analyse the relevant demographic data, my Department divides the country into 314 school planning areas.

It uses a geographical information system, GIS, which uses data from a range of sources, including child benefit data from the Department of Employment Affairs and Social Protection and the Department of Education's school enrolment databases, to identify where the pressure for school places will arise across the country, as alluded to by the Senator. I note what he has said about the fast-growing demographic in Dundalk. The Department has strengthened this process this year through specific initiatives such as enhanced engagement with local authorities in respect of the information on residential development incorporated into the analysis process. There has also been additional engagement with patron bodies in relation to their local knowledge on school place requirements. ETBs, Diocesan offices and national patron bodies, such as Educate Together and An Foras Pátrúnachta, which looks at Gaelscoileanna, can also be an important source of local knowledge. This will add to information also provided to the Department by local authorities or individual schools. The Department has also utilised the information gleaned from schools under the national inventory of school capacity completed by individual schools last year as part of the primary online database.

In a regular year, addressing the increased demands for school places, while challenging, is manageable - generally through utilisation of existing spare capacity within schools, rental and temporary accommodation or other short-term measures pending the delivery of permanent accommodation. The Dundalk primary school planning area is made up of 29 primary schools. In relation to the provision of additional primary school places for Dundalk, my Department has recently approved the expansion of St. Francis National School, Blackrock to a two-stream, 16-classroom school. The project approved will provide an additional eight permanent classrooms and includes a two-classroom special education needs base. As Minister of State with responsibility for special education, I am particularly pleased about that. A design team has been appointed for the project and it is currently at an early architectural planning stage. The project has been devolved to the Louth and Meath Education and Training Board, ETB, for delivery. Pending the completion of this project and in order to meet the accommodation needs of St. Francis National School, my Department has improved the temporary accommodation of two mainstream classrooms for the current school year, as well as a further mainstream classroom and one special education needs classroom for the 2021-2022 school year. It is envisaged this accommodation will be in place for the start of the next school year. This additionality is expected to cater for the future needs of the Dundalk area. My Department understands there is further capacity with existing primary schools in the school planning area.

I wish to advise the Senator that updates on all building projects are provided on my Department's website and that this is updated regularly. I thank the Senator for his particular interest in this area and I hope I have outlined to him in a satisfactory way the position on primary school provision in Dundalk.

Senator John McGahon: I thank the Minister of State for her comprehensive reply. It is very much appreciated. I would like to make two points about it. It may be too late for this debate but we need to treat the Haynestown and Blackrock area separately from the Dundalk planning area, which is utilised by the Department. Dundalk is a town of approximately 40,000 people. The Blackrock-Haynestown area, which started off as small villages on the outskirts of Dundalk, needs to be treated as two distinct areas. The needs in that area are completely different from the education needs in north Dundalk. The Department has a difficulty encompassing Blackrock-Haynestown in the wider Dundalk area and they should be treated separately.

I welcome the points the Minister of State has made about St. Francis National School in Blackrock. However, the area I am talking about is a distinct area. It is the Haynestown-

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Haggardstown area. That is where the majority of housing is going to be built over the next couple years. That is where we need to look to when providing a new primary school and that is what the Louth and Meath ETB is trying to do. It is welcomed in Blackrock but it is a totally separate issue. We need to cater for the children in the Haynestown-Blackrock area and that is why I raise this matter today.

Deputy Josepha Madigan: The building and planning unit within the Department has its own way of dealing with and forecasting future school places and schools. I mentioned the 314 school planning areas earlier on. However, I will bring what the Senator said today to the attention of the Minister for Education, whose remit is over the building and planning of schools. There are 29 primary schools in existence in the Dundalk primary school planning area. That is not to say that there is not a case to be made for Haynestown and Blackrock. It may be worth the Senator's while to put in a submission in writing to the Department other than just tabling a Commencement matter. This could perhaps set out the reasons he has articulated, particularly if there are 40,000 additional people and an increasing demographic, which he has alluded to. It may be worthwhile putting something in writing to the Department.

An Cathaoirleach: I thank the Minister of State for explaining the situation prior to Christmas. I know she was double-booked on that day and had a constituency issue to deal with.

National Strategy for Women and Girls

Senator Tim Lombard: I welcome the Minister of State, Deputy Troy. Has the consultation process begun for the new national women and girls strategy? Has a committee been put in place and what are the proposed timelines for putting the new strategy in place? As the Minister of State is aware, the national women and girls strategy 2017-2020 was launched by the then Minister, Frances Fitzgerald. It was considered at the time a crucial framework of actions to address issues regarding women in the workplace and women in society. Last year, the chairperson of the Citizens' Assembly, Dr. Catherine Day, was quoted in *The Irish Times*, in a very pronounced statement, as saying there is a feeling among the citizens involved in the assembly that gender equality was going backwards, not forwards, even though more than 50 years of legislation is in place regarding equal pay. That statement was probably the most frightening of all in that the chairperson of the Citizens' Assembly felt that the citizens involved in that forum felt we were going backwards after 50 years of legislation.

When we take into consideration that a strategy was put in place in 2017, the issues seem to be within society itself in terms of how we deal with this. The overall gender balance issue in the Civil Service has been addressed to some degree but there are still huge issues. Unfortunately, men are twice as likely as women to be involved in senior roles, even where women have the same level of qualifications and length of service. A similar position is found across both the public and private sectors when it comes to employment. Women are losing out on both income and the ability to achieve in their employment, which is a huge issue, and our society is losing in not picking up on that ability of women in society. Women have such potential, and if this is utilised, we will have a greater society.

Much work needs to be done. Among the 139 actions that were put in place in this four-year strategy - more were to be added afterwards which were not then added - there were supposed to be two reviews. I note that the 2018 review is on the website and the Minister of State might confirm whether the 2019 review actually happened and was posted on the website. If it has

been, I apologise, but I cannot find it. The final review of the strategy was to be published by the end of 2020 and it is a very important review for this living document. We need to take from that review what we have achieved in the past four years and build on that going forward. That will probably be the biggest body of work we need to look at.

We have been talking about this issue for 50 years and we have made major inroads, but unfortunately there is much to do. This is a living document, as the former Minister and spokesperson, Frances Fitzgerald, said. How can we progress this living document? What are the timescales? What reviews are going to happen? When will a new strategy be put in place?

Minister of State at the Department of Enterprise, Trade and Employment (Deputy Robert Troy): I am here on behalf of the Minister for Children, Equality, Disability, Integration and Youth, Deputy O’Gorman, who sends his apologies.

The National Strategy for Women and Girls 2017-2020 is the main framework through which the Government pursues actions to advance the rights of women and girls and to enable their full participation in society. The national strategy was adopted by the previous Government and launched in May 2017 to provide a whole-of-government framework through which women’s empowerment can continue to be advanced. It reflects a key theme running through the programme for Government and the Government’s commitments under the Beijing Declaration and Platform for Action 1995 and the 2030 Agenda for Sustainable Development. The strategy is led by the Department of Children, Equality, Disability, Integration and Youth.

The overall goal for the strategy in the period to 2021 is to change attitudes and practices preventing women’s and girls’ full participation in education, employment and public life at all levels, and to improve services for women and girls, with priority given to the needs of those experiencing, or at risk of experiencing, the poorest outcomes. Six high-level objectives are set out with which to advance socioeconomic equality for women and girls, to promote their physical and mental well-being, to increase their visibility in society and equal and active citizenship, to promote women’s participation in leadership, to combat gender-based violence and to embed gender inequality in decision-making. These objectives are advanced through 139 actions undertaken by Departments and State agencies in co-operation with social partners and civil society, as appropriate. The first progress report under the national strategy for women and girls was submitted to the Government and published in May 2019. As of December 2020, work had begun on 133 of the initial 139 actions, of which 42 have been completed.

Covid-19 has significantly affected the strategy’s implementation. With this in mind, the Minister, Deputy O’Gorman, has decided that the term of the current strategy should be extended to the end of 2021. This will enable the strategy’s actions to continue to be implemented and facilitate the preparation of a new strategy policy approach in this area. The strategy committee will continue meeting during 2021, allowing the work of the current strategy to continue while also giving space to the committee to examine how to develop further strategic policies in a new working environment. Covid-19 has caused major upheaval to the way we work and the work we do. A multi-annual strategy will always end in a different environment than that in which it began, but we could not have imagined the effect of this pandemic. The decision to extend the strategy for a further year is a reflection of the changes that have occurred over the past year but does not prevent the committee from beginning work on future policies on gender equality.

The Minister’s Department will continue with existing plans to have an independent evaluation of the strategy in 2021. This will form part of the planning for the future. It is the Depart-

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ment's hope to go to tender in quarter 2 of 2021. The strategy committee is due to meet this spring, with a focus over its coming meetings on the conclusion and evaluation of the current strategy and looking forward to the next strategy.

The programme for Government has a commitment to develop and implement a new strategy for women and girls. Work needs to be undertaken to examine how best to develop a successor strategy that can be aligned effectively with the other equality strategies that are in place and the successor to Better Outcomes, Brighter Futures.

The Government has taken a series of measures to promote equality for women and girls. Under proposals approved by the Government in December, each parent will be given an additional three weeks of paid parental leave and the period in which it can be taken will be extended to the first two years after the birth or adoptive placement of a child. It is anticipated that the legislation will be introduced early this year. The Minister will shortly table amendments to the Gender Pay Gap Information Bill. He is committed to the early enactment of this legislation, which will require companies to report on gender pay differentials. He will shortly launch new consultations on flexible working and domestic violence leave. The objective is to get a better understanding of the needs of employees and employers in terms of such leave.

The Government remains committed to promoting equality between women and men and advancing the important goals set out in the national strategy for women and girls.

Senator Tim Lombard: I thank the Minister of State for his comprehensive response. He stated that the 2017-20 strategy would be extended by 12 months and work would be done this year on putting a new strategy in place from 2021 onwards. I welcome that as we were unsure of what was happening with the current strategy. I do not have the Minister of State's script, but did he say that more than 130 actions had been examined? Will he provide written details on those actions and how far they have been progressed? I do not expect him to have the information with him now, but we need clarity on how much work has been done.

I note that the first review was published on the website, but it was proposed in the original strategy that two reviews should be published. Will the Minister of State clarify when the second will be published?

Deputy Robert Troy: To confirm, 133 of the initial 139 actions have begun, with 42 completed. I do not know where the remaining actions stand, but I will ask the Minister's office to revert to the Senator and clarify.

The strategy committee is due to meet this spring. Its focus over the coming meetings will be on the conclusion and evaluation of the current strategy and looking forward to the next strategy. It is very important to have a continuation of the good work that has been done already. We must identify what remains outstanding and put a clear pathway in place for a future strategy. I will certainly bring back the points raised to my colleague, the Minister for Children, Equality, Disability, Integration and Youth, Deputy Roderic O'Gorman, and ask his office to provide a detailed reply to the Senator.

Greenhouse Gas Emissions

Senator Lynn Ruane: I thank the Minister of State for coming to the Seanad today. I raise

a crucial matter relating to Ireland's efforts to combat climate change, particularly the absolute necessity to ensure significant and tangible reductions in the emissions of greenhouse gases for the protection of our natural environment, the health and well-being of our citizens and the prevention of catastrophic climate and biodiversity collapse.

As the Minister of State is aware, the Environmental Protection Agency released a report last week analysing Irish greenhouse gas emissions for 2020. Somewhat unbelievably, the report indicates that even with the dramatic decline in economic activity and travel arising from the Covid-19 pandemic, Ireland still only reduced its carbon emissions by less than 6%, falling short of the flagship commitment in the programme for Government to achieve a 7% reduction every year. In this context, it is clear that radical action is needed across all Departments and sectors of our economy to make the fundamental shift in both policy and mindset needed to decarbonise the economy, especially as economic activity picks up again after Covid-19. I raise, therefore, one specific part of the suite of measures needed to revolutionise Ireland's climate response today, the introduction of legislation requiring private companies operating in Ireland to make mandatory public disclosures on the greenhouse gas emissions arising from their activities in the State. Such a measure is built on the principles of transparency and accountability, the idea being that if companies are required to publish their emissions every year, public scrutiny, pressure and environmental considerations will cause them to adopt policies that will reduce their emissions.

Commercial, industrial and public services accounted for almost 15% of Irish emissions in 2020. In 2017, the Carbon Majors report found that just 100 companies had been responsible for 71% of global emissions since 1988. Corporations make significant contributions to global emissions and must be held to account. Climate justice is not possible if State responses only focus on targeting individual consumption through carbon taxes, impacting low-income communities with low carbon footprints the most and without also tackling the big polluters on the other end of the scale, which create the most carbon emissions.

Legal requirements in this area have been adopted elsewhere, notably in the UK. I am currently drafting legislation in a similar vein that would require companies to make annual disclosures of their greenhouse gas emissions to the Minister, crucially including emissions not just from directly owned sources but indirect emissions arising from business activities and their supply chains, known as scope 3 emissions. The requirements would be phased in for large companies first, similar to the requirements under the Government's proposed gender pay legislation. There would also be a system of graduated fines for companies acting in bad faith in respect of inadequate emissions reductions. I would also like to see these same requirements made of public bodies in the spirit of fairness and also to allow Departments and State bodies to demonstrate real climate leadership. However, ideally I would like to see these proposals come from the Government, which is why I have tabled this matter. Will the Minister commit to introducing such legislation, particularly that which includes so-called scope 3 emissions?

Ireland has so many large multinational companies headquartered here that by introducing strong requirements, we could feasibly create a global shift in corporate environmental accountability. Considering Ireland's reputation internationally as a global climate laggard, this would be an incredible legacy for the Department. Many of our larger companies are already participating in such a scheme voluntarily through the extremely worthwhile work of Business in the Community Ireland and its low carbon pledge for businesses. What I am proposing is that we simply make such a scheme statutory. I thank the Minister of State and look forward to his response.

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Deputy Robert Troy: I am very pleased that this matter has been selected for discussion today as it is an area in which I have a particular interest. The Intergovernmental Panel on Climate Change has demonstrated that global emissions must be reduced to net zero within the next few decades to avoid a dangerous increase in global temperatures. The programme for Government sets out how important the next ten years will be in addressing the climate change and biodiversity crisis. I am determined, through my delegated functions, to play my role. One of the first actions upon my appointment was to seek how we could make company law fit for purpose and address the need for more robust environmental reporting measures. It was at this stage I was informed that the work was under way in the European Commission and I believe it would be premature to pre-empt this work. However, preparatory work has begun.

Last year, Senator Ruane and I met to discuss the company requirements with regard to reporting on greenhouse gas emissions. The current system of environmental reporting has been in place since 2017. Large companies in Ireland with more than 500 employees are required under company law to report on their impact on the environment such as their greenhouse gas emissions or to explain if they do not.

The current rules derive from EU law and encompass approximately 6,000 large global companies operating across the EU. Reporting is not limited to greenhouse gas emissions and can include anything material in terms of a company's impact on the environment. The information allows investors, consumers, policymakers and other stakeholders to make choices based on the environmental performances of the companies. It encourages companies to develop an environment-focused approach to their business but, to be clear and honest, as it stands what we have is not fit for purpose. The process of comply or explain will not lead to the necessary or effective change in decarbonisation in this country. This needs to be improved and it is my intention that it will be improved.

I am committed to seeing reform in company law in this space. I have written to key stakeholders signalling what is happening and that I will seek their views when the draft legislative proposal is published at the end of quarter 1 this year. This will also be an important opportunity to reflect on what has been done and, given the extraordinary global upheaval, forge an effective approach to raise the transparency of the environmental information provided by undertakings in all sectors and result in lasting change for the better.

Many companies are keen to develop their reporting in this area and to differentiate themselves on the basis of their responsibility in regard to the environment and climate change. As legislators, there is an onus on us to require this in a clear and a consistent way, give the maximum relevant information possible to consumers and other stakeholders and minimise any unnecessary burden on companies.

To complement the consultation process, I will convene a forum to build on feedback. I will work with stakeholders across the different sectors, inviting their feedback and experience, ensuring that measures introduced are proportionate to the size of the respective companies and developing workable solutions that will ensure businesses are working towards reducing their environmental footprint and thus greater transparency for all. This will need cross-party co-operation and political leadership to ensure real and effective change is carried through, particularly as we navigate the pandemic recovery. It is my intention that decarbonisation is part of that recovery.

I look forward to working with the Senator. We can work together on the Bill she proposes

and across all the different political parties because this is not just an interest unique to me or to her. Many Members of this House, and the Dáil, have a similar interest. I look forward to working with all Deputies who have an interest in this issue and ensuring that we bring forward legislation later this year that is fit for purpose.

Senator Lynn Ruane: I thank the Minister of State. I welcome his contribution, especially the reference to working together. I know there will be differences in the way we view this moving forward but it would be good to find common ground and work from that point. I have one question. If needs be, can he commit to going further than the EU legislation? We have been operating under an EU directive on non-financial disclosures on companies since 2017, which has been inadequate. The Minister of State cannot pre-empt what the Commission will bring forward but can he commit to taking it further if the EU legislation does not go far enough?

Deputy Robert Troy: I welcome this discussion. There is passion and enthusiasm in the House in respect of this matter. The current requirements are not fit for purpose when it comes to the process of comply or explain. We want to change that. However, I cannot commit to going further on something that I have not even seen yet. I am awaiting whatever directive comes from the EU. I have already written to the various stakeholders seeking their inputs and views.

We will work together but let us wait to see what the EU publishes. If it is not good enough, we can certainly improve it. That does not have to be what we aspire to achieve. That might be the base but we have to wait and see what is published. When it is published, we will get together and have stakeholder engagement. I look forward to Senator Ruane playing a leading role in that regard. As stated, we will bring forward new legislation that is fit for purpose and robust and that will serve both companies and the environment well. Many companies are already publishing a great deal of data on a voluntary basis. Some companies are ahead of us on this and realise that they have an important role to play.

Illegal Dumping

Senator Mark Wall: I wish everyone a happy St. Brigid's Day. I thank the Minister, Deputy Eamon Ryan, for coming to the House to discuss this important matter.

Notwithstanding the dreadful pandemic that our country continues to face, one issue continues to dominate the work of public representatives from every corner of our country, namely, illegal dumping. The problem is not confined to our remote beautiful countryside, although the problem there is at its worst. This problem can be found on the main streets of our cities, the main roads through our towns, as well as every secondary road and laneway in our country.

One positive outcome of this lockdown has been the number of our citizens who are out walking and exercising within the 5 km limit that is in place. However, this increase in those walking our streets and country roads has led to realisation of what we, as a nation, are doing to our environment. What people are seeing in greater numbers is simply environmental vandalism. Our main roads resemble advertising dumping grounds, as discarded packets, cups and boxes fight with one another for the little spots available on these roads and are constantly blown about in the wind. Our country lanes are now extensions of our landfill sites such is the amount of rubbish being illegally deposited there. Our farming community is constantly having to remove piled up rubbish from headlands, entrances and fields. Rubbish is just flung over

ditches by those passing in vans or cars.

We try to sell this country as a beautiful unspoilt island with 40 shades of green and landscapes to die for. We have to intervene, however, as those green fields, those important city streets, our beautiful hills, those quaint country lanes, not to mention our precious bogland, will disappear under mountains of discarded fridges, sofas, tyres and household rubbish. These are all illegally dumped by those who consider themselves above the law and, for some bizarre reason, untouchable because they gave a person driving a van or a car a few bob to get rid of it.

My local authority, Kildare County Council, is now dealing with 40 to 50 incidents each week and is spending more than €3 million per year on mitigating matters. If this is replicated across our 31 local authorities, it means that approximately €90 million will be spent on this problem. This does not include the additional moneys the Department may have allocated and does not include the time and effort of the many volunteers who do their best to clean up after this unacceptable behaviour.

I am aware, from parliamentary replies from the Minister to Labour Party colleagues, of an anti-dumping awareness communication campaign entitled Your Country, Your Waste. With respect, this is not working, however. I deal with the magnificent community wardens every single week which, thankfully, the Department's money has provided to local authorities to employ. They do a great job but in one case of which I am aware the wardens are on their fourth clean-up of an area within the last year. This location is not a rural backwater.

Local authorities need the Department's help. They need to know what is contained in the Minister's so-called anti-dumping toolkit for local authorities. The national campaign that I, along with many other public representatives, am looking for must include enforcement. I am aware of a person with a van being caught red-handed with illegal rubbish, heading out to our countryside to dump it. Three years later, there still has not been a prosecution. It is no wonder that those who give these people a few bob are not scared by the consequences. I have spoken to a large number of public representatives on this matter over the past number of weeks and months. They are all in agreement that a national campaign must come with enforcement. We have all read recent articles in which local authorities have been effectively warned not to use CCTV or other surveillance methods because of data protection issues. This problem is now so serious that I and others are looking at these data protection issues, and if legislation is needed, we will bring it forward.

I urge the Minister to address this issue. There should be no comfort in giving one's rubbish to a person who is obviously not registered. There must be no escape from prosecution for taking it upon oneself to get rid of rubbish in what one thinks is an isolated spot or for tossing an empty packet out the window or throwing it away as one walks along our streets. We live in the best country in the world. We have the best scenery, the best tourist destinations and the best locations to exercise even within a restricted 5 km.

On behalf of so many, I urge the Minister to launch a national campaign that includes effective enforcement and surveillance as well as proper guidelines for our local authorities that allow them to employ surveillance without the fear that they will never be able to use it. It is time to name those who deliberately set out to ruin our environment and to ensure the legislation is there in a timely manner to prosecute those who commit environmental vandalism. The clock is ticking.

Minister for the Environment, Climate and Communications (Deputy Eamon Ryan):

I thank Senator Wall for raising this matter. It is very appropriate on Lá Fhéile Bríde, when, as he says, we have to look after our beautiful island within the wider world.

As noted in Ireland's Waste Action Plan for a Circular Economy published last September, the national trend in illegal dumping has been generally positive in recent years. Certainly, the level of large-scale illegal dumping has been significantly reduced in Ireland relative to that seen in the late 1990s and early 2000s. In my view, most of the improvements can be attributed to structural changes in the co-ordination of enforcement activities and to increased investment in supporting local authority enforcement.

Since 2015, local authorities have been assisted by three waste enforcement regional lead authorities, WERLAs, covering the south, east, midlands and Connacht-Ulster regions. The WERLA structure helps to facilitate a co-ordinated approach to waste enforcement. This is done by setting common priorities and objectives for waste enforcement and ensuring consistent enforcement of waste legislation while still leaving local authority personnel as first responders on the ground. Last year, my Department provided €1.1 million to support WERLA office work.

Also in 2020, €7.6 million was allocated by our Department to local authorities under the annual local authority waste enforcement measures grant scheme. This supports the recruitment and retention of more than 150 local authority waste enforcement personnel. Some €3 million was allocated to local authorities in support of the 2020 anti-dumping initiative. A sum of €1 million of this allocation was ring-fenced to combat illegal dumping activities arising from the Covid-19 crisis. Anti-dumping initiative funding supported in excess of 300 projects nationwide in 2020. Since the introduction of the anti-dumping initiative in 2017, total funding of €9.3 million has been provided in support of more than 1,000 projects. This has resulted in the removal of more than 10,000 tonnes of illegally dumped waste from our landscape.

My Department officials continue to liaise with enforcement staff in the WERLAs, local authorities and other agencies with a view to obtaining information on 2020 out-turns and indicative trends. This information will help to decide on priorities for 2021 funding and enforcement activities. We cannot be complacent in this area.

The Waste Action Plan for a Circular Economy contained a range of additional actions designed to enhance waste enforcement, to protect human health and the environment and to provide a strong deterrent effect. *Inter alia*, these include an enhanced role for the WERLAs, an anti-dumping toolkit for local authorities, an illegal and unauthorised sites action plan to assist authorities, greater use of fixed penalty notices, and the data-proofing of waste legislation to facilitate the use of available and emerging technologies in a manner which is GDPR-compliant.

The Senator mentioned the need for a nationwide campaign, so I note that my Department launched a national anti-dumping awareness communications campaign, *Your Country, Your Waste*, in November last year. This campaign was developed as part of the 2020 anti-dumping initiative and includes a tailored suite of information and awareness messaging for use by local authorities and community and voluntary groups. In providing 2021 funding, my Department will remind the sector to continue to utilise this messaging. Allocations for 2021 have not yet been finalised but my Department will continue to invest significantly in the local authority network to ensure there is a robust sustainable waste enforcement system in place to combat all illegal waste activity.

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Senator Mark Wall: I thank the Minister for his comprehensive reply. Unfortunately, according to the evidence I have received, illegal dumping is on the increase. I am sure he too is hearing that from all local representatives. I have spoken to many of them in recent weeks. I would appreciate if the Minister's Department could liaise with local authorities. In Kildare, for example, we face 40 or 50 incidents per week.

I also wish to raise the issue of data protection. It seems to be a problem for local authorities, and it has been mentioned in a number of publications in recent weeks that local authorities are under pressure in respect of the use of data, CCTV cameras and so on. Cameras are a deterrent. I met representatives of my local authority during the week at one particularly bad spot and they raised the issue of using CCTV cameras to combat this practice. The Minister might comment on that.

Deputy Eamon Ryan: I fully agree with the Senator that this is an issue. I have seen it in my constituency and I am involved in groups that carry out clean-ups of the River Dodder. One of the most frustrating aspects we see upriver is where significant illegal dumping is happening. The councils often install CCTV cameras but the frustration is that it has proven difficult for them to apply punitive measures, partly because of the difficulties they have with CCTV and how the courts and others view those data.

This is something we have to get right. There is a balance to be struck and we do not want to go down the route where our every action is monitored and traced using CCTV. There is a right to privacy and anonymity but that right cannot protect against blatantly illegal activity. I do not have the direct answer to how we should apply the GDPR. We have to apply it, but the Senator is correct that this is an issue. I will ask my officials to examine in further detail how we can get it right as part of the range of measures we need.

Arts Policy

Senator Malcolm Byrne: I thank the Minister, Deputy Catherine Martin, for coming to the House and acknowledge that she is personally invested in this issue. We have seen during the course of the pandemic that the arts, music and creative industries have in many ways helped us all through this period. They have fed our cultural soul. As we recover, the role of the arts and creative industries, and our artists and musicians, must be supported to help to rebuild our communities.

The Minister will know that this sector has been among the hardest hit. It is not just that there has been a blow to their income; in many ways, for artists and musicians, work is part of their identity and they are suffering. I very much welcome the clear Government commitments in respect of the additional €50 million for the Arts Council and the support for the live events industry. It is important that all those measures continue as restrictions remain in place, along with supports for arts venues.

When the proposed universal basic income scheme is introduced, it should be seen not simply as a handout but as a way to support artists and musicians when they are between gigs or other work and as a means of helping in their career development. There is a welcome commitment in the programme for Government to a pilot scheme in this area. I am conscious it was the first recommendation of the task force the Minister set up, Life Worth Living, on recovery in the sector. Internationally, universal basic income schemes have had mixed success, and I will not

get too hung up on the name. We are talking about providing an essential support net for artists. I am quite supportive of the French *intermittents du spectacle* scheme, which supports creatives during the intermittent, fallow periods of work between gigs. There is a requirement that 507 hours be worked over a 12-month period. A model like that could be explored.

I would be grateful if the Minister could let us know whether there is a timetable for the introduction of the scheme, what the criteria for qualification will be, which might relate to the number of hours worked or an income threshold, and who will determine who qualifies for the new scheme. We talk about it as a pilot, but how broad will the pilot be? The group will have to be large enough to determine whether the pilot works. It will also have to be cross-sectoral because the arts, music and creative industry is quite broad. The pilot should cover as much of the sector as possible.

The commitment is for a three-year scheme. How can we measure success? What will be the measure? I hope we will see something more permanent, such as in France. Who will manage the scheme? There has been some concern regarding the social welfare scheme for artists in that there is a lack of awareness on the ground in some of the social protection offices. It will be important to have the scheme explained in detail. There should be consultation with the various representative groups on how the scheme is to be introduced.

Ultimately, this is about the possibility of sustaining our artists. When we come out of this pandemic, there will be a genuine opportunity to build further on Ireland's wonderful reputation for the arts and creativity. I am aware that the Minister is personally committed to doing this. The scheme could provide an opportunity to provide the necessary supports.

Minister for Tourism, Culture, Arts, Gaeltacht, Sport and Media (Deputy Catherine Martin): I thank the Senator for raising this important matter in a period when Covid-19 has effectively closed down the arts and culture sector. The restrictions have severely affected the livelihoods of many artists and creative workers. The limitations on indoor and outdoor events, social distancing and travel restrictions have had a severe impact on the arts, culture, live entertainment and events, with grave consequences for those working in these sectors. Many careers that have taken decades to build are now threatened and in serious jeopardy.

At a broad level, the Government has already responded to the challenges facing the sector through a number of recent measures, which the Senator mentioned. Considerable additional funding was secured for the sector in the context of the July stimulus, culminating in such events as the stunning performance this weekend of *Happy Days* by Landmark Productions at the Olympia Theatre. I do not know whether the Senator saw it. Further significant additional funding was announced in budget 2021, with €130 million added to the Arts Council budget for 2021 and €50 million made available for supports for live performance. Tens of millions of euro in support has been provided to those impacted in the arts, culture, performance and events sector through the pandemic unemployment scheme and various wage subsidy schemes.

The arts and culture recovery task force report to which the Senator referred, entitled *Life Worth Living*, outlines ten recommendations for the sector. These include a proposed mechanism for the rolling out of the universal basic income, UBI, through the establishment of a pilot project that would last three years.

In addition to the recommendation of the task force, there is, as the Senator said, a prior commitment in the programme for Government to assess a pilot UBI — one that is informed by

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a review of previous international models. This matter is now being considered in the context of the national economic plan being developed by the Department of the Taoiseach, and it will ultimately be a matter for consideration by the Low Pay Commission.

The rationale behind the recommendation to introduce a basic income pilot is to create a more stable social protection mechanism to allow artists and events workers to sustain themselves during the pandemic and to take up work when it arises without losing existing social protection supports. Many creative practitioners and allied workers are freelance, moving frequently between self-employment, PAYE employment and periods of no employment at all. The pattern of low-paid and insecure employment has been exacerbated by the inevitable changes and uncertainties arising from the implementation of the recommendations in Resilience and Recovery 2020-2021: Plan for Living with COVID-19.

The pilot UBI could act to keep the sector intact, minimising the loss of skills and contributing to its gradual regrowth, with ongoing benefits, social, economic, local and national. UBI encourages entrepreneurship as people who are in receipt of it can take on work and earn additional taxable income on top of it.

The arts sector represents an appropriate area for a UBI pilot scheme for the following reasons. It is characterised by low and precarious income. It involves significant positive externalities. It includes a broad mix of employment types, and it has been chosen for UBI pilots in other jurisdictions, allowing international comparisons to be drawn, just as the Senator referred to what happens in France.

The task force also recommended an interim extension of the professional artists on job-seeker's allowance scheme. The current scheme acknowledges the status of self-employed artists as professionals, giving them a 12-month window to focus on building up their work before becoming subject to labour market activation.

They are exempted for a year from the activation process which is mandatory for most job-seeker's allowance recipients. This scheme gives important support to professional artists who lose their employment and serves a different purpose from the UBI.

On a personal level, after a considerable amount of time and energy from the Green Party's negotiating team, I was delighted to secure a commitment in the programme for Government to a pilot UBI initiative. UBI has been a core policy of the Green Party since the

12 o'clock

party's foundation. The Government obviously involves three political parties. Needless to say, the Senator is very much pushing an open door with me when it comes to the introduction of UBI in Ireland. Perhaps he could assist to ensure his focused enthusiasm for the UBI is replicated across the other parties in government, and delivery of this programme for Government commitment is not only realised but strengthened.

Senator Malcolm Byrne: I thank the Minister. I can certainly assure her of my support. I believe she will receive cross-party support on the issue at the Joint Committee on Media, Tourism, Arts, Culture, Sport and the Gaeltacht. As I said, this is an opportunity to be innovative and a universal basic income is something new. It should not be seen as a handout. Its purpose is to allow artists to develop their careers during the intervening period. I am conscious of the series of reports about which the Minister spoke. It would be useful, however, if we could have an indicative timeframe of the consultation process that may take place with the sector and a commitment that it will be cross-sectoral. Obviously, the arts and creative industries are broad

so it will be open to them. Who will determine who will qualify for a universal basic income and who will manage it? Will it be the Minister's Department or the Department of Social Protection? I appreciate these are still relatively early days but it would be helpful if we could get some indicative responses on those issues.

Deputy Catherine Martin: While I would love to be able to pursue this issue, it will not come from my Department. My role is to advocate for it strongly. I know the sector and the arts community are aware I am doing that.

The recommendation for a pilot universal basic income is a very exciting proposal. UBI was never to be seen as a handout and I definitely do not see it as such. That goes against the very nature of a UBI. As I said, this pilot UBI reflects the commitment in the programme for Government. I want to see it thoroughly examined. That will happen in the context of the national economic plan. The proposal is now being considered in that context. It is being developed by the Department of the Taoiseach and will ultimately be a matter for consideration by the Low Pay Commission. There are, however, clear reasons that the arts and culture sector would be the right sector for such a pilot. Financial stress can impede creativity. The unconditional nature of a universal basic income is one of the key features that supports creativity and innovation. As the Senator knows, the scheme has been well received and has been the subject of much positive commentary both nationally and internationally. We are working now to see how it can be enhanced. I will also shortly establish the oversight group for the implementation of the recommendations of the task force. It, too, can have a role to play.

Health Services Provision

Senator Catherine Ardagh: Beannachtaí Lá Fhéile Bríde oraibh go léir. I will be quick as I am sharing time with Senator Fiona O'Loughlin, who has a long track record of advocating in the Dáil for a publicly funded IVF system.

As we know, the statistics show that infertility affects one in six couples and affects men and women equally. Having lived through the highs and lows of five IVF cycles, with the worry, waiting, failures and pain involved, I strongly believe the State does not do enough to support couples facing this challenge. I was one of the lucky ones. I could afford cycles and eventually we hit the jackpot. So many people cannot even afford one cycle, let alone several. Many spend every single penny they have on IVF, sometimes unsuccessfully. The cost of IVF in Ireland can start at €4,500 but, realistically, with blood tests and consultations, it can end up costing close to €10,000.

In 2019, the then Minister for Health, Deputy Harris, set out an ambitious roadmap for IVF services. The first step involved GP visits, while the second was the establishment of regional IVF fertility hubs and the third was to be the provision of IVF. The problem with the scheme was that the then Minister allocated only €2 million. Clearly, €2 million does not go far enough so what we are looking for today is a properly funded public health IVF scheme.

The assisted human reproduction Bill goes some way in providing safeguards to patients in the form of regulation. Fertility clinics in Ireland are regulated by the Health Products Regulatory Authority but there is still no body that oversees the fertility industry generally. The Bill needs massive improvement due to the changes in genetics and modern medicine. People who are desperate to have a child are the most vulnerable and open to exploitation. They face men-

tal, physical and relational challenges and on top of it all, huge financial barriers.

Senator Fiona O'Loughlin: I thank my colleague, Senator Ardagh, for introducing this matter and we intend to work together on a Bill to address the present failings.

I wish everybody a very happy St. Brigid's Day. It is very fitting that today is her day because she was the saint of fertility. In her time she helped women who could not conceive and that is almost 1,500 years ago.

The World Health Organization is very clear that infertility is a disease and should be treated as such with absolute support. We all know people who have gone through the grief and heart-break of trying but being unable to start their own family. In Ireland, people who cannot conceive naturally get very little or no support within the public health system. Those in need of IVF and other fertility programmes find themselves having to pay between €6,000 and €10,000 per cycle. At the moment, fertility drugs are only covered by the drugs payment scheme or a medical card and private patients can claim tax relief but that is it, and it is just for fertility drugs. The State absolutely needs to help with costs and medically in order that there is a continuity of care.

As my colleague has said, in 2017 the then Government approved a Bill that laid out regulations and a need for the establishment of a regulatory body. Then, in 2019, more details on a model of care were given but nothing has happened since. I acknowledge that the Minister for Health confirmed additional funding, supports and the opening of fertility hubs in budget 2021. We need a functional and fair State-sponsored system that supports infertility and to be able to determine criteria and eligibility. I hope that he can achieve what his predecessor did not.

Minister for Health (Deputy Stephen Donnelly): I thank Senators Ardagh and O'Loughlin for raising this matter and giving us the opportunity to discuss it this morning. I agree entirely with the comments of both Senators. We have an ambitious plan to progress this. It is moving. It is a very important commitment in the programme for Government. It is critical that couples who seek help for fertility, including IVF, are supported. We want to see them supported in the public health system. We want to move away from a situation in which for many people, it is not something that is affordable because of the huge costs. We want everybody to have the same chances regardless of income and that really is the goal in this regard.

As the Senators are aware, the programme for Government commitment introduces the model for care that was developed by my Department and the HSE. The model ensures that infertility issues will be addressed through the public system at the lowest level of clinical intervention necessary, which is an important principle. As Senator Ardagh has said, the model is comprised of three stages starting with primary care with a GP, extending it to secondary care through the setting up of regional fertility hubs and then, where necessary, tertiary care, IVF and other advanced human reproduction or assisted human reproduction treatments as well. Structured referral pathways will be put in place and patients referred onwards for further investigation or treatment as required and, of course, as clinically appropriate. I am glad to say that the roll-out of the model has commenced and involves the establishment at the secondary care level of regional fertility hubs in maternity networks. The hubs will facilitate the management of a significant proportion of patients presenting with infertility issues without the need to undergo invasive IVF or other advanced assisted human reproduction, AHR, treatments. They will accept direct referrals from GPs and will provide patients with more direct and faster access to teams who specialise in infertility, which is really important. The focus last year was

on commencing the development of the first four of these regional fertility hubs. As Senator O'Loughlin has said, we now have additional funding to set up the final two hubs this year to continue with this roll-out. The final phase of the model of care roll-out will see the introduction of the tertiary infertility services, including IVF. I think this addresses a lot of what the Senators are saying today. Critically, this will be in the public health system, which is just so important. This phase will commence when the infertility services at second level have been developed across the country. This is what we are working hard on, that is, a clearer picture of the specific level of demand for tertiary treatment and the required resources allocated, as has been raised by both Senators.

The AHR legislation is commenced and the regulatory authority for AHR is operational so those are the steps we have put in place. There are a lot of steps to do this but we have got to really push it very hard. Drafting of the legislation is ongoing by officials in my Department, who are working closely with the Office of the Attorney General. The publication of the AHR Bill is a priority for this Government and its enactment is included in the programme for Government. It is really important that we do this.

It should be noted that while AHR treatment is not currently funded by the Irish public health service there is support available, as Senator O'Loughlin has said, for patients who access such treatment privately, for instance tax reliefs on the costs, but that cannot be the model. The model must be access through the public system and affordability cannot be one of the factors. Given the cost associated with certain fertility medicines there can be a material impact on the total cost of AHR treatment for those individuals who are eligible for, and avail of, the medical card or drugs payment scheme through their use of medicines covered under the high-tech scheme, which is administered by the HSE. Overall, the implementation of the model of care will help to ensure the provision of safe, effective and accessible fertility services at all levels of the public health system as part of a full range of services in obstetrics and gynaecology.

Senator Catherine Ardagh: The provision of a third stage of free IVF is what we are really looking for as it is the cost-prohibitive factor for couples. When the Minister is bringing the AHR Bill forward he must accept that many couples in Ireland travel to other jurisdictions to escape the restrictions in their own country on egg donation and surrogacy. I would really like a debate, both generally and in the House, on how we can deliver these practices in this jurisdiction.

Senator Fiona O'Loughlin: I am really pleased that this is a priority for the Government and have no doubt that many others are as well. I agree with the Minister 100%: this is about equality and equity of access to the support which some need to start their own families. Money should not dictate whether people have access to this treatment or not, as it currently does. We all know many who have remortgaged homes or indeed put off buying their own homes because they need to pay costs related to IVF. The Minister rightly said the service should be safe, accessible and effective. I have one question for the Minister. I appreciate that he has given us the chronological order but does he have a timeline for the third phase and the State helping support IVF? This is done, for example, in Scotland where three cycles are paid for by the State once a person has met the relevant criteria.

Deputy Stephen Donnelly: I again thank Senators Ardagh and O'Loughlin for raising the issue and allowing us to debate it. I should state that the drafting of the AHR Bill and the roll-out of the model of care really are a priority for the Government, for me and obviously for the Senators who have advocated long and very well on this issue, which I thank them for. The

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drafting and roll-out have been subject to delays due to Covid. Obviously, dealing with Covid has pulled the HSE and the Department every which way. It has impacted the normal work streams and this has been one of them. However, I reiterate to the House that I am committed, as is the Government, to the roll-out of this model of care for infertility in line with the available resources. The end goal is to achieve full implementation of the model of care; that is what really matters and what we must focus on. That means patients always receiving care at the appropriate level of clinical intervention and those who require and are eligible for advanced treatment being able to get it through the public health system, which is so important. I hope this has been of assistance today.

Sitting suspended at 12.15 p.m. and resumed at 12.30 p.m.

An tOrd Gnó - Order of Business

An Cathaoirleach: Today is 1 February and we celebrate Lá Fhéile Bríde, St. Brigid's Day. She was a negotiator, peacemaker and community activist. She was a leader and a wise woman. St. Brigid's Day represents a new dawn on spring. There are hopefully longer, warmer days ahead, this year more than any other. We are looking forward to warmer days and longer evenings. It will be welcome and needed. I thank Senator O'Loughlin for circulating the information on St. Brigid and the Brigid's cross that she gave to us on this Lá Fhéile Bríde. I ask the Leader to outline the Order of Business.

Senator Regina Doherty: The Order of Business is No. 1, the Criminal Justice (Money Laundering and Terrorist Financing) (Amendment) Bill 2020, Second Stage, to be taken at 2 p.m. and to conclude after 65 minutes with the contribution of group spokespersons not to exceed seven minutes and the Minister to be given no less than five minutes to reply to the debate; No. 2, statements on the Department of Housing, Local Government and Heritage's response to Covid-19, to be taken at 3.20 p.m. and to conclude at 5 p.m. with the contribution of group spokespersons not to exceed eight minutes and all other Senators not to exceed five minutes, with the Minister to be given no less than ten minutes to reply to the debate; and No. 3, statements on the Department of Social Protection's response to Covid-19, to be taken at 5.15 p.m. and to adjourn at 6.45 p.m., with the contribution of group spokespersons not to exceed eight minutes and all other Senators not to exceed five minutes, and notwithstanding anything in Standing Orders, the Minister is to be given no less than six minutes to reply to the statements, with the debate to be adjourned thereafter.

Senator Robbie Gallagher: Thankfully, the incidence of Covid-19 is on the decrease in this country and we have many people to thank for that, from the gallant efforts of our front-line workers to the general public, the vast majority of whom have been adhering to the strict guidelines that have been laid down. We must always ask ourselves how we can do better. We had much debate this week about the zero Covid strategy, which NPHET has ruled out as not being practical for this country. We also had some talk about sealing the Border with Northern Ireland. For someone who comes from a Border county, the notion of sealing the Border is totally impractical. It is almost 300 miles in length, with almost 300 crossing points. Some 209 of those crossing points are major roads. The idea that one can seal the Border is a non-runner as far as I am concerned. That does not mean that we should not be looking at areas where we can improve on things. One of the areas where we need improvement is North-South co-operation.

The common enemy here is Covid-19. A member of An Garda Síochána doing a checkpoint in Emyvale, or indeed in Lifford, should have the power to deal with whomever is not adhering to the restrictions. The same should apply to a PSNI officer in the North when someone from the South is not adhering to restrictions. They should be able to deal with it. There is co-operation there already and information is being shared. I would like to see that developed in order that people who are flouting the law can be dealt with, regardless of which police force does so or what part of the country they are in. I ask that the Leader raises the matter with the Minister for Justice.

The other issue that I would like to raise is one that has caused me great disappointment. It concerns statistics that were released by the head of community healthcare organisation, CHO, 1, showing the number of Covid tests being done in each county. The statistics also illustrate the number of people who do not turn up for Covid tests. In Monaghan, for example, this figure was as high as 11%; in Donegal it was in excess of 10%; and in Sligo, for some reason, it was greater than 20%. That is very disappointing. We need to know why those people are not turning up. Is it because they have no transport? Is there a childcare issue? Is it because they are afraid they cannot get off work? We need to know the reasons behind the non-attendance. By not turning up, those people could be infecting other people - perhaps with devastating consequences. It is also a waste of resources to have people standing by and waiting for people to attend an appointment, who do not show up. It is a serious issue. I would be grateful if the Leader would bring it to the attention of the Minister for Health.

Senator Victor Boyhan: I wish to raise the issue of the supply of affordable housing. Anyone involved in politics, be it nationally or locally, knows the importance of affordable housing. We are now at crisis stage. There are people earning a salary of over €100,000 who are not able to purchase their own home, which is outrageous. There are people who are caught in the rent trap, whereby they are paying substantially more than if they had a mortgage, and they cannot pay it.

I welcome the publication by the Government of the draft Affordable Housing Bill 2020. It is an important Bill. I am a member of the Oireachtas joint committee. It is envisaged that we will begin pre-legislative scrutiny of that Bill the week after next. That is an important step in the process. I know that the Minister for Housing, Local Government and Heritage, Deputy Darragh O'Brien, is very committed to initiating and bringing legislation in this area through this House. He has said so in the past. Indeed, he was an effective and active Senator when he was here and was supportive of the idea. He confirmed that to us in the House quite recently. I suggest that the Leader engages with the Minister to determine whether there is a possibility of doing so.

As the previous Senator mentioned, I am conscious of Covid and the constraints that places on the Houses of the Oireachtas. At the moment, we do not have the time to have statements when we meet. They are important and I accept that. However, it is important that we deal with legislation. I can think of two things. First, the significance of the Land Development Agency, LDA, Bill, which has yet to go through some more preliminary work, and the capacity of the LDA to provide affordable rental and purchase homes for our citizens right across this country. It is important and is what I respect and embrace. It is what we should pursue.

There is also the important question of how we are going to address rental, and delivering social and affordable housing on local authority lands. We must not get hung up on who is building it and where it is being built. We must get on with building affordable houses for those

who need them.

Finally, I would like to touch upon the issue of the Seanad by-election. There is much talk about this issue. There is much disquiet about Seanad by-elections anyway from city and county councillors. I have received quite a lot of correspondence in the last few days because many city and county councillors seem to think that they will be voting in these by-elections. They will not. That is one of the anomalies. On the issue of Seanad reform, in my view, the franchise should be extended to everyone. It is a terrible anomaly that city and county councillors can elect Senators in a general election but cannot do so in a by-election. It needs to be addressed. If she can, the Leader might share with us what is the expected date on which both by-elections are to be held and whether they will be held on the same day.

Senator Ivana Bacik: I will begin by wishing everyone a happy St. Brigid's Day and first day of spring. I know the Cathaoirleach has already mentioned that it is an auspicious day and I hope there are better times ahead for everyone as we enter the month of February.

I wish to express my serious concern regarding the events in Myanmar, or Burma, that have unfolded over the past 24 hours with a military coup. I ask the Leader to make representations to the Minister for Foreign Affairs, Deputy Coveney, to express Ireland's concern and to seek to take any steps we can through the EU or otherwise to ensure that democracy is respected in Myanmar and that we do not see a return to military rule as appears likely now, unfortunately.

I ask the Leader to allow a debate on zero Covid in this House. I note that today at 1.30 p.m., the Independent Scientific Advisory Group will launch a people's campaign for zero Covid. The case has been very eloquently made by some of my Trinity College colleagues, including Professors Tomás Ryan and Aoife McLysaght, who have called for a very clear strategy of "crush, contain and chase". They have set out clearly how it can be done. We all know of examples from other countries. Public support for stricter measures is clearly evident, as was seen in the *Business Post* poll yesterday. My own party leader, Deputy Kelly, last week put forward the Labour Party's plan for an aggressive national suppression strategy incorporating many of the zero Covid strategy elements. In addressing the issues that Government spokespeople keep raising about the lack of practicality of a zero Covid strategy, people are increasingly frustrated hearing them saying that it is not practical to have a zero Covid strategy. Why is it not practical to implement an aggressive suppression strategy and yet it is practical to keep us in rolling lockdowns, to keep people within 5 km of their home, to deny children the right to return to school and even to deny children with additional needs the right to return to school? Why is that more practical than the sort of active border management measures that Deputy Kelly put forward, some of which have now been taken up by the Government-----

Senator Shane Cassells: Deputy Kelly wanted to open the pubs.

Senator Ivana Bacik: Things have changed very rapidly and all of us are now very conscious that the vaccination-----

Senator Shane Cassells: He wanted to open-----

Senator Ivana Bacik: I did not interrupt any Government Members nor do I. I am courteous in this House and ask for similar respect from others.

An Cathaoirleach: If Senator Cassells wants to interrupt, he must ask permission through the Chair.

Senator Shane Cassells: I will be more gentle. I ask permission to correct the-----

An Cathaoirleach: Senator Cassells must speak through the Chair. He must follow the Standing Order.

Senator Ivana Bacik: As I was saying, we are all conscious that there will be a more delayed vaccine roll-out this year than we had anticipated. We see new and dangerous variants coming in and as we have seen extraordinary and deeply devastating levels of Covid transmission over the past month, the case has become stronger for an aggressive suppression strategy. The concern most people have is about the absence of any clarity from the Government as to what is the alternative if it is not to embrace zero Covid or an aggressive suppression strategy. What is the Government's strategy beyond 5 March? What is the Government strategy for managing or suppressing Covid until we see full vaccination? This is now not likely until much later this year than we had hoped. I ask the Leader to allow for a debate on Government strategies, specifically on zero Covid or aggressive suppression strategies.

Finally, as Members are aware, the childcare sector has valiantly remained open over the last few weeks for children of essential workers. Childcare workers are at the front line. The SIPTU Big Start campaign published groundbreaking research last week, which showed just how deeply concerning it is for many workers in the childcare sector to face daily risk and yet receive such poor pay levels generally, as well as lack of sick pay and so on. I ask the Leader to allow for a debate on childcare during a time of Covid.

An Cathaoirleach: Because Senator Bacik was interrupted, I allowed her more time.

Senator Pippa Hackett: I wish everyone here a happy St. Brigid's Day. Brigid was originally a pagan goddess associated with spring and new beginnings. It is great to see our Government colleagues in the Fine Gael Party backing the long-time call from the Green Party to make this day a public holiday.

Unfortunately, it has not been very springlike of late. Over the weekend, we saw pictures of the DART line at Seapoint underwater and of the coasts getting battered by waves. Flooding is widespread across the country. On my farm in County Offaly, I have noticed water lying in parts of fields I have never seen water in before. As a farmer, it is very difficult to accept these floods, particularly if one has crops underwater or animals on the land. Initial thoughts might be to drain these fields to prevent future flooding in these areas but all this will achieve is to move the problem onto someone else's land further downstream.

This is climate change and it is happening before our very eyes. Rising sea levels may at some time in the future leave the stretch of the DART line to which I refer permanently underwater and threaten many coastal homes. We can continue to build bigger and bigger walls, dredge our rivers and take out pinch points, but none of these really tackle the root of the problem. We hear a great deal about nature-based solutions and this is something the Government wants to take seriously. We know that some lands are simply meant to be wet - bogs and those with peaty soils, for example - and some lands are meant to flood, if we think about our many callows. However, in the past we have not accepted this and instead we have tried to force this land to be something it is not meant to be and this had knock-on effects. It is not just farmlands, but lands chosen for housing, road development, forestry and wind farms. How we use our land in the future will be critical.

Of course, nature always fights back and she will continue to do so unless we start working

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with her. We will probably spend millions, if not billions, of euro on flood defences into the future, so why not spend some of that money supporting our farmers and landowners to do this for us, by implementing nature-based solutions? Let us invest in our land, in that natural capital - its trees and wetlands, its soils and habitats - not in more concrete and diggers. For decades, we have been encouraging farmers to drain fields, remove hedges and scrub and kill every weed in sight in order to maximise productivity and squeeze as much out of land as possible. This has required financial investment from the State and from farmers, and while it has delivered economic return for some, we know it has not delivered for the environment.

Things are changing. We are now asking many farmers to consider a future which looks like it is going in the opposite direction, but it is not - it is the future. The EU's green deal and its strategies on biodiversity and farm to fork have set some lofty targets. While none of us can really argue about the reasons behind these strategies, the consequences may be significant for our communities and we, as a Government, must work hard to support and reassure our citizens that this is the correct approach, because it is the correct approach and our country's future depends on getting it right. I am quite sure Brigid would agree.

An Cathaoirleach: I am sure St. Brigid would agree and I think we would all support the Minister of State's call. If St. Patrick can have a national holiday, St. Brigid deserves a national holiday as well. I call Senator Ó Donnghaile.

Senator Niall Ó Donnghaile: Tugaim beannachtaí na féile Bríde do na Comhaltaí go léir. Mar atá ráite ag comhghleacaithe cheana féin, seo lá speisialta agus ceiliúradh speisialta. Anois go bhfuil an t-earrach bainte amach againn, is cúis dúinn píosa dóchais a bheith againn agus muid ag dul ar aghaidh i 2021.

I want to move an amendment to the Order of Business that No. 29, motion 8, be taken before No. 1. Now is the time for calm heads and solidarity in the fight against the global pandemic. It is also a must that the EU and the British Government honour and implement their agreements post Brexit. Now is the time for solidarity as we fight this global pandemic together. I know my colleague, the joint Head of Government in the North, Michelle O'Neill, spoke to the Irish Government and expressed our serious concern that the EU did not consult with the political Administrations in Ireland before moving to trigger Article 16 at the weekend. This unilateral action was clearly unwise, ill-judged and totally unnecessary. I welcome the fact the decision has now been reversed but, regrettably, it has caused political harm. It is not what Article 16 was designed for. Once the potential consequences of this move were properly understood by the European Commission, it very quickly engaged in a climbdown and did not pursue that particular course of action. However, it has given those shameless Brexiteers now opposed to the consequences of their own actions the opportunity of using it to their advantage.

While the Irish protocol may be imperfect, it must be preserved. The protocol exists as a solution to avoid a hard border on the island, thereby enabling both the all-island economy and the Good Friday Agreement to be protected. Our citizens need timely access to lifesaving vaccines, not trade disputes between the EU and the British Government. The withdrawal agreement and the Irish protocol were negotiated and agreed by the EU and the British Government, and the onus is on them to honour and implement both.

Questions need to be asked and there are very important questions as to how and why this happened over the course of the weekend. More importantly, there are answers to be given. This could have had serious and significant political consequences.

In the context of the broader issues of which we are all aware, it is timely to have an update from the Minister for Foreign Affairs on the post-Brexit scenarios that we are facing post 31 December and, given the weekend's events, the implementation of the Irish protocol and the withdrawal agreement.

Senator Frances Black: I wish everyone a happy St. Brigid's Day on this fine spring day.

Although we have had two debates on mother and baby homes, I feel I have to raise the issue again. We learned over the weekend that the audio recordings of the testimonies of survivors of the institutions had been destroyed. Many survivors have expressed anger at this latest development, saying they were not informed when giving their testimonies that they would be destroyed. It was shocking to hear that the majority of the 500-plus audio recordings of survivors' personal testimonies had been destroyed.

Many survivors have criticised the report, in particular the conclusions, which state that there is a lack of evidence of forced adoption and abuse, despite testimonies contradicting this. Many were also unhappy that their testimonies were not recorded accurately. Their proof of that has now been eradicated. One survivor made the point that she would not have agreed to give oral evidence had she known that the recording would be destroyed. With each new revelation, the suffering of the survivors is compounded and the trauma continues.

I wish to discuss the deaths of more than 900 children at the Bessborough Mother and Baby Home in Cork. It was shocking to hear that planning permission had been granted for apartments on the grounds of the institution. In a detailed submission on the planning application, the Cork Survivors and Supporters Alliance noted that the Commission of Investigation into Mother and Baby Homes found that no proper records of burial locations were kept for Bessborough. It was also noted in the submission that the southerly parts of two blocks of the proposed development would be located on an area marked as the children's burial ground on a 1950 ordnance survey while a third block would directly overlook the site. The proposed development on the site of the Bessborough Mother and Baby Home as well as the dignified treatment of unmarked burial grounds there are matters of significant national and local concern. One of the survivors stated:

We have the evidence, we have the documentation, we know where the children's burial ground is and we don't want any big huge development overshadowing it. We have been overshadowed all our lives.

I request that the Minister, Deputy O'Gorman, who launched the commission's report, come to the Seanad and give an undertaking that the graves of babies buried at Bessborough will be marked, preserved and protected.

An Cathaoirleach: In the report, one of the most shocking aspects relating to Bessborough was that, in one year, 75% of babies died, yet no issue was raised. I thank Senator Black for raising this matter.

Senator Mary Fitzpatrick: Beannachtaí na Féile Bríde. It is the first day of spring and hope, but there is not much spring and hope for Josh Dunne's family. The House should send its condolences. He was a talented young man with his whole life ahead him. Unfortunately, he is not the only young person to have died in Dublin. Indeed, there is an issue with knife crime

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around the country. We should ask the Minister for Justice to take this matter up with communities through joint policing committees, JPCs. She should engage with them on examining what can be done to tackle and provide a better response to knife crime.

I wish to raise an issue that I have raised previously, that of the uncertainty around State examinations for leaving certificate and junior certificate students. I have spoken to both the Taoiseach and the Minister for Education, Deputy Foley, and know they are acutely aware of the extra stress and strain that the leaving certificate class of 2021 is enduring. The leaving certificate advisory group met and listened to the students, which is welcome, and I am hopeful a decision will be made this week.

When all the education partners meet to make the decision and the recommendation to the Government, I really hope they take into account the fact that this leaving certificate class has lost four months of classroom learning, time in which there were no labs, technical work, art work, domestic science or home economics. All of that valuable time usually spent in the classroom has been taken from their senior cycle, and that is before we account for any additional time they lost through Covid-19 or families affected by the virus. On their behalf I ask this week for a decision that gives them options, choice and, most important, certainty soon.

Senator Seán Kyne: The Government has announced plans for changes to working practices for many in a bid to improve work-life balance and allow many workers, including public servants, the option of working from home or remotely. The benefits, including reduced time lost to commuting, additional time with family or rest time, as well as reduced costs and carbon footprints, are all evident.

To make this policy a reality, two things are needed. These are working hubs and broadband connections. Ba mhaith liom tréaslú le hÚdarás na Gaeltachta as ucht an dul chun cinn atá déanta aige le cúpla bliain anuas an polasaí Gteic nó gréasán digiteach a chur chun cinn. Seo polasaí atá curtha chun cinn ag straitéis Údarás na Gaeltachta chun áiseanna den scoth a thógáil trasna na nGaeltachtaí agus ar na hoileáin cois cósta le ceangal leathanbhanda ardluais. Tá Gteiceanna lonnaithe sa Spidéal, ar an gCeathrú Rua, i gCarna agus sna Forbacha i nGaillimh, i nGaoth Dobhair i nDún na nGall, i mBéal Átha an Ghaorthaidh i gCorcaigh, agus i mBéal an Mhuirthead i Maigh Eo. Tá a lán de seo ar fáil do chomhlachtaí nua ag tosú amach agus do dhaoine chun obair óna gceantair féin.

The Gteic and other centres across regional areas, such as the PorterShed in Galway, are important regional hubs. The availability of high-speed Internet connections is vital to remote and home working. I welcome the first homes being connected under the national broadband plan recently. The investment, as agreed and put forward by a Fine Gael-led Government, ensures all premises will have access to high-speed connections through state aid. It was the correct decision and it has been reaffirmed in the Covid-19 era.

The recent announcement by National Broadband Ireland indicates that connections in Galway are planned to be built out from May to July this year in areas surrounding Galway city, including Furbo, Barna, Boleybeg, Tonabrocky, Corcullen and some of the Moycullen townlands, such as Tooreeny, Clooniff, Tumnasrah and Poulnaclogh. These connections are good for remote working, education, leisure and other activities. The Leader might agree that the decision to invest in state aid to provide high-speed broadband connections was the right decision before and this has certainly been affirmed by the events arising from Covid-19.

Senator Michael McDowell: I will briefly deal with the matter raised by Senator Fitzpatrick. There is on the Order Paper of this House a Bill to deal with a particular relating to the naming of child victims of crime. I ask the Leader to make provision for that legislation to be dealt with as a matter of urgency if the Minister is content to do so.

I raise the question today of what happened in Brussels with the Irish protocol. I fully understand the Government does not want to make a song and dance about this that would be harmful to Ireland's interests. There must nonetheless be accountability for this. It is not an oversight, which was a description used on the radio today. It was not just a blunder. It was a deliberate insertion in a draft regulation of a provision that was legally unstatable, aggressive and undermining in its very thought process. The idea that the Irish Government was going to stop trucks going across the Border to check if a vaccine was on board was absurd.

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It is not enough to say this will not happen again.

Who was responsible for it? If it was a lawyer, as we are being told, that lawyer cannot have read annexe 7 to the protocol agreement and cannot have read Article 16 itself, which talks about a serious and lasting effect on trade in the community. It was a deliberate piece of panic-stricken foot stamping put into a document.

There is a problem that this was not noticed at Commission level. I heard Commissioner McGuinness say that it was not drawn to her attention. She has a cabinet and we have to know who was aware of this and why it was not stopped because it has done very serious damage to those who support the protocol and those who support an open border on this island.

Senator Catherine Ardagh: Guím beannachtaí lá fhéile Bríde ar gach duine. I would like to join Senator Frances Black in her comments on the destruction of nearly 550 tapes of oral testimonies without a transcript having been made. It is shocking, appalling and gut-wrenching. I hope the Minister comes to the House to explain what exactly happened and who made the direction to destroy the tapes.

Like my colleague, Senator Fitzpatrick, I welcome the fact that, hopefully, we will get clarity this week in respect of the leaving certificate. I believe also that the comments of the president of ASTI, Ann Piggott, on its preferred option of a modified paper is appealing on the basis that it takes into account the fact that students have missed nearly four months of school, gives them much more flexibility and perhaps will reduce their anxiety if they know they will have more options on the paper. I look forward to the students getting clarity and putting their anxiety aside to some extent. I hope we see that happening this week.

I want to join in the sympathies expressed to Josh Dunne's family on his death. I look forward to the legislation on naming minors coming before this House or the Dáil because it is very important that they are not forgotten.

Senator Tim Lombard: I raise the issue of the Covid restrictions currently in place. They have been very effective in many ways but there are issues we need to have a debate on as soon as possible. I refer, in particular, to the activity seen in my part of the world in the past ten days where houses have been rented at the weekend for the holding of parties. We had a situation in Kinsale, which the Garda Síochána publicised, where seven lads from Cork city came down and rented a house, bought alcohol, were cautioned by the gardaí and sent back to Cork. This phenomenon of renting a property for a weekend either in rural Ireland or a destination that would

be considered scenic to get away from Covid issues is something we need to start talking about.

My office has done a good deal of work on the Airbnb website in particular, which is currently in full operation. People can book accommodation wherever they want to go in Ireland and nobody will stand in their way. We contacted the local authority. They have no listing of Airbnb accommodation even though it is their job to licence them. We have a major issue about how Airbnbs have been operating during the Covid level 5 restrictions. I believe we need to do something drastic about that. There is no need for this website to be in operation in the current scenario. We should ask for the website to be taken down while we are in level 5. Nobody should be going anywhere in level 5. The activity that took place over the past two weekends has to be seriously examined. It is putting everyone's life in danger and it is unfair on the gardaí, who have to police every party. It is impossible so the only logical solution we can work towards is to have the order amended so that we can have this website taken down while we are in level 5.

Senator Shane Cassells: I am conscious that there has been much debate in recent weeks about the return to school for students. Yesterday the Taoiseach again stressed that the return is a priority and that within that phased return there is a priority for students with special needs. For many students, it is not just a question of when they will return but to what they will return. The facilities in a number of these schools are not fit for purpose.

One such school featured in a special report in *The Irish Times* on Friday - the Stepping Stones School at Kilcloon, County Meath. In it, the principal, Dolores Cullinane, set out a number of the deficiencies in the school. When it was established in 2005, Portakabins were used as a short-term measure but it is now seriously deficient. The Department's building unit had conducted a technical report prior to Christmas on the future of this school. However, there is still no update from the Department on where matters stand. I am pressing that we have this particular school's requirements addressed.

St. Mary's Special School in Navan, established in 1961, has almost 100 students. It has been waiting ten years since it was sanctioned for a new building in 2011. I raised this by way of a Commencement matter prior to Christmas. Again, this is with the building unit in the Department and we have seen no progress. It frustrated me no end that over the Christmas period I saw a planning permission extension notice going through Meath County Council for this particular school. Such has been the delay, it requires an extension on the planning permission already granted.

The report in last Friday's *The Irish Times* highlighted quite clearly that while people are anxious to see students with special needs return to their schools, the broader question is that in a large number of areas the school buildings are quite frankly disgusting and not fit for purpose. We need to see the Department's building unit treat these facilities with the same urgency that the Government is treating the return to school in order that they actually have proper facilities to go back to in the first place.

Senator Micheál Carrigy: I congratulate the local gardaí in Longford who recently broke up an illegal gathering held by a national party at a famed War of Independence site. The 100th anniversary of events there actually takes place tomorrow.

A full review of the CLÁR programme by NUI Maynooth was initiated by the Department. It will examine the patterns across the country on the basis of the 2016 census. That review has

not been published to date. When will it be published? Will it take into account Clondra and Stonepark, three to five miles from Longford town, which are not eligible to apply for CLÁR funding?

Coming back to the special schools issue I raised last week, it is an absolute disgrace the way this has gone on. Fórsa needs to stand up and go back to work. I received a letter from a parent with whom I spoke to last week. It stated:

I hold the Minister and all the Ministers in government accountable for my son's regression. I hold you responsible for all his loss of skills, the waste of years of emotional and financial investment by us and the school. I hold you accountable for his blocked access to his constitutional right for education. I write tonight for 113 days in 2020 and 25 days already in 2021. I hold you 100% responsible for the pain in my chest and the sleepless nights I endure ... A Government with foresight would invest more wisely. Ironically we watch on while full-time salaries are paid in the name of teaching and helping our children. Justified by the term remote learning ... The time will come when a future Taoiseach will have to stand up and apologise for what has happened today in our country to our most vulnerable children [kids].

I welcome the case taken by the parents. I believe Fórsa should be included as a defendant in that case. Members of that union are working every day in adult services but our younger vulnerable children are not being looked after. It should immediately indicate a return to work. We need to prioritise those who are most vulnerable and regressing in our communities.

Senator Niall Blaney: I wish to raise the issue of mental health. During the whole debate about Covid-19 over most of the last year, there has been a great deal of acknowledgement of the impact Covid would have and is having on our nation's mental health. Many speakers in this House, the Lower House and the Government have alluded to it. It is time we started having a proper wider debate on mental health needs because mental health services have suffered with lockdown and a tsunami of demand for such services is about to hit the nation; it is simmering. I ask the Leader to invite either the Minister for Health or the Minister of State with responsibility for mental health to the House in order that we can have a proper debate. Services will not be able to cope.

Given that it looks as though we will have a mass of the population vaccinated by the end of the year and things are starting to show a little hope, it is time the dial was moved somewhat towards mental health. Let us have a proper examination of this issue and get proper constraints and measures in place to deal with the most vulnerable in our society and those badly in need of it as a result of this Covid-19 pandemic.

Senator Róisín Garvey: I wish everybody a happy spring and a happy St. Brigid's Day. I will speak on springing into action in respect of two recent announcements by the Minister for Transport. He announced €50 million for rural infrastructure for walking and cycling and he also announced 248 new jobs in that sector.

Following on from Senator Blaney's remarks, this is not just an environmental or climate change issue. This is a mental and physical health issue. We have a significant issue at present in that a quarter of our nine-year-olds are overweight and we have huge issues with teenage girls in particular. At present, only 400 teenage girls cycle to school in Ireland. On the feast

day of a powerful woman like St. Brigid, we need to look at this issue. As I know from working with active travel for 14 years, a major part of that is that when one approaches local authorities, they either have no money or no staff. As both those options have now been taken away from local authorities, I encourage Members to get on to their local authorities and push this agenda. Active travel is hugely beneficial, socially, mentally and physically for our youngest, oldest and those who lack accessibility.

We need to put pressure on our local authorities to up their game. A bit of red paint here and the odd pedestrian crossing there is no longer sufficient. We need to reconnect our towns and villages and enable our children, teenagers and old people to walk and cycle safely around their villages and towns.

Senator Lynn Ruane: I join my colleague, Senator Black, in raising an extremely concerning report from the *Irish Examiner* over the weekend with regard to the Commission of Investigation into Mother and Baby Homes. The report states that the commission has destroyed audio recordings of the interviews given by survivors of the mother and baby homes and that the oral testimony of evidence given to the commission's confidential committee no longer exists. In light of the many serious concerns raised about the contents of the commission's report in recent weeks, the fact that survivors have lost their only opportunity to verify the transcripts of the evidence they gave is inexplicable. If this was evidence that was destroyed in the course of a trial, it would rightly be a criminal offence.

I do not comprehend how the commission thought it appropriate to delete these vital records, not just for the personal importance they hold for survivors, the rightful owners of such recordings, but also for the role they might play in future redress schemes, criminal proceedings against those involved and a future tribunal. Apart from anything else, there has been a serious violation of EU data protection law, which must be investigated further. Despite the public outcry about the legislation rushed through the Seanad last autumn, we now discover that crucial parts of the database that were moved to the Department for which the Minister, Deputy O'Gorman, is responsible have been destroyed before they can be accessed by survivors under the general data protection regulation, GDPR. How does the Government plan to rectify this clear injustice? Taken together with the fundamental flaws unearthed in the commission's report, I believe the commission's chair needs to provide an account publicly on how this has been allowed to happen. Will the Leader update the House on the Government's planned response?

Senator Aisling Dolan: I wish everybody a happy St. Brigid's Day. It celebrates women's creativity and success, which is fantastic. I wish to make two points.

A public consultation is open and, as I mentioned previously, we have until 1 March to make submissions. I am talking about families, schools, clubs and businesses. In areas of east County Galway, people should consider making a submission to the consultation. We have fantastic gateways into the west through Ballinasloe, multimillion-euro whiskey distilleries are planned for Ahascragh, and there are gorgeous forest parks in Mountbellew. We are fighting to transform the region of east County Galway and to offer the most wonderful experience to cyclists and walkers on the new Dublin-to-Galway cycleway.

On funding for the Science Foundation Ireland, SFI, research centres, as my party's spokesperson for science, research and innovation, I welcome the announcement of more than €190 million for five research centres, which includes funding for more than 17 higher education institutes. It is wonderful, although I am slightly biased, given that I worked previously in Sci-

ence Foundation Ireland and at the research office in National University of Ireland, Galway, NUIG. I am over the moon to see more than €46 million for CÚRAM, the SFI research centre in medical devices based in and led from NUIG. This funding speaks to hundreds of jobs. More than 1,000 postgraduate and postdoctoral students will be funded for the next five years under this programme.

The centre at CÚRAM is examining smart implantable medical devices for chronic conditions, particularly heart disease and diabetes, and it is working with industry. It is phenomenal. There is excellent research and talent, especially in the west, to be slightly biased again, and this leads to engagement with industry. There are more than 50 medtech industry partnerships in CÚRAM alone and it is viewed as a centre of excellence not just in Ireland but throughout the world. The researchers and reviewers who reviewed the applications, which involved more than a year's work, have stated that internationally, CÚRAM is considered the foremost centre of research excellence in the country. It is fantastic and I really welcome it.

Senator Timmy Dooley: I have been contacted by ten concerned primary school principals in Ennis and its environs. They are calling on the Minister for Education, school patron bodies and the National Educational Welfare Board to find a solution to this continuing crisis regarding second level places. I know from personal experience that many students and parents cannot find a second level place. It happens year after year, notwithstanding additional accommodation having been provided in recent years. It is putting enormous pressure on students who want to progress to second level despite knowing from an early stage that they will not have a place in their local secondary school and that they may have to find school accommodation in a village or town 15 km, 20 km or 30 km away, while many of their classmates will go to the local schools in Ennis. That is not acceptable in this day and age. We have to find an appropriate method of allocating accommodation in secondary schools whereby all the bodies come together.

What is particularly sad is that some students will receive an allocation for each of the four secondary schools in the town. They will be sitting there with four letters of offer, while the kid beside them will have none. If there exists a more negative impact on the mental health of a child at that early age, I do not know what it is or what could cause greater distress. It is putting pressure on teachers, students and parents alike. We have to find a better method. I would have hoped that through the offices of this House, we could bring all sides together to try to find a resolution.

As we are talking about education, I am pleased the Government is moving quickly to address the issues of the leaving certificate and junior certificate. I have campaigned for the past month and a half to ensure that the leaving certificate class of 2021 will be given their predicted grades and an opportunity to sit a written exam if they so wish, when it is safe to do so, and I am hopeful it will be possible. They are a class that has lost so much face-to-face teaching time. They lost three months last year, and they have lost a month this year and will perhaps lose more. They cannot in good conscience be expected to sit the traditional leaving certificate examinations. I hope the Government and all the education partners will work towards providing predicted grades, with the opportunity for students to sit the traditional leaving certificate examinations at a later stage.

Senator Rebecca Moynihan: I would like to raise the absolute scandal of 300 units lying empty in the middle of Dublin city, including the city centre, at Clancy Quay and Capital Dock. The week before last, the *Business Post* carried a really important article on the Clancy Quay

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and Capital Dock developments. At Clancy Quay, four fifths of the apartments are empty. At Capital Dock, half are empty. We need to have a serious discussion about a vacant unit levy. In the middle of a housing crisis and a pandemic, it is a disgrace that large institutional investors are able to influence supply to the housing market to keep up their unaffordable, unsustainable rents. In *The Irish Times* recently, one-bedroom apartments were advertised at Clancy Quay for €1,900 per month. It was €2,200 per month for a two-bedroom apartment and €2,700 per month for a three-bedroom apartment.

Other countries have already acted on this issue. Barcelona has moved against the short-term letting of empty holiday homes. Apartments that have been vacant for two years can be purchased compulsorily at half the market rate and large fines can be issued. What is tying the hands of councils in Ireland is our restrictive and cautious approach to housing because of our conservative interpretations of the Constitution. If there are legal impediments to moving against landlords who are controlling the supply of housing to the market, it is time to act on the programme for Government commitment to hold a referendum on the question of housing. We need to balance the rights of tenants and property owners. In a deep housing crisis that has been ongoing for many years, hundreds of homes are lying empty in our capital city. That is not good enough. It is time to take action in respect of a tax on empty houses.

An Cathaoirleach: I express my sympathy to Senator Keogan and her brothers and sisters on the sad passing of their mother.

Senator Sharon Keogan: I thank the Cathaoirleach. I appreciate that.

I have scant regard for the recent apologies by our political leaders regarding mother and baby homes. Those leaders are predominantly male, I might add. They have failed women and children all too often. Apologies mean very little without meaningful action. We must reach out to survivors and provide every assistance and support possible. We must help people to heal and rebuild their lives and we must make amends for the harm suffered. I will be keeping a close eye on the promises the Government is making regarding redress and holding it accountable. Reflecting on the lives of the 9,000 mothers and children who died in the homes in such sad circumstances, I would like to propose a national day of remembrance for them. Perhaps any time this year would be suitable. We commemorate the lives of soldiers who die for the nation and the State. It would be fitting, then, to commemorate also the lives of the vulnerable who died and, indeed, suffered because of neglect on the part of this nation and State.

My second point is on the annual visit of our Taoiseach to the White House on St. Patrick's Day. The lockdowns the people of this nation have gone through have been among the world's most severe. If the Taoiseach were to attend the events in the White House, public buy-in with regard to continuing to adhere to the strict measures would evaporate. Independent Kerry county councillor Charlie Farrelly has suggested that we ask Ms Vicky Phelan, who is currently in the United States getting treatment, to represent the nation on St. Patrick's Day in the White House, if she is healthy. If she is not, I am sure that Mr. Daniel Mulhall, the ambassador of Ireland to the United States, could do the honours for our leader on the day. We are either all in this together or the Government's mantra means nothing.

Senator Regina Doherty: I will certainly pass on the comments of Senator Keogan and her colleagues in local government on the Taoiseach's proposed visit to the White House. Essential travel needs to continue if the world economy is to continue to support those who cannot support themselves temporarily because of the impact of Covid on our lives and society. I

genuinely believe and hope, as we all do, that society will re-emerge later this year. Our relationship with the United States is certainly key in the context of our hope that our economy will completely take off and soar once we reopen it. I appreciate and understand the concerns the Senator has raised, however.

Senator Moynihan referred to the amount of speculation going on in the market today. I certainly believe she has a point, not only in the context of imposing levies in respect of vacant or empty apartments and houses, a move that would not be without its difficulties, but also regarding a vacant site tax, which many people have long advocated. We will have an opportunity to talk to the Minister for Housing, Local Government and Heritage this afternoon. The issue should be raised then.

Senator Dooley referred to ten primary schools. I do not believe this issue is unique to Ennis. In Rolestown, which is in the constituency in which I live and which is just up the road from where the Senator lives, there are people who do not fall into any catchment area and who will, therefore, always be at the bottom of the list of the schools to which they apply to send their children. That needs to be remedied and not just by the Department of Education but by those who are dominant in the provision of education. Many of our education and training boards and, indeed, the Catholic Church, need to work together to ensure that no child is left waiting at the end of anybody's list when it comes to that big milestone of moving from primary to secondary school, which has an impact on our children whether we like it or not.

The funding for science research is welcome. It is something we probably do not sing enough about. The future of technology and the creativity that exists in that sphere in this country is something we probably do not applaud much. Certainly, however, in view of the amount of money being invested, it should be clear to all of us that that is exactly what will cause the major impetus on the change of life we all expect to come in the years and decades ahead.

Senator Garvey welcomed the €50 million rural infrastructure fund for walking and cycling in the countryside. I must concur. This is really welcome. I wish to God it was not just for rural Ireland. Some money is probably needed for many of our urban areas, particularly in view of the fact that in the past year almost everybody has become a walker and many more people are cycling than used to be the case. There probably is not an awful lot else for us to do, to be honest. As an avid walker and cyclist, I absolutely wish there was some logic to how the money is spent and the infrastructure that is being developed. The only example I will give is the consternation that was evident at the weekend in Swords in north County Dublin. We unveiled an absolutely beautiful looking cycleway and walking path, yet the path is not wide enough for two people to walk beside each other. The cycleway is supposed to allow cyclists to travel in both directions at the same time. It is so small one could not possibly even have a walker and a cyclist on the same path. With such a huge amount of money being invested, there needs to be some logic in the delivery by our local authorities as to the actual use of these amenities by people, rather than just having something looking lovely on both sides of our streets. The money is welcome, however.

Senator Blaney brought up the need for a debate on our mental health services and the people who provide them. It is not just the State. It is all of our charities that are supported by the State but also by the millions of people who donate to their fundraising events every year. They certainly are stretched but most of them have moved seamlessly from providing face-to-face services to providing them online. We should be hugely grateful for these services. This is not to say that a debate is not needed or that more money is not needed to support them. I have

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no doubt it will be, however, once we all come through the aftereffects of Covid-19.

I do not know when the CLÁR programme review is due to be published. I will find out and revert back to Senator Carrigy's office, however. Again, the letter he read out from the parent of a child in a special school is testament to just how much of an impact the closure of our schools is having on all our children but particularly those who have extra and additional needs. There is a Cabinet sub-committee meeting to discuss education this afternoon, which I hope will bear some fruit. There will a debate in the House next Monday with the Minister of State with responsibility for special education and with the Minister for Education on the following Monday. I very much hope that we will not still be seeking answers on the leaving certificate and junior certificate - as Members have been doing for the past number of weeks - but that, as has been sought, we will have clarity and decisions will be made.

Senator Cassells raised the issue of a school that has been close to my heart for many years. Although I do not represent the constituency anymore, I still live there. Stepping Stones School is a wonderful addition to the community of Kilcloon and to the counties of Meath and Kildare. It is probably no different from every other special school in the country in that it has been taken into the minds and hearts of the people who live in the local community. It has been entirely dependent upon the goodwill and, in the main, the financial support of those people for the past number of years. Stepping Stones School was only taken under the aegis of the Department of Education a short number of years ago. I am dismayed that despite a visit by me and the then Minister for Education and Skills, Deputy Joe McHugh, and the promise made by the Department not only to provide a new building but to upgrade the disgraceful provision it was making for those kids who have to go to school every day in Stepping Stones School, that work has still not been done. A scheduled meeting was cancelled the day before it was due because of Covid. It does not take a genius to take photographs and realise that the education buildings in Kilcloon are nowhere close to a minimum standard. The provision of educational services by the teachers and special needs assistants, SNAs, for the children who go to the school is second to none. The Senator is dead right that we are failing them. I do not know what it takes because I am sure he and every other representative associated with the school have been in touch with the Department of Education in the past week, yet there has still not been a response. I do not know what it takes to get a response on such a crucial issue. I will contact the Department again today. The staff, parents and children who attend Stepping Stones School will continue to have all of our support.

Senator Ardagh and others spoke about the awful tragedy of the passing of Josh Dunne, a young 16-year-old boy. One could not but be moved by his mam at the weekend when balloons were released and the community came together in solidarity with the family on Coultury Road in Ballymun. I extend our deepest sympathies and condolences to Josh's family, on behalf of every Member of this House.

On the clarity sought about the leaving certificate examination, I hope we will have some certainty this week.

I advise Senator McDowell that I have already sought a debate with the Minister for Foreign Affairs. He has acquiesced but I do not have a date given that we have a full schedule next Monday and nearly a full schedule the following Monday. It is an important debate to be had and the questions raised this morning need a response. We saw the impact of the threat at the weekend. It shows just how easy it is for temperatures to rise in what is already a very volatile situation. One wonders how anybody could have made such a silly mistake. I think the Senator

knows what I mean in describing it as “silly” because it could have had disastrous consequences. We need to come together and reaffirm to the rest of the world and the European Union that we are committed to travel and the economy of the island of Ireland. I will try to get answers and will schedule a debate as soon as the Minister’s schedule allows. He has agreed to a debate.

Senator Kyne raised the correct decision made by the previous Government to invest in the national broadband strategy. I do not say this with any pleasure because we are well aware that nearly every other party and Independents, bar a small number, had great difficulty with investment in broadband and, indeed, investment in Irish people. I hope that Covid, if it has ever done anything for us, makes us realise that we can have a better society and a better distribution of the economy and the population so that they are not just centred in major national cities but in rural places, as Senator Kyne so eloquently described in Irish. Unfortunately, I did not understand what he said, much to my regret. Work-life balance needs to be addressed in legislation later this year. In lockdown, we are all dying to be able to go anywhere other than taking a walk around our own village or within a 5 km limit. There is a definite balance to be struck between being in an office and being at home. No one wishes to go back to spending an hour or longer in their car every morning and every evening when they do not have to.

Senator Fitzpatrick spoke about the Minister for Justice and the justice and policing committees, JPCs, with regard to knife crime. Members of the other House have raised this issue in recent days. Last week was, I believe, a record week in Dublin in this regard and we had the shock of people being injured in various incidents, with some losing their lives and some being left gravely ill. I heard one gentleman say on radio that he would not leave his house without a knife in his pocket because he was not going to let somebody walk his daughter up the aisle. I think I know what he meant with those sentiments but, by God, if that is the attitude we will all have when we leave our houses, we are certainly not going to get to a better place. It will be a worse place so that is something that needs to be addressed now.

I am very pleased to accept Senator Ó Donnghaile’s order and look forward to the two by-elections. To answer Senator Boyhan, I do not know the dates but I am quite sure they will be held very soon. The clock has been ticking on the first one for a number of weeks now as it was initiated by his previous motion and the clock is now ticking on the second one as well. We need to get these Seanad by-elections done as quickly as we possibly can. The Senator is right that it does highlight an anomaly. A number of my own colleagues in local government had expected that a vote would be extended to them and are surprised that this has not happened.

The Minister for Foreign Affairs is coming in to discuss Article 16 and I will ask to have a Brexit debate on the same day. I very much think we need to lay out to Irish people what post-Brexit is actually going to look like, and not just in the immediate term. We are aware of the difficulties with paperwork, queues and so on at the moment, but there is also the matter of what we expect and hope, and what our ambitions are in the long term.

The Minister of State, Senator Hackett, spoke so eloquently about the challenges we have with climate change and how all sections of the community need to embrace them to ensure we have a happy outcome with the green deal and its commitments.

Senator Boyhan talked about the housing scheme. The Minister for Housing, Local Government and Heritage will be here this afternoon but we probably need a separate debate on it when we have all of the details. I would also love to see the outcomes of the pilot scheme that was run by the former Minister of exactly this scheme in Cork a number of years ago. It indi-

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cates whether this is going to work or shows the pitfalls or the pros and cons of how the pilot actually went so we can all learn, when we are doing the pre-legislative scrutiny, what kind of changes we should expect. However, there very much is a need for some scheme. This may or may not be it but there very much is a need for some scheme to support people. When one considers the situation where a household with €100,000 coming in in salaries still cannot afford a house in Dublin, it is not fair. We greatly need to support them.

A number of colleagues have raised the mother and baby homes and what emerged about the matter of the recordings of survivors' testimonies over the weekend. I do not know whether to call it an admission or not, because it is something that maybe we all should have known, but I must say it is certainly not something I was aware of. Admittedly, it was in the terms of reference of the establishment but that dates back to 2004. I think Senator McDowell was the Minister who introduced that legislation. We all sat here for two weeks in November and December fighting to ensure the information and the testimonies the survivors gave would be available to them and not withheld for a period of 30 years. I think we all thought that battle had been won and the acknowledgement by the Minister for Children, Equality, Disability, Integration and Youth - who resisted initially but then came around to both public protests and indeed everybody's concerns and suggestions in this House - was that all of the survivors would be able to access the testimony. This was not just for the obvious reasons that we are familiar with of how a people can query what has been put in a report as having been said by them if they do not have the original testimony to go back to, but because it is theirs - it is their story and their voice. People have found out now that it is gone. There is nothing even close to an appreciation of the compounding of hurt on hurt that we seem to be continuously doing. Now that we know it is gone, one would nearly shrug one's shoulders and give up. However, I know we will not give up because of the stories and the experiences that the women still continue to contact us with, as do their children. They are the men and women who lost the opportunity of having a life with their real family, substituted, obviously, with their next family. We need to find out when the audio tapes were destroyed. If we found out we were having a debate in November and December about something that had already been destroyed - I must assume the Minister did not know because he stood here so earnestly debating as to why we could not have access to them and then giving us the details of why he absolutely would ensure that they would be given access to them when he got the right information from the Attorney General. If we find out that they were already gone by then, by Jove. I know the commissioners do not want to have a conversation with either the public or our committees downstairs but they definitely owe it to the 550 surviving women who came and sat in front of them and shared their stories. The commissioners should explain why the survivors were not told their stories would be erased before the report was published and explain to them how in God's name they are actually going to refute the memories the women now say have been incorrectly proposed in the report on their behalf. There are so many questions which remain unanswered but I will tell the House what we will not do is allow this to be swept under another carpet again. Only before I walked into the Chamber this morning did I receive an audio message from a lady. She did not want a reply by email because she wanted her voice to be heard. That is how much of an impact the actions of people in this country are having on survivors and it has to stop now. I will write to find out and I am sure that we all will. We will probably need another debate about the commitments given by the Government to make sure that they are lived up to daily in the timelines set out. No more can be taken by the women or their families. The Irish people are losing the will to live with the commitments and things that we say on behalf of the State, and that is not a good place to be.

Senator Ivana Bacik: The Leader did not respond to my comments on Myanmar and zero Covid.

Senator Robbie Gallagher: I raised two issues that the Leader might address. Those are increased co-operation and protocols to be put in place between the gardaí and the PSNI and the non-attendance of people for Covid tests.

Senator Regina Doherty: Senator Gallagher will have to forgive me. I did not get to his contribution and I apologise. There is absolutely a need for co-operation between North and South. The Irish people are exasperated, listening to us calling for politicians, North and South, to co-operate and yet it does not happen. We put blocks and obstacles in our way and while they might be political, the people do not care. They just want us to get on and do it. I will contact the Minister for Justice today. I know she is in contact with her counterpart in the North. We need to see action as opposed to more talk.

I might ask Mr. Paul Reid to come back to us about the reasons that people do not attend for tests. If it is a transport or childcare issue, then those issues need to be addressed, but it may be, as it was last year with people not showing up for their second PCR test, because they think they are grand. The most shocking tweets I have read were from Dr. Tony Holohan recently. He talked about how we have had more cases in January than we had in the entirety of 2020. More than 1,000 of our citizens, people's loved ones, have passed away completely needlessly, yet we still do not seem to be getting the message through. We will try to find out the reasons and come back to that.

I apologise to Senator Bacik and will ask the Minister for Foreign Affairs, Deputy Coveney. I am sure he will make a statement and I will send it to the Senator once I receive it. If not, he certainly needs to make that statement. Democracy is precious and we take a lot for granted but it is certainly not taken for granted in countries where it is under threat. I will come back to the Senator about it.

She also asked for a debate on zero Covid. I will request it. The difficulty with calling it that is that "zero Covid" means different things to different people. We should certainly pursue an aggressive strategy to rid our country of the virus and we could certainly all get behind that.

Senator Frances Black: Will the Minister come in to talk about Bessborough House?

An Cathaoirleach: I think the Leader answered that in response to the issue of mother and baby homes and I am sure that she will facilitate a further debate on that.

Senator Ó Donnghaile has moved an amendment to the Order of Business, "That No. 29, motion 8, be taken before No. 1." Is the amendment agreed? Agreed.

Order of Business, as amended, agreed to.

Vacancy in Seanad Membership: Motion

Senator Niall Ó Donnghaile: I move:

That the Clerk of Seanad Éireann do send to the Minister for Housing, Local Govern-

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ment and Heritage notice of a vacancy in the membership of Seanad Éireann occasioned by the resignation of Senator Elisha McCallion, a member elected from the Oireachtas Sub-Panel of the Industrial and Commercial Panel at the General Election for Seanad Éireann, April, 2020.

Senator Victor Boyhan: I second the motion.

Question put and agreed to.

Sitting suspended at 1.44 p.m. and resumed at 2 p.m.

Criminal Justice (Money Laundering and Terrorist Financing) (Amendment) Bill 2020: Second Stage

Question proposed: “That the Bill be now read a Second Time.”

Minister of State at the Department of Justice (Deputy James Browne): I welcome the opportunity to present the Bill to the House. I am pleased that it received general support on its recent passage through the Dáil. I am hopeful that Senators will be similarly supportive.

This legislation transposes the criminal justice elements and several of the non-criminal justice elements of the Fifth EU Anti-money Laundering Directive 2018/843. This directive builds upon the fourth anti-money laundering directive to better equip the Union to prevent the financial system from being used for money laundering and terrorist financing. Money laundering underpins and enables most forms of organised crime. It allows criminal groups to further their operations, conceal their assets and use the proceeds in legitimate financial systems and markets. By pursuing the proceeds of crime, we can bring those responsible to justice and meaningfully reduce the incentives to commit crimes in the first place.

The work of the Criminal Assets Bureau, CAB, and the Garda National Economic Crime Bureau, GNECB, is crucial in identifying and tracing such proceeds. An Garda Síochána has been allocated an unprecedented budget of €1.952 billion for 2021. Competitions are currently under way to strengthen the staffing levels in the GNECB financial intelligence unit and the GNECB itself, as well as in the Office of the Director of Corporate Enforcement, ODCE. Investment in the GNECB will see its number of officers increase from 46 to 112. There will also be significant investment in ICT.

We have seen far too many recent examples of so-called money mules, where young or vulnerable people are drawn into allowing their bank accounts to be used to launder money. It is vital to emphasise that a person who acts as a mule may be convicted of the primary offence of money laundering and face extremely serious consequences. A conviction carries a maximum sentence of 14 years. It can affect visa applications and the ability to work in the financial sector and it can affect the ability of the person to access financial products in the future.

The fifth anti-money laundering directive places a renewed focus on the gatekeepers of our financial system. It ensures there is increasing transparency by bringing further institutions within the scope of the regulatory framework and by combating the use of new trends and technologies employed by criminals. In particular, it brings several new designated persons

under the existing legislation, including property services providers, as well as dealers and intermediaries in the art trade. It limits the anonymity related to virtual assets service providers and wallet providers, but also for prepaid cards. It broadens the criteria for the assessment of high-risk third countries and improves the safeguards for financial transactions to and from such countries. It prevents credit and financial institutions from creating anonymous safe deposit boxes. It also provides for ministerial guidance to clarify the scope of “prominent public functions” falling under the “politically exposed person”, PEP, regime.

There are, of course, already robust and extensive anti-money laundering laws in place in Ireland. The existing Act, as amended, runs to almost 150 sections, with the majority of those sections concerning designated persons and their obligations. A person commits a money laundering offence if he or she, among other things, uses, conceals, disguises, transfers, acquires, converts or removes from the State the proceeds of crime. This applies if the person knows or believes that he or she is handling the proceeds of crime or is reckless as to whether he or she is doing so.

Ireland’s position as a leading international financial services centre places an even greater importance on ensuring that we never become a weak link. My Department works closely with the Department of Finance, which is also engaged in giving effect to certain provisions of the directive, notably with regard to the registration and supervision of virtual assets service providers and for the designation of classes of legal instruments for the central register of beneficial ownership of trusts.

I turn now to the specific provisions of the Bill. Sections 1 to 4, inclusive, contain provisions which update various definitions in the 2010 Act to bring it into line with the definitions used in the fifth directive. In particular, section 3 provides for the definitions of the new entities that will be considered designated persons under the Act. This includes new definitions of property service provider, virtual asset service provider and custodian wallet provider.

Section 5 amends section 25 of the 2010 Act and brings the new entities under the designated person provisions who are required to apply anti-money laundering measures in the course of their business. These new designated persons include letting agents, virtual asset service providers and high-value art dealers and intermediaries in that trade.

Section 6 amends section 33 of the 2010 Act and provides for a number of technical amendments, including an obligation to carry out customer due diligence when required to contact the customer under any other enactment.

Section 7 amends section 33A of the 2010 Act and provides for lowering the value limits for carrying out simplified due diligence on e-money instruments. This means that a person supplying e-money instruments, such as a prepaid card, will be required to conduct customer due diligence when the value of the requested card is €150 or higher. The existing threshold is €250.

Section 8 amends section 35 of the 2010 Act and provides that where a designated person is entering a business relationship with another entity, that person must take steps to obtain the relevant information from the register of beneficial ownership of trusts, corporate entities or financial vehicles, as appropriate, and must not engage in that business relationship until the relevant information is obtained.

Section 9 amends section 36A of the 2010 Act to give effect to a technical amendment to the

wording of the directive in respect of which transactions require further examination.

Section 10 amends section 37 of the 2010 Act to provide for the Minister for Justice, with the consent of the Minister for Finance, to issue guidance to competent authorities on the prominent public functions that will give rise to a person being designated as a politically exposed person.

Section 11 makes a technical amendment to section 38 of the 2010 Act to more clearly define the relevant relationship.

Section 12 amends section 38A of the 2010 Act and provides for a detailed list of enhanced due diligence measures that the designated person is required to apply when dealing with a customer established, or residing, in a high-risk third country.

Section 13 makes a technical amendment to section 40 of the 2010 Act in respect of information to be received from a relevant third party.

Section 14 places a requirement on the financial intelligence unit, FIU Ireland, to provide, where practicable, feedback in respect of suspicious transaction reports made to it. This reflects existing administrative practice.

Section 15 amends section 51 of the 2010 Act and provides for a defence to proceedings in respect of “tipping off” where the designated person can prove that the entity to which the information was disclosed was a specified financial institution that is connected to the designated person or part of the same group structure.

Section 16 makes a technical amendment to section 55 of the 2010 Act in respect of record-keeping.

Section 17 amends section 58 of the 2010 Act and prohibits credit or financial institutions from creating anonymous safe deposit boxes. Section 18 amends section 60 of the 2010 Act and assigns a supervising competent authority for the new designated persons under the amendment to section 25. Section 19 amends section 63B of the 2010 Act and provides for additional measures in respect of co-operation between the competent authorities in different member states.

Section 20 amends section 63D of the 2010 Act and updates the provisions relating to persons employed by competent authorities in line with the updates in the fifth directive. Section 21 inserts a new section 63E into the 2010 Act. The new section provides that each competent authority must establish effective and reliable mechanisms to encourage the reporting of breaches of the Act. It also requires a competent authority to provide a secure communication channel for such reporting. Section 22 amends section 65 of the 2010 Act and provides for additional detail that is to be included in the annual money laundering reports of self-regulating bodies. Section 23 makes a technical amendment to section 84 of the 2010 Act. Section 24 repeals and replaces section 101 of the 2010 Act and inserts new provisions for the establishment of a trust or company service provider appeal tribunal.

Section 25 inserts Chapter 9A after Chapter 9 to create a registration and supervision regime for anti-money laundering, AML, purposes in respect of virtual asset service providers. Section 26 inserts a new Chapter 9B in the 2010 Act to provide for the designation of classes of expressed trusts for the purpose of establishing a central register of beneficial ownership of trusts. Regulations to be issued by the Minister for Finance will follow the enactment of this

Bill and the register will be managed and maintained by the Revenue Commissioners. Sections 27 and 28 amend and update the risk factors set out in Schedules 3 and 4 to the 2010 Act. The amendments are to provide for the relevant updates in the fifth directive. Section 29 is a technical amendment to bring information under the money laundering directive into the confidentiality and information exchange provisions of the Central Bank Acts. Section 30 provides for the Short Title and commencement provisions of the Bill.

This is an important Bill. By enhancing Ireland's already extensive AML regime, it will act as a further tool to combat global organised crime, protect the financial system and ensure that we meet the highest international standards. Combating such crime is a Government priority. I look forward to hearing the views of Senators and ask for their co-operation in the passage of this legislation through the House.

Senator Robbie Gallagher: I welcome the Minister of State to the House to discuss this important legislation. I listened attentively to his contribution. I welcome that increased financial and personnel resources will be made available to beef up the Garda Síochána's specialised unit and address an ongoing problem.

We in Fianna Fáil are delighted to support this legislation, which further strengthens our protections against money laundering. The warnings issued recently by the Garda on the use of so-called money mules were another reminder, if one were needed, that the issue of money laundering is, unfortunately, alive and well in this and many other countries. It shows that we must always be alive to the need to address the ever-changing picture of money laundering.

As the Minister of State outlined, the Bill is significant legislation for tracking money laundering. Money laundering is a crime that helps serious criminals and terrorists to function. By extension, it destroys many lives in the process. Criminals are always alert to opportunities to exploit the EU's borders. As such, EU-wide measures are vital if we are to tackle the issue. The inclusion of provisions relating to virtual currencies is particularly welcome. It recognises the realities of modern banking and the likely modes of money laundering.

I understand that many amendments will be discussed. I would welcome the Minister of State's comments on changes insofar as trusts are concerned and the implications of same in respect of trusts that have been dealt with already. Is the legislation retrospective or will it only apply from now?

I also note with disappointment that we, the taxpayers of the country, must pick up the tab for a €2 million fine for the delays in putting the directive on the Statute Book. Will the Minister of State comment on the reason for the delay? How long will be devoted to addressing this legislation? I fully support the idea of it passing Second Stage this afternoon. Realistically, when can we expect the legislation to have been dealt with in its entirety?

I again thank the Minister of State for his contribution. I look forward to his responses in respect of the issues that I and my colleagues are raising.

Senator Michael McDowell: This legislation is somewhat overdue. As Senator Gallagher notes, the delay in introducing it has resulted in a €2 million penalty being imposed on the State. Further enforcement action is in the pipeline, which is unfortunate. On the other hand, as the Bill is before us now, we must deal with it on its merits.

I wish to indicate at this stage that I have no major problems with the Bill as long as its pro-

visions will be reasonably enforced. The problem with money laundering legislation to date is that it is not being reasonably enforced in some respects. Senator Buttimer and I have discussed the politically exposed persons provisions on occasion. I qualify on two grounds to be a politically exposed person. The first is that I am a former Minister and the second arises because I am a Member of the Seanad. All of us are politically exposed persons in that respect.

As a result of a campaign of enforcement by the Central Bank, the various financial institutions began to get their act together recently in a very concerted manner. I found myself being asked by one institution, which afforded me a mortgage 18 years ago to finance the building of a holiday home, to explain the source of all my wealth. Some of the forms we are asked to complete go far beyond what is reasonable. They ask us to produce copies of tax returns across the period of accumulation of wealth and copies of wills under which we may have inherited money. Bearing in mind that I have for approximately 12 years conducted business with a bank which sees everything going into and out of my account, it asks me the odd time where certain moneys came from. Paying the mortgage means money leaves that account via direct debit to a second institution. I have a Visa card and Mastercard, and I have been asked by the providers of those services to fill out forms explaining where I have got my money from, etc.

Worse than that is the completely unreasonable request that my spouse and children should also be subject to this, if the banks know who my spouse and children are, because they are politically exposed persons within the meaning of the legislation. To ask of any of us that our spouses should be required to prove the source of their wealth in order to keep a current bank account or whatever open is entirely unreasonable. If such proof is going to be required, there must be some degree of proportionality as to the capacity of people to gather together all these records, especially when they are in the 18th year of a 20-year mortgage, for example. The threat was that the institution would discontinue my mortgage. I said, "That's fine, I'll take it if you like." However, it is absurd, especially if there is one lead bank in respect of an individual who knows where the money is coming from and who does keep on eye on where the money comes in and out of and other institutions are being dealt with on the basis of direct debits. It is absurd that the direct debit institutions, which really are derivative, should be asked to implement a massive amount of research to find out where the money is coming from in terms of another bank in Ireland.

The fourth directive, which was passed, provided, in recital 35, that identification of account holders and depositors could be effectively taken on trust from another financial institution without prejudice to the obligation of the derivative institution to report any suspicious transactions. The "know your client" provisions that are currently being imposed by the banks, I believe at the behest of the Central Bank, are entirely unreasonable. No provision is made for what is proportionate. What is to happen if one of my children simply disregards the obligation to account for his or her money over the years? How does that really impinge on whether I am a suspect for money laundering? I believe it is overkill.

I note that express trusts are to be made the subject of a central registry here. That will be a fairly significant imposition in terms of notifying somebody in authority on a central basis, setting up a register and keeping the register up to date and the like for express trusts. There are many express trusts – family trusts, education trusts for children with a disability and all the rest of it. There are all sorts of issues where express trusts may come into existence. It may be easy in continental Europe to provide for registration of these trusts because perhaps they require to be formalised in a centralised way, by formal deeds or whatever in a sense in which they are not in the common law countries, of which Ireland is the last remaining survivor in the

European Union.

I intend on Committee Stage to introduce some legislation to protect politically exposed persons, including Oireachtas Members, from disproportionate, intrusive and repetitive examination of every credit card they ever had as a condition of keeping the credit card in existence. It is nonsense. It does not serve any useful purpose and it creates quite a lot of difficulties for banks, Oireachtas Members and their spouses and dependants. I know the Minister of State said that he wanted Ireland's standards to be the highest but it is not a high standard to require my sons to explain their wealth. That is nonsense. It has nothing to do with whether I am somebody who is going to launder money and it is absurd that that should be part of our law.

Senator Barry Ward: Gabhaim buíochas leis an gCathaoirleach Gníomhach agus cuirim fáilte ar ais roimh an Aire Stáit. In the first instance I want to welcome this legislation. As the Minister of State pointed out at the outset of the debate, this furthers and refines the measures at European level to ensure that the State can tackle money laundering and deal with issues surrounding money laundering and the financing of organisations like terrorist and illegal organisations and it is tremendously important.

As I have said in this context on a number of occasions, it is also important that this legislation be legible to ordinary people. This is amending legislation. It amends not just the 2010 Act because that Act has been amended by the 2018 Act so reading this document is incredibly difficult because almost every section amends another Act. It means that for an ordinary person who wants to see what the law says it is extraordinarily difficult to penetrate the dense nature of this Bill. That could be overcome if we adopted a practice in these Houses of passing consolidated legislation every time. Instead of amending the Act, we should pass another Bill, repeal the earlier legislation and have one single version of the law on money laundering, anti-terrorist financing, etc. I often say that because it is something we should consider. I recognise it creates administrative challenges but it would make our law a much more penetrable and legible corpus for ordinary citizens, as well as for lawyers. I say that as somebody who goes through it relatively regularly.

Mention has been made of the fines Ireland has sustained as a result of the late passage of this legislation. The deadline for the passage and implementation of the legislation was 10 January 2020. Anybody with an eye on politics will know that perhaps politicians' minds were on other matters at that stage in the process. It is unfortunate that we are late transposing the directive. I hope the Bill will enjoy support and pass quickly through the House of the Oireachtas.

In that regard, I will raise several points about the legislation's content in the same vein as the points made by Senator McDowell on this and other anti-money laundering legislation. There is a real danger that in implementing these rules and regulations for commercial entities in the State, the bureaucracy will go into overdrive and put in place measures that it says comply with the legislation but that we all recognise go far beyond what the law actually requires. This has been the case for many years, even with respect to establishing identity, proof of address, etc., when opening a bank account. The banks invariably require more forms of proof of address and identification than the actual anti-money laundering legislation requires. It is totally unnecessary. It does not make the system stronger, stop people from money laundering or make money laundering more difficult.

While such measures are important and one should have to establish one's identity, it should not be to the satisfaction of some bureaucrat in a bank's head office, wherever that might be,

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who has decided to go one step further than the legislation. There is a real danger that legislation like this becomes a charter for banks to create another barrier for people setting up an account or, indeed, changing bank, shopping around, moving an account elsewhere or using the competitive measures that the State is also trying to push from the other side.

It is important the message goes out that there are onerous responsibilities as a result of this legislation but that banks, commercial institutions, designated persons and others covered by this legislation do not need to go beyond them. The know-your-client provision has been represented. Of course banks should know who their clients are. It seems to me, however, that whenever I ring my bank, nobody knows who I am and the only person I can speak to is in a call centre somewhere and not in my bank branch. Banks cannot have it both ways. If they want to serve their clients, that is exactly what they should do, instead of hiding behind legislative measures.

As Senator McDowell pointed out, there are onerous provisions regarding people designated as politically exposed persons. We should not underestimate this. I too have received many forms from my bank, some of which asked me for extraordinary details. My bank asked me to account for my income well beyond what the Revenue Commissioners might ask me to do if they were auditing me, for example. It seems quite unreasonable.

The provision in section 10, which amends section 37 of the 2010 Act, expands the definition of a politically exposed person to include an individual performing a prescribed function. I presume it is intended that the Minister prescribe that function. It is not clear to me where in the Bill the Minister is empowered to do that. Perhaps it is already contained in the 2010 Act. Will the Minister of State clarify where the power to prescribe those functions lies and how we will define the further expansion of that class of politically exposed persons?

Section 5 involves an expansion of designated persons. In the same way that politically exposed persons have onerous obligations, so too do designated persons. Section 25(1)(f) of the 2010 Act will now bring in letting agents who are dealing with properties where the monthly rent is more than €10,000, while section 25(1)(c) deals with art dealers and art valued at over €10,000. I do not have a difficulty with either of those provisions. The majority of transactions are at the upper end and it is entirely appropriate that they would be pitched there. However, it might be worth considering index-linking the €10,000 figure to avoid having to revise it upwards in 15 years' time to account for the fact that inflation in property and art prices or general inflation has brought into the net of designated persons a load of people who are not required to be there. Index-linking might overcome that.

I also welcome the slight relaxation, in section 10, which amends section 37 of the principal Act, of the obligation on designated persons to examine the background and purpose of transactions that are unusually large or complex. The insertion of the words "as far as possible" appears to be a reasonable response to a difficult obligation on designation persons and a measured response to the fact that they may have to do more than is reasonable.

On the whole, I welcome this legislation. There is a great opportunity, as the Minister of State has said, to refine what the European Union does and what we as a national Government and State do. It is important. On behalf of the Fine Gael Party, I express support for the legislation and hope it enjoys a swift passage through the House.

Senator Ivana Bacik: I welcome the Minister of State to the House and I welcome this

Bill on behalf of the Labour Party as my colleague, Deputy Howlin, did in the Dáil. It is an extremely important area of focus. It is a complex area and the Bill is largely technical in nature.

I join other colleagues in expressing concern at the delay in bringing this Bill forward. It was introduced on Second Stage in the Dáil on 22 September last and took three months to proceed through the Dáil. It is a concern that there have been such delays, even at that late stage following its introduction in the Oireachtas. We are happy to support it and to expedite its passage in any way we can but it is most unfortunate to see that we are already in breach of the timeline set out in the EU directive and have already been fined €2 million, as I understand. That €2 million could have been better spent enhancing our capability and capacity to enforce the measures in the legislation and providing necessary enforcements against the transnational aspect of money laundering which is directly addressed in the legislation.

Deputy Howlin raised on Second Stage in the Dáil the issue of resourcing of the enforcement bodies and I will refer to those briefly. We have the Garda National Economic Crime Bureau, GNECB, formerly the Garda Bureau for Fraud Investigation, GBFI. I understand the GNECB is now the main entity that will oversee the implications and enforcement of this legislation and the rules in it, as well as the rules in the primary legislation on money laundering, although the Criminal Assets Bureau and other agencies will also be involved. Is the GNECB adequately resourced for the task? Deputy Howlin recently asked a parliamentary question seeking the full complement of the GNECB, which he found to be 72 gardaí, 19 civilian staff and three accountants. The question is whether that provides sufficient expertise, particularly on the financial side, to deal with the sort of complex transnational crime that is being targeted through this legislation. I understand the complement of accountants on the GNECB has not been greatly enhanced since the GBFI was in operation, even though the volume of cash and resources flowing through Ireland has increased immeasurably and is likely to increase further with the advent of Brexit.

Colleagues across this House and elsewhere will be aware of the huge role that Ireland plays in international financial services. Some 250 leading financial services firms operate out of Ireland, half of the world's top 50 banks have representation and transact business in Ireland and more than €1.8 trillion in funds are administered from Ireland. We have all seen what impact that has on our GDP, so I will not go through that. Clearly, we are not a small player in international financial services and that has implications for any legislation dealing with financial crime and money laundering on a transnational basis. Our reputation has been significantly dented in the past by measures such as the double Irish and particular mechanisms used to attract foreign direct investment. We have to be clear not only that we have the legislative infrastructure in place but also that we have in place the mechanisms necessary to ensure financial services can operate on our island subject to proper enforcement and oversight. It is unfortunate in that context that we have seen this lengthy delay in the implementation of the EU directive. That does not send out an appropriate signal of our seriousness about dealing with this issue.

I will refer to issues colleagues have raised. Senator Ward talked about the codification of criminal legislation and I absolutely share his view. It is unfortunate that the Bill, like so many other criminal Bills, cannot be read without reference to primary legislation and to an overarching legislative structure. There is a strong case to be made for the consolidation and codification of criminal legislation in many different areas, not least here in regard to financial crime and money laundering. The law is rendered unnecessarily complex by the way in which this type of legislation is brought in.

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I refer also to Senator McDowell's comments on the concept of politically exposed persons, PEPs. I entirely agree with him regarding concerns about disproportionality. We are all aware why the PEP rules were introduced and the necessity of rules in this regard, but we have to examine their proportionality. I look forward to seeing Senator McDowell's amendments. Deputy Howlin raised in the Dáil the issue of somebody who had been elected to the national executive of our party who told him that he had been notified by his bank that he was a PEP. The person asked what a PEP was and what it meant for him. This citizen is not elected to any national parliamentary office, as we all are, but to a national executive. I had not been aware that PEP rules extended that far. Nor had I been aware, until Senator McDowell spoke, that they extended to adult children, although I had been aware that they extended to partners and spouses. As a national Legislature, we need to reconsider the proportionality of their application and to ensure we do not unduly deter people who could make a contribution to political life from entering it. I make these observations while recognising the necessity for rules concerning PEPs.

I will conclude with an issue close to my heart that is relevant to this legislation. This legislation deals with money laundering as a worldwide crime and the aftermath of issues in kleptocracies, where regimes have robbed their own people of raw resources. The immediate aftermath of the collapse of the Soviet Union is a case in point. In that context, I urge the Minister of State to support the many calls that have been made for the bringing forward of an Irish Magnitsky Act, that is, an Act to honour the memory of Sergei Magnitsky, the Russian lawyer who died in a Moscow prison after being involved in an investigation into fraud involving Russian tax officials. Many colleagues will be aware of the case, which has been publicised so remarkably well by Bill Browder, the American-born businessman who has published books on the issue and whom I had the pleasure of meeting when he came to Leinster House in 2019 to make the case for legislation to bring to account the sort of criminal actions that led to the death of Sergei Magnitsky. A number of jurisdictions have passed legislation, as we know, including the US in 2012, Britain, Canada, Lithuania and Latvia. The case for such legislation has been strengthened immeasurably in recent days in light of the protests over the treatment of Alexei Navalny, the Russian opposition politician.

I make those remarks in support of the Bill and restate the support of my party for its passage.

Senator Niall Ó Donnghaile: Cuirim fáilte roimh an Aire Stáit agus gabhaim buíochas leis as a bheith linn don díospóireacht inniu. I express my concern and disappointment, shared by colleagues, at the fine imposed on the State as a result of the delay in the passage of the Bill. Without over-egging the pudding, that is an important point to put on record once again, for all the reasons articulated by colleagues.

As has been said, this is significant and substantial secondary legislation and it is primarily technical in nature. The Minister of State will be aware that my colleagues in Sinn Féin, as well as other parties and groups in the Dáil, have engaged on it throughout. It has received broad support and he will have encountered a range of views and observations on it in that House as well. I appreciate what colleagues have said about some aspects of the Bill and its consequences that may impact on us. It is important to remember that the crux of the legislation is not only about allowing the State to respond to the understood or conventional methods of money laundering and financial crime, but also about allowing evolving methods of such crime to be combated and dealt with. That is why the legislation is so important as a response to the threat, including to citizens, of financial crime and money laundering. I agree with the point

made that appropriate, rolling implementation and enforcement of this legislation will be key as we move forward.

Like others, I do not want to prolong this debate on Second Stage needlessly. As outlined by our colleague, Senator McDowell, amendments will be submitted. I look forward to an informed debate as we pass this legislation through the House as speedily and effectively as possible, which I hope will be the case.

Minister of State at the Department of Justice (Deputy James Browne): I thank the Senators for their constructive and significant contributions, which are welcome.

To clarify, the €2 million fine refers to the previous transposition under the fourth directive. So far, we have not been fined under that arrangement or the associated legislation but, nonetheless, we are at risk. In that regard, I appreciate the Senators' facilitation of our trying to pass the Bill as quickly as possible.

On the issues concerning politically exposed persons and implementation, implementation is not a matter under the legislation itself; it will be down to interpretation. As set out in this Bill, the arrangement is as required under the directive but I certainly hear the Senators' concerns. I remember getting a phone call from my bank manager a few months ago on my own position. When filling in a form, I stated I was the chair of the board of management of a primary school. I got another phone call about two days later in which the caller wanted to know the sources of finance of the primary school. I started to explain colour runs, cake sales and corporate coin collections. The serious concern is that the obligations cause a chilling effect on people entering politics or voluntary roles. There can be overly officious interpretations of some of this legislation. Given the importance, it needs to be guarded against. We need to seek clarification. I look forward to further consideration of this issue on Committee Stage.

Trusts will primarily be a matter for the Minister for Finance. The provisions are flexible and allow for appropriate designation to be made by the Minister for Finance once passed. Again, we can get into further detail on that on Committee Stage because there can be an impact.

The Labour Party, through Deputy Howlin, has produced Maginsky legislation. It is a very worthy proposal and it is being considered very carefully and seriously by the Department of Justice. It has been submitted to the Attorney General for his consideration. I expect and believe such legislation will have to be passed in this country.

On the overall point, on delays, there is no question but that there has been significant tardiness in the transposing of EU directives. Very often, it does not happen until very late in the day. This Bill is very complex in the sense that it affects both justice and finance but I am in a position to say that, since I became Minister of State at the Department of Justice, I have been trying to take control of the transposition of directives whose transposition has been delayed. There has been significant progress on the outstanding directives requiring transposition. For example, the legislation on the supervision directive was transposed just before Christmas. The legislation on the fifth EU money-laundering directive, which was before the Dáil last September, is now before the Seanad. The directive on the fight against fraud regarding the Union's financial interests by means of criminal law, the PIF directive, is working its way through the Dáil as quickly as possible. The criminal justice (mutual recognition of custodial sentences) Bill and the criminal justice (smuggling of persons) Bill are both in an advanced stage of draft-

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ing and are on the priority list for publication before Christmas. I assure Senators that I have got hold of the directives requiring transposition. I intend to get through those that are behind schedule as quickly as possible. The only reason we have not got through more at this point is the effect of the Covid restrictions and the associated difficulty in getting slots. The Whip's office has a Standing Order request from me. If any gaps can be found in the Seanad or the Dáil schedule, I am ready to go in and push this legislation through as quickly as possible.

I appreciate Senators' co-operation. I thank them for it and for their generous support of the Bill. There are a number of important key points that we will have to consider and discuss in more detail on Committee Stage.

Senator Michael McDowell: With regard to the issue I raised and on which others have supported me, can the Minister of State indicate whether the Department is willing to engage in advance on draft amendments? It would be a big help rather than to run up against a stone wall on Committee Stage.

Deputy James Browne: There is absolutely no difficulty with that.

Acting Chairperson (Senator Aisling Dolan): I thank everyone for their contributions and the Minister of State for coming to the House.

Question put and agreed to.

Acting Chairperson (Senator Aisling Dolan): When is it proposed to take Committee Stage?

Senator Robbie Gallagher: Next Monday.

Acting Chairperson (Senator Aisling Dolan): Is that agreed? Agreed.

Committee Stage ordered for Monday, 8 February 2021.

Sitting suspended at 2.46 p.m. and resumed at 3.20 p.m.

Response to Covid-19 (Housing, Local Government and Heritage): Statements

An Cathaoirleach: I welcome the Minister to the House. I thank him for coming and taking this important debate on this very important topic.

Minister for Housing, Local Government and Heritage (Deputy Darragh O'Brien): Go raibh maith agaibh, a Chathaoirligh agus Sheanadóirí.

Since the country's first recorded case of Covid-19 last February, our public services have been tested as never before. In this the worst of times for so many, the best of public service and community spirit has come to the fore. As I said in the Dáil last week, the concept embodied in the Irish word "meitheal", daoine ag teacht le chéile chun obair a dhéanamh agus a gcuid fadhbanna a shárú or community co-operation in a time of social need, has been visibly lived across this country.

I have seen this public service in the sustained efforts and commitment shown by the staff

of my Department. From the first day, the rapid redeployment of staff and ICT equipment has ensured that we have kept essential services going. In addition, my Department has assimilated just short of 500 new staff following the transfer of heritage functions to it in September. This has led to an almost 50% increase in the size of the Department. Most of the staff of the Department, like all Departments, are working from home, which reflects public advice, with a small minority of staff attending physically to deliver key supports in areas such as ICT and in Met Éireann to provide weather and flood forecasts. The park rangers and the staff of the National Parks and Wildlife Service are ensuring that people are safe and secure in exploring their local parks, restrictions permitting. All State bodies have taken large leaps in providing services in virtual, online ways, and this will be one of the long-term positive legacies of the entire Covid-19 experience.

In particular, I pay tribute to the members of the fire service throughout the country. As emergency responders, they are on the front line every day of the week. I wish to again mention the Dublin Fire Brigade paramedics who are at the coalface of this pandemic.

As Senators are aware, the shutdown of construction has been extended to 5 March. This nine-week shutdown will undoubtedly have an impact on housing delivery. I am working with my Department to assess this impact but we will not be found wanting in exploring all options to make up any shortfall in 2021. I am pleased that the limited exemption of social housing construction has been extended in order that social housing construction which is due to be completed by 30 April can continue. This exemption will go some way to alleviating the massive pressure on social housing lists.

Protecting the most vulnerable, particularly those who are homeless, is the key priority for all of us here, for the Government and, indeed, for my Department. The rapid and joined-up response by our homeless services and their extraordinary commitment resulted in an unprecedented scaling-up of services to keep our users safe. To meet the challenges of social distancing new facilities were rapidly opened. Shielding is being provided for those most at risk of getting seriously ill from Covid and additional accommodation has been put in place to allow for self-isolation. My Department has provided just over €12.5 million per quarter in additional funding to support these efforts and, thankfully, outbreaks of Covid-19 are relatively low among the homeless community. The response of service users to the supports provided has been broadly positive.

During this period, we have made significant progress in tackling homelessness, although the situation is undoubtedly still challenging and we still have a lot more to do. The most recent figures, which are for December and which were published last Friday, show a reduction of 1,531, or just short of 16%, year on year in the number of homeless individuals. Thankfully, and significantly, there has been a near 38% reduction in the number of families in emergency accommodation and a really welcome 72% reduction in the number of families accommodated in commercial hotels in the past year. We want to see that reduce further and be eliminated completely and that is my clear focus and the focus of my Department and of this Government.

The quarterly report on homelessness, which was also published last Friday, indicates that 5,886 adults and their dependants exited emergency accommodation or were prevented from entering emergency accommodation in 2020. In Dublin, the report also showed that 53% of families who presented to homeless services in 2020 were prevented from having to enter emergency accommodation through a new tenancy being created. In the budget just passed, we put aside €218 million for spending on homelessness this year, an increase of over 30% on budget

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2020. With numbers falling, we are moving in the right direction.

Rough sleepers are at the sharp end of homelessness and are among the most vulnerable people in our society. Rough sleeping is a persistent issue. I provided the resources to ensure that there is a bed available for anyone who needs one and that there is capacity in every major city every single night. In addition, I have instructed all housing authorities that local connection criteria are not and should not be a barrier to accessing services. I am keeping this under review regularly to ensure that there is full adherence.

Enhanced outreach teams operate 18 hours per day, interacting with people on the street and encouraging them to take up offers of a bed or to return to accommodation that they may indeed already have. I would like to thank these teams most sincerely for their efforts, not just during Covid but at all times. They really are right at the coalface in dealing with and helping our homeless community. I have been out with them on the street and have seen the work they have done and the impact they are having across this city. I have visited homeless services in Waterford, Limerick and Cork as well.

While Covid-19 has posed huge challenges, there have also been opportunities. My Department, local authorities, the Department of Health, the HSE and NGO service providers have all worked together and existing relationships have strengthened over the period. There is now very strong collaboration between my Department and the Department of Health. Earlier today, I chaired a meeting of our homelessness task force group, which the Minister of State, Deputy Frankie Feighan, also attended along with senior officials from that Department. What we are actually seeing now is that for people who have been shielding or in these services, the health outcomes have been far greater. Through that task force, we are going to continue that collaboration with the Department of Health, particularly for those users who need the assistance most.

In the context of Housing First, we have now reached over 500 tenancies, which is a very significant milestone. We will have over 660 Housing First tenancies by the end of this year. On rental measures and supports, obviously we are operating under the moratorium, namely, the blanket eviction ban that was supported in this House. Any time we move into a 5 km restriction, that automatically kicks back in. That is welcome, it is working and we have the other rental supports which, again, were debated in this House, including those available under the Residential Tenancies Act 2020, which will run until April. I will keep that under review and if I need to do more in that area, I will. The Government and I have shown our bona fides in that regard in the face of some criticism from those opposite, though not specifically in this House, and we have done what we said we would. It is something that we need to watch.

Part of the Department's Covid response involves bringing vacant housing stock across the 31 local authority areas into use. I set aside €40 million in the July stimulus. We set targets for each local authority. I commend the local authorities, all of which engaged with that. We exceeded that target and in the six months to the end of December, more than 2,565 properties were brought back into use. They had not been in use but they have been allocated and many have been occupied. Much of that focused on our homeless communities, including both individuals and families. In total last year, we brought more than 3,600 social homes back into use. I will look at a revised programme for this year. There will be some pressure on delivering new construction because we have lost nine weeks so far this year. We need to look at how we can use our existing stock. I commend all those involved in that, which has had a real, positive impact. I have met people who are now in those properties. I will look again at some regeneration projects, particularly in regional cities, to see how we might be able to fast-track that even

further.

I thank Senators for their interest and for giving me an opportunity to outline some areas which my Department has been dealing with through this pandemic. I commend the staff. They have been doing incredible work, both in administration and on the front line. We will make further progress this year. We have seen that in some initiatives that we have already brought forward, which are thankfully working. We are in a position now where we have real momentum in reducing family and child homelessness. We need to focus on single people, which is an issue and is still stubbornly high. That is why, when addressing voids, we are looking at delivering one-bedroom apartments in particular.

I thank Senators for the opportunity to address them. I look forward to their contributions and to dealing with any questions or comments in my closing remarks.

Senator Mary Fitzpatrick: I welcome the Minister. I apologise for not sitting beside him but for talking to the back of his head instead. As we have Covid restrictions in place here, I do not expect him to turn around. Like the Minister, I thank all of the front-line workers in local authorities, housing charities, trusts and emergency accommodation, in Threshold, the Residential Tenancies Board and Intreo offices. They have been working night and day through the pandemic to support people living on their own, renters, people looking for housing and people at risk of homelessness. The Department has been supportive of the community call initiative, working with members of the Garda, local authorities and GAA clubs, including St. Oliver Plunkett Eoghan Ruadh, Na Fianna and Naomh Fionnbarra in my constituency, and right around the country. That community call has been a lifeline to people living on their own. It has been championed and supported by the Minister's Department and by all the volunteers who have so generously given their time. Their work is mammoth. It is truly valued. I want to start by expressing my appreciation for their efforts.

Since the Minister took over, he and his Department have demonstrated a keen desire to support renters, the homeless, small businesses and local public services. That is noticed and appreciated. Homelessness is still a stubbornly intractable problem. There are more than 8,000 homeless people in the country. I was delighted to see the quarterly report published on Friday showing a significant reduction throughout last year, especially in the last quarter, with a 75% reduction in the number of families accommodated in commercial settings, which is welcome. I appreciate the Minister's commitment to keep driving that to a point where all families live in a place that they can call home.

There is a problem with single homelessness. The Minister knows this. I have heard him speak about it. I know that he is determined to address it. In my own constituency of Dublin Central, and indeed within the north east of Dublin Central, the HSE estimates that there are 1,500 homeless people. That is the equivalent of a small village. I appreciate that the Minister recognises that challenge. I welcome the €220 million that his Department has allocated to support homelessness, which amounts to around €12 million per quarter. In addition, the fact that the Minister himself chairs a task force on the issue gives reassurance. The €40 million that the Minister provided to the local authority for the voids brought 2,500 vacant, boarded up local authority units back into use. I encourage the Minister to keep pushing with that programme. I note the initiative that he took in respect of the call for housing and the permission that he has given to local authorities to actually acquire housing and to invest, as they have done in Dublin, in the prevention of homelessness. I encourage the Minister to extend that model outside Dublin. At the Oireachtas joint committee on Friday, we heard from homeless service providers in

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the Munster region. They cited that as an initiative that they would like to see extended, and also the housing assistance payment, HAP. What the Minister has done in respect of the homeless HAP in Dublin has had an effect and has helped secure housing for people who are on the homeless list. I ask the Minister to look at the provision of the homeless HAP outside of the city in respect of renters. The Minister took action to prevent evictions and rent increases and to provide renters with supports through the Residential Tenancies Board and the Money Advice & Budgeting Service, MABS. All of that is welcome and has helped avoid people becoming homeless. I also welcome the fact that the Minister extended mortgage relief and the break for local authority mortgage holders. However, I ask the Minister to speak to the Minister for Finance and ask him to bring in the commercial banks and support mortgage holders who have commercial bank loans.

In my last couple of minutes I wish to talk about how we can fix this problem from a systemic perspective. The Minister inherited a Department and a crisis around housing supply and affordability. That crisis was not created over the last ten weeks or ten months but over a period of ten years. I know that the Minister recognises that and is bringing forward an affordable housing plan, but it is critical that that plan deals with affordable purchase as well as affordable rent. I am greatly encouraged by the Minister's proposals to make the Land Development Agency a non-profit authority that is going to be dedicated to using public lands to deliver social, affordable and public homes for people on modest incomes. His cost rental proposal, which will see a situation in which tenants will only pay rent to cover the cost of the building, maintenance and management of their homes, is fair. It gives young people the hope of being able to rent an affordable home.

The Opposition has spoken much about the shared equity scheme. I do not know where it is getting its information. It seems to be talking about a scheme from the UK. It is very quick to rubbish it. I understand the scheme to be one that recognises the unaffordability of rental for young workers and workers on modest incomes, particularly in Dublin. The Minister knows this. In case anybody needs convincing, the Society of Chartered Surveyors Ireland, SCSI, issued a report last week which documented the unaffordability of the construction of new apartments in the capital city. The shared equity scheme is designed to help renters escape the unaffordability trap. It must be made available to help renters. The Minister and I both know that affordable housing was abolished back in 2011. There have been no new affordable homes built in the city in the last ten years. Anybody who is renting today or has been renting over the last five years and who is in a position to put a deposit together but is unable to get a full mortgage wants that shared equity scheme. They want to be able to buy a house next month or in six months' time. They do not want to have to wait the three years that it is going to take for the construction of new homes. I encourage the Minister to bring forward the affordable housing and Land Development Agency Bills. For those who are opposed to helping renters escape the trap of unaffordable rent, I would ask them to listen to the Minister and to examine his proposal. His bona fides and my party's bona fides and commitment to ensuring that working people on modest incomes will have access to affordable homes to both purchase and rent are unquestionable. I ask them to support the Minister.

Senator Gerard P. Craughwell: I welcome the Minister. This is the first time I have addressed him as Minister. Congratulations to him. He is a hard-working man and I am delighted to see him in the position. I also think he is ideally suited to the Department to which he has been appointed.

I am always unhappy about statements. I believe they are a waste of parliamentary time and

it is a waste of the Minister's time to have happy-clappy statements about how well the Government is doing. The people on the ground know how well a particular Department is or is not doing. Leaving that aside, I want to place on record my gratitude and, I believe, that of everybody who is watching what is going on in the country for the officials who work not just in this Department but in all Departments. They have been forced to move their work to their homes, they are trying to run their jobs and their families, and all of these things are going on together. I have to say that our public servants are wonderful people and we owe them an awful lot.

Covid-19 has delivered a number of home truths very quickly to all of us. The one thing that has come out for me is the old adage that the only certainty in this world is death and taxes; they are the only two things we can be certain of and everything else is uncertain. We are now living in a very uncertain time. It is important to point out today, for anybody who cares to tune in, that this too will pass. It will leave or we will get control over it. I applaud the Government's work and what it is doing with respect to the roll-out of the vaccine. I cannot imagine the amount of pressure that my colleagues are under to move vaccine into this section or that section of society, but what is being done is the ideal way forward.

Homelessness has been a plague on our society. I hate to say this but, for the last 20 years, I have been hearing Dáil and Seanad speeches claiming that we are going to make housing affordable for the ordinary individual. I got married in the 1970s and I bought my first house as a corporal in the Army who was married to a nurse. My salary was not high and anybody who has been watching my speeches on the Defence Forces over recent years knows their members are not particularly well paid. However, I could get a mortgage and I could buy a house, and that is the important thing.

I am very pleased at the success the Minister has had in reducing homelessness and moving people from the hotels into, shall we say, a more permanent type of setting. However, I wonder, when I see the numbers, is it just the animal instincts of capitalism that have kicked in and that the Airbnb people have nowhere else to go with their accommodation other than to start renting it out. In *The Irish Times*, Fiona Reddan makes the point that, notwithstanding regulations that have been put in place with respect to Airbnb, there are loopholes like, for example, the 14-day let, the summer let or letting to corporate entities. She has also pointed out that if a person has been operating on Airbnb for more than seven years, the chances of anyone being able to retrospectively stop that person, or to stop them going forward, are probably very slim. The Minister has an ideal opportunity, while Airbnb is on its knees, to bring in more stringent regulations to ensure that the housing stock in the country is there for the people of the country, and the animal instincts of capitalism can step back just a little bit and allow the ordinary Joe to be homed.

We all watched the RTÉ programme on homelessness a couple of days ago, particularly with regard to rough sleepers. Fair play to the Minister. He came out on that programme and he took responsibility for the issues that we saw, specifically with respect to a number of individuals who were not from Dublin but who had come to Dublin and could not get accommodation. He issued a directive and, for the most part, it is working. When I spoke to Fr. Peter McVerry this afternoon, he told me that things were working well. As soon as we had finished the conversation, however, he phoned me back to tell me about a young woman with a child less than one year old who had contacted homeless services in Dublin to say that she needed a home but to whom the response was given that they could not do anything for her because she was not on the housing list. Fr. McVerry is taking care of that case and I presume it will be resolved. I assume it has to do with an official somewhere to whom the word has not come down that the Minister said that anyone who needed a home would get one.

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There is significant evidence to show that people end up sleeping rough because their first experience of a homeless shelter or homeless hostel was one of observing violence, drug use and fear. They feel safer on the street than they do in the hostels. We have learned from Covid-19 that rough sleepers need to be able to get single bedrooms in hostels or shelters, lock their doors and know that they will sleep safely for the night and that the property they brought with them will still be safe when they wake up in the morning and leave. That is something we need to ensure.

Not all sheltered accommodation and hostels are up to the standard I know the Minister would like, given that I heard him speak in the House on this matter many years ago and have since heard him speak on it in the Dáil. Single-room accommodation is the only way forward, but there must be independent inspections. A body such as HIQA needs to inspect hostels, not just during the day but at night as well.

I wish to take a second to compliment Councillor Anthony Flynn, who is constantly on the ground working on homeless issues and bringing issues for the vulnerable to our attention.

In the short time left to me, I wish to discuss affordable housing. We hear about it constantly. There is no affordable housing in Dublin if apartments cost approximately €430,000 and a couple must find a deposit of approximately €112,000 before they can even enter the market. I have a daughter who is renting accommodation. Young couples are paying between €1,800 and €2,000 per month. Some pay as much as €2,600. They are on combined salaries of between €70,000 and €100,000. They will never buy a house or get a mortgage. They will never ever get into the housing market. We must find a way of offsetting the rent they have paid as a recognition of their ability to pay a mortgage. I have spoken to the Minister about this suggestion previously. He is into the idea.

I implore the Minister to consider how to get people back buying their own houses in the private sector. We could get county councils to start building housing like they did in the 1950s and 1960s. That is something Fianna Fáil always did. When I was a young fellow, I watched some of that work being done in Galway down through the years. I would like to see us going back to those days. There are too many housing agencies in the country, all with chief executives and financial officers. Some of them do a fantastic job, but we need to rationalise the agencies and reduce them to a much smaller number.

I have gone over time. I thank the Minister for his time and wish him the best of luck as he proceeds.

Senator John Cummins: I thank the Minister for his comprehensive statement on his Department's response to the unique challenges presented by Covid-19. I acknowledge the 100% commercial waiver he provided to local authorities across the country. The sum of €1 billion is unprecedented, but it is an acknowledgement of the challenges that businesses the length and breadth of the country are facing. The Minister has extended the waiver for quarter 1 of this year, but in light of the current circumstances and the likelihood that normal trade will not resume until the second half of the year, I ask that he consider extending it to quarter 2 so as to give certainty to businesses and local authorities.

On the construction sector and the impact it will have on output this year, which the Minister touched on, I argue, as I did on the Order of Business last week, that a discussion is needed on exactly what is essential construction. As the Minister knows well, any housing unit that

is delivered in this State, whether social, private or affordable, has an impact on supply. Even housing units provided in the private rental or purchase markets free stock for others. We need to look at prioritising residential construction in a phased reopening of the construction sector. It may not be popular to say it but the commercial element can wait but the residential sector cannot.

There are more issues connected to this. There are people waiting to draw down mortgages who are on tight timelines and people have contracts for residential accommodation that are coming to an end. These people may be waiting to move into a new property that might be two or three weeks away from completion but it is not being completed because of the construction shutdown. I ask that the Minister take urgent action in that regard.

The Minister is correct to highlight the progress being made on the homelessness numbers. It is a very emotive matter, as he knows, but significant progress has been made in my county of Waterford in recent years, as we have seen a reduction in family homelessness of 93%. Figures for individual homelessness are down by 55% at a time when presentations to homelessness services have effectively doubled. Why was that achieved in Waterford? As I stated at an Oireachtas committee meeting last week, it was due to the establishment of an integrated homelessness hub that the Minister saw in action before Christmas. The local authority, non-governmental organisations, the approved housing bodies and the HSE are all in one building, working hand in glove. If anything positive comes from this Covid-19 crisis, it is that we are seeing a more collaborative approach and less of a silo effect in dealing with the homelessness crisis.

A major contributing factor to reducing those numbers in Waterford has been use of the repair and lease scheme. I am like a broken record saying it but 44% of all one-bedroom and two-bedroom units provided in recent years in Waterford have been via the repair and lease scheme. Waterford has essentially been the sole local authority that has driven the repair and lease scheme, which has had a positive impact in reducing dereliction on our high street while providing much-needed housing units. We have had time for local authorities to take up or use the scheme but they have not done so, despite the fact that it has proven to be successful in places like Waterford. I ask the Minister to impose targets on local authorities across the country for the delivery of units. They respond to targets and they are required.

In that context, will the Minister address the exemption for converting commercial property to residential property? I raised this before and it does not make sense that a shop on one corner of the street can essentially be exempt but a former public house on another corner
4 o'clock has to go through a full planning process, including development contributions. This is a way of providing much-needed housing units and it is causing the process to slow. I know I have raised the question before and I appreciate the Department is very busy but I ask that action be taken in this respect.

On the provision of cost rental, which has been discussed - the Minister touched on it and Senator Craughwell mentioned affordable housing - I welcome the fact that we will have 400 units delivered this year. I am aware that the Housing Finance Agency had first call in that regard. I ask that prioritisation be given to a second call of that and that it happen quickly to ensure the delivery of further cost rental units at the start of 2022 rather than putting out the call later in the year and for those cost rental units to come on stream only in the latter part of 2022. There are projects in my county of Waterford, as there are in other local authority and city areas in particular, that really need to be prioritised for cost rental.

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I have about a minute left and I have probably missed a few issues but I want to acknowledge the work of the Minister and his predecessor with regard to the North Quays and the provision of money for the urban regeneration and development fund, URDF. Like everything to do with housing, many foundations need to be put in. Addressing homelessness and housing supply does not happen overnight, as the Minister well knows. The Opposition might like to magic houses out of thin air, but it takes years of planning for them to come to fruition.

With regard to the URDF, and Waterford was successful in terms of the North Quays, there is a further round due very soon. I ask that the decision in that regard is prioritised as soon as possible so that when construction gets going again, those projects throughout our country can take off. To be parochial for a moment, there is a very good project in for my county of Waterford, which I am sure the Minister will prioritise.

An Leas-Chathaoirleach: After that fine address, a little parochialism is allowed.

Senator Rebecca Moynihan: I thank the Minister for coming into the House. It is good to get a viewpoint of everything that is happening in his Department in the course of the pandemic. When we focus on this issue, we all appreciate the severity of the housing crisis, but local authorities and people go out and make this country tick over even in the midst of a pandemic.

I pay tribute to homeless services, which the Minister rightly identified as doing an incredible job over the course of the pandemic. In March, they launched a great effort to ensure that people had access to beds but also kept infections down within the homeless community which, particularly when it comes to underlying health conditions, was very important.

I want to ask the Minister about an issue I am concerned about. We heard in the Committee on Housing, Local Government and Heritage the other day that homeless workers are being treated the same as other front-line health workers but there is no confirmation of how and when they will get access to the vaccine. It is important that they know the levels they are on in that regard. One person in the homeless services told me that their big concern is that with the virus being in the community at large to the extent that it is, it is homeless workers who are bringing it into the sector.

I note also that the Minister was very badly treated on the front page of the *Irish Daily Mail* with regard to advocating for the fire service workers to get the vaccine. The idea that he was trying to get people to jump queues as opposed to advocating for a group of front-line workers who are keeping us safe was a poor reflection on the debate at large.

I heard what the Minister said in terms of people not being turned away for beds, but that message needs to be made clearer because we saw from the “RTÉ Investigates” programme that that was not necessarily the case in terms of how it is being acted upon on the ground. I believe the Minister has been very clear on the direction he is giving to homeless services now, but from a departmental level point of view I ask that he check and ensure that that is not happening and that we do not have a couple of those cases coming through the system. It appeared to me from the “RTÉ Investigates” programme that we cannot help everybody from everywhere and people are not meant to be travelling anyway. We need to ensure that that attitude does not permeate through homeless services.

I want to raise the issue of the doubling of the number of private operators which, since Covid, have taken over homeless services. This was done for good reasons. We needed to expand our bed capacity and ensure social distancing was in place. However, there is certainly

anecdotal evidence that many people in need of homeless services do not feel safe going into those operators. We learned from the Oireachtas housing committee meeting on Friday that there have been no inspections of these private operators and they are not subject to the same standards as local authority or charity operators. As a matter of priority, will the Minister draw up those standards for private operators and make sure each of them is inspected?

I also want to raise the issue of planning appeals during Covid-19. I note that this is considered to be an essential service and that forms are put online. In my constituency, however, I was waiting over a month for documents to go online. Once they did go online, I was able to print them out and send them to an elderly constituent who was cocooning. There was no other way that he could go to Dublin City Council offices to go through those planning documents. It is simply unacceptable that we are waiting that long for documentation to be put online.

For strategic housing developments, An Bord Pleanála has made access for online payments available but there has been no communication on this to local councillors. At the very least, will An Bord Pleanála send out an update to local councillors to let them know that they can avail of this service? I had to inform several local councillors that it was available. It was a great leap forward but many people do not know that.

While I welcome the eviction ban when people's movement is restricted to 5 km from their home, we need to look again, as this pandemic rolls out, to see if we can do it for longer. A report in *The Irish Times* last week stated more than 360 people were served eviction notices in the two months after the ban was lifted between August and the return to level 5, and 787 tenants were served eviction notices during the Covid pandemic. This is really worrying because of the crisis in rental property. We also know that these are the people who are most at risk of going into homeless services.

Like Senator Fitzpatrick, I want to address the wider issues around help-to-buy, shared equity and moving people out. I have not commented on the heads of the affordable housing Bill because I want to hold my judgment on it until we see what is finally presented. I note that in the press release the Minister stated he will put in place a number of control measures to ensure that it does not contribute to the growth in house prices and will not simply act as a bridging loan for developers. As I do not know what these controls will be, I do not want to condemn it outright at this stage.

However, I want to address the issue that Senator Fitzpatrick highlighted about the UK's evaluation of its shared equity scheme. The reason people are referring to that is because the Minister referred to the 1% figure in contributing to house prices in his own press release on the UK evaluation from the auditors' report. That 1% involved people in the same month availing of the shared equity scheme in the same area. The argument is that this contributes to house prices over time, not that snapshot in time which was the 1%. That same report also showed that 20% of people who availed of the scheme already own their own house, while 80% used it to buy a bigger house.

The criticism of the help-to-buy again comes from our own Parliamentary Budget Office, which stated that people availing of the build-to-rent scheme already had access to a mortgage and they were first-time buyers who were availing of it at the higher end of the first-time buyer's allowance.

When the Minister was in opposition, he brought forward a good Bill that would allow local

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authorities to earmark a certain percentage of zoned land, up to 30%, at the discretion of the planning authority to first-time buyers. I welcome his commitment to supporting first-time buyers because home ownership is a legitimate expectation for people. However, what we are seeing, certainly in my area, are build-to-rent units. Many people would say that if one is opposed to them, one is opposed to housing, but that is not the case. There are over 1,088 build-to-rent units and another 320 co-living units got in just before the conditional co-living ban came in. We still have a build-to-rent provider which, three weeks ago, the *Business Post* identified as having 300 vacant units in the city because it does not want to rent them out. Some four fifths of Clancy Quay and half of Capital Dock are empty. That is a disgrace in the middle of a housing crisis and a pandemic. We need to seriously look at the issue. If we are supporting build to rent, we need to ensure that these large organisations are not able to control supply into the housing market by leaving units empty.

Senator Fintan Warfield: I welcome the Minister to the House. Renting continues to be an unpredictable nightmare for many people. The irony is that we are working harder and saving more money, yet renting in Dublin is still prohibitively expensive. Dublin city rents now average over €2,000 per month. Last year, State-wide, rents increased by 1.2%. If ever there was a time to give renters a break, it is now. We would like to see one month's rent put back into the pockets of people who are renting through a refundable tax credit given to all renters. I call on the Minister to introduce this measure.

I welcome the fact that the Minister has now accepted that rent pressure zones were not the solution to tackling rising rents. The 4% annual increase permitted was seen as a target by many landlords as opposed to a limit. It is deeply depressing that for so many years this policy was pursued as protection for renters when the only certainty was the 4% increase in tenants' rents. That is why we also need action on a three-year rent freeze. That must happen immediately.

There has been talk about those looking to buy a home. For those considering buying a property, the situation is pretty grim. We have seen in the news that the price of the cheapest apartment in Dublin is €395,000. That would require a €36,000 deposit and a combined gross salary of €90,000. Apartment prices are high because of Government policies. The tax measures promoted by this Government make it easy and attractive for cuckoo funds, real estate investment trusts and speculators to come in and leverage their advantage over the chronic shortage of housing. What does the Minister consider the price of an affordable house to be? The help-to-buy scheme has been criticised by the Economic and Social Research Institute, ESRI, which stated it would only push up prices and that is exactly what it seems to be doing. The most senior civil servant at the Department of Public Expenditure and Reform said the shared equity scheme is about lining the pockets of developers.

Co-living is a bizarre policy in a time of Covid and another sop to developers in terms of the loosening of standards in apartment construction. It is a policy the Minister described as "bonkers". He announced in November, thankfully, that he was introducing a ban on co-living. He went on Twitter to tell us the ban was permanent but nothing seemed to happen until a month later, when a statutory instrument was signed in the Custom House on 23 December. In that period of inaction, many applications for such developments were made and many developers changed their previous applications that were for apartments and turned instead to co-living. The development of the Phibsborough shopping centre was one example of a proposal changing from apartments to co-living units in the time between the Minister's announcement of the ban and when it was officially signed. Why was there such a delay? I submitted to Hendrons an objection to the co-living development close to the Broadstone-DIT Luas stop. In Kilmainham,

there are applications for two large co-living developments. None of these projects will help people in Dublin South-Central and the south inner city to find appropriate affordable rental properties in their city or in their areas.

Homelessness has been mentioned. Over Christmas and during the period of cold weather, there were deaths on our streets. We will all agree that every death is a tragedy that should never take place. I express my sympathies, as others will, to those whose loved ones died unnecessarily. The problems facing rough sleepers were highlighted on “RTÉ Investigates” and we saw the farcical situation of people being told they would have to go to their home counties. The Minister addressed this and said he would watch it like a hawk, as will we. There needs to be an increase in the budget for housing. Truly social homes need to come online, as well as 4,000 affordable rental and 4,000 affordable purchase houses. It is only through the rapid building of houses within reach of workers and renters that the dysfunctional housing and rental market can be reformed. I would like the Minister to restate for the record what he considers to be an affordable purchase price for a house and what he considers affordable in the context of rent.

Senator Lynn Ruane: I thank the Minister for coming to the House. I will begin by welcoming what I believe has been done right in housing since the emergence of the Covid-19 pandemic last year. I welcome the fact that, finally, the Department and the Minister moved to introduce an eviction ban, despite many years of claiming that such a ban would be unconstitutional. I reject the notion that such a ban must be tied to the existence of level 5 restrictions. No person should be evicted from his or her home while this pandemic is ongoing, whether at level 5 or level 1. When people are so heavily reliant on the physical structure of their houses or other accommodation for protection against a highly infectious disease, no one should be forced onto the streets.

I urge the Minister to reconsider this policy and to extend the ban until the public health situation stabilises, even after it is downgraded from level 5. After the blanket ban was lifted in August, more than 360 people were served with eviction notices. The fact that notices were served immediately after the end of the moratorium demonstrates precisely why we need a long-term eviction ban while we are in this crisis and during our emergence from it. I have written previously to the Minister on issues relating to the stop-start nature of the ban, such as estate agents forcing tenants to allow viewings of small living spaces without social distancing. Strong direction needs to come from the Department to the effect that such practices are inexcusable and must end for the duration of the pandemic.

Furthermore, when the now Residential Tenancies Act 2020 was going through the House, concerns were raised about the 28-day window that applies to rent arrears. Such a period in which a tenant may pay rent arrears is simply not long enough. An amendment seeking to increase this period to 60 days was tabled in the House, as it was highlighted that people may easily build up 28 days of arrears, especially in the current Covid-19 context. I urge the Minister to reconsider this measure.

In recent years, there has been a pressing concern about the use of strategic housing development, SHD, permissions. Given that it has emerged that only 30% of those developments have gone ahead since SHDs were introduced in 2017, use-it-or-lose-it legislation is essential to stopping this practice, which is tantamount to land hoarding. While it is welcome that the Minister has amended planning guidelines to restrict co-living developments, does he intend to take action on co-living developments that were granted planning permission before his direction? The prospect of co-living developments being constructed while a virus that thrives on poor

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ventilation and close quarters is in such wide circulation is horrifying. What actions does the Minister plan for those developments currently under construction? Throughout 2020, when our homes were the first line of defence against Covid-19, investment funds spent €1.75 billion buying up residential properties throughout Ireland, according to CBRE Ireland, with properties in Dublin accounting for 97% of properties bought by these funds. In 2017, the Central Statistics Office, CSO, identified approximately 30,000 vacant properties across Dublin's four local authority areas. To prevent land hoarding, would the Minister consider the introduction of a proper vacant site tax to disincentivise such practices by multinational corporations? At this point, such a tax is a public health priority and must be considered as a matter of urgency.

The current position on homelessness in Dublin is quite dire. I understand that over half of our beds are privately run, with little oversight, and the general quality standards do not apply. I understand the Minister's Department finally conceded this fact in recent weeks. What plans has the Minister to remedy this? After so many years of crisis, how is it that so many people are still dying on our streets?

I am also concerned about the standard of financial governance in the privately run homeless accommodation. The Department of Housing, Local Government and Heritage is not publishing its accounts on homelessness expenditure in full on its website. Where it is, the accounts do not appear to be audited and they are often confusing or misleading to read, without a clear breakdown of expenditure on private services with no oversight and on public services subject to national standards of homelessness care.

Staff in private emergency accommodation do not seem to be adequately trained to meet the complex needs and social care demands of such a role. Many homeless people do not seem to have a key worker assigned to them or care plans in place. Most concerning, the local connection rule, of which the Minister is aware, is being used as a way for local authorities to absolve themselves of responsibility for providing homeless services. Can the Minister please commit to issuing a statutory instrument to the effect that such a policy would be prohibited? It is my understanding that the policy still applies, unfortunately. Local authorities need to be instructed, with no room for equivocation on how unacceptable these policies are.

As the Minister will be aware, our capacity to respond to how Covid-19 affects the housing and homelessness crises is constrained by the structural problems caused by those crises before Covid arrived. The high costs of construction, the shortage of public and social housing and the lack of security of tenure in the private and rental market also continue to be major contributory factors.

While I welcome that public housing construction rates seem to be increasing, I am deeply concerned by the Minister's new flagship policy, the affordable purchase share equity scheme, whereby the State would take equity with first-time buyers in a house. This has all the hallmarks of poorly thought-out Fianna Fáil housing policy and it is in the same vein as the former Government's help-to-buy scheme, which has been proven to have contributed to house price inflation. When the Minister's own civil servants are advising so heavily against such a scheme, I urge him to reconsider a move that will only reduce affordability even more. These issues do not exist in a vacuum. As long as the Government pursues policies that make housing less affordable and less accessible, our ability to respond to Covid-19 robustly is challenged even further.

I join colleagues in acknowledging the work of front-line homelessness services over the

past year. During the first lockdown, I returned to working in the homeless sector, which I had done for a long time before I became a politician. During the current lockdown, I have continued to work as many shifts as possible with Safetynet Primary Care. I have seen at first hand the commitment of Safetynet and the likes of Ana Liffey, which taxi people from the homeless community back and forth into Safetynet. They ensure people get a Covid swab and go into isolation where required. The service runs so smoothly because of the dedication, fast action and decision-making of the CEO of Safetynet, Dr. Fiona O'Reilly. The staff are working on a shoestring budget to provide their service. I would love to see better resources put into Safetynet, especially during the implementation of the Covid-19 vaccination programme. The Minister's Department and the Department of Health should work together on how Safetynet could be used as part of the vaccination programme in terms of reaching into communities that are vulnerable and that might be more susceptible to misinformation on vaccines. There might be some vaccine hesitation in those communities.

In the past few weeks, when I was with staff members of Safetynet at a number of halting sites doing sweeps and taking swabs, I saw the benefit of the hepatitis A vaccination programme being rolled out by the organisation. Let me outline what was most concerning while I was on site. I have the videos on my phone and I am happy to show them to the Minister. The person who allowed me to take the videos, however, does not want me to share them publicly. They are absolutely ashamed and scared that people will see how they have been living, through no fault of their own. Faeces is coming up through their sink and showers and their toilets do not flush. Now, in Dublin in 2021, there is an outbreak of hepatitis A due to poor sanitation and substandard accommodation. This needs to be acted on as a matter of urgency. I do not know how anyone is supposed to protect themselves against Covid-19 when they cannot even protect themselves against what would usually be a disease common in a developing country due to poor sanitation.

An Leas-Chathaoirleach: I thank the Senator and salute her personal voluntary work. The next set of speakers all have five minutes each. It will be difficult to get everybody in before the Minister so I ask that Senators please be disciplined for the sake of colleagues. I may have to interrupt speakers to try to get everyone in. Senator Cassells is next to speak. He has five minutes.

Senator Shane Cassells: I thank the Minister very much for his presentation. I join him in thanking all those on the front line in this particular sphere of housing and local government who have done so much since March of last year to assist those most in need during this crisis, particularly those dealing with homeless people. I also join the Leas-Chathaoirleach in praising Senator Ruane for the work she has done in her capacity. I commend the people who volunteered for the Community Call initiative, which was vital in providing home supports. The volunteers of this country deserve great praise, as do all our public servants and those in our local authorities who are keeping essential services going. I know they are not at home watching Netflix but are doing a damn good job supporting us and everyone else in the provision of public services.

When this Government came into office, a mammoth task faced us in the area of housing and, of course, that was only exacerbated by the onset of the pandemic. I have seen up close, however, the hands-on approach the Minister has taken in the Department. I worked with him in the previous Dáil. He has hit the ground running, meeting every chief executive officer of every local authority in the last couple of months and resourcing them to do the job we expect of them and know they can do. Perhaps, however, they have not been empowered to do so over

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the past decade and maybe have fallen out of sync with what they used to do so well. That has changed now. Equally, it is right to call out that some counties were not performing to the levels we expected of them in terms of the delivery of homes. This is a new ball game, however. I mention even the simple act of the €40 million and bringing voids back in, as outlined by the Minister in the July stimulus.

I spent a long number of years in a local authority and something that galled me every year was the number of voids that were on the books. The fact is that some 3,500 were brought back into play before Christmas. That is 3,500 families with a roof over their heads because we brought not new but existing stock, which was on the books of county councils, back into public supply and provided homes.

The delivery of homes is a collaborative effort. Government-approved housing bodies, councils and building firms are poised to deliver the homes where they are needed. Looking at the development plan process across a number of counties, we can see that there is an appetite for delivering what is required. My county council is meeting today on working with the National Transport Authority on the issue of the Navan rail line. Providing homes where they are needed and where there are facilities and jobs is key, not in the middle of nowhere, like we had before, but in the correct places. I believe the processes under way will help do that.

I welcome the affordable housing Bill as a game-changer in providing equity to get people on the housing ladder, not in their 40s but in their 20s. When I was able to buy my first home 16 years ago, I was in my 20s. That is the age people should be aspiring to get on the housing ladder. Over the past 20 years, we have seen that number rise into people's late 30s and 40s. It is not acceptable. I believe this Bill will be a game-changer in that respect and make homeownership an attainable goal for people. Some parties believe homeownership is a dirty word; it is not. We believe in homeownership and in making sure people have that attainable goal of owning their own homes.

I have a couple of questions. In respect of councils, what is the anticipated impact of the construction lockdown on their indicative targets? I note that the Minister stated in his speech that he was working on the matter. As for the land banks on the councils' books that were acquired through the land aggregation, LAG, scheme, many were not in desirable areas. What are the councils doing to work through that?

Finally, the pandemic has had a huge impact on town centres, about which I feel passionate. Many town centres were under pressure pre-pandemic because of a change in shopping patterns caused by online sales. The plight of town centres has only been exacerbated because of the pandemic because an increasing number of people are buying online, including people who never used online services before, such as elderly people. It is incumbent on local government to help town cores. I suggest that we fund councils not just to have schemes that improve streetscapes but to make town centres attractive, thus encouraging people back to shop in them. Last December, when restrictions were lifted, people were only too anxious to get back into town cores for social interaction. The public realm offers people something different that an online shopping experience cannot. We need to make sure that councils are to the fore in promoting town cores and centres as places to visit and do business in, to trade and to buy. I ask that plans are put in place now ahead of restrictions lifting.

An Leas-Chathaoirleach: I thank Senator Cassells for setting an excellent example for everyone to follow.

Senator Shane Cassells: I always do.

An Leas-Chathaoirleach: We will get everyone in if everyone follows his example.

Senator Mary Seery Kearney: I thank the Minister for being here today and taking the time with us. I echo the thanks expressed by my fellow Senators today to all of the front-line workers, particularly in this area.

Last Friday, Mr. Brendan Kenny made a presentation to the Oireachtas Joint Committee on Housing, Local Government and Heritage. He showed that figures for homelessness are, hearteningly, going in the right direction. He attributed that to the strategy for prevention of homelessness set in motion by the previous Government and the Minister's predecessor in office, Deputy Eoghan Murphy. It was also due to the interventions taken during Covid and to the incredible enhancements and initiatives taken by the present Minister. For families in temporary emergency accommodation, the December figure was at its lowest since December 2015. For families in hotels, the figure has been at its lowest since September 2014. The number of people exiting emergency accommodation is going in the right direction and we have seen a steady rise in this regard. However, there are still very definite worries when it comes to people who are single and their progress in coming out of emergency accommodation. I am and always have been firmly of the belief that we should aspire to having zero people in emergency accommodation because behind all of these figures is a real family or individual person experiencing intolerable circumstances.

There is a girl with whom I am familiar and whom I support on regular occasions who lives in a lovely property for a single person at the moment. That property in the normal environment would be available only to the tourism sector and is out of circulation for that because of Covid. She is delighted and thrilled with the permanence, having come from emergency accommodation, but is naturally concerned about what will happen when Covid is over. Last August, Daft.ie published figures for the number of properties. While sales were down, rental properties were at an extraordinary high with 41% more across the nation and 92% more rental properties in Dublin alone. That situation is attributable to the fact that Airbnb was not a viable opportunity for earning money for property holders, particularly in Dublin, and so that supply was released into the rental market. While we saw the implementation of planning restrictions in respect of Airbnb under the Minister's predecessor, we need to put in place a robust incentive to keep these properties within the rental market and thereby enhance supply or else create a disincentive for putting them back into Airbnb. I ask the Minister to consider strengthening the planning permission and creating tax disincentives of some sort.

I wish to raise with the Minister the issue of the enforcement of the current Covid restrictions on the construction industry. I fully support all of the restrictions because, naturally, public health comes ahead of everything else. However, in my home constituency of Dublin South-Central, there is a crèche for 140 children that caters for children aged zero to five years that was due to be finished and ready to open in April. The crèche would enable people to return to the workplace but the project cannot be finished now so the place will not open on time.

I am dealing with a family who have a child with special needs. They need to convert an office in the attic of their home. The conversion was about ten days from completion when building had to be stopped. However, while out on my morning walk, I see other properties that are being done up. It seems that there is either a little discretion in the application and enforcement of the rules or a loose understanding of the rules. I believe the Minister is preparing to introduce

another set of statutory instruments on this, so I ask that he review this matter. Perhaps a tightening up of the rules or some restraint on the discretion being shown by the Garda or whoever else is interpreting them may be in order.

The last area I will raise is residential construction. We are hearing reports that we are at only 10% of where we should be in construction. That is naturally setting back all the hopes and urgency of providing homes and the aspiration for security of tenure. That will ultimately be secured by a greater level of supply. I urge the Minister to consider that work is continuing on the national children's hospital site because antigen testing is in place. Perhaps it is in order to look at mandatory antigen testing across the construction industry to ensure that residential construction is prioritised and opened up as soon as possible.

Senator Victor Boyhan: I welcome the Minister and wish him well in his work. I am conscious he was invited to the House today to talk about the Department's response to Covid. There is always a temptation to drift into the Minister's wider portfolio, which includes housing, local government, planning and heritage. I will try to avoid doing that because it is clear from today's contributions that we would need a whole session on housing and another whole session on local government. They are two really important issues. I thank the Minister and his officials, whom we sometimes forget. As those of us who are on the Joint Committee on Housing, Local Government and Heritage will know, much of our business is done directly with the departmental officials. That is unknown to many. We can pick up the phone to them and they can do likewise to us. Many people do not have that facility and I thank the Minister for providing it. That is a really important relationship. We also have a very successful committee and there are a few of its members here who are always examining, teasing out and prioritising these particular issues.

I will pick up on a few points. What Senator Cassells related about voids was scary and disappointing. I contacted the local authority in my area of Dún Laoghaire. Five beautiful old red-brick cottages are empty this week. That is unbelievable when we have a housing crisis. Dún Laoghaire is one of the most beautiful villages in Ireland. We really have a problem and we must have a monthly review and publication of voids data because we must keep the pressure on. Having said that, I acknowledge the work of the chief executives of local authorities who have worked exceedingly hard and well. I also thank our city and county councillors. Need I remind Members how exceptionally hard they work for so little? They responded amazingly but also went far beyond their work in local communities as the public face of many councils. I salute them for the work they have done.

I wish the Minister well with his affordable housing Bill, which is exceptionally promising. The committee will meet for pre-legislative scrutiny of the Bill on Tuesday week and hopefully we will get through it quickly. I suggest the Minister commit to initiating that legislation in the Seanad. Covid and all the restrictions impact not only business and communities but also Members and how we in the Houses of the Oireachtas do our work. We must get these Bills moving. I suggest the Land Development Agency Bill, which has great potential to deliver affordable homes and affordable rental properties, and the affordable housing Bill be initiated through this House. I know the Minister is committed to that process.

I want to address one final matter, namely, An Bord Pleanála. There is an unbelievable situation where we have talked for three or four years about Rebuilding Ireland and e-planning. We have no comprehensive e-planning process. I picked up the phone to An Bord Pleanála on Friday and again today. I was told that I could not make a submission to the board and leave it

in the letterbox after 5.30 p.m. because it would be invalidated even though it was in order and had a cheque. An Bord Pleanála told me that I could not pay online. I did not even have an objection but I knew someone who wanted to submit one and set it up. That is madness.

Some local authorities have no colour scanners or no proper IT systems. We have been promised an e-planning system for years and it simply does not exist. The board also told me last week that it was waiting for legislation and that it has trialled an e-planning system, which has been going on for two or three years. It says there is a legislative impediment to rolling it out. The Minister clearly has to tease it out with the board. We need to prioritise an e-planning system. We talked before about consultation and engagement with the planning process.

I conclude with a call from city and county councillors. Their major concern is about public engagement in county and city development plans. We now have a situation where local authorities, including the one I live in in Dún Laoghaire, cannot even see the plans. They have to make appointments. The place is shut. They are planning to do a public consultation in the terminal building. I do not want to be too specific to that council since, all over the country, local authorities are not open to allow this, which is understandable because of Covid. That highlights the importance of e-planning and technology in the planning sector. I ask the Minister to prioritise this and give his attention to it.

Senator Niall Blaney: I welcome the Minister to the House. It is one of many appearances he has made in his short tenure at the Department. I acknowledge his willingness and ability to engage with us as parliamentarians and to listen to the issues of the day. The results and output from the Department in the Minister's short tenure augur well. I listened to Senator Boyhan address difficulties with voids in his constituency. My local authority, Donegal County Council, is one of the most proactive in the country when it comes to housing initiatives. Much of that has been made possible because of initiatives put in place by the Minister and the Minister of State, Deputy Burke.

While there have been many problems in the Department of Housing, Local Government and Heritage over the years, the reason for much of that turnaround and change is the willingness and ability to adapt to the evolving situation. Some of the initiatives brought in over the last months are welcome, including the blanket eviction ban with level 5 restrictions and the assurances given to those who need a bed, including rough sleepers, that one is available. One crucial element that has been addressed during lockdown is the commercial rates waiver. The knock-on effect from that in each Member's area has been significant and has not been talked about much. That has given security to businesses across the country, securing jobs and keeping businesses afloat, although some will find it difficult. That assurance to business is critical. Moreover, from the perspective of our local authorities, if that were not in place, many people would be losing their jobs. The security it has given to local authority workers and the services they provide is phenomenal. We often talk about people who are on the front line. There are many people working in local authorities who, perhaps, are not considered to be front-line workers, when many of them really are. They are doing it day in, day out, without thought or consideration. Believe it or not, the people who run our sewage services right across the country are putting their necks on the line, day in, day out. They are probably taking more risks than healthcare workers because they are in an environment that is very dangerous. They are there day in, day out, to ensure the services that we have come to expect are there. Those unsung local authority workers across the board deserve as much applause as many others do, and have received over the recent months.

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I look forward to witnessing the ability of the Minister's Department to evolve in respect of what is a difficult housing situation. The many initiatives that the Minister has brought in have been welcome. They are taking effect. I have no doubt, over the next number of years, with the results that have been coming in, in respect of housing in particular, that there will be good times ahead for all those affected. As they say, "Rome wasn't built in a day", but things are going in the right direction. I commend the Minister on that.

Senator John McGahon: I would like to talk briefly about voids in the Louth County Council area. Some 97 voids have been brought back into stock in the last year and families are now living in them. Louth County Council has been one of the most ambitious local authorities in terms of taking voids back into use since 2016, when we were using compulsory purchase orders to take vacant houses. It is not all doom and gloom with other local authorities. In places like Donegal, as Senator Blaney said, and in my county of Louth, our local authorities and our directors of services are absolutely flying. In my last minute, I would like to pay tribute to the housing staff in Louth County Council. They have done tremendous work throughout Covid, whether it is people processing HAP over the phone or maintenance guys like Gerard Savage going into homes to fix serious issues.

I want to raise one concern about maintenance. There is a serious issue with funding for housing maintenance in Louth County Council where, on average, it is costing about €350 per unit. It is much more expensive because there is more funding in other local authorities per unit. The problem with that is that the engineers end up looking at their budgets every week, and end up doing more on managing budgets, rather than getting the work done in the first instance. That leads to my final point. It will be brilliant once the national retrofitting scheme comes into play because it will fix many of the issues in the first place. Local authorities will not have to spend money on fixing houses and doors, etc. I ask the Minister to provide an indication of when that scheme is due to be implemented.

Senator Garret Ahearn: I will be brief. I had a number of things to say, so I will shorten the first part. I wish to congratulate the Minister on the work he is doing. He is doing immense work. It seems to me that those who criticise him do not have any interest in actually solving the problems that the Minister is trying to address. I wish to compliment him on that.

We need to get residential construction up and running as quickly as possible. I am hearing from people who are experiencing problems in respect of mortgages running out and who are then applying for mortgages again on the back of that. I have also heard from people who are in rented accommodation and had agreed to move into housing that was about to be built or was almost built and which has been slowed down.

I will be parochial on one issue. I want to thank the Minister and his officials for agreeing to give an extra €1 million to Clonmel in European Regional Development Fund funding for the first phase of the redevelopment of Kickham Barracks. That means that the project will be ready to go once construction gets up and going again. It is hugely important to the town. I ask the Minister for his support in the announcement in a couple of weeks' time - or whenever it is made - for Clonmel. It is a huge investment of possibly €58 million coming from the Department for phase 2 of Kickham Barracks and the town centre at Dowd's Lane and Bulmers.

On a point the Minister might be able to touch on, a White Paper is to be published soon on Irish Water. When will it be published? There is a real opportunity to have a better interaction between the councils and Irish Water. As the Minister knows, councillors now find it very dif-

difficult to have interaction with Irish Water. We need to realign Irish Water and county councils with the development plans in order that those plans align with each other, and not just have one on growth and one on environmental issues. They need to be aligned as we move forward.

An Leas-Chathaoirleach: I call Senator Sharon Keogan, to whom I apologise as she has been waiting. She was not on my list. On a personal level, I want to offer my sympathies to Senator Keogan, who lost her dear mother, Teresa Keogan, last week. Teresa, in her own right, apart from being Sharon's mum, is from a family that has given years of very distinguished public service in County Cavan and very distinguished service to the GAA. I want to acknowledge that.

As I call him to conclude, I want to thank the Minister for his kind remarks about the people who work with the homeless. I am very proud to say my son, Eoghan, is one of those. He works with the Peter McVerry Trust and I think he has met the Minister in that setting.

Deputy Darragh O'Brien: Yes, he has.

An Leas-Chathaoirleach: I call the Minister. He has ten minutes.

Deputy Darragh O'Brien: I am happy to yield one minute of my time to Senator Keogan.

Senator Sharon Keogan: I welcome the Minister. I have every confidence in him to deliver for the homeless in this country and I believe he is going to do a great job as Minister for Housing, Local Government and Heritage.

I draw to his attention an issue that has been overlooked by his Department. The issue arises where a tenant of a county council house may wish to buy. I understand all of the local authority housing departments are currently using a circular that was issued in 2019 to evaluate the price of local authority homes, yet the Department website has updated figures available. No circular has been issued to the local authorities regarding the most up-to-date pricing criteria to be used in making housing evaluations. Will the Minister move to update the local councils immediately? There is a huge difference in pricing outside Dublin. I thank Councillor Donal Barry in Waterford for drawing this matter to our attention.

An Leas-Chathaoirleach: As the House must be cleaned, we will have to conclude shortly. I call the Minister to conclude.

Minister for Housing, Local Government and Heritage (Deputy Darragh O'Brien): I understand. I want to pass on my deepest sympathies to Senator Keogan on the passing of her mother as I know that is not easy.

I will get back to the Senator on her specific query. We have done a review of the tenant purchase scheme and it is due to be published quite soon, in the coming weeks, although we are looking at some anomalies around that. I am conscious as well that as we are trying to build up our public housing stock, we want to make sure we are building it up, not selling it out the other side, so there is a balance and a bit of fairness needed.

I thank all Senators for their contributions, from Senator Fitzpatrick right the way through every side of the House. I have taken notes and I will try to deal with some of the questions now, and for those I do not get to, I will respond to the Senators in writing.

I want to make a couple of general points on affordability. As Senator Boyhan mentioned,

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the affordable housing Bill is going to the Joint Committee on Housing, Local Government and Heritage for pre-legislative scrutiny in the next couple of weeks. I have been interested to note the response in some quarters. I respect Senator Moynihan reserving judgment on it until she sees it, and people are fully entitled to their views. I have been an absolute advocate of homeownership. I believe in it. I believe that if renters are surveyed, the preferred form of tenure for the vast majority of people who are renting at the moment is homeownership, if we can do it on an affordable basis, which we can, and also provide affordable rental, which we are going to do this year as part of the Bill. That Bill deals with three issues, namely, affordable purchase, affordable homes on State-owned land and affordable rental. It will also deal with how we can change the serviced sites fund to make that work better, and with shared equity.

Shared equity has worked. Some are vociferously opposing it already and nearly foaming at the mouth in their opposition to it, and maybe it is the case that they do not want it to work. They should wait until they see the scheme before they decide to shoot it down in flames. Maybe they should just have a look at it, like, in fairness, Senator Moynihan has said she will do. People do not have to agree with everything, and not everyone has all the solutions, but they should have a look at it first and they can talk to their colleagues in the Dáil about it as well.

A couple of very important matters have been raised today. Tenancy protections are crucially important. I will do more if we need to do more. We have the Residential Tenancies and Valuation Act 2020 in place, so protections are in place right the way through to April. We introduced strong anti-eviction measures in respect of rent arrears by means of the Act. The RTB has been properly resourced through the budget with additional inspectors to carry out investigations as necessary.

People have stated that a number of eviction notices or notices to quit were sent post the first blanket ban. However, those were eviction notices and nothing was mentioned about their execution. I read the article, into which we actually fed. Many of the people who were issued eviction notices sought protection under the Residential Tenancies and Valuation Act 2020. In fact, the number was nearly identical. We cannot stop a landlord issuing a notice. Some notices could be spurious. Where they are, I have asked people to bring them to my attention. We received notification of some illegal attempts, but we stamped that out. It cannot happen. Thankfully, only 2% of tenancies end in dispute. Let us remember that when we discuss this matter. That 2% is 2% too many, but it means that 98% of tenancies are operating fine and the system works well. Still, we need to provide protections. If I need to introduce further protections, including through this House, I will do so.

Regarding Safetynet, I know Dr. Fiona O'Reilly and engage with her regularly. Like many other bodies, Safetynet provides a brilliant service in difficult times and I am doing what I can to assist it. Many Senators have mentioned the local connection issue. I have made it abundantly clear that local connection is no barrier to accessing emergency accommodation. When the "RTÉ Investigates" programme came out, I was clear in apologising for what happened to the two gentlemen. To be fair, though, it occurred on two days, with one occurring one day after the new process came into effect. We have managed the process since. Where anomalies or something else arises, I will deal with it. I am generally contacted directly. I ask Senators to do that. Last week, a Deputy told the Dáil that these issues were happening wholesale. I asked whether the Deputy had provided us any detail or contacted the Department and how many cases were involved, but there had been no contact. If there are issues, let us work with one another and address them. We must ensure that is done. Driving down homelessness needs to be the priority across the board.

I will be back in the Seanad to discuss homeless services provision, including emergency homeless services, again. That will be useful. We have covered a great deal in this debate, including affordability and homelessness. My Department and the Department of Health are working together now. That is a part of the programme for Government. For example, I chaired the homelessness task force this morning, which the Minister of State, Deputy Feighan, attended. I had a bilateral meeting with the Minister for Health, Deputy Donnelly, recently. All of this is being done to ensure that health supports are in place, particularly in terms of addiction and mental health, and our teams are working together. I saw how well a multi-agency approach worked in Waterford. It works. I also chair a regional drugs and alcohol task force, and I have seen from my area how that approach can work well. This is a Covid development that we will not lose, given the health benefits to people. It is nearly ironic in one respect that, with homeless people having to be shielded through the Covid pandemic, they are coming out of homeless services in better nick than when they went in. That is because all of these health supports are available to them.

I intend to put together another voids programme this year, given that the impact of the construction sector's closure is approximately 800 homes per week, public and private. That is the best estimate we have. We are effectively talking about 6,500 to 7,000 homes this year.

I will use this opportunity to comment on the construction sector. It has proven itself safe in its operation, including on residential sites. The Government's decision to shut it down was not taken easily and was not a reflection on the sector's work. Speaking as the Minister with responsibility for housing, the provision of homes, both public and private, is an essential service. Indeed, it is deemed essential under level 5 restrictions.

I hope, and am confident, that the sector will be fully open again on 5 March because it has been able to manage safety with new processes and procedures. One of the jobs in construction is managing risk and those involved manage it very well. An unprecedented decision was taken to reduce the movement of people. That is what it was for. Will it have an impact on our delivery? Yes, unfortunately it will. Will we endeavour to make up that time?
5 o'clock Yes, we will do that also, by looking at other measures and elements that we can move forward with. The Government has given specific exemptions around social housing. There are issues with people with mortgage approvals on which I am engaging with the Minister for Finance as well, and some people who were very close to moving into their own homes, literally within a matter of a few days. A practical approach is being taken to some people with health exemptions as well.

A Senator referred to an individual case where housing adaptations were being made for a child with special needs. That should be covered under the exemptions. Certain jobs, including utility works, can also continue. My goal is to get the sector back open on 5 March. We are working through this to see what we can do to refocus the work we are doing directly on homelessness.

I will make a couple of quick points on the European Regional Development Fund, ERDF, announcements within the next four or five weeks. That is important by way of urban regeneration across this country. It can be a significant boost for the country when we need it and will focus on some important projects.

The national retrofit scheme was raised. This is relevant to the maintenance of social housing stock. I have a submission to look at it. I am also considering the failure of a number of

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local authorities to use previous grants for the past two or three years. That bothered me a lot. Taxpayers have provided significant funds to retrofit and renovate homes and local authorities applied for money but did not draw any of it down. Basically, they did not do the work. I am reworking the scheme slightly to make sure that nobody is going to be penalised for that, but in future if local authorities get money to maintain and improve homes, they will have to use it. I was not prepared to sign off the scheme and move it on until some of those issues were addressed.

With your indulgence, a Leas-Chathaoirligh, a number of Senators have been good enough to stay for the duration of the debate to ask very good questions and make valid and appropriate points. I have taken notes and my team will have been looking in on the debate. We will respond as best we can to any of the queries or questions that I have not reached.

One final point is that the Land Development Agency Bill should be published either on Friday this week or potentially next Monday as there was an issue with drafting. It is nearly there. The affordable housing Bill will be going for pre-legislative scrutiny. I am always very happy to initiate legislation in the Seanad, where I can. I have done so already and I will continue to do so.

An Leas-Chathaoirleach: I thank the Minister.

Senator Lynn Ruane: What about the human rights issue I raised?

An Leas-Chathaoirleach: As the Minister said, the Senator will get a written response. I thank all Senators for their co-operation. That concludes statements.

Sitting suspended at 5.05 p.m. and resumed at 5.15 p.m.

Response to Covid-19 (Social Protection): Statements

An Leas-Chathaoirleach: I congratulate the Minister, Deputy Humphreys, personally and on behalf of colleagues, on the great joy in her family on her becoming a grandmother for the first time. I also congratulate Sean and Eva on the birth of their baby boy on 25 January, Arthur Humphreys Egan. It is a very special time in her family. As her colleague, I am delighted to congratulate her on that. I invite the Minister to make her contribution on the matter before the House.

Minister for Social Protection (Deputy Heather Humphreys): Thank you for your good wishes, a Leas-Chathaoirligh. I welcome the opportunity to address the Seanad on Covid-19 matters and look forward to hearing the views of Members.

Nobody has a monopoly on good ideas and as Minister for Social Protection I am always open to hearing and considering how we can do things better. Since the onset of this crisis, the Government has taken a range of measures to protect public health and limit the spread of the virus and has also put in place a range of income supports that mitigate the financial impact on households and businesses. Through the various payments to individuals and employers, the Government has distributed more than €10 billion to our citizens since March 2020, demonstrating the level of Government commitment to supporting those impacted. From the outset,

I want to assure everyone that as we move forward, the Government will not be found wanting in terms of supporting people affected by the pandemic.

In the time available, I will outline the range of measures my Department has put in place in recent months. The pandemic unemployment payment, PUP, and the enhanced illness benefit are my Department's main income supports which were developed and quickly mobilised in response to the pandemic. I have also introduced a range of other measures that have acted as supports for families, lone parents, the elderly and people living alone, which I will touch on in this statement. I believe it is important to again acknowledge the staff of my Department, who work tirelessly to process payments and ensure our people across all ages get help in a quick and timely manner.

I will now outline the position on the PUP. Since last March, when the PUP was introduced, my Department has made more than 14 million payments to more than 820,000 people at a total cost to date of more than €5.5 billion. This week, my Department issued the PUP to almost 480,000 people at a total cost of just over €144 million. Clearly, the PUP continues to act as a vital support for hundreds of thousands of workers and their families. A priority from the beginning of this pandemic has been to ensure that income still flows into the households that need it most. For this reason, a decision was taken early on to allow for the payment of the PUP concurrently with key supports for low-income and lone-parent families. These include the working family payment, the one-parent family payment, the jobseeker's transitional payment and the back to work family payment dividend.

Another group I have endeavoured to support during this crisis is the self-employed, who are central to reviving the economy post Covid. With the support of my Oireachtas colleagues, I introduced changes in order that self-employed people can now earn up to €960 over an eight-week period while still retaining their full PUP entitlement. This measure has been welcomed by a number of sectors, including those in the arts and entertainment sector, and the taxi industry. This, for example, provides scope for a musician to take up occasional gigs without the prospect of losing his or her PUP.

I was also pleased to secure the extension into 2021 of the Covid-19 enterprise support grant. This grant assists sole traders and small businesses, providing up to €1,000 to cover re-start costs where a person transitions from the PUP back into self-employment. To date, almost 8,600 businesses have been supported under this grant at a cost of just under €8 million.

Research undertaken by the Economic and Social Research Institute, ESRI, examined the impact of Covid-19-related job losses on family incomes and found that 400,000 families would have seen their disposable income fall by more than 20% in the absence of policy measures such as the PUP and the temporary wage subsidy scheme, TWSS. The ESRI also found that these measures were particularly effective in cushioning families at the lower end of the income scale from losses and, in fact, noted that some low-income families were financially better off than while in work. In its analysis of the budget changes, the ESRI also concluded that income inequality and poverty rates would have increased significantly in the absence of Covid-related policy supports such as the PUP and the TWSS.

Earlier this month, I secured Government approval for the PUP to remain in place at the current rates of payment until 31 March of this year. Obviously, given the extension of current restrictions until 5 March, we will now need to examine the future of the PUP beyond the end of March. That is a discussion I will be having with my Government colleagues over the next

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few weeks, taking account of where we are in terms of the trajectory of the virus and the roll-out of the vaccine programme.

I will now turn to the supports for people who contract Covid-19 or are exposed to the virus. Enhanced illness benefit, introduced early in March 2020, is paid to those who have been diagnosed with Covid-19 or who are a probable source of infection. This support is paid at the weekly rate of €350, in line with the maximum PUP rate. Since last March, more than 126,000 people have been medically certified for receipt of the Covid-19 enhanced illness benefit. The enhanced benefit encourages people to avoid going to work and to self-isolate. That is essential for a number of reasons, namely, to limit and slow down the spread of the virus, keep the number of people affected to a minimum and reduce the pressure on our health system. The support is payable for two weeks where a person is isolating as a probable source of infection of Covid-19 and up to ten weeks where a person has been diagnosed with Covid-19.

As I indicated, in addition to those core income supports, a range of other targeted measures have been put in place as part of budget 2021 to address issues that have arisen during the pandemic. There have been increases in the qualified child payments, which benefit 419,000 children who are most in need of support. The living alone allowance has increased by €5. This means that the value of the allowance has more than doubled over a two-year period. My Department has put in place flexibility to support lone parents where maintenance payments have been disrupted during the pandemic. In response to concerns about increased domestic violence, my Department has introduced flexibility to the rent supplement scheme in order that victims of domestic violence can get the payment for three months without a means test. The school meals programme has remained in operation throughout the pandemic, including during the summer and Christmas breaks. Funding continues to be provided by my Department to run the programme during school closures.

The fuel season was extended in 2020 by four weeks, at an additional cost of almost €37 million. Since 4 January, the weekly fuel allowance payment has increased by €3.50 per week to €28 for a period of 28 weeks. We have put arrangements in place to enable births and deaths to be registered online without the need for people to attend offices in person. As announced in budget 2021, parent's leave and parent's benefit will be extended from two weeks for each parent to five weeks. This will support parents of new babies impacted by the pandemic. My colleague, the Minister for Children, Equality, Disability, Integration and Youth, Deputy O'Gorman, is working on the necessary legislation to ensure parents can avail of this additional leave as soon as possible.

A key role of my Department is supporting people back into employment as we move beyond the Covid-19 period. The July jobs stimulus package, designed in response to the Covid-19 crisis, comprises an investment of €200 million in skills development, work placements, training and education, recruitment subsidies, and job search and assistance measures. Measures will include the expansion of the local employment service, LES, into new areas that currently do not have such a service. We have also secured funding for an additional 3,000 places on community employment and Tús schemes. An additional 100 job coaches will be assigned to Intreo offices across the country to help people get back to work. We have waived the waiting period for persons on the PUP who want to avail of the back to education allowance and back to work allowance schemes. We will also be working closely with the Department of Further and Higher Education, Research, Innovation and Science in signposting people towards the 35,000 extra higher education places, apprenticeship schemes and other supports that are available. These and other supports will be a key focus of the new Pathways to Work strategy

that is currently being developed.

Before I conclude, I take this opportunity to highlight that support is available to all who need it under the supplementary welfare allowance scheme. That can include assistance towards heating or electricity costs, which is particularly relevant at this time. I look forward to hearing Senators' contributions.

Senator Jerry Buttimer: Déanaim comhghairdeas leis an Aire as a bheith ina seanmháthair. I congratulate the Minister on becoming a grandmother. It is a wonderful day for her and her family and I join the Leas-Chathaoirleach in congratulating them on the birth of Arthur Humphreys Egan. The name sounds wonderful and I hope that he may be a Member of this House in future years.

Two years ago, our unemployment rate stood at 4.8%. That was the monthly unemployment rate for December 2019, with 119,000 citizens unemployed. Today, because of Covid-19, that is a different perspective in the world but it underlines the importance of the then Government and the way in which it rebuilt our country. The political centre must hold now in rebuilding the lives of our people in a post-Covid world.

The figures provided by the Minister illustrate the starkness of life for many people today. This week, 408,000 people received the pandemic unemployment payment at a cost of €144 million. Since last March, the Government has spent €10 billion in response to this crisis. The vast majority of those people never wanted to be on a social welfare payment or where they are today. It is the job of government and all of us to ensure we protect the lives and livelihoods of the people we serve.

I commend the Minister and her officials on the work they have been doing at the coalface of this pandemic. I know from talking to people in Cork, where I come from, that the staff of the Department of Social Protection deserve tribute and thanks for their courtesy and efficiency and the manner in which they interact with and assist people. It is equally important that we pay tribute to our pharmacists, who I accept come within the remit of a different Department. I know from talking to many people who engage with pharmacists and pharmacies that the support, understanding and patience they are receiving is phenomenal. I pay tribute to the pharmacists and the officials of the Department of Social Protection.

The 408,731 people supported on the PUP are not a statistic; they are citizens of our Republic. Each one of them has a story in regard to the reason he or she is in receipt of the payment or in need of help. All of us in this House can recount stories of people who have been seriously affected by this. This debate centres on the role of the Department of Social Protection, the aim of which is to protect lives and livelihoods. In the post-Covid analysis, the role of that Department in providing that scaffolding and support will be seen as having been central to the Government's interventions.

The increasing presence of the virus in our communities is adding to the number of people in need of government help and aid. As members of the Joint Committee on Transport, Senator Dooley and I have had email, telephone and Zoom interactions with people who are working in the travel and aviation sector. In November, the Government provided an €80 million support package to the aviation sector, announced by the Minister for Transport, Deputy Ryan, but it is important to recognise that this money is primarily for infrastructural work at our airports and in support of our aviation sector. The Government needs to look at providing support for the men

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and women who work in our aviation sector. They are a casualty of Covid-19 as well. In light of the Government's decision regarding travel, the people who work in our airports and airlines need to be recognised, acknowledged and supported further. There is a window of opportunity for the Government to ensure they are supported.

I was struck by the announcements of the Minister for Further and Higher Education, Research, Innovation and Science, Deputy Harris. I warmly welcome the comments in the House today by the Minister, Deputy Humphreys, in regard to higher and further education and the need for the Departments of Social Protection and Further and Higher Education, Research, Innovation and Science to work together. It is imperative that the Government and all of us promote apprenticeships and that we provide new pathways to work. Similar to what happened in other decades, we should provide this new pathway to people and afford them the opportunity to retrain and reskill and perhaps pursue a different career choice or opportunity.

The issue of working from home, which I know is not necessarily part of the Minister's Department, is one that has been especially highlighted by Senator Currie. Many of us, however, have received queries about this issue. Even though it is not in my constituency, the Little Island Business Association made representations to me about remote working hubs. I hope we will be able to progress further the ability of people to be able to work from home. Having said that, working from home is obviously not a panacea for everybody and we need people back in the workplace and interacting on a human level as well.

Another issue, articulated by the Leader, Senator Doherty, concerns the matter of additional supports needed for business people not covered by the Covid restrictions support scheme, CRSS. As the Minister knows, businesses have made claims for the payment of about €239 million to ensure they survive in this difficult time. I hope we can have that anomaly addressed as well.

The Department the Minister leads has been one which has wrapped itself around people, as it were. People accept that there is now a challenge for all of us to suppress the virus and to ensure we emerge stronger from this pandemic. The Minister referred to the stark figure of €10 billion having been spent on people during this pandemic since last March by the Government. The people we are talking about today are citizens of our Republic who have many stories behind their lives. Our job is to advocate for, represent and support them, and to ensure they have a pathway to work in the post-Covid-19 world to become active again in our society.

An Leas-Chathaoirleach: I thank Senator Buttimer, who has set a precedent for exemplary timing which I hope will be followed to allow everyone to speak.

Senator Rónán Mullen: I would also like to be associated with the congratulations offered to the Minister on this happy event in the lives of her family, the arrival of her grandson Arthur. It is hard to think of a politician becoming a grandmother without recalling Margaret Thatcher's famous announcement when she said, "We have become a grandmother", and used the *pluralis majestatis*. The Minister would never do such a thing, although a greater fluidity in pronouns is allowed, and even encouraged, nowadays, so she would probably get away with it.

Turning to the business at hand, I join others in commending the staff of the Department of Social Protection, Intreo and other agencies. They have had to deal with an incredible administrative burden in the past year, but in the vast majority of cases the PUP and other income supports have been well administered. To a greater or lesser extent, we all see correspondence

regarding the Department from and on behalf of our fellow constituents, and we know the person-centred approach that is taken. That is all the more commendable given the difficult circumstances in which we find ourselves.

I will raise three issues today, two of which are directly connected with the Minister's brief. I note what she said about the fuel season having been extended in 2020 by four weeks at an extra cost of €37 million. Regarding fuel costs, people are spending much more time at home this winter, particularly older people. Although this winter has not been especially cold so far, that may change. I wonder if something more can be done to assist people with fuel costs.

I understand, for example, that there is a 15-month rule for qualification for the winter fuel allowance. Is it the case that people who lost their jobs in November or December, because of the new restrictions, would be ineligible for the allowance until early 2021 or 2022? That would not be much good to them. This scenario could be made worse for anybody losing their jobs this year, since fuel costs are due to be increased next year by the higher rate of carbon tax that will disproportionately cost the poorest and the elderly more than others. Could the Minister consider ways to assist people further in respect of fuel costs?

As regards the pandemic unemployment payment and other supports, people should be given significant notice of the end of the schemes, whenever that might occur. I note from the Minister's speech that she has secured Government approval for the PUP to remain in place at the current rates of payment until 31 March next. I understand the very difficult situation in which the Government finds itself, but there appears to have been too much chopping and changing about when schemes will end, in much the same way as there has been so much flux with the Covid restrictions. There should be an attempt to give people significant notice of the end of these schemes. We would all agree that people need certainty so they can plan financially.

One aspect of this situation is the puzzling row about whether pandemic unemployment payments should be taxed. I do not believe that the populist politicians who have called for the payments not to be taxed have made their case adequately. Are we seriously saying, or even thinking, that a low-paid worker or somebody who had his or her hours reduced due to Covid and who earns €350 a week should pay tax on that income while a person who was not working and was in receipt of the payment should pay no tax on the same amount of income? That appears to be totally unfair and, indeed, irrational. We do not want to incentivise people not to work and we should not send a message to people working in retail and restaurants or to low-paid staff in hospitals that the State values their work less than no work at all. Another problem we have is that our tax net is still very narrow, even after the crash. Over 1 million people, almost 30% of the working population, pay no income tax or universal social charge, USC, at all. Of course, many wealthy people pay far too little, as we know. Meanwhile, those earning average and above average salaries, between €35,000 and €60,000 per annum, seem to be hammered for tax on everything they do. The last thing we should do is make this problem worse by exempting another large category of people from income tax. If the pandemic unemployment payment brings people into the overall PAYE tax net of €16,500 for the year, it should be counted as regular income for tax.

Another problem relating to the PUP was reported to me after the restaurant, pub and retail sectors reopened fully last summer and again last December. Many staff would not return to work because, in financial terms and due to their circumstances with childminding and so forth, it made more sense for them to remain on the PUP. Nobody would judge a person for making such a decision, as people must do what is best for them and their families. However,

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again we have to be careful not to provide incentives for people to remain on social welfare or to disincentivise people from leaving social welfare. I would appreciate if the Minister would outline any steps her Department might be taking to prevent any such unforeseen or undesired outcome.

The last issue I wish to raise is not directly within the Minister's remit, but it relates to social protection because it concerns the financial and emotional well-being of individuals and families. I have spoken in the House many times about gambling and how the one local business that thrives through boom or bust, rain, hail or shine, is the local betting shop. For much of last year, when we were at level 4 restrictions and below, we had the absurd situation where pubs were closed but the betting shops next door were open. The shop could have had the same number of people in it as a pub might ordinarily have. Online gambling is now a much greater problem than betting shops, with many operators giving promotional offers such as free €10 bets for new subscribers. If breweries started offering a free six-pack to new drinkers or if tobacco companies offered a pack of 20 cigarettes to new smokers, the political class would be convulsed with outrage and such practices would be banned immediately. In fact, I imagine such practices are already illegal in these cases. However, there is not a peep when it comes to what gambling companies do. We should never stop asking why. The College of Psychiatrists of Ireland recently called the gambling problem over the past year a "hidden epidemic" and termed it a public health crisis. The college has called for public education, new legislation, advertising controls, treatment services and research into problem gambling. We should be taking action and I would appreciate the Minister's response, although I acknowledge that it is not directly within her remit. That said, how this is connected with the business of social protection is visible from outer space. What is going on is an affront to human dignity and it must be tackled head on.

Senator Catherine Ardagh: I join colleagues in congratulating the Minister on the birth of her grandchild. I hope she gets to spend some time with the new arrival on Zoom or in person. I also thank the Minister and her staff for their ongoing commitment to the provision of social protection supports during this pandemic. The Minister and all of her staff have been working unbelievably hard. Her office is very efficient and we are all very grateful for that.

We all know that unprecedented social protection supports have been provided during this pandemic by the Fianna Fáil-Fine Gael-Green Party Government. An extra €10 billion was provided by the State throughout the pandemic in 2020. Before Covid-19, the social protection spending Estimate for 2020 was €21.2 billion, but post-Covid-19, the spend for the year was €31.5 billion, an enormous allocation by the Government to the most vulnerable which must be commended. From the very start of the pandemic, the Government has endeavoured to protect people who lost employment through no fault of their own. Many people in receipt of the pandemic unemployment payment, PUP, have never been in receipt of any social protection payment previously and they are very glad of it at this time. The priorities for the Government throughout this crisis have been to protect public health by limiting the spread of the virus and to put in place income supports that mitigate the financial impact on households.

We all accept that the restrictions are very difficult and that people are becoming fatigued. However, we all need to realise how dangerous the virus is. Vaccines seem to be forthcoming and every day we get more news on those that are coming our way. Let us hope we can all knuckle down, try to protect our mental health, stay at home and continue to do what is necessary to fight the virus.

In early January 2021 the Government confirmed that the PUP rates will stay the same until 31 March. The Minister said that she hopes to review the PUP beyond the end of March but I hope the rates will stay the same. Any decrease in the rates will affect people badly, particularly with regard to financial commitments like mortgages. I hope that the PUP will be extended beyond March at the current rates. Spending on PUP to date has reached €5.5 billion, with more than 14 million payments made since March 2020 to more than 820,000 people, making it one of the largest social protection interventions in the history of the State. We are facing record unemployment as a result of this pandemic. Many businesses may not reopen when the pandemic is over and it likely that increasing numbers of people will be looking for social protection supports into the future.

Obviously people are very grateful for the supports provided by the Department of Social Protection. Members have already raised the matter of the fuel allowance during the course of this debate. I ask the Minister to review the threshold for that allowance and to consider extending it to those who have only recently lost their jobs. They will not be entitled to the fuel allowance for between 12 and 15 months. Perhaps the Minister would clarify if that is the case because it seems very unfair.

I got involved in the D12 FoodBank for the first lockdown in March. This food bank in Dublin South-Central has reopened now due to the huge demand for food parcels. The D12 FoodBank does a massive amount of work and is run by volunteers. It is unfortunate for the State that people are resorting to food banks but it is a fact on the ground. The PUP is very generous but there is still a need on the ground for food packages. Is there something the Minister's Department can do to support these charities that are popping up during the pandemic while the situation is very bad?

Another question that has been asked of me is when the extra parental leave will be introduced. A timeframe for that would be useful.

Also, I am happy to hear about the extension to the community employment, CE, schemes. I am aware that is not a matter for the Minister's Department but there is a major delay in the processing of births, deaths and marriages, which does affect social protection. People are not able to get death certificates on time and it is affecting the progression of estates and whatnot.

I am learning that another unfortunate result of the pandemic is that many immigrants are leaving the country on the basis that they do not have employment and fall outside the criteria for entitlement to the PUP. That is a real shame because they are a major loss to the fabric of our society. It is a pity we cannot do that little bit more for immigrants.

The pandemic has had a real effect on young people, those on low incomes and immigrants. I know the State is doing so much to protect those cohorts of workers but if we could do a little bit more, in the long run it would contribute hugely to the fabric of our society.

Senator Mark Wall: I welcome the Minister back to the House and, along with colleagues, congratulate her on her very good news. It is great to hear good news like that in these times. I also want to record my thanks to the Minister's Department for the considerable amount of work it has completed since the beginning of this pandemic. As I said here previously, it has been a tremendous effort by everybody involved in the Department.

I have never considered myself to be a populist politician but I want to raise again an issue that the Minister raised in the Dáil last week, that is, the taxation of the PUP. I note that the Free

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Legal Advice Centres, FLAC, have reiterated their concerns about the fairness and legality of section 3 of the Finance Act 2020, which retrospectively creates a tax liability on PUP claims. They stated that in light of the Minister's statement on the matter in the Dáil on Thursday, it remains unclear whether the Attorney General's advice on that legislation was ever sought. They believe the Government should urgently seek fresh legal advice on the matter. I would appreciate the Minister addressing this matter once again. As was stated in the Dáil, there appear to be inconsistencies between the official statements released by the Department and the political statements released by the Minister for Finance regarding the original legal basis of the PUP and its implications for the potential taxation of the payment. In May 2020, the PUP was described as a social welfare payment that is taxable as income. That was in response to a parliamentary question to the Minister for Finance. In August 2020, however, the PUP was categorised as a social assistance payment. Such payments are not normally subject to tax. The Minister stated in the Dáil that the taxation of the payment is fair. In light of the continued concern of FLAC, I ask her to address it here again today.

I also ask the Minister if consideration has been given to allowing those under the age of 18 but who are paying tax the opportunity to apply for the PUP should the need arise.

I want to take up a point raised by my colleague, Deputy Sherlock, in the Dáil recently. Deputy Sherlock put forward the idea of a so-called one-stop-shop for families who find themselves dealing with a bereavement. As I am sure is the case for many public representatives, I have taken a number of telephone calls from families at their most urgent hour of need. I want to record again my thanks to the community welfare officers and Department of Social Protection officials I have dealt with on behalf of those families. In all cases they have been fair and considerate and have carried out their work in a timely fashion. That is very important to families who worry about funeral bills and payments as they deal with the loss of a loved one. Also, as there is so much more involved at this difficult time, from obtaining a death certificate to informing social welfare departments of the passing, it can be and is a very emotional and distressing time. I ask the Minister to consider this one-stop-shop proposal. Perhaps one form could be used to release assistance and inform all relevant Departments. That would certainly be welcomed by families at what is a very difficult time for them.

I also ask the Minister to address the area of pensions, in particular those who find themselves finishing unemployment at the age of 65. In this House previously, as well as in the Dáil, the Minister committed to changing the requirement on those who retire from work at the age of 65 to sign on for the jobseeker's payment in order to receive State income support. She has stated in replies to various public representatives that she will formally remove the current requirements for people of this age to sign on, participate in activation programmes or give an undertaking that they are genuinely seeking work. This, as the Minister said, will formalise an administrative practice that has been in place for some time. She had indicated that she would hope to have this in place by the end of January. Thankfully, she stated there would be a special payment for those aged 65, that there would be no requirement to seek work, and that those concerned would simply complete the application form. It would not involve signing on. The Minister reassured those aged 65 that there would be no issue with them attending their local social protection office to apply for the payment. She stated the payment would be made for 12 months. I would really appreciate it if she had an update for those affected and those who will be 65 shortly. It would really be appreciated by all.

I am aware that there was much discussion of the community employment, CE, schemes the other day in the Dáil. We all welcomed the statement by the Minister of State, Deputy Joe

O'Brien, on the extension of the timeframe applying to those in the schemes given the terrific and essential work that is being carried out. Today I would like an update on the issues surrounding CE supervisors' pensions and their request. I would appreciate it if the Minister could update us on this process. We are all aware of the terrific job all the CE supervisors do in carrying out their roles and assisting all in our communities. I am sure we would all support the proposal, and I would appreciate an update today on this important matter.

I cannot let go the opportunity to raise once again the carer's allowance means test. In these unprecedented times, I continue to receive calls from carers who are totally committed, giving 24-7 care to the person they are looking after, but who do not pass the means test, in many cases failing it by a very small amount. I ask the Minister to review the means test urgently.

Is the time it takes to deal with social welfare appeals being affected negatively by the Covid pandemic? I note always the independence from the Department of the appeals process but I ask the Minister whether she is aware of the times involved. I am currently dealing with a number of people who have been awaiting the outcome of an appeal for a considerable time.

Senator Róisín Garvey: It is very auspicious to have a strong, capable woman in the House on St. Brigid's Day. I thank the Minister, Deputy Humphreys, for attending.

I commend the Department because nobody foresaw the pandemic. It has been a mad year. The staff of the Department have done amazing work. I am aware from sitting on the Oireachtas committee that staff have put in an unprecedented number of hours to get all the payments processed. Bureaucracy can often cause delays but when the emergency came, staff put their shoulder to the wheel. I thank the Minister and her whole Department. I am aware that she is not long in the Department but, since she took over, she has got the whip out, which is great.

I want to make a couple of points on social welfare payments. I worked in the secondary school sector and I have friends who are guidance counsellors. We want to keep the number of people on the unemployment payments down to a minimum and we always want people to be working and engaged but an issue arises over apprenticeships and trainees. People have to be on social welfare for a minimum of six months before they can apply. This has an impact on leaving certificate and applied leaving certificate students in that when they finish their schooling, they must wait until January before they are allowed to do an apprenticeship or training course. I would like this to be re-examined, for two reasons. Many of the youths' peers start college in September. It would be good for them to be able to do the same. Second, if people are on social welfare for a certain amount of time, it might be hard to come off it. We should examine this. It is definitely an issue that guidance counsellors have asked me to raise. Doing as proposed would keep people off social welfare for the long period in question. There is a shortage of apprentices and trainees. Let us therefore consider the six-month lead-in.

The new CE schemes are great, as are the Tús schemes. An issue specific to rural areas is isolation. There are farmers who may have means but who may not have a social life. They want to join CE schemes but they cannot do so. We should consider this. For mental health, it is really good to create space. CE schemes are often brilliant for people's mental health. I have had telephone calls from people saying they really want to join CE schemes but cannot do so. Wives of farmers who are worried about their husbands' mental health are asking whether there is any way in which the Department can consider allowing them to join a scheme because it would be an outlet for them.

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They have the farm but there is no company on the land. The cows are great but that will only get you so far.

I wanted to get an update on remote hubs. Great work has been done on DigiClare and in other places, with WiFi hubs being set up. There was a new announcement in the budget about €5 million that I had submitted a pre-budget submission about. Will that be given to local authorities or what will happen with that?

My colleague raised the issue of the shortage of home help and of carers, yet on the other hand we have people who have applied to become carers and home helpers but they do not meet the criteria because of the means tests. Old people ring me begging for home help, as do people who have applied to become home helpers or carers, and they cannot do the job because of means tests. There is something wrong with that. If people want to help and if there are people who need the help, we need to look at that. I feel strongly about this issue. I look forward to the Minister's responses.

Senator Lynn Boylan: I congratulate the Minister on becoming a grandmother and on the safe arrival of baby Arthur. I hope the mother is thriving.

Like other Senators, I commend the staff of the Department of Social Protection and its associated agencies because the pandemic posed a significant challenge and they certainly rose to it. I thank them for all their hard work in such challenging circumstances. I will
6 o'clock address the pandemic unemployment payment and the uncertainty around its continuation or its staying at the same level. This is a major cause of concern for those who are in receipt of the pandemic unemployment payment. The Minister has outlined before that the PUP will continue to the end of March and that the Cabinet will decide in the coming weeks whether to extend it. I urge the Minister to make this decision as soon as possible because people on the payment deserve the maximum clarity to help them to plan as much as possible over the coming weeks and months. I also reiterate the request of my colleague, Deputy Kerrane, that the Minister extend the PUP in these incredibly uncertain times to offer reassurance to workers.

I raise the issue of energy poverty, as others have, and mounting household energy bills. Every one of us has been contacted by people at their wits' end about how they will afford to pay those energy bills. The recent cold snap reminds us of how important it is to have a home that is warm. Too many people live in extreme energy poverty and have no option but to go cold because of the cost of heating. Many more will say that the sight of a bill is enough to cause fear. The human impact of energy poverty is significant. Last month, I published a report into a survey which I conducted in December, which asked people to share their experiences of energy poverty. I have a copy to hand if the Minister would like to read it because it details the lived experiences of people in Ireland and what they are going through with regard to heating their homes.

A main theme that emerged is how the pandemic has exacerbated the severity of energy poverty. There are extra costs associated with working from home for many. The Government brought a tax relief for these workers. However, many do not qualify for that support. Carers are one group which is particularly affected. One person who cares for her daughter with a disability shared her story in my survey. She said that in pre-Covid times, the heating would be off during the day while her daughter was at day services but when those services were cut, she was at home all day and now there is no choice but to keep the heating on all the time. Another

person simply said that because they have to stay at home, the heating cost is much higher and they dread the cold months of January and February.

The ESRI published a report on increasing levels of energy poverty, the detrimental impact it has on children's respiratory health, and how it is likely to be exacerbated by Covid because more children are at home in damp, cold rooms instead of in classrooms. Years of growing up in these conditions make children vulnerable to respiratory diseases such as Covid. Consequently, making sure that children do not grow up in the cold is not just the right thing to do but also is a good thing to do for public health. The Society of St. Vincent de Paul has estimated that energy poverty affects one in six households in Ireland and is concerned that a significant proportion of households will be in energy debt as we emerge from Covid-19.

People who are already struggling to make ends meet are facing increased heating costs and must stay home. There are no warm places for them to go. Many of these people were on social welfare or out of work when the pandemic hit and, as a result, they did not qualify for the PUP or the working-from-home tax relief. My question is what the Department will do directly to tackle the increased cost of energy for those who need support. Sinn Féin is calling for common-sense solutions to help people afford to stay warm. Currently, the fuel allowance is not available to recipients of the PUP and pandemic unemployment rates have not been adjusted to take into account increased heating costs during winter months. Households currently have to make their weekly payments stretch even further to meet these costs.

Sinn Féin calls on the Government to extend the fuel allowance of €28 per week to PUP recipients. Currently, a person who loses his or her job cannot access the fuel allowance, as others have said, until he or she is in receipt of a jobseeker's payment for more than 390 days, which is more than 15 months. That is simply not acceptable. Sinn Féin calls on the Government to suspend the lengthy 15-month qualification criterion for the duration of the Covid-19 pandemic and then review the qualifying period once we are through it.

The pandemic has proven that the Government can take extraordinary measures. Action we were previously told was impossible has been taken by this Government. However, we have also seen extraordinarily mean measures being taken. One of the most obvious was taken last month, when the Government took the extraordinary measure to retrospectively collect tax on a payment for the first time in history. I urge the Minister to spend her time better taking extraordinary actions to help people who now face increased household energy bills rather than pursuing what she said in her own words on radio only a few weeks ago was a very small amount of money from a very small number of people affected by the tax measures.

Senator Frances Black: Like previous speakers, I congratulate the Minister on becoming a grandmother. I can guarantee it is the best feeling in the world. I have two grandchildren and I know the Minister has many happy days and joy ahead. I also commend her on the phenomenal work she and her Department have done in the past year. Who would have thought this time last year what was ahead of us? Nobody knew it. I know the Minister has done phenomenal work.

Nonetheless, there are a number of issues I will raise, primarily in respect of the social protection response to musicians and artists, which I am sure the Minister is well aware of, and all who work in the arts industry, on whose behalf I continue to speak during this crisis. Before I get into that I wish to address a very important matter that others have raised today, which is the fuel allowance. In the recent very severe wave of Covid-19, a huge number of individuals and families, including children, are currently confined to their homes. Previous stay-at-home peri-

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ods were in spring or summer but it is now winter and it will probably get colder. Many households are struggling with the cost of staying warm as their heating bills have risen significantly. I heard one story about an older woman who, rather than staying at home in her cold house, got up and went on the Luas to town so she could walk around St. Stephen's Green shopping centre. That was just to keep herself warm and so she would not have to sit in a cold house. It is devastating to think about that. I ask the Minister to consider increasing the fuel allowance and announce it as soon as possible so households do not feel forced into making difficult or perhaps dangerous decisions around the rationing of heat. Right now we all know our homes are the best line of defence for public health and it is vital that they are safe and warm for everyone.

I wish to express the grave concerns of hundreds if not thousands of performers such as musicians, comedians, actors and all who work in the arts from behind the scenes to front of house with whom I have been in continuous contact since the budget. Many of them are distressed and struggling to meet financial commitments. As I said, I have raised the crisis in the arts sector on a number of occasions previously and have offered my ongoing support to an organisation called the Music and Entertainment Association of Ireland, MEAI, which is working voluntarily in order to help struggling colleagues. Workers in this sector have been in lockdown since March 2020 without income. They really want to get back to work but have no opportunities to do it. Today, 1 February, marks 327 days since restrictions were first put in place in the music and entertainment industry. With the exception of sporadic and isolated occasions, this industry has effectively been in lockdown since 12 March 2020. People in the industry have relied on the PUP and payment breaks to get by. Many are facing the realisation that their homes may be at risk. For many, their tools of the trade, equipment, instruments and vans are at risk. Many have been forced to sell items essential to their businesses in order to survive. We have to consider the bigger picture here and understand the threat this crisis poses to the music and arts industry in Ireland. It is one of our most cherished industries. We are known across the globe for our creative talents as musicians, artists and storytellers alike. Their ability to work has been taken away by either guidelines or a lack of clarity over Government guidelines. Even in this level 5 lockdown, wedding bands and private music teachers have been left in doubt over their ability to earn an income and honour private contracts.

We must show the necessary support to our nation's creatives. We are already witnessing a fast depletion of musicians and artists from the workforce. The MEAI carried out a survey which found that 20% of the participants had been forced to move into other areas of employment and 56% felt they will have to change occupation and leave the music industry. This is just not acceptable. Music and art are at the very core of who we are as a country. At a minimum, it is essential that the PUP, on which these workers are so heavily reliant, is continued at its current rate until the reopening of the industry. Musicians and artists have reported difficulty in contacting the Department of Social Protection for help and being told that their concern is for the Department of Tourism, Culture, Arts, Gaeltacht, Sport and Media. This is where it gets confusing because that Department refers them back to the Department of Social Protection. There is a need for clarity for these workers who are already under enough pressure in these far-from-ordinary times.

I wish to share some important statistics that illustrate the struggle experienced by musicians and artists today and reflect the enormity of the crisis in this industry. The MEAI survey notes that 24.1% have experienced a 90% to 99% income loss and that 41.6% have experienced a 100% income loss. These musicians and artists are incredibly self-sufficient, with a total of 95% of these workers being self-employed. With the shifting and changing guidelines on

lockdown, and the brief glimmer of hope between the level 5 lockdowns, many keen and conscientious musicians had paid bills to update their websites and had insured their commercial vehicles in the hopes of having their chance to work but these prices are hefty, especially when it is coming from the already stretched pandemic unemployment wage.

The survey also recorded that 22.4% have had no choice but to sell equipment essential to their work in order to get by, and a further 35.8% feel they will have to sell equipment essential to their work due to a lack of support. This is an incredibly unfair position in which to leave these workers, who want to work, perform and create but simply have no option to do so. The report also shows that 26% of participants are struggling to repay mortgages and are in fear that their homes could be at risk. A total of 31.6% are struggling to repay loans, 45.8% are struggling to pay bills and 17.6% are in danger of losing a vehicle essential to their business. Perhaps the most sobering of all statistics is that almost 50% of those who participated in this survey are struggling with their mental health. That is one in two musicians. Artists are struggling mentally and emotionally with the strain of the crisis. Fewer than 10% of the musicians and artists said their mental health was okay, and, shockingly, 25% are currently seeking help via mental health services.

These statistics need to be heard by everyone here today. It is simply not good enough that we have not afforded more supports to the creatives of Ireland. As I said, music is at the foundation of our nation's identity and charm. It is the duty of the Government to afford protections to and honour the artists, musicians and all who work in the arts, from behind the scenes to front of house, who contribute so much to Irish culture and society. Now is the time to do this.

Senator Timmy Dooley: I join others in congratulating the Minister on her venture into grandmotherhood. I am sure she will do as good a job there as she has in every other role she has held. I welcome baby Arthur and wish her family well at such an important time. Sadly for the Minister, she will not get to spend the same kind of time with them as she might under normal circumstances because of the work she is doing.

I join others in thanking the Minister for the leadership she has given her Department and all the departmental staff who have worked so hard. They are front-line workers engaging with, in many cases, people in difficult circumstances. They are behind-the-scenes workers who have done an enormous job. We owe them a huge debt of gratitude.

We must be careful, however, that in our desire to recognise the people doing the work, we do not start clapping ourselves on the back for paying out social welfare to people who are in dire need. The Minister is certainly not doing so. I certainly hope no one in the Seanad would try to take credit for doing what is right. The people whom the State is supporting are being supported with their efforts and the taxes they have paid. It is the least they should expect from the State. We have to be careful that in the euphoria of the billions of euro we are spending we do not somehow become misguided, believing we are providing some sort of charity. We are not. It is how one would want to respond as a society.

Like others, I hope that, in the not-too-distant future, the Minister will be able set out clearly where the whole pandemic unemployment payment is going and what extensions will be in place. Prior to Christmas we would have hoped that we would be in a better position in March. That is not coming to pass with the new variants and the less-than-clear pathway for a vaccine roll-out. We will, sadly, see people out of work who otherwise would have been in work. We are going to have to ensure that the State continues to stand behind them and their families.

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I, like others, have met many people who are under enormous pressure. Many sad things have come out of this pandemic. There are people who have lost loved ones. There are people who, sadly, are no longer with us. There are people who have lost their livelihoods and their jobs. I hope they will be able to regain them. There are people who have lost their businesses.

There are winners, however, as there are in every conflict and every difficult situation. We see the pile of savings in the banks go from €1 billion at this time of the year to somewhere close to €12 billion. Some people, by virtue of being unable to spend, have significant savings. That masks the reality, however, that there are others who find it difficult to survive on the pandemic unemployment payment because, quite frankly, they lived normal lives prior to this pandemic. Through no fault of their own, they are now just barely getting by. All the normal payments are pushed out and they are hanging on by a thread.

I agree with others that the cost of heating homes is an enormous burden for people who are just barely getting by. That has been the case for many who got thrifty and careful. The reality now, however, is they find themselves in a situation where they are penny-pinching. With themselves and the kids at home, it is becoming particularly difficult with the cost of electricity and fuel generally. Will the Minister look at a system which could give some support to people who are in that difficult situation of trying to keep everything together?

While they go through a difficult period, there are others who have managed to save vast amounts of money over the past 12 months and, the minute lockdown finishes, will be out spending. At the same time, there will be another cohort still trying to pay off significant debts they accrued in that period. We will have a divided society for a long time as a result of this pandemic.

I spoke about the case of Sean Kilkenny in the House before. He has a horse carriage business in Dromoland Castle which was doing really well. Overnight, with no American tourists, his business was gone. He is on the pandemic unemployment payment but it does not feed between 20 and 40 horses. The schemes that have come out, with their various different caveats and aspects, do not fit his business. He does not own the property from which the business is operating - he is leasing and renting. He does not pay rates because he does not own the property but he has very significant costs. He is decimated. He has lost the will to go on. He has family and friends around him who are trying to support him through this. We have to look more widely and more broadly in trying to provide small, unique and bespoke businesses with a level of support that would get them through this prolonged period of the pandemic and somehow give them a baseline from which to start again. I thank the Minister for her continued efforts.

Senator Garret Ahearn: I will continue the trend here today and congratulate the Minister on becoming a grandmother. I wish Deputy Humphreys well and congratulate her and baby Arthur. Like others, I hope Arthur's mother is recovering well and doing well.

The Minister must be quite a popular grandmother with the introduction of the increase in parental leave from two weeks to five weeks. I know this from my own experience. I had a conversation with my wife only this morning and she was discussing the year ahead and when she could possibly take the three weeks extra she now has. She has never had as many holidays as she will have in 2021 and we were discussing this morning when it would be possible to take the extra three weeks. My wife was asking me when the country will reopen - a question no one can possibly answer.

From personal experience, that parental leave extension from two weeks to five weeks is really significant to people who have had children in the past year. Senator Ardagh would understand this as well. It has been quite difficult during Covid not to be able to bring one's children out and for them not to be able to interact with other children. One has those natural worries that most parents would have that one has a child who, in my case, is one year old, who has not interacted with too many children of his own age and almost thinks that the only people who exist in the world are his two parents. The extension of those three weeks is quite important. It is a recognition that the maternity leave that they have had has not been the same as that under normal circumstances.

I commend the Minister on all the work she has done since she has taken over the role in the Department of Social Protection and, in particular, commend her staff and all the staff of the Intreo offices all around the country. Senator Dooley stated that we need to be careful in how we commend the work and that this is money that is being given to people who are going through a very difficult time. I agree entirely with the Senator but when people speak, and they are commending the Minister and commending the Department, it is in terms of the efficiency of the Department. Almost overnight this country was put into a situation where we had to support so many people right across the country and not all the officials in every Department have been able to transition to where the Department is now. It has taken other Departments quite a long time to be able to bring through supports or make changes within themselves whereas the Department of Social Protection has been on the ball from the very start. In particular, I am aware of this in my own county. There are 12,803 people in Tipperary claiming the pandemic unemployment payment. That cost €147 million up to the start of January. I ask the Minister that when she extends the pandemic unemployment payment, which obviously has to be done, the rates remain the same as the certainty of having that payment is really important going forward. The people receiving the payment would not normally be used to being on supports. Many of them have been working all their lives.

It is important to remember that before Covid we had 4.8% unemployed and the rate had come down from 15.8% in 2011. We have proven before as a Government party that we are able to create jobs and get people back to work. That is what we have to do again and Deputy Humphreys, in her position, will be able to do that.

A question I am getting from a lot of businesses concerns the Covid-19 restrictions support scheme payment and supports for businesses that have been shut down, not necessarily by Government intervention, but on the back of other businesses being shut down. I know that the Tánaiste, the Minister and the Minister for Finance, Deputy Donohoe, will do everything they can to support those businesses.

I will delve into Deputy Humphreys's brief as Minister for Rural and Community Development. The work she has done in that Department is phenomenal. My own county, Tipperary, has been given €36 million since the Department got up and running. We are often asked whether we do enough for rural areas and the Minister knows as well as I do that we need to support rural areas outside Dublin. The Minister has given €36 million to Tipperary. Only two weeks ago, she gave €200,000 to Marlfield under the town and village renewal scheme. Kilsheelan received €90,000. Those towns have never before received such funding and I know that more announcements will come through on the back of that. I was at the turning of the sod of Fethard town park. The Department of Rural and Community Development gave €2.6 million to transform that small town and make a community and sports centre. It is important to recognise the immense work that the Minister is putting in as a part of that Department and

I thank her for it.

Senator Gerard P. Craughwell: Like everybody else, I congratulate the Minister. She should set aside some time to bring herself up to speed on “Thomas the Tank Engine”, “Paw Patrol” and various other things like that. There is a lot of learning there because the language has changed. The Fat Controller is no longer working for Thomas the Tank Engine’s company. It is very serious stuff.

The other thing about having a grandchild is that it is so easy to love them because when they become a little bit stroppy, one can hand them back. That is one of the great things. I dropped something up to the house of my three-year-old granddaughter recently. She came to the window, put up her hand and said, “Go away, granddad, we don’t want the virus.” Kids are very much on top of it.

Senator Buttimer made a plea for the airline pilots. There is going to be a serious situation in aviation once the economy opens up again. The number of pilots that are now in dire circumstances is something we have to look at. They are in dire circumstances not just because of income but also because of flying hours. To keep these guys in the air, they must have up-to-date flying hours. I ask the Minister to bring that point back to the Cabinet because perhaps it is not 100% her issue.

The Minister mentioned higher and further education. I had a call yesterday telling me that the vocational training opportunity scheme, VTOS, is now missing from the website. Can the Minister give some clarity on that matter? Is VTOS about to be suspended or ended?

Senator Mullen mentioned gambling. I brought amendments to the Betting (Amendment) Bill 2015 in the hope that we might change the way gambling is run in this country. A considerable amount of money goes through gambling organisations from prostitution and various other illegal activities and we have to get on top of that.

I particularly want to talk to the Minister today about community employment, CE, supervisors. Many people have mentioned CE schemes and their benefits to the community. The Labour Court recommended that CE supervisors were to be looked after with respect to pensions. There are two tiers in that regard because CE supervisors who were working for local authorities have pension schemes whereas those who were not working do not. Quite a number of the CE supervisors are now in their 60s and coming towards retirement. They have been told that €30 million has been set aside by the Department of Public Expenditure and Reform to look after their pension schemes. As I say, there are Labour Court and Workplace Relations Commission judgments which state that the Department of Social Protection is the employer. I know that the Minister has not been in the Department for long but we really have to sort this out for these people. It is unfair. Some of them have 30 years’ service, have been employed on a year-by-year basis and are now coming to the end of their working lives and they have nothing to look forward to. That is unfair. I am not asking the Minister to make a statement on that matter today but she might come back to me when she has had time to look into it herself. It is not fair to bounce something like that at her as soon as she comes in the door.

In this Covid era, these community employment supervisors have suddenly found themselves being landed with a phenomenal amount of work which I would have some difficulty thinking they would be qualified to do. For example, I would cite the drafting of individual learning plans. It is something I was involved in as a teacher and it is not something that is un-

dertaken willy-nilly. Why has this suddenly happened to them and why are they being expected to do it? The chief development officers have sent each employee or member of the scheme a ten-page form to be completed. It is unfair to ask these people to do this work as many of them have no qualifications in the area of deciding what an individual learning plan should contain or what academic or training qualifications an individual would need. These are specialist areas for career advice people.

I am not bouncing this issue on the Minister today, as that would be unfair, but I ask her to go back to the Department to get a handle on what is going on with respect to chief development officers moving individual learning plans onto the backs of the local community employment supervisors. She might email me in a few days and let me know the position. I will finish on that note.

An Leas-Chathaoirleach: I appreciate the Senator doing that. I want to try to fit in the last two speakers.

Senator Lisa Chambers: It is fair to say the levels of State support from the Minister's Department for our citizens have been unprecedented during this time. It is right and proper that a First World country, one that values protecting its most vulnerable, would provide that level of a social safety net when people need it. We have done a good job, evidenced by the €10 billion or so we spent last year, in addition to normal spending, to protect and navigate our country through the worst elements of this pandemic. However, we are still on the front line. We are not there yet. We have a long way to go and the public is very aware of that. While it is welcome that we have certainty up until the end of March for probably the key support and payment, the pandemic unemployment payment, people are looking at the schedule for the vaccination programme and talking about holidaying next year, so we are thinking quite long-term with respect to coming out of this pandemic. We know we have another six months at least to go until things really turn. People need certainty about those supports upon which they rely so heavily, in particular the pandemic unemployment payment. The Minister's Department pays out approximately €140 million weekly on that payment alone. That is astronomical. It is keeping the wolves from the door for many people who rely on that payment. We know from the data we have collected that particularly those in retail, hospitality and the entertainment business have been the worst hit. Things do not look as though they will turn around too quickly for those sectors, especially in the next six months.

My plea to the Minister is that she, along with her partners in government and colleagues at Cabinet, provide as best as they can a schedule, a timeline and some certainty, even if she were to divulge to citizens what metrics she would use to assess how that payment will be maintained, until when it will be maintained and at what rates. For example, if she were to say that if we were to be under level 5 restrictions again, the PUP would always kick in. If people had some level of certainty and knew the parameters, they would at least know what to expect when things move. It is very difficult for the Minister or any other member of Cabinet to predict what might happen come July, August and so on. We do not know. The Government uses a certain rationale to make those decisions. If we knew the decision-making process, it would give people an element of certainty insofar as the Minister could provide it.

I also want to raise the issue of single-parent households who are finding things very difficult during these times. They would have fewer supports than many other households. Something needs to be considered for them in terms of a wrap-around support. Many of the community supports that were in place are no longer there. There is so much sadness, grief and challenge

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in the country that often people in those situations feel as though their voices cannot be heard because there is just not enough space to do so. That is a cohort of the population we need to look after because they are extremely vulnerable.

I also want to raise the issue of pilots in the aviation sector. Senator Craughwell also raised this issue. There is an issue in that sector to which we do not yet have a solution. More information is to be gathered. It presents a problem, particularly when right and proper decisions are being taken to restrict that industry and sector. We then have to try our best to look after those most impacted, as we would with any other sector.

The supports for business have been excellent, but many people with part-time or short-term contracts, in particular in the tourism and hospitality sectors, are looking for particular supports. They are the most important sectors for employment in many parts of rural Ireland. In my county, Mayo, quite a number of people are employed in retail and hospitality. Tourism, after agriculture, is our biggest sector. A lot of people are worried about talk of the sector not being fully open until the latter part of this year. Some sort of roadmap, plan or clarity, as best we can, would assist those sectors.

I wish the Minister well. It is a difficult task to mind everybody. It is what we must do and we are here to do our best in that regard.

Senator Emer Currie: I welcome the Minister, or Arthur's grandmother, to the House. Families are in the midst of peak stress and anxiety because of level 5 restrictions and schools being shut. The stress today is palpable when people are going back to work. The enthusiasm for homeschooling, for instance, is waning. Speaking for myself, we have not made it out for our 100 days of walking over the past two weeks. A lot of families are in the same boat. We are in a better position than most in terms of the support we have. A lot of people are fearful that rather than 100 days of walking there will be 100 days of persevering. In general, people need as much clarity as possible about where we are going.

Parents are working long hours as they try to be as productive as possible, even though they are double-jobbing with children at home. Children are struggling with homeschooling, social isolation, health and well-being, the difficulty of being confined to one household and the occasions and milestones they have missed. We have a lot to be hopeful for right now, in terms of St. Brigid's Day, vaccines and assurances from the Government about schools. I believe we have had some good news today.

Covid is still incredibly difficult for all families, in particular those with children with special needs and lone parents. Without the support of the Department, things would be a lot harder. There is still a lot of hardship out there. Making the PUP available to people who are struggling with childcare and work is a great, practical and positive move. I hope enough parents know about it.

Paid parental leave is being extended from two to five weeks from 1 January for each parent and the period during which it can be taken will be extended to the first two years after the birth or adoption placement of a child. Others have asked for clarity on this. Some mentioned April as a date because of IT systems. The Minister might inform us as to when that provision starts.

My question relates to working lone parents who are trying to juggle and cope with everything now and outside of Covid times. We know that over 85% of one-parent families are headed by women and are more prone to poverty. Is it possible to extend parental leave for lone

parents from five to ten weeks? The option is not available to such parents for a second parent to take five weeks' leave. Part of the purpose of parental leave is to encourage more men to take leave and to share care, but when that is not an option for lone parents could the five weeks be transferred? These parents, most of whom are women and some of whom are men, are trying to do it all. We support some of them through the one-parent family payment, the national childcare scheme, the back-to-school allowance and other supports. Allowing the leave to be transferred would be a universal support. It has been said in the past that Ireland was no place for lone parents. Perhaps this would be a small step towards making Ireland a place for all parents and children.

On community employment schemes and Tús, I understand they are not open to women who did not take jobseeker's allowance. There are plenty of people in my community who would love an opportunity to work on the CE or Tús schemes. I wonder whether that would be an option.

An Leas-Chathaoirleach: Thank you, Senator Currie. You have that well condensed. The Minister has approximately six minutes. We are ordered to be out for 6.45 p.m.

Minister for Social Protection (Deputy Heather Humphreys): I thank Members for their kind words of congratulation on the birth of Arthur, my new and first grandchild.

I also thank Members for their kind comments about the staff in the Department of Social Protection. On behalf of the staff, I wish to state it is important that the extraordinary work they have done since last March be acknowledged. They have managed to continue all the other payments along with the additional workload of the pandemic unemployment payment. They certainly have been essential front-line workers. On behalf of the staff, I thank the Senators for the acknowledgement of the great work they have been doing.

This was an engaging discussion on the important and relevant supports for people during this pandemic. It is evident from the discussion that there is recognition of the importance of the much-needed and deserving supports that my Department has provided and will continue to provide to the hundreds and thousands of workers and their families.

The future of the virus remains uncertain, as we know. For this reason the continued impact of Covid-19 on individual incomes and economic activity remains a key priority for this Government. I appreciate the concern around the availability of supports post March but I wish to reassure Members that the Government will not be found wanting in its support for people who will continue to be impacted. My Department's Estimate for 2021 is €25 billion, which is €4 billion or €5 billion more than our normal Estimate and will be increased, if necessary, in the months ahead.

As outlined earlier this month, I secured approval for the PUP to remain in place at the current rates of payment until 31 March this year. Obviously, given the extension of current restrictions until 5 March, we will now need to examine the future of the PUP beyond this point. That is a discussion that I will be having with my Government colleagues over the coming weeks. As part of those discussions, we will be taking into account where we are in terms of the trajectory of the virus, the roll-out of the vaccine programme and our plan to reopen the economy.

I have introduced a range of measures over the past 11 months to support those who are ill with the virus and their families, lone parents and the elderly. I am acutely aware of the effect

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that fuel costs have on households at this time. This is the reason the fuel season was extended by my predecessor for four weeks last year until Friday, 8 May 2020, which was the latest end date of any season in the past 30 years. In budget 2021, I also increased the fuel allowance by €3.50 per week to €28 per week for a period of 28 weeks from 4 January 2021. I will continue to monitor this support in the coming months.

I wish to emphasise that financial supports remain available to people who need them under the supplementary welfare allowance scheme, notably the exceptional needs payment. That support is in place and it can include assistance towards costs that are not budgeted for in advance. I know many Senators raised that issue with me. The supplementary welfare allowance is available and people may make applications to the local social welfare officer. This support could assist towards additional heating or electricity costs at a time when children are out of school. Reference was made to the issue of fuel poverty. The Government is committed absolutely to supporting the retrofitting of the housing stock, which is the ultimate solution to fuel poverty. This year will see the largest budget for retrofitting in the history of the State, with more than €100 million in capital funding to support lower-income households to retrofit their homes through the warmer homes scheme. The figure represents a €47 million increase on the 2020 allocation. In addition, funding of €65 million is being made available in 2021 through the Department of Housing, Local Government and Heritage to support the retrofitting of up to 2,400 social housing homes.

On taxation of the PUP and the comments made about it, this matter was extensively debated during the passage of the Finance Bill in November and December last. As a regular weekly payment, the PUP shares the characteristics of jobseeker's benefit, which is also taxable. More people who received the PUP are due a refund than are being asked to make an additional payment. I assure Members that Revenue will be adopting a fair and flexible approach to collecting tax due on payments made under the PUP. However, it is very important to remember that the PUP was put on a statutory footing in order that people could get their full social insurance contributions for the time they spent in receipt of the payment. This is very important as it means people's future entitlements will not be affected. Consequently, their social insurance contributions for the time they spent on PUP will be equivalent to what they would have been had they been working. That is a very important point to make.

Senators Ahearn and Currie raised parent's leave. The additional three weeks of parent's leave for each parent is very welcome. That brings it up to a total of five weeks for children born, I think, after November 2019. The Minister for Children, Equality, Disability, Integration and Youth, Deputy O'Gorman, wants to get this legislation passed as quickly as possible and it is my understanding that the Bill has been with the Joint Committee on Children, Disability, Equality and Integration since 8 January awaiting pre-legislative scrutiny. I understand that Deputy Kathleen Funchion is the Chairman of that committee. The Senators may wish to raise with the committee the matter of how we can progress the Bill as quickly as possible.

As we move beyond Covid, my Department will refocus its efforts on supporting people back into employment. We have the financial supports and the necessary skills and expertise to do this. The jobs stimulus package, worth €200 million, contains a variety of initiatives in the areas of skills development, work placements, training and education, recruitment subsidies and job search and assistance. I am confident these measures will provide the necessary support to ensure that people who, unfortunately, do not return to their employment will have new opportunities to retrain and to re-enter employment.

The issue of pensions for supervisors on community employment schemes was raised. The Minister for Public Expenditure and Reform, Deputy McGrath, met the supervisors before Christmas and there is engagement between my Department and his in an effort to resolve the issue.

Senators Craughwell and Chambers raised the plight of airline pilots. I commit to raising that issue at Cabinet because I understand it is a difficult situation.

I thank Senator Garvey for raising the issue of remote working, an area in which Senator Currie also has a strong interest. Over 50% of Department of Social Protection staff are working remotely and are doing so very effectively. We are at an advanced stage of developing a €5 million call for hubs. I have a keen personal interest in this matter and my Department will continue its efforts to grasp this once-in-a-lifetime opportunity to change the way we do things.

I thank Senators for their contributions, suggestions and ideas. I will take them into account as we adapt our response to Covid in the months ahead.

Senator Black raised the issue of musicians. I changed the requirements for the PUP to allow people who are self-employed to earn up to €960 over an eight-week period while continuing to receive the payment. That is some help. However, I do recognise that they are having a very difficult time.

An Leas-Chathaoirleach: I thank the Minister and all colleagues for their co-operation with this very important debate. The statements are adjourned. When is it proposed to sit again?

Senator Seán Kyne: Next Monday at 10.30 a.m. in the Dáil Chamber.

The Seanad adjourned at 6.50 p.m. until 10.30 a.m. on Monday, 8 February 2021.