



DÍOSPÓIREACHTAÍ PARLAIMINTE  
PARLIAMENTARY DEBATES

**SEANAD ÉIREANN**

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

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## SEANAD ÉIREANN

*Dé Luain, 22 Feabhra 2021*

*Monday, 22 February 2021*

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

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*Machnamh agus Paidir.  
Reflection and Prayer.*

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### Gnó an tSeanaid - Business of Seanad

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

The need for the Minister for Transport to provide an update on the timeline for completion of the M11 motorway from Oylegate to Rosslare Europort, County Wexford.

I have also received notice from Senator Joe O'Reilly of the following matter:

The need for the Minister for Transport to review the prohibition, in section 14(1) of the Taxi Regulation Act 2013, on the transfer of small public service vehicle licences during the lifetime of the holder of the licence.

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

The need for the Minister for Housing, Planning and Local Government to outline when the report on the review of the tenant purchase scheme will be published, and whether tenants who were in allocated council houses under Part V regulations can avail of the scheme.

I have also received notice from Senator Rebecca Moynihan of the following matter:

The need for the Minister for Housing, Local Government and Heritage to address the issue of level 5 restrictions on construction activity.

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

The need for the Minister for Justice to make a statement on issues relating to the housing assistance payment, HAP, scheme and access to the courts through the civil legal aid scheme.

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 in County Waterford.

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

The need for the Minister for Justice to provide an update on the proposed new Garda station in Clonmel, County Tipperary.

I have also received notice from Senator Barry Ward of the following matter:

The need for the Minister for Housing, Local Government and Heritage to provide funding to Dún Laoghaire-Rathdown County Council for harbours that were transferred to it under the Harbours Act 2015.

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

The need for the Minister for the Environment, Climate and Communications to make a statement on the Environmental Protection Agency yearly cap on septic tank inspections per local authority, thus limiting the number of households that can avail of septic tank improvement grants of up to €5,000.

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

The need for the Minister for Enterprise, Trade and Employment to make a statement on the supports in place for non-rateable businesses; and the reason for the exclusion of these businesses from the Covid-19 business aid scheme.

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

The need for the Minister for Education to provide an update on the delivery of a permanent extension for the Sacred Heart Secondary School, Clonakilty, County Cork.

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

The need for the Minister for Housing, Local Government and Heritage to outline how Galway can meet its national planning framework targets on population growth without a new main wastewater scheme for east Galway city, previously referred to as the east Galway main drainage project, a Project Ireland 2040 measure.

Of the matters raised by the Senators suitable for discussion, I have selected Senators Byrne, Joe O'Reilly, Gallagher, Moynihan, Boylan and Cummins and they will be taken now.

I regret that I had to rule out of order the matters raised by Senators Kyne and Davitt on the ground that the relevant Ministers have no official responsibility in the matters raised. The other Senators may give notice on another day of the matters that they wish to raise.

22 February 2021

## Nithe i dtosach suíonna - Commencement Matters

### Road Projects

**An Leas-Chathaoirleach:** I welcome the Minister of State, Deputy Peter Burke, to the House.

**Senator Malcolm Byrne:** I thank the Leas-Chathaoirleach for selecting this Commencement Matter for discussion. I thank the Minister of State for coming to the House to deal with it. As he will be aware, Rosslare Europort has expanded quite rapidly as a result of Brexit. Continental ferry traffic year on year increased by 447% in January. There are far more direct shipping routes and it is obvious that Rosslare Europort is continuing to expand. In a post-Brexit environment, the port will grow in importance. I sincerely hope that, in the long run, it will be classified as a tier 1 port. In addition, Rosslare Europort will play a critical role in the development of offshore wind infrastructure in the Irish Sea and the Celtic Sea. I believe it will become Ireland's offshore hub.

The Minister of State will be aware that the M11 motorway runs from the M50 and down through Wicklow and Wexford. It is a great road. However, those travelling south along the road suddenly come to a shuddering halt in the very pretty village of Oylegate. The problem is that there are tailbacks in the village. It is a great inconvenience to have lorries stalled in the village and it is also environmentally damaging. The lack of an extension to the motorway is also a major concern in Oylegate and Rosslare itself from a road safety point of view. The delays of approximately 20 minutes which are being experienced have a serious impact on logistics for those in the haulage business.

The Minister of State is aware that successive Governments have long promised to complete the M11. We have been waiting for a long time for that to be done. For some reason, there now seem to be delays in selecting the preferred route to complete the motorway. This process was undertaken in the past but it has had to be done again recently. Residents have been left in limbo regarding exactly what is happening. It is completely unfair to the landowners and property owners whose land or property may be on the possible routes that a preferred route has still not been indicated. The Seanad Special Select Committee on the Withdrawal of the UK from the EU has written to the Government to indicate strongly its view that the M11 must be completed. The Irish Road Haulage Association has said this initiative is key if we are to ensure the long-term development of Rosslare Europort, especially regarding easy access for vehicles using the port and ensuring there is no stalling of those vehicles in Oylegate. Rosslare Europort has stated that this is an essential development not only for vehicles now travelling to and from the port, but also for its long-term development. The completion of the M11 is also very important for the quality of life enjoyed by the people who live in Oylegate and Rosslare.

In the context of the review of the national development plan, NDP, and the critical importance of Rosslare Europort in a post-Brexit environment, I ask the Minister of State to provide us with an update regarding the plan in this regard. I also ask for an assurance that this project is a top priority for the Government because it is essential not only for Wexford and the south east but also for this country's long-term development. I would appreciate it if the Minister of State could provide us with as much detail as possible.

**Minister of State at the Department of Housing, Local Government and Heritage (Deputy Peter Burke):** I thank Senator Byrne for raising this important issue, which I am taking on behalf of the Minister for Transport, Deputy Eamon Ryan.

Once funding arrangements have been put in place through the Department of Transport, under the Roads Acts 1993 to 2015, the planning, design and construction of individual national roads is a matter for Transport Infrastructure Ireland, TII, in conjunction with the local authorities concerned. Overall, TII is responsible for the delivery of the national roads programme in accordance with Project Ireland 2040 and the NDP. In that context, TII provides the Department with regular updates on its delivery of the national roads programme.

I will provide the most up-to-date information available to the Minister in the timeframe up to this debate. Within the overall context of Project Ireland 2040, the NDP was developed to underpin the successful implementation of the national planning framework. This provides the strategic and financial framework for the national roads programme from 2018 to 2027. The focus of the activities of TII is accordingly being directed towards the development of the major national road improvement schemes aligned with and included in the NDP, along with the maintenance of the existing national road network.

The N11-N25 Oylegate to Rosslare Harbour project focuses on improvements to both the N11 and N25. The project commences south of the M11 Gorey to Enniscorthy motorway, which opened in 2019. The existing route runs through Oylegate village and on to Wexford, where it connects with the N25 road from Wexford to Rosslare Europort through the villages of Tagoat, Kilrane and Rosslare Harbour. This project consists of approximately 33 km of high-quality route which will form a strategic link between Rosslare Europort, Dublin and the rest of Ireland. The project will form part of two strategic links - between Rosslare Europort-Wexford and Dublin via the M11 and N11, and between Rosslare Europort-Wexford and Cork-Waterford via the N25.

The proposed scheme has been subject to pre-appraisal to establish compliance with the requirements of the public spending code and the common appraisal framework for transport projects and programmes. Approval was given by TII to Wexford County Council, as the sponsoring agency, to proceed with the appointment of technical advisers for phases 1 to 4, inclusive, of the TII project management guidelines in respect of progressing the planning, design and appraisal for the project. Phase 1, concept and feasibility, has been completed, while phase 2, option selection, has commenced. The virtual public consultation process on project constraints and option selections commenced on 6 July 2020 and concluded on 10 August. All feedback has now been considered by the project team and the detailed assessment of the scheme options and different combinations of scheme options is progressing to identify the option that best meets the project objectives.

The progression of this scheme is dependent on the availability of funding. The timeframe for delivery of any major or minor work projects requiring statutory approval, whether an environmental impact assessment report or compulsory purchase order, or both, is between eight to 13 years. As this project is in the early stage of planning it is not yet possible to provide an accurate estimate of the total cost of the project. The estimated cost cannot be finalised until the project reaches the business case stage process.

This project will increase the safety and capacity of the N11-N25 corridor. In addition to providing and improving the connectivity between Wexford and the surrounding areas of

international markets, this proposed project will also provide journey time reliability for road users which will improve the quality of life for local residents. It will strengthen Ireland's international links, having a positive economic benefit to the region. A major benefit provided by the proposed project is improvement in road safety and the provision of infrastructure that can accommodate a larger volume of road users. In addition, improved journey time reliability may encourage an increased usage of road-based public transport.

Rosslare Europort is a key strategic transport link between Ireland and both the European mainland and the United Kingdom. In addition to the N11-N25 Oylegate to Rosslare Harbour project, the N25 Rosslare to Europort access road project is proposing to provide improved access to Rosslare Europort from the N25 national primary road to ensure and secure the sustainability and competitiveness of our key transport link.

**Senator Malcolm Byrne:** I think the Minister of State realises the importance of this road and its completion. Again, I am concerned about the timeframe we are talking about. There is an ideal opportunity now in the context of the review of the national development plan, because obviously we are in a very different world from when the NDP was drawn up, and a number of submissions have been made about the importance of this. I ask that the Minister of State conveys to the Minister for Transport that this project is not just important to County Wexford; this is a critical piece of infrastructure for the country. Yes, it will improve road safety within the area but access and egress from Rosslare Europort is essential for this country's future economic development not just in terms of freight but, as I mentioned, the development of the offshore hub. Again, my concern relates to the timeframe we are talking about. I ask, in the context of the NDP review, that this would be given priority.

**Deputy Peter Burke:** I thank Senator Byrne for raising this very important issue and I will convey his concerns to the Minister, Deputy Eamon Ryan. Without doubt, this is a national project. Its importance is critical to unlock infrastructure and potential, and, especially in a post-Brexit era, it is compounded in terms of its importance. I understand how important it is that this project is included in the review of the capital plan. I will bring the Senator's views to the Minister, Deputy Ryan, in connection with that and thank the Senator for giving me the time to outline the merits of the project.

### **Taxi Licences**

**Senator Joe O'Reilly:** I thank the Minister of State for being here. The essence of this issue relates to the fact that at present holders of hackney or minibus licences cannot during their lifetimes pass on the business and licence to their children. On death, they can pass it to one of their children but in life they cannot so do. It is a huge anomaly and makes no sense. Obviously the personnel to whom they would be passing it on would have to reach the relevant criteria - that is not an issue - but they cannot pass it on in any circumstances.

This is best illustrated, if the Minister of State and the Acting Chairman bear with me, by reading a letter from the child of one of these licenceholders. I will not name them on the record of the House. I think it might be best not to, although the person seems not to care. The letter reads as follows:

Dear Joe,

Mr. ... [X] has operated a minibus and hackney business in ... [X location] for almost 30 years, having gained a reputation for being reliable and caring, the majority of his passengers are patients travelling to Dublin for treatment or hospital appointments.

The Family Business has employed 2 of his sons up until the impact of COVID, which effectively closed his business as he didn't qualify for ... [the supports contingent on rateable properties]. [The gentleman] ... is heading for 70 years of age and would now like to retire and will also be unable to secure insurance on his vehicles when he turns 70. His sons would be proud to carry on the family business [In fact, very much so and they are qualified] but because of 2 issues they are unable to take over. Firstly, ... [the dad's] hackney licence can only be transferred to one of his sons after his death. Secondly, ... [his] sons have explored the option of putting their own hackney cars on the road independently, however in order to secure a new hackney licence, this vehicle must be wheelchair accessible.

The issue here is that the two sons cannot both acquire wheelchair-accessible vehicles at an extra cost of €30,000 in a place where the volume of business is very small. Of course, they have no objection in principle and would be aspiring to that but it would not be a starting point for two of them. It would not be on financially and no financial institution would back them. The letter goes on:

In a rural area with limited business available, most work is sporadic and services are part-time, it is an unviable proposition for a new entrant to have 100% of their fleet wheelchair accessible. They have pointed out that the existing larger operators with lucrative state contracts are being encouraged to reach 15% wheelchair accessibility. Most existing wheelchair operators do not work nights or weekends which the brothers have done and wish to continue doing. Due to this regulation and cost, most towns and villages now have people operating illegally without proper insurance and garda vetting.

Most businesses affected by Covid have been offered financial support ... [and that is not relevant here].

The real issue is that the sons cannot inherit their father's business and they cannot do it in his lifetime, yet when he reaches 70, he cannot continue either. It is, therefore, a total anomaly. I am delighted the Minister of State is here because he, above all, would have an appreciation of this issue because of where he comes from. In a small town like, for example, Castlepollard, a taxi driver could not have a couple of wheelchair-accessible cars at €30,000 extra. It just would not be viable. The banks would not support him or her in it. That is the issue in essence.

**Deputy Peter Burke:** I thank the Senator for raising this matter I will bring the contents of his speech to the Minister, Deputy Eamon Ryan, because it is a very important issue.

At present the transfer of small public service vehicle, SPSV, licences is prohibited under section 14(1) of the Taxi Regulation Act 2013. All SPSV vehicle licences are unique to the person to whom the licence has been issued and cannot be transferred or sold to any other person. This took account of a review of the taxi industry conducted in 2011. Action 14 of the published report recommended the introduction of a general prohibition on the transferability of taxi licences. The rationale for this position is that the licence should determine a person's suitability to carry out a function and it should not have monetary value or be traded on the open market. There is also one exemption to this non-transferability restriction. As the Sena-

tor alluded to, section 15 of the same Act does provide for an SPSV licence to continue to be operated by a person who was nominated by the licenceholder in advance of his or her death. In the event of the death of the holder of a licence, his or her nominated representative may, within three months of the death of the holder, make an application to the National Transport Authority, NTA, to continue to operate the licence. The person nominated by the licenceholder can be any adult or company chosen by the licenceholder. The nomination process is free of charge and the person nominated can be changed at any time prior to the licenceholder's death.

Prior to the removal of the quantitative restrictions that had existed up to 2000, taxi licences were bought and sold for considerable sums of money. Thereafter, the value of vehicle licences plummeted as the size of the taxi fleet increased from under 3,000 to a total fleet size, including hackneys and limousines, of 21,315 as of 31 January 2020. Since 2010, it has been regulatory policy to issue new small public service vehicle licences for taxis and hackneys only in respect of a wheelchair accessible vehicle, WAV. However, for several years this policy was effectively undermined by the availability of standard taxi and hackney vehicle licences - for saloon type vehicles - by means of transfer.

The purchase cost of these licences by transfer was much lower than the additional cost of purchasing a WAV. This meant that it was much more commercially attractive for a new operator to purchase a transferred licence rather than a new WAV licence. The introduction of the transferability restriction in 2014 has addressed this issue. The number of WAV taxis at the end of 2013 was 898 while the total number as of 31 December 2020 was 3,015.

There are no plans to amend this legislation at this time. As mentioned, the rationale for the measure was that a licence should indicate a person's suitability to carry out a function and should not have, by association, a monetary value or be traded on the open market. As quantitative restrictions have been removed from the taxi market and there are no barriers to entry to this industry other than the obligation to use a wheelchair accessible vehicle, it is not clear how the transferring of licences would deliver benefits to the industry or members of the public who use these services, especially those who require access to WAVs. Under the current SPSV regulations, the holder of a taxi licence may rent or lease a licence to another person. Further information on rules for such arrangements can be obtained directly from the National Transport Authority, which is the statutory regulator for the sector.

**Senator Joe O'Reilly:** The Minister of State's response is disappointing and I would like him to convey that to the Minister for Transport. He did not address this anomaly, which could easily be legislated for without damaging the Department's overall objectives. There is no issue with the person's suitability to carry out the function. The Minister of State said that the rationale is that the person must be suitable. That is not a problem and no one is suggesting otherwise. The licence can only be transferred on the person's death but the issue in this case is that there are a couple of sons and the onus is on both of them to have two wheelchair accessible vehicles in a small community to qualify for licences. That is just not a viable option or an economic proposition. There is an anomaly and an injustice in the legislation, as in the case of the letter I read out, and it is also replicated elsewhere. All I am asking is for a modification of the legislation to cover that injustice and not to get rid of the spirit of the legislation.

**Deputy Peter Burke:** I thank the Senator for raising this matter. He set out well the issue about which he is concerned and I will raise it with the Minister for Transport, Deputy Ryan, on foot of this debate. The Minister has pointed out that he wants to protect the integrity of those

wheelchair accessible vehicles as regards the licence being traded on the open market. One can see where he is coming from but one can also see the merits of the case of the poor family the Senator has raised, who I am sure are going through a significant amount of stress at this time. I will bring what the Senator has said to the attention of the Minister and request that he revert back at the earliest possible opportunity.

### **Tenant Purchase Scheme**

**Acting Chairperson (Senator Pat Casey):** Three years ago I sat with the Minister of State's predecessor, Deputy English, discussing this very issue. It is important that we try to get a solution to it.

**Senator Robbie Gallagher:** Cuirim fáilte roimh an Aire Stáit chuig an Teach ar maidin. The Minister is very welcome to the House and I thank him for taking time out of his busy schedule to discuss this important matter. Most people and most families would like, where possible, to own their own homes. That is a credible and laudable ambition for most people. Not everyone will want to do so, but for those who do, it is important that the Government does all it can to encourage home ownership. Unfortunately, for people who currently live in Part 5 social housing, the option of purchasing their own home does not exist. That is very disappointing and clearly discriminates against those who wish to purchase their own home. I have been contacted by many people, as I am sure the Minister of State has, who would like to purchase their own home. Apparently 4,000 people throughout the country are affected by this. In my own county of Monaghan and in Cavan, there are approximately 160 families who invested money in their homes and properties, doing them up and looking after them. They are heartbroken at the news that they cannot buy out their own house. They are stuck in an awful position.

I have raised this issue, as have many others, including the Cathaoirleach Gníomhach, over the past number of years and have been told that this particular tenant purchase scheme has been under review since 2016. The Minister of State does not need me to tell him that this is now 2021 and we still await the findings of that review. The programme for Government contains a rejig of the social housing scheme in general and that is very much welcome. Can a number of issues be addressed for people within that scheme? One is the Part 5 situation, where people can buy out their homes.

Another cohort of people who are looked after by social housing bodies is also affected. These social housing bodies have been a vehicle that the Government has used to supply much-needed housing, which is very welcome. However, the families who are in those homes and who wish to buy them out are precluded from doing so.

The other issue which one would hope would form part of the review and which needs to be addressed is the income limits for people to initially qualify for social housing. Currently, in the part of the world I come from, and I am sure it is somewhat similar in the Minister of State's area, the threshold for a single person is something in the region of €25,000 while for a young couple, the ceiling is only €26,250. That is an income of approximately €13,000 each, which is totally out of kilter with where the real world is at.

Those are a couple of issues on which I hope the Minister of State may have some positive news for us and which will be addressed as part of this review. I look forward to his comments in that regard.

**Deputy Peter Burke:** I thank Senator Gallagher for raising these issues. Unfortunately, the Minister, Deputy O'Brien, sends his apologies, as these issues are directly under his area of responsibility.

The tenant (incremental) purchase scheme 2016 for local authority housing is underpinned by Part 3 of the Housing (Miscellaneous Provisions) Act 2014 and the associated Housing (Sale of Local Authority Houses) Regulations 2015. The scheme is open to eligible tenants, including joint tenants, of local authority houses that are available for sale under the scheme. To be eligible, tenants must meet certain criteria, including having a minimum reckonable income of €15,000 per annum and having been in receipt of social housing support for at least one year.

The 2015 regulations governing the scheme provide for a number of specified classes of houses to be excluded from sale under the scheme, including houses provided to local authorities, as rightly pointed out by the Senator, under Part 5 of the Planning and Development Act 2000, as amended. In addition, it excludes houses specifically designed for older persons, group Traveller housing, and houses provided to facilitate people with disabilities transferring from institutional care to community-based living.

The provisions of Part 5 of the Planning and Development Act 2000, as amended, are designed to enable the development of mixed tenure sustainable communities. Under the terms of the tenant purchase scheme 2016, Part 5 homes, regardless of when they were tenanted, are excluded to ensure that homes delivered under this mechanism will remain available for people in need of social housing support and that the original policy goals of the legislation are not eroded over time.

The continued development of mixed tenure communities remains very important in promoting social integration. Local authorities may also, within the provisions of the regulations, exclude certain houses which, in the opinion of the authority, should not be sold for reasons such as proper stock or estate management. It is a matter for each individual local authority to administer the scheme in its operational area in line with the over-arching provisions of the governing legislation for the scheme, and in a manner appropriate to its housing requirements.

A review of the first 12 months of the scheme's operation has been undertaken. The specific issue raised in respect of Part 5 properties has come to the Department's attention as part of the review. The programme for Government commits to maintaining the right of social housing tenants to purchase their own home with reforms envisaged to the current scheme including a requirement that the tenant has been *in situ* in the home for at least ten years, a reduction in the discount to a maximum of 25% and to ensure that local authorities have the first call on the purchase. The programme for Government also contains a commitment to putting affordability at the heart of the housing system, prioritising the increased supply of public, social and affordable homes and increasing the social housing stock by more than 50,000, with an emphasis on new builds. These, and the many other housing-related commitments, are the areas the Department is focusing on right now and they will be the subject of a fresh plan for housing that the Minister intends to publish later this year.

The review of the tenant (incremental) purchase scheme 2016 and the commitments in the programme for Government are being examined as part of the work on the broader social housing reform agenda. The Minister expects to be in a position to finalise changes to the scheme once the work on these reform measures is complete.

**Senator Robbie Gallagher:** I thank the Minister of State for his response. Until the last few lines, it was disappointing but I am heartened by the fact the Minister may publish the reviews later this year. I certainly hope the reform, which is much needed, will address the three issues that I raised, in particular so those who want to buy out their homes will have the opportunity to do so, whether they are in Part 5 housing or housing provided by a social housing body, and so the income limits, another issue that is in need of reform, will be addressed to reflect where people are at financially in their lives.

**Deputy Peter Burke:** I thank Senator Gallagher for raising these important issues. As Minister of State, I have also been pressing for the conclusion of both of these reviews within the Department. The Senator raises a very important matter on the income limits review for social housing in regard to the proposal that some income may be disregarded. We have the potential to work on that issue and I think we should. I will continue to raise it. The reform of the tenant purchase scheme is also very important. As the Acting Chairman rightly pointed out, this review has been under way for a long time. The Minister has taken a fresh look at it. I answered a parliamentary question in the Dáil recently and stated that it was in its final stages. We will press hard to try to get a conclusion shortly.

### **Covid-19 Pandemic**

**Senator Rebecca Moynihan:** I want to raise the issue of the revision of construction activity due to be announced in the coming days. It was welcome that, since January, essential construction such as social housing has been allowed to continue. If the indications from the Taoiseach are to be believed, however, we are looking at another half a year during which other non-essential construction activity will be restricted. That is fine when it comes to things like people adding extensions to their houses or something that is considered non-essential, but the restrictions on non-essential work are affecting projects of critical importance that fall under the definition.

I want to raise the issue of the Safari Childcare crèche on Clancy Quay, Dublin 8. The renovation works to convert the building to a suitable space have been deemed non-essential. The crèche was due to open in early 2021 but the works were delayed due to Covid-19 restrictions. The date of the reopening was then postponed to May 2021 and it has now been delayed again, with no certainty or timeframe as to when we can expect that crèche to be open.

I have been contacted by an essential worker who is on maternity leave and who will have no childcare in order for her to be able to return to work. She has no family in Ireland and cannot rely on extended family to help. Childcare is essential for women to be able to return to the workplace after maternity leave or to be able to continue in their jobs. We know the majority of care workers, for example, are women. This area has the largest medical campus in the country, at St. James's, and childcare is even more essential as many people in the locality are essential medical workers. When it opens, the Safari Childcare facility on Clancy Quay will also be providing free early childhood care and education scheme pre-school places. It is essential for many people who live in the area or who work in hospitals like St James's or Crumlin children's hospital to be able to work.

I ask that, in considering the construction restrictions, the Government expands its definition of essential projects so it covers those that are socially essential, including things like schools and childcare. I ask the Minister of State to bring those concerns back to Government

in order that we can ensure that half a year will not be wiped out and that work on really essential, including socially essential, facilities will be completed.

**Deputy Peter Burke:** On 6 January 2020, the Government announced that additional public health restrictions would apply under level 5 of the plan for living with Covid-19. The decisions relating to the enhanced restrictions followed advice from the national public health emergency team that the situation with the virus had deteriorated to the point where there was an absolute need to reduce the level of mobility and congregation to reduce all opportunities for transmission. People have been urged to stay at home except for absolutely essential reasons.

The construction sector has responded effectively to the challenges presented by Covid-19 during 2020. Effective protocols were put in place and few outbreaks occurred among construction workers. However, the trajectory of the disease was such that the Government took the decision that most construction should cease with effect from 6 p.m. on Friday, 8 January.

The restrictions were addressed in the regulations made under the Health Act 1947 and provided for certain exemptions to allow the continuation of certain essential construction activity. The exemptions were based on decisions taken by the Government and extended beyond the remit of my Department. The exemptions included the construction or development of essential health and related projects, including those relevant to preventing, limiting, minimising or slowing the spread of Covid-19; the construction or development of essential educational facilities at primary and post-primary levels, including school building projects; certain essential projects relating to the construction and development of the Technological University Dublin campus, Grangegorman; the construction or development of social housing by a local authority where the project is scheduled for completion by 30 April; essential work on vacant residential properties that is necessary to allow the property to be allocated to a household on the social housing waiting list and which is scheduled to be completed by 28 February; construction work relating to housing adaptation grants, subject to the homeowner consenting to the work continuing; pyrite remediation works scheduled for completion by 31 January; the repair and maintenance of construction of critical transport and utility infrastructure; the supply and delivery of essential emergency maintenance and repair services to businesses and places of residence on an emergency callout basis; housing construction and completion works ongoing on 8 January where such works were scheduled to be completed by 31 January; construction and development projects that relate to the direct supply of medical products for Covid-19; and construction related to maintaining certain supply chains.

Work is under way to prepare a revised Covid-19 strategy to take into account learnings to date to enable us to best navigate the period ahead. This is expected to be considered by Government tomorrow. A return to education for our young people and full-time resumption of non-urgent, non-covid health and social care are key priorities. In these vital areas progress will be on a phased basis and at a gradual pace. This is to protect and further advance the recent downward trend of the disease trajectory we have seen through the collective adherence to public health measures by the public. This will be carefully monitored over the coming weeks, especially in light of the variant B117, which is now the dominant variant in Ireland. The health and social care system remain under significant pressure during the current wave. While there has been significant reduction in the demand on the system due to the reduction in hospitalisation, the level of hospitalisation at present has only recently fallen below the previous peak of the first wave. However, the wider construction sector has operated safely since restrictions were first eased in early summer 2020 and I am confident that it will continue to do so as restrictions are eased in the weeks and months ahead.

Senator Moynihan may wish to bring the case she has raised to my attention. She makes a valid case. As a father who needs childcare, I can absolutely see how important it is for families to be given that service and the Senator has outlined the case well. We would be delighted to bring it to the attention of the Department to see if we can get something resolved.

**Senator Rebecca Moynihan:** My thanks to the Minister of State for a comprehensive reply. I understand the need and the reasons for the restrictions. I believe in expanding the definition to more social projects, for example, those relating to schools or childcare facilities. Anyway, that is a comprehensive and open answer from the Minister of State. I will forward the details to him.

**Deputy Peter Burke:** We will revert to the Senator as soon as we can because she makes a valid case for an essential service. Childcare is one of those services that society needs to be able to work and respond.

### **Housing Assistance Payment**

**Senator Lynn Boylan:** I thank the Minister of State for coming into the House today to address what I see as a very urgent issue. It has come to my attention that under the Civil Legal Aid Act 1995 housing assistance payments, HAP, including homeless HAP, are being taken into account as a means or an income when a person applies for civil legal aid. I am sure the Minister of State, in his role in the Department of Housing, Local Government and Heritage, knows that HAP and homeless HAP are never paid to the tenant; they are paid directly to the landlord. How can they possibly be taken into account as an income? This is a deeply unfair interpretation of the law and it is denying many people who are already in precarious situations access to justice.

In order to qualify for HAP, one must be eligible for social housing. Eligibility for social housing is already means-tested and predicated on a person being on a low income. In a private rental system where a tenant is in receipt of HAP, the tenant pays their portion of the rent and HAP is then paid directly to the landlord to meet the shortfall. Calculating this subsidy, which never passes the hands of tenants, as an income is deeply cruel and has a disproportionate impact on women. The majority of people in receipt of HAP are women, as are the majority of single-parent households.

I will outline a hypothetical situation in order that the Minister of State can hear the impact this interpretation of the law is having. A mother with two children, who we will call Ms A, has procured a barring order against an abusive partner. He is ordered to leave the family home. She then changes the rental agreement pertaining to that home to exclude her ex-partner and does the same with her HAP agreement. She initiates proceedings for maintenance and her ex-partner does likewise for access to the children. Her only sources of income are the lone-parent family payment of €275 per week and child benefit. From the €275 she pays a portion of the market rent to her landlord and the balance of the rent is paid as a HAP payment directly to her landlord. However, when she applies for legal aid she is refused because the HAP payment, which she does not receive directly, is being classed as her income. This takes her above the €18,000 threshold and as a result she is effectively denied access to the courts. Without legal aid, and on a lone-parent income, she cannot seek legal advice privately because, as we know, the cost of a one-hour consultation can be anything up to €350. In these circumstances, Ms A, who is already in a precarious situation, cannot proceed with her application for maintenance

and her children will not have their voice heard in respect of the access proceedings brought by their father in a situation of domestic violence.

That is just one example of how the policy of including HAP as income is deeply discriminatory. It is punishing people, most of whom are women, because they are not able to meet the cost of their rent. This is taking place in a situation where there is a housing crisis with some of the highest rents in the European Union. I urge the Minister of State to commit to addressing this issue as a matter of urgency.

**Deputy Peter Burke:** I thank Senator Boylan for this Commencement matter. I am responding on behalf of the Minister for Justice. The Legal Aid Board provides legal advice under the Civil Legal Aid Act 1995 and the Civil Legal Aid Regulations 1996 to 2017. Section 3(3) of the 1995 Act provides, “The Board shall, subject to the provisions of this Act, be independent in the exercise of its functions.” The matter raised by Senator Boylan regarding the housing assistance payment and the civil legal aid scheme is currently subject to judicial review proceedings in which the Minister for Justice is a notice party. As such, the matter is *sub judice*.

In the circumstances where the courts are the subject of legal proceedings which are currently before the High Court, I hope the Senator will appreciate it would be inappropriate for the Minister to comment on this matter at this time. The Minister, Deputy McEntee, is happy to engage further with Senator Boylan on this matter, on the issues raised by her which she is very concerned about, and on the important and distressing example she has put before the House.

**Senator Lynn Boylan:** Given that it is subject to regulations, I hope the Minister will change the regulations to ensure that interpretation is not taken in terms of HAP. How is it legal that the State in one case is treating tenants in local authority housing or that of housing bodies differently from those tenants, eligible for social housing, but who due to the chronic shortage of social housing are forced into the private rental market with a top-up HAP? This is clearly discriminatory.

I also suspect that this is in violation of the European Convention on Human Rights, particularly in respect of Article 6 and right to access the courts. I remind the Minister of State of the European Court of Human Rights ruling in the case of *Airey v. Ireland* where it found that it would be unreasonable for anybody to be expected to represent themselves in court but because HAP is seen as income, we are forcing people to do just that.

**Deputy Peter Burke:** I acknowledge the frustration because the case is *sub judice*.

More generally, while it is recognised that significant and competing demands are being made on the legal aid system, in budget 2021, the Minister, Deputy McEntee, secured an increased provision of more than €2 million for the Legal Aid Board bringing its total funding to €44.6 million for this year, representing a 6% increase. At the same time, the Minister has asked her Department to conduct a comprehensive review into the current civil legal aid scheme which will report shortly.

**Acting Chairperson (Senator Pat Casey):** I thank the Minister of State for attending the House. I think he is here more often than I am.

## **Disability Services Provision**

**Acting Chairperson (Senator Pat Casey):** I welcome back the Minister of State, Deputy Butler, to the House. She is also in the House more often than I am.

**Senator John Cummins:** I thank the Minister of State for taking this matter, which I have had tabled for consideration for several weeks. I am glad to finally have the opportunity to raise it.

Notwithstanding the response given to a parliamentary question last week indicating positive news regarding a new multidisciplinary early intervention and respite care centre for children with complex additional needs on the grounds of St. Otteran's Hospital in Waterford City, it is important to put some information on the record with regard to the inadequate nature of the existing Sacred Heart centre and associated disability services that operate from Johnstown industrial estate.

While the commitment and dedication of the staff that work at the existing Sacred Heart centre cannot be faulted, the facility is simply no longer fit for purpose. It was built more than 44 years ago and has numerous disadvantages. The HSE has identified that it does not conform to Tusla requirements. There is a lack of ceiling track hoisting and appropriate storage facilities, which are a health and safety risk; there is poor ventilation contrary to building conditions; it is poorly lit with a lack of natural light; there are narrow corridors, which do not meet current standards; there are inadequate parking and set-down facilities and inadequate space or quiet areas to support children with sensory processing disorders. There is a requirement to hire external venues when offering training to parents and staff.

Some of the other disability services, such as physiotherapy, occupational therapy, psychology, nursing and social work, currently operate out of a building on Johnstown industrial estate, which was leased by the HSE in 2003 for 20 years. This building is also highly unsuitable for children with complex needs due to capacity and building issues. The waiting area is too small for children and families with buggies or wheelchairs. Clients have to stand in the hall when they are waiting. The rooms are not of an appropriate size. In winter, the building is prone to flooding and there is a lack of storage space for occupational therapy and physical therapy equipment. One clinical room is dedicated for storage, which reduces clinical capacity. Sound-proofing is non-existent, which means that speech and language therapy services are delivered from University Hospital Waterford.

The latest census for Waterford showed that the number of children with complex disabilities stood at 1,125. The need for an integrated and multidisciplinary centre to deliver for young children and families cannot, therefore, be underestimated.

This brings me to the response issued by the Minister for Health, Deputy Donnelly, to a parliamentary question on this matter which indicates that this much-needed project will be included in the capital plan for this year. The same response, however, says that it will not go to tender until late 2022, with a view to completion in 2025. That is just not good enough. I am sure the Minister of State will agree that these children, their families and the staff have waited long enough. This project must be fast-tracked. I see no reason it could not go out to tender and be commenced next year. I appeal to the Minister of State, her officials and the Minister to clarify and expedite the timelines for this project.

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Finally, it would be remiss of me not to mention the fantastic charity, Touching Hearts, which has been raising funds for this project since 2017. I know the Minister of State has engaged extensively with the group, as has the former Senator, Paudie Coffey. I had the pleasure of nominating the group as one of the charities for my mayor's ball in 2017. Since then, it has raised €415,000 towards this project. It is committed to raising €1 million towards the cost, which is estimated to be between €11 million and €15 million. I thank Ann Marie Queally, Dermot Dooley and all of the committee members, staff and parents for their drive, determination and commitment to this project, which will be life-changing for this generation, and future generations, of our most vulnerable young citizens.

**Acting Chairperson (Senator Pat Casey):** The Minister of State has four minutes. I am sure she is well aware of this project.

**Minister of State at the Department of Health (Deputy Mary Butler):** I am very well aware of it. I thank Senator Cummins for raising this issue and giving me the opportunity to outline to the House the position. He is quite right in everything he has said and I thank him for the very comprehensive overview of the situation pertaining in the Sacred Heart Centre, which provides services for children with complex additional needs.

As the Senator will be aware, the early intervention services provided by the Sacred Heart Centre on Lady Lane, Waterford, empower children with a broad range of intellectual and physical disabilities and challenges, many of which are profound, and their families to develop their full potential in a safe and nurturing environment. Referral to this specialist centre for a child nearing two years of age or younger, if deemed necessary, can be a lifeline for families. Children attending the centre access a range of personal, social, cognitive, communicative and fine and gross motor skills programmes. Family members and staff work as a team to plan, implement and evaluate services tailored to the families' unique concerns, priorities and resilience. The centre also provides training and support to families, communities, preschools and schools, as appropriate. In speaking about referral to this vital service, we have to compliment the staff because the current service is absolutely fantastic, as the Senator has outlined. Any service is only as good as its staff. Having visited the site, I can say that this centre's staff are spectacular.

The Senator mentioned the charity set up to support the building of the new Sacred Heart Centre, Touching Hearts. The current facilities are completely inadequate as they are too small and too old and are not fit for purpose, as the Senator has outlined. The benefits of a new building for children and parents availing of this service include that it will greatly improve morale and on-site facilities and that it will result in improved and increased access for parents to training and education. As the Senator quite rightly said, Touching Hearts has been raising awareness for many years. It has also been raising funds and supporting families and staff. The group must be commended for its tireless work to reach this stage.

The HSE has advised that the development of children's disability services at St. Otteran's Hospital, Waterford, has been approved for inclusion in the HSE's capital plan. If approved, a design team will be procured this year. It is expected that the plans will go to tender in late 2022, with construction due to commence in 2023. The programme of construction should last for a period of 18 to 24 months, but I will come back to this point in my supplementary reply. It is important to recognise that the delivery of capital projects is a dynamic process and is subject to the successful completion of the various approval stages, in line with the public spending code, which can impact on the timeline for delivery. This is welcome news, especially for children who have significant developmental delay in a number of areas and require a considerable

amount of individual attention and who are only able to participate in small group situations for short periods of time.

**Senator John Cummins:** I thank the Minister of State for her confirmation again this morning that the project is to advance as part of the capital plan. As she rightly stated, this is a facility for our most vulnerable young citizens and the timelines that are set down are not adequate, given that this project is to only go out to tender at the end of 2022. It is February 2021 now. I see no reason not to proceed more quickly and for the project to go out to tender and construction in 2022. The families, individuals, staff and parents have waited too long for this facility already. Since 2017, the commitment, drive and determination of those involved has raised almost half of their €1 million target and it is important that we as a Government now show our commitment to the project and expedite it as quickly as is humanly possible.

**Deputy Mary Butler:** The development of a multidisciplinary, early intervention and respite care centre for children with complex additional needs on the grounds of St. Otteran's Hospital in Waterford is an important and significant project and it has been long fought for by many. Many people in both the Dáil and Seanad have advocated for this to happen. I agree with Senator Cummins that the announcement is very welcome and positive. I look forward to working with him to progress the timelines in a positive manner. Timelines are key, but I do not believe the service users and staff can wait for completion until 2025. It is unusual for me to say that as a Minister of State, but I am acutely aware of the premises the children and staff are accommodated in. I visited the hospital approximately 12 months ago before the election and I saw exactly what the Senator has outlined about storage space, capacity, hoisting, hydrotherapy and other such facilities that these vulnerable children need. They need every opportunity so that no child is left behind.

I look forward to working with the Senator on this project. The timeline is as I outlined, that it will go to tender in late 2022, but I believe that should be expedited. Construction is due to commence in 2023. There is a period of 18 to 24 months for completion. These children and families have waited long enough. I will work closely with the Senator to try to expedite the project as quickly as possible. I will also speak to the Minister, Deputy Donnelly, about the timelines.

*Sitting suspended at 11.40 a.m. and resumed at 12 noon.*

### **Ábhair Ghnó an tSeanad – Matters on the Business of the Seanad**

**An Cathaoirleach:** I wish to mark the fact that a small country a lot like Ireland this week celebrates its independence. A year before Dáil Éireann sat for the first time, Estonia declared independence on 24 February 1918. It is a small county that, like Ireland, struggled for so long for independence and, as such, we share a common bond. Of course, we also share membership of the European Union and the UN Security Council. We share a love of language. Estonian is an exam subject in schools here and there are statues to Oscar Wilde and Eduard Vilde, an Estonian literary icon, in both Galway city and the university city of Tartu in Estonia. This year marks the 30th anniversary of the establishment of diplomatic relations between Estonia and Ireland. On Estonia's national day, we wish all its citizens a very happy, safe and peaceful Estonia day. We hope that H.E. Aino Lepik von Wirén, the Estonian ambassador to Ireland, will be

able to join us next year to mark Estonia Day. In my best Estonian, *head Vabariigi aastapäeva*. There is no proposal on the Order of Business. I call Senator Gallagher, who is the Fianna Fáil Whip and leading off for that party.

**Senator Robbie Gallagher:** Last week, NatWest Bank announced its decision to wind down the operations of Ulster Bank in the Republic of Ireland. The reason given was that it was no longer profitable. The loss of Ulster Bank is a major blow to the State and to the many communities in which this bank has operated for more than a century. Ulster Bank has been particularly strong in Border communities, and its branches have operated in prime locations in many towns, including The Diamond in Monaghan town. Branches of the bank have also operated in many other prime locations throughout the country.

The timing of this announcement in the midst of a worldwide pandemic is greatly disappointing. The manner in which the staff of the bank were informed, hours before the press release, was also very disappointing and, quite frankly, not good enough. I reiterate that the decision is a huge blow to the communities in which the bank branches are located and the manner in which staff were informed of this development was also disappointing. It is a worrying and uncertain time for the 2,800 staff members who work with the bank and for all the holders of accounts with Ulster Bank.

I would like us to ask the Minister for Finance, Deputy Donohoe, to come into this House to advise us on what the Government can do to protect those Ulster Bank account holders and what future the Government can provide for those people. At the moment we have a duopoly of banks in this country with Bank of Ireland and Allied Irish Banks, AIB. We have a lack of competition. There has been talk of PermanentTSB, PTSB, and AIB coming together in some form to buy some of Ulster Bank's business operations. I think the PTSB option must also be explored. It would be timely for the Minister to come into the House, therefore, so we can have a debate about Ulster Bank, its account holders' future and the broader future of banking in this State and what that will look like in future in order that people and communities can plan ahead.

The other issue I raise is that of green certificates, which are vitally important in the agriculture sector. These green certificates allow young people to avail of existing grants and schemes in the sector, and it also makes the inheritance of land a more viable option. We have a chronic lack of places where it is possible to earn green certificates now. There was an incident recently in Westport in Mayo where 450 people applied for some 200 places in respect of green certificates and those places were taken up within six minutes. Westport College of Further Education has stated that it has demand for about 1,000 places in 2021. I ask that this issue be addressed by the relevant Minister or Ministers. What is needed here are simply more places on the course in question for green certificates and more tutors to deliver those courses so that young people can enter the farming sector without obstruction, which is what we want them to do.

**An Cathaoirleach:** Leading off for Fine Gael today is that party's Whip. I call Senator Kyne.

**Senator Seán Kyne:** I concur with the need to examine and address the two issues raised by my colleague, Senator Gallagher. The development regarding Ulster Bank is worrying, and I would welcome an early opportunity for a debate with the Minister for Finance on this important issue. I am thinking of the staff of the bank. I am also thinking about its mortgage holders and other customers, whose *status quo* continues, which is very welcome. However, the long-term future of Ulster Bank and its branches, which are prevalent in so many rural towns, is an

issue.

We are nearly two months into this lockdown and the figures concerning Covid-19 are still too high. They are stubbornly so, unfortunately, which may be evidence of increased transmissibility of these new variants. This is even before the schools reopen. I wish the Cabinet sub-committee on Covid well in its very important deliberations as we move towards some relaxation and some reopening of the country in the midst of figures that are still very high.

I acknowledge the welcome and encouraging news on Covid vaccines and the increased ramping up of vaccination, which give hope to everybody. It is wonderful to see the photos and video footage of people aged over 80 or 85 receiving their vaccines. It gives encouragement to everybody that the end of this horrible pandemic is in sight. That we will have over 100,000 people vaccinated in the coming week and more than 250,000 people vaccinated next month and in April gives hope that there will be a return to normalisation.

The pandemic has had a huge impact on people's mental health. One way to protect our mental health is to exercise and get out and about in the fresh air. We have seen large numbers of people arriving in various parts of the country. I wish to discuss the two areas of sea swimming and golfing. Playing golf is important, particularly for retirees. If one is not lucky enough to live within 5 km of a golf course or one's local golf course, it creates difficulties. I hope the Cabinet sub-committee will consider this matter because many people, particularly retirees, like to play a round of golf in pairs.

Sea swimming has created a buzz in Salthill and Galway in general. If people who are used to swimming in the sea, perhaps early in the morning, suddenly find they can no longer do so because the coast is beyond their 5 km limit, that has an impact. Perhaps consideration can be given to allowing people to drive to the sea and get in for a swim in a safe manner without meeting or engaging with other people. I ask that those two issues be raised with the Cabinet sub-committee.

**Senator Sharon Keogan:** Councillor Frank Roche in Cork and Councillor Brendan Fay in Cavan have asked me to request an extension to the hedge cutting season by two weeks due to poor weather conditions, as called for by the Association of Farm and Forestry Contractors of Ireland. The hedge cutting season ends on 28 February so urgent clarification on this issue is required for farmers and hedge cutting contractors.

I was greatly dismayed to learn that Ulster Bank is winding down its operation in Ireland. My first thought was for the 2,800 employees of the bank who face the imminent threat of redundancy and their families. We already face an economic and unemployment crisis. Many businesses and jobs are effectively on life support. As soon as State supports for businesses and workers, such as the temporary wage subsidy scheme, are withdrawn, we could see a considerable lengthening of dole queues.

I am also concerned about the fallout of Ulster Bank's decision for small and medium-sized businesses and consumers, as well as the erosion of competition in the already uncompetitive banking sector. This is a grave threat to the economy, which already has to contend with the impact of Brexit and the Government imposed shutdowns. It is another unwelcome storm cloud when the mood of the nation is already gloomy. People are living under a cloud of fear and negativity being generated by sections of the media, the Government, the political classes and the National Public Health Emergency Team, NPHET. People are not being allowed to live. It

is not right to permit the country to be ruled as if it were a hospital ward and our people to be treated like they were all vectors of a disease.

The Government's so-called living with Covid strategy is a fraud and has been an abject failure. Is being permitted to leave one's home only to go to a supermarket or a pharmacy living with Covid? Is being fined by the Garda for going for a walk in the hills or swimming in the sea living with Covid? To my mind, this is a dystopic vision of living. Even the term "strategy" is a misnomer. It gives the impression of a plan that is fully thought through, nuanced and sophisticated, that takes account of its consequences and provides predictable clarity and stability. This muddled approach by the Government is anything but that. It is a series of arbitrary and *ad hoc* policies like the €9 meal with a pint policy, locking people down in their homes, shutting down businesses, squeezing the life out of society and bungling attempts to roll out vaccines. This is the Government's living with Covid strategy. It is a dubious one which is having a terrible effect on the health and mental health of this nation. I am deeply concerned about what short, medium and long-term effects the lockdown will have on people. I am concerned about the ballooning public debt and the prospects of businesses collapsing. I am concerned about the fallout from the closure of Ulster Bank. This nation needs a fresh approach that requires and provides real leadership. We need a Government that provides hope and opportunities to people to flourish in spite of the virus.

**Senator Ivana Bacik:** I join other Members in expressing my solidarity and great concern for the many staff of Ulster Bank who are facing such devastating news about the job losses resulting from the closure. I urge the Government to do all it can to ensure jobs may be saved in the sector.

I wish also to ask the Leader to raise some matters with the Cabinet sub-committee on Covid. As Deputy Alan Kelly said at the weekend, we in the Labour Party are seriously concerned about the lack of a coherent strategy on Covid from the Government. All around us, we are all seeing increasing frustration, an increasing drift back into offices as people feel a lack of hope for the future and the lack of any clarity in communication from the Government on how we progress our way out of this awful pandemic. In this House, I have urged successive Ministers to adopt a zero Covid strategy, to adopt a national aggressive suppression strategy along the lines the Labour Party is advocating for. All Opposition parties are united in calling for a more aggressive suppression strategy, the introduction of a much tighter level of control on the level of people coming into the State, the speeding-up of the mandatory hotel quarantine measures and the need to ensure people feel there is a strategy for coming out of this and for ensuring that this is indeed our last lockdown.

There is also a need to ensure that where people are being policed, within the 5 km limit and within all the other restrictions, that it is being done for a purpose and that the purpose is to ensure the rates go down to zero and that they stay down because we keep Covid out of here through much stricter and tighter border controls. I simply cannot understand why the Government cannot adopt a strict border control policy and a strict mandatory hotel quarantine policy for incoming travellers. People are deeply frustrated when they see others flying in and out, apparently without sanction, yet they are subject to such severe restrictions and curtailments of their civil liberties here. It is a real issue.

I welcome the fact that today, pupils with additional needs and special classes are returning to school and we are going to see further opening up of special schools. Again, however, I urge that there be a more coherent and clear strategy on the return to school of all students. That

must be a priority. We are again seeing mixed messaging and a lack of clarity around dates. We really need to ensure children know when they are coming back. I think we all know the deep frustration felt by children, parents and teachers about the lack of clarity. I support the call by the Ombudsman for Children, Dr. Niall Muldoon, for a “Covid dividend” for children to invest in infrastructure to ameliorate the terribly negative effects of the pandemic. It is in line with Labour Party policy, specifically the Catch-Up for Children scheme we have advocated. We have urged the Government to adopt such a scheme to ensure supports for children and to put in place a €100 million dedicated fund to enable children to come through this.

I welcome the news about the Georgian museum, that is, that the ESB has been refused permission to close it. I put in an objection myself. It would have been a very retrograde step at a time when we all need to ensure support for cultural heritage. I am delighted with the decision.

**Senator Vincent P. Martin:** I have learned that the famous Billy Brennan’s barn, celebrated in the poetry of Patrick Kavanagh, is for sale later this week. The previous owners were very helpful and cooperative and facilitated access to it by the numerous conducted tours. I am just putting the marker down that I hope anyone who buys it will respect its heritage and its place in that wonderful community.

Recently there were reports in the media on a decision and then the reversal of that decision to commemorate or celebrate or glorify slaughter and incidents related to the Northern Ireland Troubles. I find that very upsetting but I try to see it through the eyes of those who organised it. Many of them may be suffering deep pain and anguish themselves and we must take that on board. However, expressing their pain by going down that road will be highly divisive and counterproductive. It will not heal them and will not heal the country. Perhaps they could take a leaf out of the book of the Garda Commissioner, Drew Harris. I do not know if the Leader saw his recent interview on a TV chat show on a Friday night. That show is disproportionately full of sad stories of late, but that interview was uplifting. Drew Harris lost his father in the Troubles in 1989, when he was a young member of the RUC. He said:

In these things you have perhaps a choice, I was married [with children] and you have a choice in terms of the household your children are going to grow up into, and so I worked hard at not being bitter ... it was very difficult ... nobody would be more upset than my father if he thought I was just living an embittered life.

It is easier said than done but we must try to shake off the bitterness that comes with the pain. We must remember, when we try to glorify recent slaughter, that there are surviving family members still with us - the parents, children, brothers and sisters. We must try to embrace an authentic peace, an embracing and genuine peace. I hope people in pain will take strength, inspiration and hope from the courageous way Commissioner Harris has dealt with a loss that he said is traumatic and awful and which he thinks of every day of his life.

**Senator Fintan Warfield:** On Friday, I raised the issue of nightlife and the night economy. Thankfully, the Leader gave a commitment to invite the Minister for Tourism, Culture, Arts, Gaeltacht, Sport and Media, Deputy Catherine Martin, in for a debate once the night-time task force has published its review. Little did I know that on Sunday the newspapers would lead with the issues around nightlife and the Minister for Justice’s commitment to licensing reform. I amend my suggestion to propose that we instead invite both the Minister for Justice and the

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Minister for Tourism, Culture, Arts, Gaeltacht, Sport and Media into the House for a split debate. It should be a two-hour debate if possible but we should split the time between the two Departments. I welcome the statement by the Department of Justice on licensing reform. I will not go over the issues I raised on Friday but a huge amount of money is lost to that industry through needless bureaucracy which could be spent on developing venues, paying artists and attracting talent.

The other issue I wish to raise is that of consumption of alcohol in public. With the good weather, there were an increased number of people socialising around the canals last night. While this is a local authority issue relating to by-laws, I thought we might have a mature conversation about where Ireland is at. We all know there are cultural issues around the consumption of alcohol but I believe society is at a mature enough place that we could pilot a plan in certain areas, such as in Dublin city in the summer. Given that the Government is now calling for an outdoor summer, we should follow suit with other European cities in that respect.

Finally, there is a global shortage of film space, partly due to retail prices in LA and New York. There is also a content race among the streamers and studio space will be key to attracting big productions to Ireland. We know the tourism benefit of having “Star Wars” or “Game of Thrones” made here. The first report of the audiovisual action plan was published last year. It also mentioned the importance of studio space. Members will be aware that the proposed online safety and media regulation Bill will also give the State an opportunity to ensure that at least 30% of European content in the catalogues of streaming services will be European. There is an important need for a debate on film studios too.

**Senator Eileen Flynn:** Two weeks ago I spoke here to raise the issue of the digital divide. My colleague, Senator Byrne, said earlier this month that funding of €5.8 million has been allocated to the education and training boards. I very much welcome and appreciate this allocation, which was announced in December. We have not yet discussed how the rural digital divide affects children, young people under the age of 18, children in secondary school and young people in third level colleges. I could read through all of my notes but I will mention specifically children who are living in direct provision and Traveller children. Due to the digital divide, children who are marginalised in this country do not have equal access to education right now. It is very important that this issue is brought to this House.

I welcome the Labour Party’s Catch-Up for Children campaign, which aims to fund materials and support marginalised students who have been affected by school closures. I am from a marginalised community. Many people in such communities already have fewer opportunities. I see this every day when I am on the ground with the Traveller community and in rural Ireland. I see young people in rural Ireland not having access. I have raised this matter on a number of occasions at the Joint Committee on Education, Further and Higher Education, Research, Innovation and Science and on the floor of this House. I ask every Senator to join me in writing to the Minister for Education as part of an effort to engage in collective action on this issue. We have all spoken about mental health and young people not having freedom. We should give young people the freedom to have access to school, if nothing else. If they cannot be there in person, we need to give them this access. We need to allocate funding to close the gap. With the political will, the gap can be closed.

I ask that collectively, as Senators, we write to the Minister for Education. If that does not work can we ask that the Minister come before the House? We may all have our political differences as different individuals, but every one of us here in this House believes in equality of

education. Right now young people in Ireland, sadly, do not have that. This is something on which we have the power to apply pressure in order to close that political gap. I am encouraging Senators to work together, no matter what our political differences are, to make this possible for young people in Ireland. I would greatly appreciate it if the Leader would ask the Minister to attend before the House, even in two or three weeks' time, if a collective letter from us is not listened to. This is a vital and critical inequality in our society right now and needs to be dealt with.

**Senator Aidan Davitt:** I wish to raise today the “pause”, which is the word that is being used, in respect of the issuing of passports by the Passport Office. When our Covid-19 crisis is behind us, there will be a tremendous backlog of passports to be administered at that stage. The Passport Office is telling people on its website that when we get to level 4, they will have their passports and their information back in 20 days. That is unbelievable. Apart from wanting to leave the country, which is not recommended at present and we are certainly not encouraging it, many people use their passports every day of the week to open bank accounts, rent houses, get married and for many other reasons.

Driving licences can be renewed online, so I cannot see how, a year into the Covid crisis, the Passport Office could not have come up with some scheme to at least renew existing passports. This is a no-brainer. I know there are matters of State and different issues in regard to passports, but this is a basic right of any Irish person. It is just not good enough to say that passport services are being paused. To get anything from the Passport Office now requires that it be an extreme case. It is not good enough. I ask the Leader to liaise with the Minister, the Department and the Passport Office in this regard. This cannot continue. In a modern state in which a sister-type system exists for driving licences to be renewed online, it cannot be right that there is no such system for passports.

**Senator Micheál Carrigy:** I want to raise several issues. The first concerns the duration of planning permissions. I am looking for an extension to existing planning permissions for the length of time for which the construction industry has been closed. I know a number of one-off sites and developments that are coming close to their existing five-year permission, or ten-year permission where there was an extension. Construction has been closed for almost five months and many people are going to run into difficulties in the context of getting developments up and running. Rather than having them go to the cost, expense and delay of applying again for planning permission, it is only fair that an extension would be given, especially in the current climate.

I welcome the funding announced in the last week by the Minister for Education for a number of schools, including Ardscoil Phádraig, Ballymahon Vocational School and St. Mel's College, in regard to advanced projects for additional classrooms within County Longford. I want to raise one issue that I have brought up previously in the House, which was a commitment I gave prior to the election. It concerns Meán Scoil Mhuire in Longford town, a convent with over 600 pupils that has no playing facilities at the school, which is over 100 years old. I ask for comment from the Minister for Education as to the situation in respect of a new school premises for those 600 students in Longford town. I ask that this issue be highlighted.

I concur with the comments on Ulster Bank and, in particular, the 2,500 employees whose job security is not good at present. I ask that they are looked after and that alternative employment is found. We will also have a situation in a number of years where many towns will have no banking facilities at all. Speaking as a postmaster, I suggest that there is an opportunity for

engagement with regard to reinforcing the post office network. If we do not support that, we are going to lose it in every town in the country. An opportunity exists here and I ask people, if they are moving their accounts, to consider moving them to the post office in order to maintain that facility within their community.

**Senator Gerard P. Craughwell:** I support Senator Bacik and her party leader, who spoke at the weekend on Covid, because they were 100% correct in what they said.

There was an extremely disturbing report in *The Irish Times* on Saturday about the relationship that exists between the Department of Defence and the Defence Forces. There is a new Secretary General in the Department of Defence. She has been active on the ground and I think she needs time to repair whatever relationship exists. However, the Defence Forces are on their knees in the context of numbers. I have today some figures from a freedom of information request. For example, 136 men and women sought to get back into the Naval Service and three were taken back. Some 545 sought to re-join the Army and 44 were taken back. A total of 63 applied to re-join the Air Corps and eight were taken back. A total of ten commissioned officers applied to come back to the Naval Service and one was taken back. Some 30 commissioned officers applied to come back to the Army and three were taken back. Finally, 20 commissioned officers applied for the Air Corps and 15 were taken back - they were pilots. That type of situation is impossible to understand.

I have in my office a series of letters that pertain to several commissioned officers. The Chief of Staff said that they were welcome back and that he wanted them back. Some official in the Department said “No”. How can that be? The Chief of Staff is the person responsible operationally for the organisation. The Defence Forces are more than 1,000 people short yet people have not been contacted and they have no idea why.

I will make one quick point before I sit down. Atlantic 252 is an RTÉ longwave radio frequency. The campaign is on to save it again. The diaspora, especially those who are elderly, do not use social media but they listen to Atlantic 252. We should put some pressure on RTÉ to retain the longwave service. It is the least we can do.

**Senator Malcolm Byrne:** I will start by agreeing with my colleagues. Senator Davitt spoke concerning the Passport Office while Senator Warfield spoke about reform of the licensing laws and a debate around studio space to support our creative industries.

I want to refer to events in Australia with regard to Facebook recently. They raise important questions about how we ensure payment for quality journalism in future. This is an issue my colleague, Senator Cassells, has raised regularly. They also bring up the critical question of the relationship between multinational technology companies and the State. Who is in charge?

Many aspects of our lives will be increasingly shaped by technology. The amount of time we will spend in these Houses debating this will be crucial. Before Christmas we dealt with Coco’s law. We are about to deal with an online safety Bill. We deal with disinformation and fake news. One of the challenges for Ulster Bank and the Ulster Bank issue is the shift to digital banking. We are looking at the audit of the algorithm for the leaving certificate. The Commission on the Defence Forces is dealing increasingly with questions around cybersecurity. The Garda is dealing with cybercrime. The pandemic has led to more interest in remote working. Online shopping will change the fabric of retail. We are going to have to deal with many more of these issues in the House in future, including everything from how we regulate artificial in-

telligence and machine learning to an automated workforce to big data. How will we prepare for the regulation of driverless cars? We are looking at the rise of drone technology. Drones are already being used for delivery in Galway.

The Department of Further and Higher Education, Research, Innovation and Science cannot simply be an administrative Department. Part of its role has to be around upskilling and reskilling all of us as citizens to be prepared for all those changes. It is not simply about one Department; there has to be a whole-of-government response. I would like to have a debate around how we, as a Parliament and a society, are preparing for all the technological changes that we will see in the coming decade.

**An Cathaoirleach:** As the Senators who are on the rota have contributed, the sitting will now be suspended for 15 minutes to allow for sanitation in accordance with the Order of the Seanad made on Friday, 19 February. Matters on the business of the Seanad will resume thereafter.

*Sitting suspended at 12.40 p.m. and resumed at 12.55 p.m.*

**Senator Ollie Crowe:** I want to raise the issue of changes to the opening hours of bars and nightclubs which are to be included in the 2021 justice plan of the Minister for Justice, Deputy McEntee. This is welcome news. We need reform of our opening hours as the tourism sector will play a huge role in Ireland's recovery from Covid. The current opening hours are a drawback in this regard. Asking tourists to leave a licensed premises at 11.30 p.m. on a Sunday night is a little short of bizarre.

I also note the intention of the Minister to provide additional licences to support the night-time economy. I would urge caution on this, however. The pub sector is after having the most challenging year in memory. Up to 50,000 people working in the sector have not been able to work at all for the past year with many of them, along with thousands of businesses, facing uncertain futures after a crisis not of their making. That crisis is not over yet. The last thing they need to hear is the sudden announcement by the Government of significant changes being made to their industry. I urge the Minister to engage in meaningful consultation in this matter with the representative bodies of the industry, the Vintners Federation of Ireland and the Licensed Vintners Association.

Since being elected to Seanad Éireann last April, I have been struck by how much effort the Government makes in welcoming new businesses to Ireland. When an overseas company announces it will open an office here and employ 90 people, the red carpet is rolled out with Ministers and IDA Ireland attending, along with press coverage and the full works. That is fine of course. We need to be as attractive as possible for foreign direct investment. It highlights the potential of Ireland and so on. However, I know people in the hospitality industry who run hotels, restaurants and bars, employing hundreds of people, but they have never spoken to a Minister in their lives. It is something perhaps worth reflecting on.

**Senator Rebecca Moynihan:** I commend the Minister for Justice on the overhaul of the licensing laws as reported in the media today. It is welcome that she is considering a number of measures. I also pay tribute to the Minister for Tourism, Culture, Arts, Gaeltacht, Sport and Media, Deputy Catherine Martin, for prioritising culture and the night-time economy. According to media reports, issues being examined include staggered and extending closing times and an annual nightclub permit. I also hope these will apply to promoters who arrange pop-up

nights.

For a country that likes to socialise, we tend to have unnecessary rules and a bureaucratic regulation which hangs over any of the socialising that we do at night. We have in the past adopted a moralistic tone when it comes to socialising with the not very well-hidden paternalistic State knowing best in the way of promoting the night-time economy.

Recent years have seen people such as Sunil Sharpe of Give Us The Night, Andrea Horan through her activism Clubbing Is Culture, as well as promoters such as Nialler9 involved with pop-up nights, advocating on behalf of the clubbing community. There is nothing wrong with a party. People have different preferences for what is good socialising. Not everybody wants a civilised dinner with a drink and glass of wine. That is okay. I hope when developing the new licensing laws we look beyond them and look at ways to make it as easy as possible to have pop-up club nights, that we value those nights and we do not judge them. As my colleague Senator Sherlock said, I hope we also involve workers and ensure night-time workers are paid decently but that they also have the infrastructure, such as transport, to be able to facilitate a strong night-time economy. We should, in 21st century Ireland, have spaces where we can dance from 7 p.m. to 7 a.m. and not be sent home.

**Senator Mary Seery Kearney:** We heard calls over the weekend for better working terms and conditions for Deliveroo riders. I have been campaigning and working on this for a number of months. No one expects a Deliveroo rider to take risks with his or her life or personal safety.

*1 o'clock* However, because areas are being red-zoned by riders, communities and businesses in them are being left without delivery services. We have marauding gangs of youths fighting with delivery riders. The footage shown over the weekend of this was appalling. We have had engagement on the northside of Dublin city but we now need this to be a citywide engagement. I wrote this morning to the Minister for Justice about this issue.

It is intolerable that communities will be stigmatised. I have spoken to the gardaí who are aware of this anti-social behaviour and are taking action against it. The gardaí say they do not have the same number of reports of incidents the riders allege are occurring. I will come back to that.

I have met and engaged with Deliveroo over recent months to address its terms and conditions. It denies that its riders are employees and says that they are self-employed. I have made a submission to the Tánaiste proposing a hybrid model, coupling the flexibility of a self-employed person with the protections of an employee, similar to the Uber ruling in the supreme court in London last Friday. We need to ensure we recognise the new gig economy method of working and that there is no race to the bottom in terms of employment rights.

There are two reasons for the lack of Garda reports on this issue. Deliveroo says there is an inherent reluctance to trust the police on the part of some of its riders because of where they come from. I do not doubt that is true, and I have encouraged them to come forward. The second reason is that some riders are working in contravention of their type 2A visa or are facilitating others to do so, and as a consequence are afraid to come forward. These are vital workers and we need to review their work status. We also need to assist the gardaí in tackling the anti-social behaviour at these hotspots and stop the riders having to police themselves. We need to police the areas to ensure that both communities and riders get this delivery service.

**Senator Mary Fitzpatrick:** I support the issue raised regarding the Deliveroo front-line

workers. I have submitted a Commencement matter, which the Cathaoirleach may consider for debate later this week, with the Minister for Enterprise, Trade and Employment, Deputy Leo Varadkar. This is a huge issue affecting not just the northside and southside of Dublin, but other cities around the country.

I express to the Leader of the Seanad the feeling that people have expressed to me over the last couple of weeks. We have been dealing with the pandemic for almost a year and people are at their lowest point in some respects. We are coming into spring and the weather has improved but the emotional and psychological strain of the pandemic, the closures and the increased restrictions since Christmas are taking a huge toll on people. The Government is meeting and will look at restrictions for the next phase. I ask the Leader of the Seanad to thank everybody who has put in such an enormous effort, particularly healthcare workers. Some 40,000 people received the vaccine last week, 100,000 will receive it this week and that will increase to 250,000 vaccines a week or a million a month. It is an enormous undertaking and we are eternally grateful for that effort which gives us all great hope.

As the Government looks to the next stage, the 76% increase in welfare reports to Tusla about children and young people is alarming and concerning. I ask the Minister for Children, Equality, Disability, Integration and Youth, Deputy Roderic O’Gorman, to actively sit down with Tusla to examine the backlog and the cause of delays in responding to these most vulnerable children.

Regarding the restrictions, all the supports should be extended as they are critical for the hospitality and tourism sectors and small businesses. However, young people are going back to school. It is great that some have gone back and some will be going back but let us give them a break by giving them a bit of outdoor space. Before Christmas, 145,000 online Covid submissions were made to the GAA every week for children engaged in socially distanced outdoor training. Can local authority, GAA and soccer pitches be made available to them, with social distancing? Let us give young people a break. We are putting them back into classrooms, so let us give them some outdoor space too.

**Senator Pippa Hackett:** It is great to be back in the Seanad Chamber for a little while. As The Hollies sang in 1974, “All I need is the air that I breathe”. Last week, the Government announced a consultation on solid fuel regulations because we want to reduce deaths from air pollution and ensure better quality of life for those with breathing difficulties. The Government is committed to delivering a clean air strategy.

Unfortunately, people have no choice about the air they breathe. Anyone who goes out on a still winter’s evening in an area with high levels of solid fuel burning cannot help but notice the smoky air. Smoke contains tiny particulates which damage our lungs and bodies. I encourage everyone to read the consultation document before jumping to conclusions about it. It is not about banning solid fuels but the transition to better quality solid fuels - for example, swapping smoky coal for smoke free coal and wet wood for seasoned wood and improving the standards for peat briquettes. It is not about stopping people from cutting and burning their own turf. Turbary rights will be protected. It is about reducing harm and cleaning our air.

However, there are some genuine concerns. People are worried about the increased risk of fuel poverty. I refer in particular to my county of Offaly, where there is a high reliance on solid fuel. People are anxious about where supplies of alternative fuels might come from. Those who rely on supplying solid fuels for their livelihood are also concerned. It is why we are con-

sulting. We want to hear about these concerns. These submissions will help inform us as we make decisions on the regulations. There are no ultimatums.

The homes of the future will not need solid fuel, as we embrace higher quality, energy efficient homes, which use electricity generated from renewable sources for heat. We need to make this transition in a fair and just way. As a Government, we need to support that transition. Have no doubts we are moving forward to a greener future, with cleaner energy, homes and air.

**Senator Tim Lombard:** Last week, we debated the important issue of the remote working strategy. My office was overwhelmed by feedback on that debate. A large number of people are looking for a place where they can use this strategy to change their quality of life and want to engage with it.

A digital hub strategy is being rolled out throughout County Cork. Towns such as Bandon, Skibbereen and Bantry all propose to have digital hubs. Unfortunately, Clonakilty does not have that opportunity at the moment and the lack of digital hub is a drawback. To compound that, a Department of Agriculture, Food and the Marine building has been sitting idle there for a decade. There is a purpose built building in Clonakilty with nothing happening in it.

If we are to have a real strategy on working from home, it has to involve the local authorities working with the State - in the case of Clonakilty, it would be the Department of Agriculture, Food and the Marine - to utilise all opportunities available to the State. I refer to the opportunity of infrastructure. Key infrastructure is sitting idle. Darrara agricultural college, a Department of Agriculture, Food and the Marine building, has been sitting idle for more than a decade. We need to get this building back into use. It is an ideal location for a digital hub. The benefit to Clonakilty and its hinterlands would be immense. We need joined up thinking.

We need a real debate with the Departments to see what infrastructure can be utilised to ensure we do not have infrastructure, which could benefit rural and urban Ireland, sitting idle. Making sure our infrastructure is utilised is a key issue, so we can implement this strategy which has knock-on effects for society. Nobody wants to spend hours in cars anymore. That is gone. The big issue is to ensure we legislate so that the State works with local authorities to ensure we can provide these digital hubs.

**Senator Rónán Mullen:** The general narrative on the change of government in the United States has been good riddance to Trump and welcoming the United States back to the civilised world. However, if one considers President Biden's recent comments on China, one has cause to be worried. He was at best incoherent and, at worst, worryingly nonchalant about the abuse of human rights and human dignity being perpetrated by the Chinese regime. Asked at a CNN town hall about what China is doing to the Uyghurs, he said: "Culturally there are different norms in each country and their leaders are expected to follow." This might be President Biden's confusion, which would be worrying, or, as I said, it might just be that the emphasis of the new Administration will be firmly on trade. Yet the same CNN a few days later reported what Qelbinur Sidik had to say. She is a former elementary school teacher who was forced to spend several months teaching at two detention centres in Xinjiang in 2017. She made allegations of shackled students and gang rape inside China's detention camps. I will quote her. "When ... [male guards] were drinking at night, the policemen would tell each other how they raped and tortured girls." Mike Pompeo was more direct about the evils of what China is perpetrating on its Uyghur and indeed other ethnic and religious minorities. He spoke clearly before leaving office about the arbitrary imprisonment and other severe deprivation of physical

liberty of more than 1 million people, forced sterilisation, torture of a large number of those arbitrarily detained, etc. We passed unanimously in this House a motion calling on Ireland to use its diplomatic and trade channels to put pressure on China, but I wonder how serious our Government is.

The problem is that our education system may be contaminated as well because there are developing links between Irish universities and Chinese universities, including the proposal between UCC and Minzu University to have a joint college arrangement. Can we be sure that human rights and freedom, including academic freedom and freedom of thought, will be guaranteed to Irish staff and students going to China or Chinese staff and students coming here? I ask the Minister for Foreign Affairs to take this on board and to come before the Seanad on this issue. I ask the Minister for Further and Higher Education, Research, Innovation and Science, Deputy Harris, to do so also because what is going on in our education system must be scrutinised where it involves links between Irish institutions and Chinese institutions.

**Senator John McGahon:** The regulation of social media is a topic I have been talking about for a couple of months. Social media have become the Wild West and can no longer continue to be so. The train has already left the station in terms of governments around the world starting to regulate this. We saw this under the Trump Administration and it will be continued under the Biden Administration. I refer to the real need to repeal section 230 of the Communications Decency Act in the United States, which became one of the first ever Internet Acts when it was put forward in 1996. The importance of section 230 is that it is the section behind which all big tech companies are hiding to classify themselves as platforms and not publishers. Therein lies the difference. They need to be treated as publishers that are responsible for the content on their sites. They have already started to do this with the recent banning of Donald Trump, although they were late in doing so. Facebook is now treating itself as an editor and publisher. It is doing this in theory but not in name. Equally, we see at a European level the Digital Services Act, DSA, coming down the track too, so the train has left the station. The regulation of social media will happen, but I would really appreciate it if the Minister could come before the House to outline the Government's plans to try to work on this.

Finally, the intimidatory tactics put forward by Facebook towards the Australian Government and the banning of reliable news serve only to open up a vacuum that can be filled by conspiracy theories and fake news. I really hope the Australian Government stands up to Facebook on that.

**Senator Regina Doherty:** I thank my colleagues. Senator McGahon spoke about something that should be on the minds of every single regulatory authority in every single country in the world. We have long talked about both the ills and the benefits in life of social media and the interaction and exchanges we have. There are many positives to social media but there are also absolute negatives. In fairness, we do not have anybody to blame as regulators except ourselves, but one such negative is that self-regulation does not work. We are seeing the evidence of that both internationally and domestically in the impact it is having not only on disinformation dissemination but also on democracies. I have great hope that the European Union will pass the digital services Act and the digital markets Act. This will ensure that every member state in the European Union will have to do the same. If we had any gumption we would have long done this. I am aware that Senator McGahon raised this in the media and in these Houses for the past months. I urge the Senator to continue to do so. We certainly need to do it sooner rather than later.

Senator Mullen described the details, from information he had, of the dehumanisation of people and certain sub-cultures in China, which is absolutely abhorrent. I do not have the answer to the questions he asked but I will ask the Minister for Foreign Affairs to come to the Seanad to have a conversation with us about the Irish activity and our aims to address the human rights violations that are very obvious in China. I will try to do this at the Minister's earliest convenience.

Senator Lombard brought up the absolute need for the digital strategy and remote working strategy that has been launched by the Department of Enterprise, Trade and Employment and the Tánaiste to be part and parcel of every local authority's plans in the next couple of weeks and months as they prepare their county development plans for the next seven years. We cannot have access to remote working strategies unless we have access to two things, the first of which is equality of access to broadband in every town and county in the State. Not everybody wants to work from their sitting room or their landing. Access to digital hubs in every town and county in the country is also very important. An inventory would be very worthwhile of all the available buildings in the ownership of the State that could be turned into digital hubs. Unless we have it as part of the strategy of all our local authorities, however, we might be sitting here in five or seven years' time wondering what the delay is in being able to work from home. It is a very worthwhile initiative that has been asked for.

The Minister of State, Senator Hackett, spoke about consultation. She is urging and stressing that there is nothing to be fearful of in our new clean air strategy. All that anybody wants is for us to have a better quality of life. I absolutely agree with the Minister of State that it is important for everybody to consult and to read up on what it is we are trying to do and not just believe some of the fake disinformation, which is very easy for people to accept because those who shout the loudest are often the ones that are believed. I commend the Minister of State on the work she is doing and I wish her continued success in her future.

Senator Fitzpatrick talked about a number of issues today. The most important issue she raised was the impact of Covid on our younger people. We are a year into Covid and it is wearing us all down. I genuinely hope, as we have always seen beforehand, that our children are resilient and will bounce back. There are some who will not and we need to be mindful of that and make sure we are aware of this.

Senator Seery Kearney raised an issue she also brought up in the media in the past weeks on employment rights that should be felt and owned by Deliveroo workers and other such workers. I must be honest that when I saw the video footage over the weekend of what they have to deal with, I thought there is nothing so stark as a picture to explain something that a thousand words cannot. I had not fully realised how much of a threat they were under on a daily basis. Many people, particularly in our urban cities and towns, have come to take for granted getting their food delivered, and we would not be able to survive without them. However, it is absolutely not acceptable that these gentlemen and women are under such direct threat every single night. It is not acceptable for us to say that they are not reporting to us, from a Garda perspective. We know that some of these people are vulnerable in the context of being in vulnerable employment situations and coming from marginalised communities. The Garda need to reach out to them and make sure they are proactive in the matter. I urge the Senators to keep highlighting this in the national media, as much as we can, to make sure these workers get the support they deserve. The issue was raised also by Senator Fitzpatrick.

Senator Moynihan and other Senators raised the new and welcome announcement today by

the Minister for Justice, Deputy Helen McEntee, on the overhauling of our licensing laws. It was highlighted this time last year, when we had shut down all of our hospitality and our pubs, that we were still expecting licence holders to spend enormous amounts of money to retain their licences and renew them, which was absolutely ludicrous. The extension and the overhaul is very welcome. I showed my age this morning when I was told that people should be allowed to dance from 7 p.m. until 7 a.m. if they wanted to. It made me tired even thinking about it. There definitely is, however, a market for such nightlife and Senator Warfield has raised the matter in the House on a number of occasions. The review of the licensing laws and the task force to look at nightlife will be very welcome, especially for the future generations. Senator Crowe raised the issue of the welcome reviews of opening hours and licences for his sector. I can understand the mentality of his urging not to extend licences because those businesses have had an enormously difficult year. When they are allowed to reopen, they want to be able to bounce back. Notwithstanding that, there is a welcome need, particularly for cultural events, to be able to have those once-off licences and not to be restricted by the annual licence review regulations.

Senator Malcolm Byrne raised the issue of Facebook, as he so often does in a similar vein to Senator McGahon. Self-regulation has not and will not work, and it would be very timely if we had a debate on what the new world will look like. I smiled when he asked me to facilitate the debate because I was trying to figure out which Minister I would get to talk about how we can prepare for technological advancement in all our lives, and I will have to figure that out. It would be an interesting and timely debate on regulation and on planning for the future.

Senator Craughwell spoke about his passion for the Defence Forces, as he regularly does. I have scheduled a debate on their future, and while I do not yet have a date for it, I will stick it in the diary as soon as I do.

Senator Carrigy made a logical request to extend planning permission for the duration of the time in which people are not able to build their houses, whether they are one-off constructions or larger projects, and that should be considered by the Cabinet. He also talked about a new school requirement for 600 pupils in Longford town and I will write to the Minister for Education seeking a response to that.

Another issue the Senator raised, which was mentioned by many other Senators too, related to Ulster Bank and the shocking announcement on Friday last of the potential loss of 2,800 jobs and the massive loss to the sector. The Minister for Finance's requirement for a third banking force in Ireland will be very much on the mind of the Government in the coming weeks and months. He has agreed to come to the House to hold a debate with us. He is in Brussels today and will be self-isolating for five days when he returns, so the debate will be held next week or the week after. The future of banking in Ireland is something we should all be debating. As Senator Carrigy rightly said earlier, perhaps that third banking force can come under the auspices of An Post. We all care for and love our post offices. They have had a difficult number of years and have really played a blinder in the past year with regard to communication and rallying people's spirits with their campaigns. Perhaps they could constitute the third banking force we so desperately need.

Senator Davitt talked about the delays in processing passports and driver licences, among other items. I appreciate that we are in level 5 lockdown and that that has curtailed services, but it is not acceptable that Government and State services cease completely. We have to find a way to continue to provide those services, even in an emergency, to people who need them. I will send the Senator's concerns to the relevant Ministers and ask them to revert.

Senator Flynn spoke eloquently about our digital divide. It is past time that we all recognised that there is considerable disadvantage in certain communities. We cannot keep ignoring it; we need to address it. Welcome money was announced last week and €100 million was announced before Christmas to address the digital divide and to pay for computer equipment for children in schools. The issue was brought home to me by a lady, a mother of five, who appeared on a news station this week. She is home-schooling five children and they are sharing second-hand telephones so that one child can have an hour in the morning and another can have an hour in the afternoon. I have no idea how a child can learn and receive his or her schooling from a smart phone in an area that has slow broadband, with the mother's phone spinning like this. The digital divide is very evident. Notwithstanding the roll-out of broadband to every town, house, business and school in the country, it is dependent on people being able to afford the technology to access that broadband. That is an important debate we should have and I encourage the Senator to continue raising the issue week in, week out until we get the debate.

Senator Warfield talked about the night-time economy, as he often does. We have agreed to have a debate once the task force reports in June.

Senator Martin brought up an issue that was raised in the Chamber on Friday last by Senator Craughwell. I am very pleased that the commemoration was cancelled at the request of the family because it has caused no end of hurt to the community, the family and locals in the area. I cannot understand the response, or lack thereof, from the GAA to the misuse of its logo to commemorate something nothing short of terrorism. The GAA should come out and make a statement on it. It should be very firm and strong in saying that no organisation should be able to misuse the name of our Defence Forces, Oglaiġ na hÉireann, or any other titles or logos that are highly respected in this country.

Senator Keogan brought up the issue of an extension to the hedge cutting season for an extra two weeks because of the recent bad weather. I am not sure that will be facilitated but I hope, given that we will have good weather this week, that everyone can catch up on what needs to be done under blue skies. She also brought up Ulster Bank and again, we have sent a request to the Minister to discuss that.

Senator Bacik spoke about the need for a clear strategy for Covid, which is something we are all desperately looking forward to hearing tomorrow. People are disappointed with the communications over the last couple of weeks but, at the end of the day, I can say from experience that the Government is only dealing with the information available to it and the best laid plans can suddenly get scuppered by the virus. We are attempting to deal with different variants at the moment. As others have said, positivity is something that we must hang on to. We recognise that life is difficult and people are weary. We are all tired of living with Covid and look forward to the day when we no longer have to but the vaccine roll-out is picking up speed. I can only assume that, based on the positivity of Mr. Paul Reid - I do not know how the man gets up every single day and is as committed, dedicated and chirpy as he is - that the vaccine roll-out will build momentum over the weeks and months ahead. We look forward to the day, hopefully not too far away, when everybody will be vaccinated and living a different life. One only has to look to Israel to see the positive impact that mass vaccination is having on the Israeli people, their lifestyle, economy and communities. It is something to look forward to.

Senator Kyne also spoke about living with Covid and the fact that the numbers are remaining stubbornly high. Sometimes it is easy to find someone to blame. There has been an awful lot of focus in the last number of weeks on international and foreign travel into and out of Ire-

land, with some people struggling to understand why anybody would be travelling. However, there are very obvious cases of people returning home for family funerals or going to their own home. There are enormous numbers of people who live here that we take for granted-----

**An Cathaoirleach:** I am sorry to interrupt but we must start the next business at 1.30 p.m. and-----

**Senator Regina Doherty:** I am just finishing now-----

**An Cathaoirleach:** We must also allow for the cleaning of the Chamber. I remind Members that we are due to start again at 1.30 p.m. I am sorry, Leader.

**Senator Regina Doherty:** Not at all, I will wrap up now. We are all looking for a little bit of hope and I really hope that the living with Covid plan that will be announced tomorrow will give us that.

Finally, Senator Gallagher started the day by calling for extra places for those in agriculture to get green certificates, which is very worthwhile. I will bring that to the attention of the Minister for Further and Higher Education, Research, Innovation and Science and revert to the Senator on it later today.

*Sitting suspended at 1.28 p.m. and resumed at 1.35 p.m.*

### **National Climate and Air Roadmap for the Agriculture Sector: Statements**

**An Cathaoirleach:** I welcome the Minister to the House and thank him for taking time out of his busy schedule to address the issue of climate change and the national climate and air roadmap for the agriculture sector.

**Minister for Agriculture, Food and the Marine (Deputy Charlie McConalogue):** It is good to be with all of the Senators today. I am delighted to be here to speak about the issue of climate change and Ag Climatise, the national climate and air roadmap for the agriculture sector. The Covid-19 pandemic remains the immediate challenge for many economies globally but we cannot lose sight of other challenges. Protecting farm incomes and the climate challenge remain in firm focus both for me personally and for this Government.

I am very proud that the agriculture sector is the first sector in Ireland to produce a credible roadmap for the transition towards our long-term ambition of climate neutrality by 2050, which is fully in line with commitments in the programme for Government. The agrifood sector is Ireland's largest and most important indigenous export industry. From our farmers, our fishers and our food producers to our processors, the sector plays a vital role in Ireland's economy and the fabric of our rural communities and societies. It is the bedrock of every rural village in Ireland.

Our agrifood sector is dominated by livestock. Some 80% of our agricultural area is under permanent grassland, underpinning our world-famous, grass-based production system which produces beef and dairy products that are exported to 180 countries all over the world. The sector accounts for 8% of all employment, and 10% of all exports that leave Ireland are agrifood-based. The sector is a significant driver of economic activity in rural Ireland.

The sustainability of Ireland's food production system is well recognised internationally and acts as a key competitiveness driver in international markets for Irish food producers. Nevertheless, there are challenges ahead for food production systems globally and nowhere more so than in Ireland, where 35% of all national greenhouse gas emissions come from the agrifood sector, accounting for the equivalent of approximately 21 megatons of CO<sub>2</sub>. While farmers have delivered much in the way of efficiency gains in recent years, it must also be recognised that some environmental metrics have deteriorated over that time. It was in this context that I published Ag Climatise late last year.

In Ireland, to transition to a more sustainable long-term future, there are a number of key things that we need to do, while maintaining viable farm incomes in the sector. We must do the following: reduce greenhouse gas emissions from the sector; increase the carbon removal or sequestration potential of our land and forests; meet our ammonia ceilings targets; reduce agriculture's negative impact on water quality; and build resilient food production and land use systems that meet these climate and air obligations, while also meeting market expectations. Ag Climatise is a roadmap containing 29 distinct actions and by implementing this roadmap over the coming years we can start to achieve our objectives.

I need to be clear; it will not be easy. All stakeholders will need to come together in a spirit of collaboration. As Senators will be aware, the EU is going to increase its greenhouse gas reduction target from 40% in 2030, based on 1990 levels, to at least 55%. In our programme for Government, we have an economy-wide target to reduce emissions by an average of 7% annually, which will put us on a similar trajectory to that of the EU. There has been significant scientific debate around biogenic methane and the role it plays in global warming. Biogenic methane is produced in the rumen of grazing livestock such as cattle and sheep. These debates are happening within respected international organisations such as the Intergovernmental Panel on Climate Change, IPCC. We must have a serious debate about all aspects of methane and this is something I am keen to lead on in my role as Minister for Agriculture, Food and the Marine.

Methane is a potent greenhouse gas but the programme for Government recognises that it has distinct characteristics that need to be taken into account in Government policy. In time, I believe that a technological solution will be found that will contribute to methane reduction, mainly in the form of methane reducing feed additives and livestock breeding improvements. I also believe that livestock has come in for some unfair criticism in recent times. There are those within the general population who believe eating a hamburger is more detrimental to our planet than getting on an aeroplane. We need to counter this narrative. Of course, every sector, including agriculture, will have to make a real contribution if we are to reach our climate objectives, but the creation of a narrative that alienates farmers is unhelpful. We must work together on this, if we want it to work. In my experience, farmers are custodians of the land and want to contribute positively to the environment. We must recognise the positive environmental action engaged in over many years and support farmers in taking the further steps required to meet our increased ambition.

Many actions in Ag Climatise are transformative in nature for Irish agriculture. By committing the sector to this ambitious roadmap, the sector will clearly be playing its part in the journey to a climate-neutral economy. Farmers will need to transition away from an over-dependence on chemical nitrogen use. There is an action to reduce chemical nitrogen use by approximately 20% over the next decade, fully in line with the EU farm to fork strategy, a key pillar of the European green deal. This will not only have positive benefits for climate in terms of reducing nitrous oxide emissions, it will also have benefits for water quality. Farmers are also going to

change the type of nitrogen fertiliser they apply to farms, with a move towards fertiliser more commonly known as protected urea. Protected urea is a fertiliser coated with a urease inhibitor, which will dramatically cut nitrous oxide emissions, the second predominant greenhouse gas associated with Irish agriculture. Farmers are required to continue to embrace new technologies such as low-emission slurry spreading machines for the application of organic manures back to land. This technology will deliver a significant cut in ammonia emissions and put the sector well on track to meet its commitments under the national emission ceilings directive.

Other actions of note will focus on breeding more methane-efficient animals, maintaining or increasing the area of tillage production in Ireland and a significant increase in organic food production. It is clear that there is emerging demand for organically produced food, and Ireland is well placed to take advantage of this growing trend. The Minister of State, Senator Hackett, has direct responsibility for organic farming. We recently reopened the organic farming scheme, enabling an additional 400 to 500 farmers to join the scheme in 2021. This is just the beginning.

Ag Climatise is very clear that we will need to plant more trees over the next 30 years in order to achieve our vision of a climate-neutral sector. There is a clear and specific action in Ag Climatise to increase afforestation rates to 8,000 ha per year over the next decade, with a possible further increase needed after that. My Department has recently established a forestry review group to drive this agenda. In addition, we will also need to change our management approach on many thousands of hectares of peat-based grassland soils, which are currently a net emitter of carbon. We need to reverse this, and allow these soils to naturally lock up carbon. The management intensity of these grasslands will need to be altered.

The role of research and innovation is becoming ever more critical to the future of the sector. My Department continues to invest heavily in the research space, which is the direct responsibility of the Minister of State, Deputy Heydon. I want to see Ireland develop a world-class research infrastructure and I know there are plans under development to create a centre of excellence for agricultural greenhouse gas emissions. This is a key action under Ag Climatise.

We must lead from the front on the global climate agenda and ensure that our progress is clearly communicated to food consumers all over the world. Otherwise, consumers and purchasers of Irish food may turn to other sources for their dairy and meat proteins. The new CAP will be important to drive delivery of the Ag Climatise targets but I have been clear with the farming community and organisations that CAP cannot do it all. All stakeholders need to play their part, particularly industry players that can drive behavioural change at farm level. We have already seen some great initiatives, such as some milk processors paying a milk price bonus for farmers who adopt certain biodiversity initiatives on their farms. This is the type of forward-thinking agrifood sector that Ireland needs, one in which all actors in the food chain live up to their environmental responsibilities.

I am excited about the future. This decade will be one of change in Irish agriculture, but I can assure Senators that in ten years' time, and even in 20 years' time and beyond, the production of high-quality meat and milk protein will remain the bedrock of Ireland's agri-food industry. By delivering on the ambitious vision as set in the Ag Climatise roadmap and beginning our journey towards climate neutrality, we can protect the Irish family farm for generations to come.

**Senator Paul Daly:** I welcome the Minister to the Chamber and thank him for his con-

tribution. I warmly welcome the publication of the Ag Climatise roadmap for the agriculture sector. Farmers will probably view it with some scepticism, but it is an excellent document. All of its contents are achievable. While there may be diverse opinions on how the targets will be achieved, I welcome the fact that they are somewhat in parallel with the marginal abatement cost curve, MACC, which was produced by Teagasc and accepted by the broad church of agriculture. Working hand in hand, the targets will be achieved. There are 29 actions in the plan, which sounds a lot but, when one takes into consideration the vastness of the sector, it is not too many. I think it is achievable, but we need to work together and we need buy-in from all sectors.

I welcome the fact that the Minister in his remarks highlighted the importance of protecting the Irish family farm model. In tackling this immense problem of greenhouse gas emissions, we must remember that although agriculture gets targeted because it contributes 35% of Irish output, we never had an industrial revolution in this country. Agriculture is the largest indigenous industry and, as such, will always account for the highest percentage of emissions. Many people do not take account of that, but it needs to be noted.

Another fact that needs to be noted and taken into consideration as we go forward to achieve the targets the Minister has set is that the latest predictions are that the world population will increase by 30% by 2050. While we are setting 2050 targets which it is to be hoped we will achieve, we must remember that production will have to increase as that population increases. Those people will have to be fed. The most important thing for the agriculture community or sector in any country is to be able to guarantee food security. That is a major underlying factor which has to be taken into consideration at all junctures.

I warmly welcome the plan and recommend that people read it because I think it is very achievable. There is ongoing public consultation on the Department's agri-environment pilot project. The Minister referred to nitrous oxide and biogenic methane emissions, but I strongly recommend that the Department consider the funding or part-funding of reseeded as part of that pilot scheme. All present know that clover content and improved grass swards will help to reduce the input of artificial nitrogen. Although many of the bigger and more intensive farm units regularly carry out reseeded, in the Minister's neck of the woods or in my area, where there are smaller holdings of suckler farming and the necessary disposable income may not be available, there are grass swards that have been there for a lifetime. I am 55 years of age and I know of fields near where I live that have not been reseeded in that time. They have never been ploughed or reseeded. I would like the agri-environment pilot project to include or at least consider a financial incentive for reseeded to improve the sward and, in turn, reduce the nitrogen input. The economic breeding index, EBI, and the Eurostar bull breeding index have been working, but there must be more work in these areas. We will reduce methane emissions by improving the feed and the genomics and breeding of our herd. Much progress has been made, but much more must be achieved. We must continue with our current trajectories to bring that progress about.

The Minister also mentioned tillage, which is our most carbon-efficient endeavour. We must promote our tillage and horticulture sectors. As with all actions in the context of climate change, however, we cannot put the cart before the horse. There are the famous buzz words regarding a "just transition". What is evident now and must be addressed, particularly in the horticulture sector, is the imminent cessation of peat harvesting.

Representatives from the horticulture sector appeared before the Joint Committee on Agri-

culture and the Marine last week. Unfortunately, those representatives confirmed to us that peat is coming into Dublin Port from Scotland. Climate action is a global issue and we must deal with it globally. We must of course get our house in order, but it makes no sense to be stopping peat harvesting in Ireland to allow for the ticking of a box, while at the same time importing the peat required for the horticulture sector from Scotland. The representatives from that sector told us in the committee meeting that it was increasing inputs costs. I spoke to one major horticulture producer, who told me that as a result he will not be sowing any pumpkins or onions this year because he will not be able to compete with imports from the Netherlands. This grower is a major player in the horticulture sector. We must therefore bring these sectors with us regarding climate change actions. We must have joined-up thinking and it must be cross-departmental thinking as well. I am only using the situation with peat as an example.

I move on to land use, changes in this context and another aspect I would like to see the Minister incorporate into the new CAP. I am talking about hedgerows, which may form some part of the agri-environmental pilot programme. We have 382,000 km of hedgerows, which farmers have not been getting the requisite credit for maintaining. Those hedgerows are the bedrock of our biodiversity and provide an unbelievable amount of sequestration of carbon. In the context of a CAP application, satellite photographs of the highest quality are available for use. Every area considered to have a small bit of bush or scrub or plantation which is not recognised as forestry or a hedgerow is removed from consideration in this regard. Farmers are penalised and not paid for such areas.

If we are serious about protecting our environment and biodiversity in future, especially in the form of our hedgerows and agroforestry, which is just sporadic trees on farms or what we deem scrub areas, there must be a reward in the form of payment for maintaining such areas. Those areas should not be eliminated from being eligible in a CAP application and farmers should not effectively be punished for having them. The temptation then would be to remove such areas from farms. I have a serious gripe about this issue. If we are serious about protecting our environment and biodiversity in future, it will be necessary for payment to be made for the entire area being farmed, instead of eliminating those areas most beneficial to the environment.

I will not go down the road concerning the issue of forestry. We have had numerous meetings on this issue. It is being put out there as the Holy Grail. If we can achieve our targets, then yes a great amount of sequestration and biodiversity will result from forestry. There will be a great benefit for humanity in respect of recreation, etc.. We must, however, bring people with us in this endeavour. The situation now in forestry, unfortunately, is turning people away from this sector. I refer to the backlog in licensing. It is a nightmare for anyone involved in the sector to get the required licence to thin or fell forestry, or to put in the roads needed for those activities. People are being turned away from this sector, and we will not bring them with us because they will not be encouraged in this regard.

I conclude by talking about something I am delighted to see contained in this plan and something I have often mentioned, namely carbon trading. A farmer who has a positive carbon footprint, whether from hedgerows on a small holding and-or some microgeneration, should be able to trade his or her carbon credits with a bigger farmer. We must also sit down with our EU colleagues regarding credits. It is mentioned in the Minister's report how much food we export, and we should be able to take the credit in that regard. When we export food to another country, it means that country will not have the carbon outputs we have undertaken in producing that food. A debate is needed on the necessity of allocating some of those countries' carbon credits to us if we are helping those countries to avoid higher greenhouse gas, GHG, emissions

by producing food for them.

**Senator Rónán Mullen:** I compliment Senator Paul Daly on the points he made and on his commitment to climate awareness and sustainability. Indeed, I compliment the Senator on his choice of language where he encouraged us to beware of putting the cart before the horse. It would have been so much easier to modernise that phrase and say beware of putting the trailer before the tractor but he, quite rightly, chose the environmentally-friendly image. I agree with everything that he had to say in his speech.

This is one of those debates in which it is hard to avoid speaking out of both sides of one's mouth because there are important social goods that bump up against each other. On the one hand, there is the protection of the environment, the reduction of emissions and so on, as well as creating a better future for the disadvantaged people of this world and for the next generation. At the same time, there are social and cultural goods to be protected, namely, people's way of life, their culture and their basic economic needs.

We all need to change our attitudes and to address climate change and damage to our environment. We must do that, however, in a way that does not penalise people who cannot afford to be penalised and which protects those who are most exposed to the impacts of change. As Ireland generates one tenth of 1% of total global emissions, we need to be realistic about how much we can achieve by addressing the 35% of those emissions that are from agriculture and food, which are the focus of this report. Sadly, debates on climate change are often driven by scare stories and the giving of credence to extreme and unrealistic proposals that would punish ordinary people. Central to that has been a fairly low level but nonetheless persistent attempt by a significant minority among environmental groups to demonise farming and the agriculture sector generally. In 2019, the so-called Extinction Rebellion group staged a sit-in at the Department of Agriculture, Food and the Marine calling for an end to the farming of animals and a complete transition to tillage. The leader of that movement internationally is on record as calling for the confiscation of cars, the state-rationing of meat consumption and the limiting of each family to one flight every five years. In the light of recent events I think I would settle for that, if I could be guaranteed a flight every five years, but seriously, these are the actual policy positions of Extinction Rebellion.

We have seen the so-called Go Vegan World campaign group roll out a suspiciously well-funded billboard and public relations campaign across the country that called for a complete end to the farming of animals. As we know, huge funding buys media credibility in Ireland and these positions were given significant coverage in the media at least until the arrival of the coronavirus.

I saw a surreal debate on "Prime Time" where a spokesperson for Go Vegan World said that to her, cows had the same personalities as human beings and that some of her greatest friends have been cattle. Now I say this as an animal lover, and someone who loves cattle and who sees the great personalities that farm animals have, including cattle. I am an admirer of Temple Grandin and her insights into animal welfare, and how it should be promoted at every stage. She is a remarkable person who has produced some remarkable stuff that people should reflect on. However, it is the old bacon and eggs distinction, where we know that the hen participates but the pig is more committed and these are the kind of things that we need to be aware of. We can imagine and extoll the merits of vegetarianism but it gets a bit more hard to live a vegan lifestyle yet remain healthy, although I am not saying it is impossible. While these groups have important insights that we need to hear there does seem to be a *dul thar fóir* sometimes, a crazy

element that simply does not take into account either the realities of life or the basic needs of rural and farming communities.

I come from a farming family myself so I strongly support the highest standards of animal welfare and ethical practices, while believing that we need to stay rooted in reality and to challenge this extreme rhetoric head on. This is where I speak out of both sides of my mouth because I wonder for how much longer we can avoid having a debate about, for example, the way animals are slaughtered. This is probably one of those areas where economic need, the importance of trade and so on bumps up against animal welfare and perhaps even the diversity and inclusion agenda. Frankly, it is not a debate I am looking forward to. I find the topic very unpleasant and troubling but I do not think it is a discussion that we can avoid forever.

However, I note our remarkable capacity to push certain uncomfortable issues into a corner and to say that whatever we will be discussing, it will not be that.

The report before us today is far from perfect but I welcome it in the sense that it does at least propose sensible policies and steers well clear of any extreme courses of action. It has been criticised by both farming groups as going too far and by environmental groups as doing not nearly enough. On the whole, however, it represents a fair set of goals. As we know, the beef sector has already been under significant pressure in recent years. Thankfully, we have been spared the pain of being subjected to a tariff regime stemming from a hard Brexit. However, prices fell substantially over the past two years as factories priced in the prospect of a no-deal Brexit in the knowledge that the loss of British market share could have allowed them to push prices down even further. I certainly support proposals in this report on better breeding practices as a means of reducing emissions, such as genotyping of the national herd, which Senator Daly referred to. However, I share a concern expressed by the ICMSA which has pointed out that many of the proposals tend to place the burden of reducing the carbon footprint on farmers. In other words, Government policies are often based on the notion we can preserve food prices at the current low levels and that the carbon footprint can be reduced from the supermarket backwards along the chain by placing burdens on farmers through new regulations and paperwork. We must be more honest about the fact that there is only so much that farmers can be expected to do and that the job of reducing the carbon footprint needs to be spread more equally along the production and supply chains. This will inevitably lead to higher prices for consumers. If we are to pursue these policies, we need to be honest about that.

There are, however, other proposals and aspirations in the report which ring a little hollow. For example the aim to have a 50% reduction in nitrous oxide emissions and essentially a 20% reduction in the use of chemical nitrogen in the next nine years. While I am no scientist, I know Teagasc has done a lot of valuable research which shows that significant reductions in nitrogen have a strong negative effect on the profitability of dairy farms and hammers the already limited profitability of suckler and sheep farming. With this trade-off between sustainability and profitability, these targets seem hugely optimistic or potentially dangerous, depending on how one looks at them. It certainly has the hallmarks of being another lofty climate change target that seems destined to be missed. We must remember that there are 170,000 employed in the food sector with another 250,000 working in farming. We can never lose sight of that.

I add my voice to those who say we need to be very careful what we do about turf-cutting. There are vested interests here. There is a climate and sustainability agenda, an economic agenda, quality of life in rural Ireland and there are houses which cannot, practically speaking, be

retrofitted. We must therefore ensure, in light of recent comments, that we protect turf-cutting at a certain level.

**Senator Tim Lombard:** I welcome the Minister and welcome also the publication of this plan. It sets out targets for reducing fertiliser use, encourages low-emission spreading and how we are going to promote organic farming and tillage. The document sets out a roadmap for how we are going to reduce our emissions over the next decade. A total of 35% of our emissions come from greenhouse gases. There is a huge issue in the agricultural community about how we are going to move forward over the next few decades and it is probably going to be one of the biggest issues we need to work on. This report is very welcome.

The agricultural community is used to change, to diversity and moving with the times. However, looking at the key issues in agriculture and what we need to address, there are several issues we must start to talk about. I am thinking in particular of the positive effects of the climate action plan. I think there were something like 26 measures in that plan which the agricultural community took on board. Those measures came from Teagasc proposals. This document follows on from that and gives more clarity on how we are going to have the roadmap rolled out over the next two decades. In that roadmap, issues like low-emission spreading have been spoken about. Five years ago, low-emission spreading was not even part of the targeted agricultural modernisation scheme, TAMS. It was then added to the TAMS and suddenly it became the ultimate driver such that low-emission spreading had to be modified in the most recent TAMS proposal such was the uptake on it. That shows how farming changes, how farmers have picked up the ball and run with it. That was a real game-changer. Changing fertiliser use was another matter in respect of which farmers were slow to engage but they have now picked it up, are engaging on it and are making major changes.

Tillage is, unfortunately, probably not the most profitable sector but we have to look at how we can diversify and change to make sure farmers can grow more protein products because the importation of protein products is not sustainable going forward if we want a sustainable product for our markets. Many years ago it was all about traceability, which was the buzzword in the context of international markets. It is now all about sustainability and that is the key driver in making sure we get our products into the 180 countries to which the Minister referred. It is about sustainable product now. We are going an awfully long way along that road of being sustainable but one of my fears is how the farming community are feeling at the moment with this climate action and change. They think they have come so far and done so much but that they are not getting any credit for it. In fact, they feel they are being berated and told they are the main instigators of climate change. That body of work has to be done through all of society in order to bring everyone with us. At the moment, those in the farming community feel they have been targeted and blamed in many ways for our weather and for climate change, when they have made so many changes over the past three or four years in particular that have not been acknowledged.

Biomethane is a major issue but we have to start acknowledging that there are processes in place that we can work on to solve it. The Minister mentioned that feed additives could be key. I have dealt with a company in Kinsale which believes that the technology is now there to measure methane output per animal. Looking at how we changed our breeding and modified our dairy and beef sectors over the past few years through ICBF and the economic breeding index, EBI, of animals, this is another trait we can tie into that. If we had the ability to pick out the breeding traits of animals in order to breed animals with low methane levels, we could make real change very quickly.

There have been unbelievable changes with the EBI of animals in the past decade. By tying that information into the Irish Cattle Breeding Federation's website, farmers can have it at their fingertips. I calved a cow at 2 a.m. this morning and the calf was registered by 2.05 a.m. That is how much technology has changed. Farmers register calves on their phones while they are there. The majority of them now do that. We have the technology and the systems, so we just need more information. The more information, the more power and the more change. That is how we will have this debate about climate change. It is about informing and working with the farming community itself. That is probably the biggest issue, based on my WhatsApp groups and listening to farmers on the ground. They need confidence that they are not the ones we blame for everything. Positivity must come out of this and the job of this Oireachtas and the Minister will be to talk up the good work that those in the farming community have done. We have to acknowledge that they have changed and modernised, that technology has been taken on board and that they are not afraid of the word "change". If we can all work together, we will have real change in a very short period and that will benefit our entire society.

**Senator Annie Hoey:** I welcome the Minister and thank him for progressing this issue. As an elected member of the Agricultural Panel and a committed environmentalist, I am very proud to see attitudes in Ireland changing on the role the agricultural community has and wants to play in the fights against climate change. I am also a very happy, healthy vegan from a tillage background, who is doing quite well.

**Senator Rónán Mullen:** The Senator is one of the lucky minority.

**Senator Annie Hoey:** We are all very happy and healthy vegans in my farming family. For too long, we have been afraid to have these conversations and there seems to be a narrative, in the public mind at least, that the agricultural sector and the environmental lobby must always be pitched against one another. However, agricultural stakeholders know more than many others the reality of what climate change has wrought on the sector and they want urgent action on this. As we go forward with this as a country, led by a Government of the Green Party in office with parties that are traditionally associated with representing the agricultural communities, from the small family farms like the one I grew up on in Meath to the larger agricultural bodies, I hope we might see a depoliticising of the issue and a coming together of communities that are committed to the same goal, which is to work to keep our environment, air quality, water quality and biodiversity as safe and as strong as possible. We need this for the well-being of our country, the well-being of our public health and, of course, the well-being of the agri-food economy in Ireland.

While I was preparing for this discussion, I reviewed a number of submissions to the Department on this topic. I want to focus specifically on some of the recommendations made by groups such as the Environmental Protection Agency, EPA. It is very realistic in its assessment of the strengths and weaknesses of this proposal. The overall success of this roadmap will depend on the ability of the sector to reverse these trends in a measurable, verifiable and reportable manner. The sector's sustainability credentials and reputation rely very heavily on this. Can the Minister say if more has been done to address the concerns in this regard since the initial proposal? The roadmap would benefit from a clear mechanism for how and when such measurement and reporting will happen.

The sustainability of the sector is also key to our future protection of the environment. The EPA has suggested that the three-pillar model that was applied to Food Wise 2025 did not achieve the necessary focus on environmental issues. This can be seen from the continu-

ing deterioration of water quality in agricultural catchments. It has since been proposed that a pyramid structure is now required. This indicates that social and economic sustainability for the sector is not possible without an evidence-based environmentally sustainable foundation. Can the Minister speak to any of the work that is being done to achieve this?

I am concerned that the roadmap documents do not provide sufficient detail on the expected emissions growth levels of greenhouse gases and air pollutants from the sector in the absence of the implementation of actions. Can the Minister take this under consideration because it is essential for a number of things that we have an estimate of the scale of output? The most urgent of these is the need to measure the effectiveness of the policies we are developing. Stakeholders must understand the level of ambition that is required against a scenario where no actions are implemented. That might result in a more focused discussion on policies.

In its submission to the Department, the EPA noted that the main focus of the roadmap document is greenhouse gas emissions from the sector. However, the effects of the sector on air pollution and quality, water quality and biodiversity and their interconnectedness do not appear to be as adequately addressed as greenhouse gas emissions, as I mentioned earlier. For example, it has been suggested that the roadmap would benefit from the specific inclusion of the ammonia abatement cost curve, given that the roadmap has been presented for both climate and air.

The Minister spoke about methane gas emissions. He said he believes that in time, a technological solution will be found. I do not wish to be a Debbie Downer but what if a technological solution is not found to convert methane gas into something else? I am sure this is being worked on at present, but how long are we willing to wait before we need to have some very difficult conversations on this issue?

One of the actions in the roadmap involves a plan to “Reduce the management intensity of at least 40,000ha of peat based agricultural soils”. This is a really important action that requires implementation and its inclusion is very welcome. However, like the EPA I have noted that the identification of the most appropriate areas and regions would be significantly enhanced with the development of spatially explicit land-use mapping. Is this something that the Department is planning to do and, if so, what stakeholders will the Department be consulting?

The Minister commented on the general population’s belief that the eating of hamburgers is more detrimental to our planet than getting on an aeroplane. I am aware that plenty of people who eat oat-based and vegetable-based burgers are happy on their staycations. I have spoken about the need to stop pitting the agricultural and environmental sectors against each other. Similarly, it is not very helpful to demonise people who do not eat meat or have reduced their consumption of it. We all live on this planet and we all suffer from the consequences of climate change. We can all work together towards a sustainable Ireland in a global community in which we can all live healthily and safely, cognisant of the impact of our actions on the environment.

While I greatly welcome this plan, none of us can underestimate the scale of the body of work ahead. There are difficult and, no doubt, uncomfortable conversations yet to be had about the sustainability of the agrifood sector in Ireland and Senator Mullen has alluded to those. It is very important that our economy is protected, but we have to balance that with the protection of the environment. Where we will have growth, we need to ensure it is sustainable. This roadmap is a very good plan towards getting us to that goal. I agree with the EPA that an environmentally sustainable foundation must be put in place to maintain the long-standing importance of agriculture and food production to the Irish economy and to rural communities.

**Senator Vincent P. Martin:** Before I discuss the main topic, it would be remiss of me not to avail of this opportunity to convey to the Minister the horror and disappointment of people in Kildare. When I go home to Kildare tonight, I will be asked if I availed of this opportunity to raise the proposed move of Horse Sport Ireland out of the county and the jobs loss. We are rich in heritage and that heritage is intrinsic to Kildare, and I hope it stays in Kildare. I thank the Acting Chairman for his indulgence.

In respect of the topic under discussion, I consider that what we have published and put before the House today in Ag Climatise is simply a first step in decarbonising agriculture and strengthening farm incomes. These are complementary to the steps taken by the Green Party since it moved into government. I believe that the 29 actions in this document will encourage diversification, which I will discuss shortly, and consolidation of farm incomes.

There have been some recent initiatives that are important to put on the record of the House, including locally led schemes. In this year's budget, the Minister of State, Senator Hackett, secured €23 million of the ring-fenced carbon budget, I am sure with the support of the Minister and all of the Government parties, and that is topped up with an additional €56 million to pilot a range of new results-based, locally led environmental schemes. These farmer-led initiatives, like the Burren programme, the hen harrier programme and the biodiversity regeneration in a dairying environment, BRIDE, programme, have demonstrated how farmers can lead the way on sustainable agriculture. The schemes to be funded by this year's budget include habitat creation and the re-wetting of peat soils, and will provide for biodiversity training for farmers. This will allow farmers to take the lead again and will help to fund the development of a new flagship environmental scheme as part of the next rural programme under the next Common Agricultural Policy.

In horticulture, a 50% budget increase up to €9 million has been secured to help Irish growers to capitalise upon the growing trend towards plant-based diets. We are currently net importers of a range of fruit and vegetables, and we can and should grow more of these staple foods here ourselves.

With respect to organics, the Minister of State, Senator Hackett, negotiated a 33% increase in the budget for the organic farming scheme, up to nearly €16 million. This will help to support the growing demand from both farmers and consumers for this type of production. Organic farming is a model that works closely with nature and has been shown to have benefits for carbon reduction, biodiversity and water quality. We have a unique position as a clean, green island. Of course, the Minister, Deputy McConalogue, is a member of the republican party and it is green for another reason, but we have a green island that should be the HQ of agricultural production in the world. We should be leaders of that.

In respect of forestry, which has been discussed in this debate, we have made significant inroads. The Minister of State, Senator Hackett, brought the Forestry (Miscellaneous Provisions) Bill 2020 through the Oireachtas. It balanced a more efficient approach to forestry appeals with the need to preserve and enhance citizens' access to justice on environmental matters. While that was not ideal, I appreciate that the logjam, the number of appeals and the delay in those appeals has been stopping essential progress.

As I said, I wish to talk about the need for essential diversification for agriculture to survive and thrive. However, in respect of what Senator Mullen said, if any farmers are being demonised, I am not aware of it and I would condemn it outright as a retrograde step. No one in

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the Kildare Greens demonises farming. The future is that we embrace farming. I am a member of the IFA, although I am in the horticultural sector. The Minister of State at the Department of Agriculture, Food and the Marine, Senator Pippa Hackett, is a farmer. Farming is the future. They are the best friends and the custodians of the earth. If it is done right, no farmer should suffer a diminution in income or quality of life provided we tackle climate change properly. It is all about leaving no one behind, especially the most vulnerable.

I will outline some ideas on diversification. The whiskey industry is vast. Traditionally, it was not very green but the Scotch producers have done remarkable work in recent times. The Irish whiskey industry has witnessed phenomenal growth in the past decade, growing from sales of under 5 million cases in 2010 to 12 million cases in January this year, a 140% level of growth. During this time the number of operational distilleries has risen from four to 38. They directly employed 1,640 people in pre-Covid times. Our whiskey industry has invested €1.55 billion in the all-Ireland economy during these years. The aggregate value of whiskey exports from the island of Ireland to more than 140 markets reached €890 million in 2019. It is off the charts.

**Senator Rónán Mullen:** I have given it up for Lent.

**Senator Vincent P. Martin:** That is very good. If Senator Mullen gave up the whiskey for Lent, there is always the option of wine.

**Senator Rónán Mullen:** That is even worse.

**Senator Vincent P. Martin:** The Welsh and English have shown us what we can do with outdoor vine growing. Certain vines are mildew-resistant and adapt to this particular climate. I suggest people talk to David Llewellyn, a pioneering farmer from a vineyard in Lusk in north County Dublin. Several others are having a go at this in Kildare because of the wonderful land. There is rich limestone soil. The farmer can get the right land. Preferably, it is south-facing with a gradient slope that is protected by some trees. This is an area where the British have put it up to the French and are beating them in blind tasting competitions, especially for white wine. Of course, bubbly white wine is slightly less of a challenge to produce.

**Senator Rónán Mullen:** Can we look forward to Château Martin in due course?

**Senator Vincent P. Martin:** I hope we will look forward in Ireland to many farmers diversifying in ways like this.

Craft beer is a source of rich potential for employment. Mead making is often forgotten about in this country. The wonderful Boyle sisters in Kildare town are two post-graduate experts in this area. It is our oldest drink. I believe there is great potential for the production of mead on a commercial basis again.

We want a solution and help for farmers and we must enhance the farmers market as well with greater supports. We have to think outside the box. It is not the same old, same old. We really have to support them with innovation. We should be front-and-centre in supporting them and bringing them on the journey that will put more money into their pockets at the end of the day.

**Senator Rónán Mullen:** Well said.

**Senator Lynn Boylan:** I welcome the Minister. We are here to discuss the Ag Climatise

plan published last December. However, we all know that before the ink had even dried, the Minister of State, Senator Pippa Hackett, was instructing Green Party members to ignore the plan for emissions on agriculture. Perhaps the Minister could start with confirming if we should ignore this plan as well.

We know our agricultural system is failing farmers. Despite the fact that Bord Bia says our food exports are growing by 60% and the sector is booming, the benefits are not trickling down to small and medium-sized farmers. Something is fundamentally wrong with the agricultural system.

Agriculture is not only failing farmers; it is also failing the planet. The current model of agriculture is one of the main sources of water pollution in this country and a contributor to our greenhouse gases as well, but the blame cannot be based on farmers. The whole system is geared towards over-production.

It is time farmers and the environmental sectors worked together. As has been said already, farmers are custodians of the landscape and they can play an important role in protecting nature. However, the system of incentives often prevents them from doing that. We heard already about the ridiculous situation around hedgerows and small scrubland and the incentives in place to remove them as opposed to preserving them. We need a radical rethink of how we do agriculture in this country.

On the issue of methane, we are told emissions will stop growing but are not told when this is supposed to happen. I take exception to selective quoting which references the distinct nature of biogenic methane. In the Intergovernmental Panel on Climate Change, IPCC, report the distinct nature of biomethane is stated as being a short-lived gas but one which is multiple times more potent in its warming potential. Ag Climatise seems to rely on technological fixes and innovative breeding strategies, other technology, and food additives but according to Dr. Hannah Daly of UCC, it is not clear how these innovations will succeed in reducing the emissions.

Carbon leakage is often used as an excuse by many in the sector to prevent significant changes to the system. When we enact new environmental laws, the argument is often put forward that production will transfer to another country which has more lax laws. It is argued Irish agriculture will therefore become less competitive and if more serious action is taken to make it more sustainable, then we will lose out. Carbon leakage cuts both ways. There are reports of large Dutch dairy corporations setting up in Ireland. We are used to companies setting up here because of our tax policies but agribusinesses are moving production to Ireland because it is seen as a pollution haven. Is the Minister monitoring carbon leakage into Ireland? As other countries dump their unsustainable practices in Ireland, we could be left carrying the can when it comes to paying the fines for not reaching emission reduction targets. The risks of carbon leakage into the country need to be looked at carefully.

The Minister of State, Senator Hackett, announced the reopening of the organic farming scheme. Our small and medium-sized farmers are our most sustainable farmers and they need to be supported more because of the leadership they show. It seems the policy approach is to leave them out in the cold. The farm-to-fork strategy aims for 25% land coverage of organic farming while the EU biodiversity strategy 2030 will see 40% of land designated or protected to some degree. Organic farming in Ireland currently has a spread of about 2% and the current scheme specifically prioritises applicants who will deliver large land cover. The plan is to achieve 840,000 acres of organic land. There are 500 places open to Government support. In

order to reach its target, large farmers are required to take part, and small and medium-sized farmers are being squeezed out. Increasing the amount of land dedicated to organic agriculture is clearly important but we need to see small and medium-sized farms benefit from that scheme.

My final point touches on microgeneration. The transition to decarbonisation is often framed as something painful with cutbacks and involving sacrifices. We in Sinn Féin, and those of us on the left, often reject this view because we recognise that when making the transition to a decarbonised future, there is huge potential to benefit people's lives in real tangible ways, if done correctly. The transition to renewable energy is a clear example of that. All sources of energy, such as oil and gas, were concentrated in only a few places. This allowed people to have control over them and they in turn had control over all of our energy systems. We have seen the implications of the geopolitics of that. New energy sources, such as wind and solar, are available everywhere. That means we have an opportunity to build a new decentralised electricity system. Small-scale solar, wind and hydro power sources can be owned by a wider group of people, as well as communities.

My colleague, Deputy Stanley, introduced a microgeneration support Bill to the Dáil in 2017. A few weeks ago, the Government unveiled a scheme to comply with the EU's recast renewable energy directive. If microgeneration is done correctly, farmers will be well suited to benefit from the scheme because they have large sheds with ample roof space on which to install solar panels. This would also provide a much-needed stream of income to farmers, in addition to reducing their electricity bills. Unfortunately, there are several barriers in the current model proposed which would lock farmers out of enjoying the benefits of microgeneration. A public consultation closed last week. I encourage the Minister to read Sinn Féin's proposal because it outlines how farmers could benefit from the microgeneration Bill, if done correctly.

One of the main barriers in this regard relates to the export caps being too narrow. It would mean that only 30% of what is produced could be sold to the grid. This is designed to promote self-consumption. In businesses and homes, people can adjust when they use their electricity to match when they are producing it. However, that luxury is not available to farmers. They operate to natural rhythms and they cannot change when they consume electricity. If, for example, a dairy farmer is using the most electricity at milking times when the potential to generate electricity by solar is low, then using very little electricity during the day when the potential to generate solar is highest, this means there is little scope for that farmer to change when he or she consumes electricity to match generation. As one farmer I spoke to stated, cows are not open to persuasion about their milking times. The result will be that farmers will produce electricity that they cannot use themselves and that they cannot sell on to the grid.

The export caps are just one of the barriers that are preventing farmers from accessing the proposed microgeneration scheme and being part of the just transition. While that comes under the remit of the Department for the Environment, Climate and Communications, will the Minister consider these points and raise them with his colleague at Cabinet? We need a just transition for farmers and microgeneration has an important role to play in that.

**Senator Eileen Flynn:** I welcome the Minister to the House to address this important issue. We all know the critical and global importance of addressing climate change. Like the current pandemic, climate change is something all countries must tackle together. If we did not know it already, this past year has taught us how interconnected we are on Earth. Today, we are discussing the national climate and air roadmap for the agriculture sector. This roadmap sets out the challenging vision, actions and targets to reach a climate-neutral agricultural sector by 2050.

We have to balance the need to increase food production with helping farmers and all of society to reduce greenhouse gas emissions. As we address these important issues, we must also remember that small farmers are the backbone of agriculture - not just in Donegal where the Minister and I both live, but across the country. As we call on farmers to do their part to help fight climate change, we must also do what we can to protect and improve their livelihoods. The IFA president has said that farmers are committed to reducing emissions. At the same time, some small farmers are concerned that measures to reduce their carbon footprint may punish them for using cost-effective traditional measures.

At the annual general meeting of the Irish Natura and Hill Farmers Association in November, its president, Colm O'Donnell, was rightly concerned about how EU land designation might unfairly impact on hill farming, including in Donegal. Mr. O'Donnell made it clear that for any environmental scheme related to farming to be successful, the new Common Agricultural Policy must not discriminate against those who farm sensitive environmental lands. We must ensure supports are available for farmers, especially for small farmers, to meet these challenging targets. Farmers, like us all, want a clean healthy environment to pass on to the next generation. They have families and mortgages. They are ordinary citizens who also need money. Let us not forget that. We cannot punish small farmers for practices that they were encouraged to adopt in the past. Many of our small farmers are farming in a more natural and environmentally friendly way than bigger operations.

The next Common Agricultural Policy will have an extra focus on climate action but it is not expected to start until 2023. Payments under CAP have long been allocated unfairly and in a way that discriminates against small farmers in Ireland. A flattening of CAP payments is long overdue. Any measure put in place that will affect small farmers' incomes must be adjusted by stronger supports. I understand that this roadmap was developed after engagement with stakeholders, and I welcome that. We must bring all parties together. I also understand that this roadmap is a living document that includes a commitment to engage with stakeholders. I welcome that too. To make this work we must make sure that our farmers, especially our small farmers, are given the resources they need to work. They put food on their tables by making sure we are able to put food on ours.

As a Dublin woman, I never knew the value of farming. I know that may sound a bit silly coming from a 31-year-old. When I moved to Donegal, however, living with small farmers, I came to know that for many young men in rural Ireland, especially in Ardara, it is their way of life and their livelihood. As a vegetarian, I am not against farming. I do not think any vegans or vegetarians are against farming. I just wanted to put that on the record. Again, I thank the Minister for coming before the House. While we do not always consider it, we must remember that farming is vitally important to young men, whether in city life or in other parts of Ireland but especially in rural Ireland.

**Senator Lisa Chambers:** I welcome the Minister to the Chamber. It is great to have him here and to have an opportunity to discuss what is a very ambitious vision he has set out for his Department. Since he has come into the Department, he has hit the ground running. He has actively engaged with the farming community and the environmental groups as well because he knows and sees, as do all of us, that the future is in working together and ensuring that farming and tackling climate change go hand in hand. The two can and will work together. Our farmers know this very well, and they are the first to step up to the plate when it comes to tackling climate change.

The Minister has set out a very ambitious vision in the roadmap. What is fantastic about it is that we are acknowledging not only that we have to reduce emissions and get to carbon-neutral farming but also that we have to do so by helping farmers, working with them and getting their co-operation to embark upon this very ambitious plan. It is a challenge for us as a very strong agricultural country. As Senator Flynn very eloquently put it, it is a matter of the livelihoods of many farming families throughout the country. We should never forget that fact and never forget how many communities throughout the country are sustained by farming. I think of my county, Mayo, a predominantly rural county, with many people farming for generations. It is more than a business or a livelihood; it has been in families for generations. There is emotion attached to it. There is love and passion attached to what they do. It is very difficult to put a value or a price on any of that. I do not think we can. Again, they are among the most eager citizens in the country to tackle climate change and to work with all of us.

We now want to move towards sustainable food production. It is really important that the European Union continues to focus on sustainable food production within the European Union, that we continue to fund the CAP adequately and, as a member state of the European Union, that we fund sustainable food production and fund farming families to produce that food. I do not want to see us make it difficult for our home-grown producers to produce food here and then to import produce from other parts of the world. Clearly, that is not in any way effective in reducing carbon emissions; the emissions are just moved somewhere else. The focus, therefore, needs to be on producing food within the European Union. Ireland is a leader in food production, particularly in the dairy sector, and I want to see us be a leader in all aspects of food production. That is what this roadmap sets out. Very often when it comes to tackling climate change, the discussion can be quite high level and it is sometimes difficult to identify the clear actions. That is what this plan and roadmap seek to address. We now have a clear roadmap, with actions, that sets out how we will achieve a 10% to 15% reduction in climate emissions. This is very laudable and commendable.

It is important to acknowledge that the agriculture sector accounts for 35% emissions in the State, based on 2019 figures. Clearly it is an area where we must do some work. We can do that by working with farmers and communities. I am happy to see there will be a specific focus on tackling fertilisers. The type of fertiliser used is having a negative impact on some parts of our environment. I draw the Seanad's attention, and that of the Minister, to Lough Carra in County Mayo, which people may be familiar with. It is quite a rare lake in its composition. It is one of the very few remaining in Europe. The lake featured in the "Eco Eye" series some weeks ago. I grew up near this lake and we all swam in it as children. One would not swim in it today. Over the last two decades since I was a child, I have seen the continued deterioration in that lake because of increased intensity of farming around the area. Farmers need to be supported to make those changes so we can protect really important environmental sites. It is my strong view that this particular lake should have the same environmental protections as the Burren because it is that rare and that precious, and it has been damaged over the past decades. This is just one example of the many reasons we need to make these changes for future generations.

I am glad to see there will also be a focus on increasing horticulture and tillage in the State. It is very important because there are so many opportunities for farmers there, including the opportunity to diversify the types of farming in Ireland.

Finally, I will touch on the area of renewable energy and rewarding farmers for the carbon benefit they give back to communities and to the country. It is very important that if we are to use farmers' lands to reduce emissions, we reward them for doing that. I commend the Minister

on the agri-environmental pilot scheme that was launched. This is a very good and positive step that has been well received in many parts of rural Ireland.

**Senator Aisling Dolan:** I welcome the Minister, Deputy McConalogue. It is great to see the national climate and air roadmap. We hear many questions from the farming community and there is much concern. The sector has gone through a massive change in the past number of years. I grew up on a dry stock and suckler farm and there have been huge changes. The number of people who were able to do those jobs full time is now very limited. There are many part-time farmers now.

The roadmap sets out an ambitious vision for a climate-neutral agricultural sector by 2050. It must be acknowledged that according to the last census of 2016 we are talking about 137,000 farms. We must protect farm income. The balance is climate action and protecting the planet. I understand that this is a living document. I presume that this means we will be able to adapt it as it goes through its different processes in the years ahead to ensure it meets the requirements of farmers and the climate.

The agriculture and food sectors continue to play a vital role in Ireland's economy, with agrifood exports accounting for 9.5% of total exports, with a value of more than €14.5 billion in 2019. Ireland is now the sixth largest net exporter of beef in the world. This shows that Ireland is leading in the world when it comes to agrifood. It is, however, about our challenge to reduce greenhouse gasses and to transition to a more sustainable long-term strategy. Farmers can do this working together, but we need such support from the State and from the Department of Agriculture, Food and the Marine. We have seen how this year alone farming has adapted, through Brexit, Covid and online marts. These marts are in areas where we know the national broadband plan has not even been rolled out and are in intervention areas that have not been able to access broadband. In the west of Ireland it is very clear that farming is what keeps our smaller towns and villages going.

The Minister mentioned some of the targets under the Ag Climatise plan. One of the crucial areas is research and innovation for really targeting and meeting some of those technological demands to help farming and to help farmers. It has to be key in how we support them. Reference was made to Teagasc. I am aware that it also falls under the remit of the Minister of State, Deputy Martin Heydon, but necessity is the mother of invention. There was a query here as to whether or not we can come up with solutions, but if we invest in research and innovation of course we can come up with solutions. I will ask the Minister specifically about funding in this area. Joint projects have been funded through Science Foundation Ireland with Teagasc. There are initiatives and incentives throughout the State, with different pilots running. What are the key projects the Minister would consider for Ag Climatise under research and innovation and what are the potential projects for this year?

We are familiar with the existing technologies such as the low-emission slurry spreading, LESS, technology, but I am curious about its take-up in the west and in smaller farms. What supports are in place for smaller farmers to embed these technologies and to ensure a high take-up? Mixed breeding is a crucial issue, as are methane and feed additives, which the Minister mentioned. He also spoke about fertiliser and how we are moving to protected urea. Again, communication with farming groups, which is very difficult at this time, is important. It is possible for it to happen through farmer organisations and through the Department rolling it out through Teagasc, perhaps on Zoom calls and online. We need to consider improving communication in respect of these measures.

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When it comes to livestock herd numbers, there have been huge increases in certain sectors in farming. I am curious to see how that will be managed going forward.

The Minister mentioned the figure of 8,000 ha per year in respect of afforestation. What impact will this have on land use for beef and sheep farmers, particularly on small farms?

I welcome the references to organic farming and the target the Minister has set for an additional 400 or 500 farmers to join the scheme. There has been a significant increase in the number of people going back to part-time farming because they no longer have to travel. They are able to work from home with their day job and have more time to get into farming in the evening. There are huge queues to apply for the green cert. What supports is the Department offering to ensure that those people will be able to get the qualifications they need?

Turning to Bord na Móna, there is a strong focus on the State-owned bogs because it has moved away from peat production. The bogs are being targeted for conservation, to become carbon sponges. Where I am from, in Ballinasloe in east County Galway, and in south County Roscommon the greenway is coming and the cycleway will potentially come to that area. We have unique conservation areas in that section of the country. In Mountbellew in east County Galway, there is Carrownagappul bog. BirdWatch Ireland has spoken at length about this unique resource, which is highly significant at a European and international level. If Senators have the opportunity this evening, they should watch RTÉ, which will be broadcasting from the bog. It will be amazing.

What will be the expenditure by the Department on research this year? The Minister might also elaborate on the issues relating to Bord Bia, such as communication and marketing and competing for new markets in the context of Brexit.

**Senator Garret Ahearn:** I welcome the Minister to the Chamber and thank him for the work he has been doing in recent months in the agricultural industry. It has been a very difficult time for farmers and different sectors of agriculture. He is working hard in the Department to resolve many of the problems.

I welcome the discussion, the climate and air roadmap and what the Minister is trying to do in that regard. Many Senators have spoken well about the positive impact this will make over the coming years not only in the agriculture industry but also in wider society and the country. When we talk about climate action, there is always a natural fear within the agricultural community about what it means or how it will impact its industry. Nevertheless, it has to be said that no industry in the country has acted more decisively in changing the way it works, does business and manages its farms than agriculture and farmers. That needs to be recognised. The changes are being made through supports from Europe and from the Minister's Department, such as the targeted agriculture modernisation schemes, TAMS, or the green low-carbon agri-environment scheme, GLAS. These are all initiatives for farmers - tillage, dairy or beef - to make changes in their land to better the environment. They have been incentivised to do that and this is no different.

I come from an area in Tipperary that is considered to have very good land, with an awful lot of intensive farming. For some, that might be seen as a bad thing in terms of climate change, but there needs to be a balance between intensive farming, on the one hand, and managing the land and caring for the environment, on the other, and that balance can be difficult to manage. An article published two weeks ago in the *Irish Farmers' Journal* discussed nitrates deroga-

tion and the impact that might have on certain regions in the country. South County Tipperary, County Kilkenny and north County Cork were all mentioned as areas where the intensity of farming is too high. That creates fear within the farming community about what might happen. If changes come and decisions need to be made regarding the intensity of farming, then support for farmers will also be required because we cannot convince people to change their ways unless we incentivise them in some way, including financially. There is a range of issues facing those involved in agriculture at the moment. We have a tillage farm at home and changes have been made to the sprays that we can use, for example. Adjustments always need to be made but the tillage sector has experienced a number of tough years recently in terms of price. There are issues in the forestry sector at the moment too and I know from speaking to people in Tipperary that there is real frustration around licences. That said, I know that the Department is doing as much as it can.

We must acknowledge that the plan is a good step forward and most farmers will recognise that. However, the one thing that farmers would ask for is recognition that changes they make will have costs. That must be recognised but if it is not, the additional cost will be put on the consumer and prices will go up. I welcome the Minister to the House and wish him well.

**Minister for Agriculture, Food and the Marine (Deputy Charlie McConalogue):** I thank Senators for their engagement in what has been a very constructive debate with many high-quality contributions. It is very useful to hear Senators' feedback on the roadmap, the challenges ahead and how we can best meet those challenges in terms of ensuring that the agri-food sector makes its contribution to our national climate change and biodiversity objectives.

The Ag Climatise roadmap is very much based on the premise of stable methane levels over the next decade. This means that methane from the livestock herd cannot increase over the next decade, as this would clearly lead to an increase in global warming. I will be watching livestock number trends very carefully and as I indicated very recently at the IFA AGM, we are approaching the point where a mature discussion is needed to ensure environmental compliance costs are not transferred from expanding farmers to all farmers in the time ahead.

In terms of overall environmental trends, it is clear that water quality, while good overall by EU standards, has come under pressure in certain catchments. Initiatives have been put in place to address these declines, including the agricultural sustainability support and advisory programme, a key public-private partnership working with farmers to improve water quality. The Teagasc sign post farms initiative will also provide further impetus in this space. It will bring Ag Climatise to life and ensure that its actions are demonstrated on a number of model farms to help drive the necessary behavioural change.

I am also keen to explore the opportunities in this space for farmers. Carbon farming is a term that we will all become very familiar with over the coming years. It will be possible for farmers to reduce emissions substantially over the coming decades and I am keen to find ways to reward these farmers for taking such positive actions. There will be an opportunity to attract external private sector money into the sector. We only have to look at the success of the woodland environmental fund within my Department, whereby private sector companies are paying farmers to establish native woodlands from a corporate social responsibility perspective. As afforestation rates increase, there will be room to expand on this scheme, creating opportunities for more farmers. However, it will not be limited to forestry. I see opportunities for the rewetting of peat-based soils and also the reduction of methane from the livestock herd through the use of feed additives. While it is clear that farmers will need to change practices on their farms,

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I am very keen to explore ways of finding other income streams for them through the concept of carbon farming. I believe a Biden-led Administration in the USA will only accelerate progress in this space.

While Ag Climatise is fully committed to looking at diversification opportunities for all farmers, it is logical to conclude that Ireland's agrifood sector will remain principally based around the production of high-quality meat and milk proteins. While consumption of these products may fall in the EU over the coming decades, global demand is expected to remain high with emerging middle classes, particularly in the Asian region, demanding more high-quality animal proteins. Ireland must occupy this space because we can produce these products in a more carbon efficient way than most countries throughout the world.

I thank Senators once again for their positive engagement on Ag Climatise. I will reflect carefully on what I have heard here today. Ag Climatise is a living document and it will continue to be reviewed and updated in light of the latest developments from both a policy and scientific perspective.

**Acting Chairperson (Senator John McGahon):** That concludes our discussion on Ag Climatise. We will suspend until 3.30 p.m.

*Sitting suspended at 2.55 p.m. and resumed at 3.30 p.m.*

### **Councillors' Pay: Motion**

**Senator Gerard P. Craughwell:** I move:

That Seanad Eireann:

acknowledges:

- the increased workload of city and county councillors since the passing of the Local Government Reform Act 2014, and the subsequent restructuring of local government in Ireland;

- the willingness of councillors to take on additional duties, travel further across their constituencies and to fully engage with the reform process;

- the number of representations made by city and county councillors to members of the Oireachtas since 2014, to have their representational payment increased to reflect the substantial expansion in workload;

- the representations made by the Association of Irish Local Government (AILG) and the Local Authority Members Association (LAMA) to the Minister for Housing, Local Government and Heritage on their behalf;

notes:

- the promises made by three successive Governments to address the issue of councillors' representational payments;

- the issue of councillors' pay has been the topic of several motions and debates during the 24th, 25th and now the 26th Seanad;

- the publication in June 2020, of the Independent Review of the Role and Remuneration of Local Authority Elected Members by Sara Moorhead SC;

- the recommendation in the Moorhead report that councillors' pay be increased by €8,000 a year;

- that the Programme for Government includes a commitment to the full implementation of the Moorhead report;

regrets:

- that no further progress has been made on councillors pay since the Minister of State with responsibility for Planning and Local Government, Deputy Peter Burke, presented proposals to the Minister for Public Expenditure and Reform last year;

calls on the Government to:

- act on its commitment in the Programme for Government to increase councillors' pay;

- provide an update on the status of the recommendations of the Moorhead report since proposals were sent to the Minister for Public Expenditure and Reform, Deputy Michael McGrath;

- confirm when the proposed increase of €8,000 per annum will be added to councillors' salaries; and

- outline when the other proposals recommended in the Moorhead Report will be implemented.

I am sharing my time with my colleague, Senator Keogan. I welcome the Minister of State to the House. It is ironic that we are debating this matter on the very day when a headline in the *Irish Independent* reads "Revealed: TDs in line for pay rise to push their wages back over €100,000". As recently as last week we had yet another Commencement debate on the issue of councillors' pay, one of dozens since I first took my seat in 2014.

We could paper the walls of this illustrious Chamber with the emails and newsletters Senators have sent to councillors, each promising to secure a pay increase for them. I bucked that trend and told a shocked meeting of the Association of Irish Local Government, AILG, in Inchydoney in 2015 that there would be no increase in councillors' pay that year, or any other year, because they are not respected for the work they do and, at any rate, there was no political will to increase it. I was told by then president of the association, who is now a Minister of State, that there was no room for people like me to make solo runs on the matter and that it would be handled by Government. This was in 2015. I was stunned by this because I was the first person to raise the issue of councillors' pay in the Seanad in 2014, soon after the local government reform programme was rolled out. At that time, many told me that I should not have spoken publicly about politicians' pay. Why is that? Should we only deal with these issues in back rooms, out of sight of the taxpayer? Councillors work hard for their communities and, as such, they are entitled to a decent salary.

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Why did I speak out on pay and PRSI back then? I did so because it was immediately obvious to me that the Local Government Reform Act 2014, associated with the action plan entitled Putting People First, had put councillors last. As a result of the reforms, the workload of councillors and the distances they had to travel across their constituencies were greatly increased. I am a committed trade unionist and I subscribe fully to the mantra that if one does more work, one should get more pay.

If I have learned anything over the past six and a half years, it is that, as constituents, councillors are treated appallingly by members of Government and that it takes a court case or some other metaphorical gun to the head to get results. In 2016, I was rapporteur for class K PRSI on the education and welfare committee. This class of PRSI is charged at 4%, which is the same rate as for class A, but there are absolutely no benefits associated with it. I had raised the matter through Commencement debates in the Seanad but the Government was unwilling to act, so I assembled a group of county councillors who were willing to take a massive risk with regard to cost and take a constitutional challenge to the High Court against being charged class K PRSI. The outcome of the challenge was that Government changed councillors' class of PRSI to class S. How much money was spent trying to preserve the arrangement regarding class K PRSI only for the Government to capitulate at the last moment? It is deeply regrettable that this has been the only major achievement in respect of councillors' terms and conditions in all those years and it would never have happened if those brave councillors who joined with me had not moved on it in the first place.

Promises are made, especially at Seanad election time and during the formation of the present Government. These are soon forgotten once Deputies and Senators secure their seats and offices. As someone who came to this House from outside the political establishment, I find this disgusting and I applaud councillors for their patience, particularly with their own political parties. I am horrified every time I hear a Government party Senator calling on the Minister to resolve the issue of councillors' pay. It is window dressing of the worst kind. One councillor asked me whether these Senators think that councillors are stupid enough to believe a word of it. Over the past six and a half years, Fianna Fáil has blamed Fine Gael for this failure. Both Fianna Fáil and Fine Gael have been in power since this time last year and still nothing has been done. If there is any reason for this unforgivable heel dragging, it can only be cowardice. We have political parties that are afraid to upset the public by giving pay increases to those who are on the lowest rung of the political ladder, but it is this rung that is arguably the most important. As is evident from today's newspaper, however, they are not afraid to accept pay increases and increased numbers of ministerial positions and advisers themselves. It really smacks of pulling the ladder up behind them.

In 2018, the long-awaited Moorhead report was published. Some of the report's ten major recommendations have been contentious, especially those relating to pay, allowances, expenses and pension entitlements. I acknowledge the difference of opinions on how best to remunerate councillors for their work, but this cannot be used as an excuse for delay. It is now 2021 and the commitment in the programme for Government to implement the pay element of the Moorhead report's recommendations is fast approaching. Can the Minister of State confirm for us today if what was reported in the media is true? Has the Cabinet signed off on the proposals which we were told he brought to the Minister for Public Expenditure and Reform, Deputy Michael McGrath, before Christmas? I am certain that his reply is eagerly awaited by the hundreds of councillors who are watching the debate today. Perhaps there is a plan somewhere to price ordinary people out of politics. Perhaps the Government would prefer it if only the wealthy could enter

politics on the lowest rung of the ladder. Many councillors are unemployed and many more will be unemployed at the end of the pandemic. Many of them are women and the council salary is their only income. Perhaps the Government would prefer it if they did not run for election.

The media are also listening to the debate. I ask the esteemed political press corps to stop adding to the problems of councillors by framing this debate as “whopping pay increases”, “very generous allowances”, “big expenses”, etc. This not only reduces public trust in democracy, it undermines the councillors’ case. I can tell the Minister of State that they are sick to the teeth of being portrayed in this way. The miserly pay increase recommended in the Moorhead report has been reported in the media many times already yet not a single cent has been paid. I ask the media to stop. We saw what happened in the USA when the democratic process was undermined. It may sell newspapers but it is grossly unfair to councillors and to democracy itself.

I appreciate that the Minister of State is only in office a short time and he has been confronted with this issue. Could he guarantee that no councillor will be worse off if the recommendations in the Moorhead report are implemented? Could he tell me what the rate of pay will be? Will the payment match a grade in the public service or will it be linked to the pay of Senators and Deputies? If the payment is linked to a public service grade, will it track that grade always? Will there be an incremental scale, or will the payment be a flat payment? When precisely will this payment commence? Will the pay be made retrospective and be paid from the date of the election, as was promised? Will the Minister of State remove the requirement for travel accumulation for councillors, as recommended by the Moorhead report? Many councillors, for example, travel significant distances for council meetings, but they are also members of education and training boards, the health board and they are involved with various other public services. This is becoming a major problem and is a disincentive to them getting involved in these organisations.

Those are the questions that have been put to me in recent days by county councillors from all parties and none. It is most regrettable that nothing has been done six years on. Not only are county councillors the go-to people in local authority areas, but they work extremely hard. They are committed to their communities and their own political parties. At election time they are the foot soldiers of political parties. We should not be embarrassed about arguing the case for pay for county councillors. They deserve what they are getting. We reduced the number of councillors significantly in 2014 and we increased the local authority areas. It is time that we took on board the difficult task of getting the remuneration correct for them so that they are paid and looked after. There are a number of other matters I might bring up later but for now, I will hand over to my colleague, Senator Keogan.

**Senator Sharon Keogan:** I thank Senator Craughwell for bringing this matter to the House today. I also thank the Minister of State, Deputy Peter Burke, for coming to the Seanad to take on board our considered views on the role and remuneration of councillors. Since I have been elected to the Seanad, the inadequate pay structure of councillors has been high on my agenda. I was told by the Leader of the Seanad that a day would be set aside for my colleagues in this House to discuss the Moorhead report. A Private Members’ motion had to be brought by three Independent Senators to force the hand of the Government to account on this issue. The Government should be utterly ashamed of itself for failing to take this matter more seriously. County councillors are the loyal foot soldiers of political parties when it comes to canvassing at election time. As a former county councillor, I enthusiastically welcome the opportunity we now have to deal with this topic and to introduce meaningful reform in this area. Surely all present can agree that this matter concerns not only the role and pay of local authority elected

members, but also the quality and effectiveness of local government for the people of Ireland.

What do I want? I want better local government that will enhance the lives of people in all 31 local authority areas across the State. How can we achieve this objective? One important step towards achieving it is the fair and proper recognition of the work of councillors and the extraordinary time commitment the role requires. How do we do this? We do this as any good and fair employer would, that is, by paying councillors properly. We do it by providing them with a pension in the same way as for all other public servants and public representatives. We do it by providing them with properly structured and expertly delivered training and testing, thereby equipping them to serve their communities in a more effective and professional way. We do it by dropping the pretence that the role of the councillor is a part-time one. In reality, it is not. It is a full-time role and should be paid accordingly.

What I propose is not mere constructive and conservative tinkering with the existing system but, rather, true reform of local government that will allow councillors to dedicate themselves to the task of providing better local government to citizens. Key elements of this reform are the recognition of the full-time role of councillors in representing their communities and exercising their local authority functions. It is noteworthy that councillors administer a combined budget of €5 billion annually. It is important, therefore, that supports are put in place to educate and empower councillors and provide them with the skills needed to exercise good governance and compliance in the distribution of this significant budget.

Since May 2019, there have been 72 co-options onto local government. Some of these co-options have been due to members being appointed or elected to this House or the Dáil, while others have resulted from vacancies arising from workload involved in being a councillor. Good people are being lost to local government because of our failure to support them as they deserve in accessing a living wage. It is impossible for young councillors to stay in local politics. The wage is paltry and the job is temporary. It is impossible to obtain a mortgage, car loan or any form of finance in that situation. In recent years, the media have announced more than six pay increases nationally for councillors but, in fact, none have been delivered.

The financial imbalance between Deputies on six figure salaries and councillors on pocket money may suit the local Deputy in terms of dominating his or her constituency. The dual mandate may have been abolished but, in reality, it lives on. The local Deputies and Senators in waiting for the national ticket must remember what their role is; it is a national role. The go-to person on local matters for the general public should always be the councillor. However, the minute any funding is announced, the national politician is the first to claim credit for it. There are ten Senators who had their office granted to them as a gift from their political masters in Cabinet. The master of the local politician or county or city councillor is the ordinary citizen.

I note that Fine Gael has tabled several amendments to the motion. It is worth noting that Fianna Fáil, the Green Party and the Labour Party, which claims to be the party of the working person, have not put down any amendments. They have remained silent on the issue. Just like in December, they had an opportunity to include councillors' pay in the budgetary expenditure but they opted not to do so. I reject amendment No. 3 on the basis that councillors cannot wait until December 2021 for action to be taken. They have waited for long enough.

On the issue of maternity leave, paternity leave and other forms of statutory leave that are currently unavailable to councillors, it is important that local authorities look at the provision of childcare in-house. We must remove barriers to the entry of women into politics. Amendment

No. 1 speaks to the national issue of the inadequate provision of childcare by the State.

The Minister of State, Deputy Burke, who is present, the Minister for Housing, Local Government and Heritage, Deputy Darragh O'Brien, and the Minister for Public Expenditure and Reform, Deputy Michael McGrath, have been dancing around the fire of councillors' pay for the past eight months and, indeed, for the past six years. I have asked for their views on the Moorhead report. I have asked for a meeting with the Taoiseach on the subject of councillors' pay. He passed the buck back to the Minister, Deputy O'Brien. The Minister has told me that it is within the gift of the Minister for Public Expenditure and Reform, Deputy Michael McGrath, to sanction the pay increase for councillors. I want to know what recommendations went from the Department of Housing, Local Government and Heritage to the Minister, Deputy McGrath. Every councillor in this country wants to know if this Government values them to the tune of more than €17,600 a year.

All councillors are motivated by the same thing, namely, a commitment to their communities. Councillors have a multifaceted role and all they want is a living wage. Please give it to them.

**An Cathaoirleach:** Before I call the next speaker, I point out that there are 949 local authority members, which is 678 fewer than there were a decade ago. We have the lowest rate of public representation at a local level of any country in Europe. The next nearest country in respect of the rate of local representation is the United Kingdom, which has twice as many public representatives per head of population as we do. It takes more to get elected to a local authority in Ireland than in any other country in Europe. In France, there is one public representative for every 78 people, while the ratio in Ireland is closer to one public representative for every 4,000 people.

There used to be 114 local authority areas when we had town and city councils, but that has now been reduced to 31 local authority areas. Therefore, while the areas have increased in size, so has the workload. Speakers have also addressed the issue of diversity, which is also a challenge for us in having more people involved in local government. One blockage to achieving that increased diversity relates to the terms and conditions associated with the role of elected local representatives.

**Senator Mary Fitzpatrick:** Those contributions are spot on. I was first elected as a city councillor in 2004. Over the past 16 years, I experienced at first hand how the role and its associated demands have changed. I thank the Minister of State for coming into the House today to address this important issue which goes to the core of our democracy. I thank the Independent Senators for facilitating the House with this debate, but there is unanimity among Senators regarding the importance of the role of our elected local representatives and the invaluable service they provide in that regard, not just to their local communities but also the support they give to us as national legislators in doing our jobs.

I speak as the first member of the Fianna Fáil group, but I should probably apologise because we have the Minister of State tormented in his short six-month period in office. We pestered him about this issue. He is not alone in that regard, because we have shared out the torment with the Ministers, Deputies O'Brien and McGrath. The Fianna Fáil Senators have also raised this issue directly with the Taoiseach on several occasions. I also pay tribute to the councillors' representatives on the Local Authority Members Association, LAMA, and the Association of Irish Local Government, AILG, who have done a tremendous job championing the role of

councillors and highlighting this important issue. I refer to the issue of pay, which is of course what the media will talk about, and the working conditions of our elected local representatives.

When a programme for Government was being put together, Fianna Fáil Senators insisted that it include a commitment regarding local authority members. While we do not have unanimity regarding the Moorhead report, as a person who has worked at local authority level for a long time I certainly take issue with several of the assertions. I have only three minutes left, however, so I will not get into that area. We did insist, however, that a commitment concerning local authority members was contained within the programme for Government. We also insisted that the Moorhead report be published and that this Government deliver for members of local authorities in its first year.

The Minister of State knows that is what we are looking for, and we will not stop making that demand until it is delivered. I hope the Minister of State has come to the House today with some information for us in that regard. As the Cathaoirleach said, the more than 900 local authority members are tasked with giving strategic direction to the executives in our 31 local authorities. Those local authority members are also tasked with passing some €5 billion in budgets and dealing with the strategic development plans which will take two years, engage all our local communities and drive development in those local communities. All councillors are involved in such work. They chair and are members of strategic policy committees that determine by-laws and determine the level of service that is being delivered for environmental services, housing, the parks, libraries, etc. They are involved in all of these incredibly valuable services in communities and all local authority members do this work. They operate seven days a week. They are on-call in their local communities. They do not get to leave their local communities and they do such work with a heart. They champion their local communities, sports organisations and schools. They deal with individual constituents on a personal basis. They progress queries for them on an individual basis. They also champion their wider communities and counties. For all of that, the sum of €17,600 is not a living wage. I do not exaggerate when I say that the vast majority of councillors hold down full-time jobs but some are financially impoverished by the role that they undertake for their communities.

Local government is the cornerstone of our democracy and we need to ensure that local government is diverse in terms of demographics. We need more women, young people and people with experience to get involved in politics. If we want to ensure that we have diversity at the most detailed level of local democracy then we must pay a living wage. We must also provide a pension to these invaluable public servants. That is not an unreasonable request. For the women who will give of their time and take time out from their families and careers to serve their local communities, the minimum they deserve is to be provided with maternity leave. I had my three children while I served as a local authority member on Dublin City Council. I remember being in labour in the Rotunda Hospital and being castigated in the media for not attending a meeting. The ridiculousness of it. I could not be in two places at the one point in time. Honestly, maternity leave is a basic right.

All that the Fianna Fáil group is asking for is respect and recognition that the councillor role is not part-time. We want recognition that this is an incredibly valuable role in our democracy. We also want fair pay and fair compensation for a fair day's work that local authority members undertake seven days a week.

**An Cathaoirleach:** I call Senator Cummins. Is he moving amendments to this motion?

**Senator John Cummins:** No. We are withdrawing the amendments.

**An Cathaoirleach:** The Senator is not moving the amendments. He has six minutes.

**Senator John Cummins:** I welcome my party colleague, the Minister of State, Deputy Peter Burke, to the House. I thank him for his commitment and dedication to resolving this long-standing issue of pay for county councillors. There is cross-party support for this motion, which is most welcome. Although the amendments tabled by the Fine Gael group are not being moved, those amendments are not without merit as they refer to the working group that has been established to examine the non-pay elements of the Moorhead report. The Minister of State might refer to those aspects in his later reply.

This is an issue that has been kicked around for as long as I can remember. A report was commissioned by the Department of Housing, Planning and Local Government in June 2018 to review the role and remuneration of elected local authority members. An interim report was produced in December 2018, and the full report was furnished thereafter. Local authority members were informed that the proposals would be implemented prior to the local elections in June 2019. When the deadline was missed, the councillors were then informed that any changes would be backdated. Here we are, however, still debating this issue some 18 months after the local elections.

I welcome the commitment contained in the programme for Government to implement the Moorhead report. If we are honest, as has been referenced already, these changes have been reported in the media multiple times at this stage which could give the false impression that councillors have had multiple raises in their representational payment, which, as we all know in this House, is not the case.

I am very proud of Fine Gael's record of raising the minimum wage seven times since July 2011, from €8.65 to its current rate of €10.20. Some will still argue that this is not enough, and that is a debate we can have on another day, but I am sure everyone agrees it is only right and proper to pay workers at least the minimum wage, and that is precisely what we have not been doing with city and county councillors. It has resulted in the loss of some exceptionally talented people from local government over the years, which is a terrible shame.

The role of councillor should be one that is available to all. It should not be exclusively for those of independent means or who are retired and do not have to worry about supplementing their income to support their family or run a household. The remuneration available to councillors should be sufficient to support an individual who puts him or herself forward to represent his or her community. There is no greater honour than to be elected to represent the area one is from or the place one has made one's home. Before I was elected to Seanad Éireann, I had the honour of being elected to Waterford City and County Council on three occasions: 2009, 2014 and 2019, and I am lucky enough to have served as mayor on two occasions. In that time, I can safely say the workload associated with being a councillor has increased dramatically. There are significantly more meetings, further distances to travel, the local electoral areas are bigger, the volume of representations has increased, the paperwork and compliance measures associated with the role are onerous but necessary, and the accessibility of the public via social media on a 24-7 basis has brought an added dimension into the mix.

The Review of the Operation of Local Government Reforms 2014 survey of elected mem-

bers reported that councillors spend a mean average of 32.25 hours a week undertaking their role. A 2015 AILG workload survey indicated that councillors were spending 33.15 hours per week on their role. The report by Ms Sara Moorhead proposed a salary of €25,066 euro per annum, or €2,088 per month, before tax, with other elements for travel and subsistence being vouched. Assuming the workload has stayed the same since 2015, which as I have said is not the case, we are actually talking here about a salary of €14.50 per hour before tax. The reality is it is even less for those councillors who work longer hours, of which there are many. One of the most important recommendations in the Moorhead report is the ceasing of the historical link to a Senator's salary and instead the linking of it to a point in the public sector pay scale. This will fulfil the objective of removing the political decision-making from remuneration of councillors into the future and further brings it into line with public sector norms. Thankfully, as a result of that, this will be, it is hoped, the last time we will ever discuss the issue in this House.

I wish to address some points on the language contained in the Moorhead report which was unhelpful. The dismissive attitude by the author towards the representational role of the councillor was all too evident. The suggestion that assisting constituents with form-filling for the likes of social housing, housing assistance payment, HAP, applications, housing adaptation grants and medical card forms or giving advice on planning and planning-related matters is in some way not relevant to the role and that councillors should be concentrating their time on policy and governance issues is all well and good in theory but in practice is so far removed from the reality on the ground. It is not a case of one or the other. Councillors do both roles and do them very successfully and exceptionally well in many cases.

The Minister of State has done exceptionally speedy and diligent work on this issue. He is committed to resolving this issue and I ask that he engage further with the Minister for Public Expenditure and Reform, Deputy Michael McGrath, on it to bring it to a conclusion as a matter of urgency.

**Senator Rebecca Moynihan:** This issue has been raised many times in this House and has certainly been raised since I was elected back in April. I thank Senators Boyhan, Keogan and Craughwell for bringing this motion to the Chamber again. It is not the first time we have heard about it but movement on the issue has been sadly lacking.

I acknowledge the grave mistake my party made in the reform of local government back in 2014. Town councils were abolished and local electoral areas were increased but the corresponding respect was not given to councillors. The reform took away power, loaded on work and did not tackle the key issues of local government reform, which should have been a great opportunity for us.

We have all spoken about the Moorhead report. While I welcome its recommendation of an increase in pay for councillors, I, like other Senators, have grave concerns about the tone it adopted. The report's author was patronising toward what she called "clientelism", which is also known to many people as representing one's constituents and dealing with the system that those constituents are not necessarily able to navigate. The report should not have adopted that tone.

The report is written through the lens of somebody who does not have difficulty accessing State services and who can advocate by themselves. It reminds me of an opinion column on politics in *The Irish Times* by somebody who has never knocked on a door, has never had difficulty filling out their own forms and has never had to deal with constituents. I will give an idea of many of the groups and committees that one has to be on as a member of local government.

From a statutory perspective, councillors are on the main city council and the strategic policy committee, SPC, but if they want the SPC to do any work, they will also be on subgroups of that SPC. They are also on subgroups of committees to try to progress things. They are on their local area committee but they are also on subgroups of it. They are part of community groups. They are on many boards to which they were appointed through the council, including partnership boards, things like the drugs task force and subgroups on specific issues.

Senator Fitzpatrick referred to the development plan. Not only do councillors go into meetings on the development plan for six, seven or eight hours at a time - sometimes until midnight - they also meet constituents about it. They talk to each of the separate groups and meet constituents from all over the city about that development plan. They plan information meetings, local meetings, residents' association meetings and hospital board meetings for the many groups that want to speak to them about different issues. Students also contact them about planning their dissertations. There is also the corporate policy group, CPG, councillors' own group meetings, issue-specific group meetings, the emails and the leaflet drops when something is going on in an area. Then people coming up and say either that they never hear from the councillor or that they do not want them to put junk mail in their door.

To be a good councillor, and I would like to think I was one because I was elected three times when times were not particularly good for my party, requires a huge amount of work and effort that goes far beyond the clientelism to which the report author so dismissively refers. Reading the report, I got more and more angry about the lack of understanding of what it takes to be a councillor and what is expected from constituents, as well as the lack of respect the report shows. Councillors get no backup. Every single email and post has to be answered by them, after attending all the meetings I have just listed. After any part-time or full-time job, they have to keep up with a very basic life. Every leaflet is written, printed and folded by them and is delivered by them with the help of a few other people.

The women also do that while pregnant. I have friends who knocked on doors when they were nine months pregnant. People I know have gone to local meetings straight after having a baby. I have lost count of the number of times I have had to hold babies in the tea room or in the chamber because people were forced to be there right after giving birth. Councillors get no maternity leave, no backup, no childcare and no support. Local government and local councillors are the hardest working people I know. Local communities deserve good councillors from all backgrounds, ages and genders. Councillors who have children should have a very basic right to maternity leave and maternity pay. This goes to a deeper issue of local government reform. A strong and vibrant local government is essential to our democracy as it is the closest step to people. People have a connection to their local authority that they do not have to Departments. They are the first to get the blame when things go wrong and the last to get the credit for the varied daily work that they do. Councillors have much responsibility, a great deal of expectation, no power and little respect from officials, or indeed from the officials in the Departments they deal with. I welcome the Minister's commitment and I know that Senators on the Government side of the House are committed to reform in the face of officials in the Department that are very dismissive of the work that councillors do. I hope that the Government is able to promote this because, at the very least, people deserve a minimum wage. As Senator Craughwell said, a committed trade unionist will look for a decent day's pay for a decent day's work.

**Senator Pauline O'Reilly:** I thank the Leas-Chathaoirleach, the Minister of State and the Independent Senators for bringing this matter forward.

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At the outset, it is not correct to say that any of us - in any party or non-party - have been silent on this issue. As Senator Moynihan has outlined, having been on local authorities most of us are deeply aware of this issue and understand the amount of work that goes into being a councillor. I have also brought this up on the floor of the Chamber and the Leader has brought forward a letter to the Minister of State based on my representation there. I am also aware that the Labour Party has put forward Commencement matters on this issue. It is not correct to say that those two parties have been silent but we should not politicise this. This is something that we all want to work on and to see resolved.

It is a great honour to be elected as a councillor. As I have said, almost all of us here have been elected to local authorities. This usually comes after years of voluntary work with our communities. It can be really hard to put one's hands up and say that life can be really difficult as a councillor. Councillors want to be there, but they are saying that they are underpaid and need to be paid a decent living. I was elected in 2019, after some of the other Senators here, but I did it full-time and did not get paid anything else other than the €17,700 a year. Many other councillors have served for much longer but the key point is that it was hard to make ends meet. I had no childcare for my children and it was not paid for. What happens is that women drop out of local government. How many years can such people actually stay in local authorities? When I became a councillor in Galway City Council, no mothers had been elected on to the previous council. There were women but none who had children. In fact somebody who was elected in the previous election in 2014 had to let go of her seat when she became pregnant and a man took it. I am not saying that we should not make way for other councillors if things change. I would hate to think that someone would stop being a councillor because of a lack of childcare or maternity leave. Councillors in rural constituencies, in particular, find that the amount of time they spend travelling on the road is just too much to bear. Even if one does not have a full-time job, one has other responsibilities.

I believe that the Minister of State is willing to make the necessary changes. As many others have said - it was particularly eloquently put by Senator Craughwell - these changes have taken years to come. Some €17,700 is not enough, even if things had not changed in 2014, since when a great deal more has been expected of councillors.

One of the councillors within my own party was a full-time nurse with five children, and as a councillor had to give up being a nurse because it was just not possible. Councils are supposed to be microcosms of society. We have councils across this country where we do not have people from diverse backgrounds. Women account for just 6% of the members of some councils.

I wish to give a shout-out to some of the caucuses and women's committees. I know that Councillor Lonergan has written to the Minister of State on this issue and he responded last week. There are a lot more women on some councils than on others so, while there can be a caucus and a committee on some councils, if someone is on a council like Laois County Council, where there is only one woman, that person is a committee of one. How are they going to really advocate for themselves on that committee?

I would like to give a shout out to Councillor Mary Hoade, the first woman elected as president of the Association of Irish Local Government, AILG. One of her first acts was to call for maternity leave for women in local government because it is outrageous that they do not have maternity leave. However, this goes beyond maternity leave. I have a copy of the letter from the Department in regard to maternity leave. This issue is beyond leave. It is about the fact people cannot engage in proxy voting, so if a person does not turn up, their party cannot

be confident they will be able to carry a vote, and that needs to be sorted out. There is no administrative facility to do all of the kind of work that Senator Moynihan has laid out. We need administrative support, at the very least, if we are going to be juggling work with having a very small baby. There are many things that need to be looked at apart from the increase in salary.

I know the Minister of State has set up the task force, which is a very good move. However, we have a commitment in the programme for Government for this to be addressed within 12 months. As I am sick of saying, 40% of the membership of this House are women and that is why these things really matter to us. I am sure that is why Fine Gael put forward a proposal on maternity leave. I want to see that happen. I do not want us to have to keep standing up and using our time in the Seanad to address this issue of councillors' pay, which actually stands on its own two feet.

I have huge problems with the Moorhead report, as many people do. It shows a complete lack of respect for councillors in the kind of language it uses. As a councillor in the Green Party said to me, it is all very well telling us we should not engage in representations, but what are we going to do - not answer our emails, not answer the phone? What kind of a public representative would I be then?

I thank the Minister of State for his time and I look forward to hearing from him. I know that everybody in the House is going to keep on his back over this, so sorry about that, but that is what he gets paid the big bucks for.

**An Leas-Chathaoirleach:** I thank Senator O'Reilly for her impeccable timing. It makes it fairer to everyone else. I call Senator Warfield.

**Senator Fintan Warfield:** This issue cannot be separated from real and genuine reform of local government and of the power structure in Irish politics. Governance and decision-making should be made as close to the people as possible. It should be made by people who are elected by the people. The current management structure was introduced in 1940. We consistently, for decade after decade following partition, followed a colonial policy of centralisation. Looking at it today, where do we find ourselves? We have one of the most centralised politics in Europe. Our council buildings are hollowed-out shells where there is no governance of water or waste, never mind what other European countries have, such as governance of health. Town councils were abolished in 2014. The list goes on.

Sinn Féin will be supporting the motion but I am adamant when I say the issue of pay for councillors and local representatives should not be separated from the powers they are given. This has to be a dual process where we streamline councillors' pay and increase the powers of local authorities. If powers are increased, then we must ensure councillors are able to take on the full-time workload and not be hindered by other considerations.

We also want to see an end to unvouched expenses. Unvouched expenses, as I remember from my time, are basically treated as income because the pay is so bad. Expenses are not income and should not be treated as such. The pay should be increased. Unvouched expenses, meanwhile, affect people's confidence in the work our councillors, politicians and public representatives do and they should be scrapped altogether. Most other democratic systems have long-since gotten rid of unvouched expenses regimes. We have called for a basic rate of pay for full-time and part-time councillors and a fully vouched system of expenses for additional costs of work. Full transparency around who is full-time and part-time is key to gaining public

support for such a measure. Applying a fixed salary to the work of councillors and scrapping unaccountable expenses represent progress in scrutiny of the spending of taxpayers' money. Every euro in salary payments to councillors and expenses would be accounted for and open to scrutiny. That would be a significant advancement of the *status quo*.

I have said already that we have one of the most centralised systems of politics in Europe. In recent years, Ministers have grabbed power from local authorities, often to stifle opposition to scrutiny of their plans. Sinn Féin has consistently resisted efforts to take power away from councillors. Only this week in the Dáil, there was an attempt to do precisely that. The Land Development Agency Bill seeks to remove councillors from the oversight of the transfer of public land to the Land Development Agency. It is difficult to believe that a Minister with responsibility for local government drafted a Bill that seeks to minimise the input of members of local authorities. Is that the case or is it simply consistent with what I have been saying about how we centralise power every decade? I am concerned that this happened after elected members of local authorities in recent times have robustly opposed the forcing of local authorities to use public land for unaffordable private housing. Councillors with local knowledge and expertise showed clearly that there is a better way to deliver genuinely affordable homes. The Minister should not seek to silence elected local representatives who are doing exactly what they should be doing.

My party sees a vital role for local authorities in solving the housing crisis. We firmly believe that the development of public housing and public land should be delivered by local authorities. This will be based on regional five-year development plans and regional knowledge about what demand exists. This requires the retention of public representatives who have built up local knowledge and expertise. However, many councillors are forced to vacate their seats before completing their terms due to financial and family considerations. That has been articulated by Senators throughout the House today. Recent reports, such as that by the ESRI, have confirmed that it is significantly cheaper for local authorities to construct public housing. The ability to do this depends on local authorities being adequately funded and staffed and retaining public representative expertise.

Not only do I seek proper pay for the workload of current councillors but I want to see a greater variety of people running for and holding office in local government as well. The current system means that people from low income backgrounds, mothers of young children and members of marginalised or minority groups are under-represented. The issue of pay is a barrier to many people putting their names forward.

I welcome the amendment arguing for the implementation of the non-pay aspects of the Moorhead report, such as maternity and paternity leave. I know it will not be pushed by the Members. However, I hope this proposal will attract more people to stand for election and serve our communities. The situation as it stands excludes members who miss meetings for more than six months. I have raised this issue previously, as others have mentioned. A Sinn Féin councillor in Cork, Danielle Twomey, found out only after having a child that there was no provision for paid maternity leave. That was in 2017. We have had elections to the local authorities since then. It is a major disincentive to women who decide to have children that they are not entitled to the benefits and protections afforded to all others working in public services. The Maternity Protection Act 1994 states that a self-employed or employed woman is entitled to 26 weeks of maternity leave together with 16 weeks of additional unpaid maternity leave.

Since 2017 two tranches of legislation have been before the Dáil dealing with parental

leave. One Bill was introduced by Fianna Fáil. There is a consensus on that issue and we need to have action.

**Senator Frances Black:** I welcome the Minister of State to the House today and thank him for all the work he is doing in these trying times. I commend Senators Keogan, Craughwell and Boyhan for putting down this motion. It is of utmost importance to the councillors who elect us to the Seanad. It involves their remuneration and conditions, which are absolutely vital.

We all know all politics is local. In a nutshell, this shows the importance of our local authorities. City and county councils are our most accessible form of democratically elected government. They are the most useful bodies for highlighting local concerns and solving problems in their communities.

My colleague, Senator Flynn, and I have been in contact with many councillors over recent weeks. In the long conversations we had with them, they talked a lot about the love of their job and how honoured they feel to be representing their constituents in these extremely difficult times. They are inspiring people. One man said he actually organised shopping for the older people in his community. Another man was on to me about trying to get one of his constituents into an addiction centre. He had worked tirelessly on this issue. Another woman asked me to get somebody into a mental health institution. That is going to be a bigger problem going forward.

These councillors are very passionate about the work they do and about working with their constituents. Their main issue is that they feel undervalued by the Government. The failure of the Government to implement the Moorhead report fully in line with the commitment in the programme for Government has led to widespread anger and disappointment. Local government has never been as important as it is now. Councillors really are working on the front line and on the ground. Our local representatives are the first point of contact for many people who feel anxious and alone in these strange times. Again, I had another woman on to me who told me that she had to deal with a single mother with two young children. She had to go round and collect food for her. It is a real dedication.

Local representatives will say that their jobs are full-time positions but their pay does not reflect this. The rate of pay for our public representative has meant that many dedicated and able people can no longer afford to serve as councillors. The loss of these people and the problem with attracting new people to local government is and will continue to be an enormous problem. Councillors need to know soon when the proposed increase of €8,000 per annum will be added to their salaries.

I would like to express my appreciation for the Local Authority Members Association and the Association of Irish Local Government for their valuable input on these issues. They represent councillors throughout the country and have made it clear how poor working conditions and remuneration badly impact local representatives and local government. Since the Local Government Reform Act 2014, there has been a serious change in the role of local councillors. A small number of elected representatives try to cover larger geographical areas. For many, it is just not possible. This is especially true in rural areas with vast constituencies. The increase in the workload of councillors since 2014 must surely warrant the backdating of their increased payment to that date. Councillors do not get a full-time wage but theirs is effectively a full-time role. The expectation is that if a constituent asks for help, his or her local representative needs to be able to respond quickly and appropriately. If local representatives want to do a job well,

they need to be available as the first port of call for their constituents, not least for vulnerable people who may need help accessing vital supports and services.

As one will learn from any councillor or anyone who served in local government, it is impossible to do the job properly on a part-time basis. Many councillors do it out of hours or by taking unpaid leave. Some are lucky enough to have flexible working arrangements but many do not. Sadly, the current system squeezes people on lower incomes out of local government. Ultimately, we will need to make a decision as to what role we want for local councillors and local government. Will it be an inclusive position available to all? We are currently stuck between two poles. It is not a voluntary position with a low level of commitment but neither is it a full-time position with the resources available to do it properly. All councillors I know make the same point, namely, no one takes up the role for a high earning career. It is absolutely a vocation. They just want it to be feasible and sustainable to ensure they can be involved in local government. I urge the Minister of State to support a move to sustainable, full-time pay and to outline when the other recommendations of the Moorhead report will be implemented. The programme for Government negotiated by the three parties commits to implementing the recommendations of the Moorhead report on the remuneration of all city and county councillors in Ireland within 12 months of taking office. I sincerely hope that this is the last time that the issue of councillors' pay and conditions will have to be raised in this House and that the Government will be true to its commitment.

**Senator Aidan Davitt:** I fully agree with the general push of this Private Members' motion. I have worked with Senators Boyhan and Keogan for many years on councillors' pay and conditions, the latter during her time as a councillor and as a Senator. Most of this has been agreed by the Government parties and is due to be implemented during its first year in office. As far as I am aware, the Government has not been in place for a year, although maybe I am missing something.

I was lucky to have served on the Association of Irish Local Government, AILG, executive in 2015 and 2016. Since then I have dealt with several Ministers on improving the lot of councillors. For the first time, we are at the pinnacle and can now deliver, due to the work of the Minister for Housing, Local Government and Heritage, Deputy Darragh O'Brien, and the Minister of State, Deputy Peter Burke, who is here with us today. I will give the analogy of a bus. The bus has been pushed to the top of a hill, meeting much resistance on the way, and most of my old colleagues, from all parties and none, were instrumental in getting that bus to the top of the hill. These include ex-presidents of the AILG, such as Councillors Pádraig McNally, Pat Daly, Mick Cahill, Damien Geoghegan, and, currently, Mary Hoade and John Joe Fennelly and, indeed, Tommy Moylan who has been a great help and resource to them. Many Local Authority Members Association, LAMA, members, such as Councillors Micheál Anglim, Joe Malone, Damien Ryan and Paudie Taylor, have also been instrumental in the work that has been achieved.

However, now that the bus is at the top of the hill, all the hard work has been done and this document is nearly ready to go to Cabinet, Senator Craughwell wants to jump in the bus and drive it down the hill. I suppose freewheeling it down the hill would be more like it at this stage. I spent many months picking up the pieces from Senator Craughwell's previous proposal. He talked about it today and I was surprised he brought it up. He talked about aggregated mileage in 2018. My phone was inundated at the time. I spent many months explaining to the then Minister of State at the Department of Housing, Planning and Local Government, Deputy John Paul Phelan, the damage this would do to councillors. It would have taken €5,000 of mileage

from a plethora of councillors and none would have been better off with the proposal. I urge caution as implementing the Moorhead report, as proposed, would not be the best option for councillors, as most of us who have studied it and know how councillors pay and conditions work understand, as does the Minister of State.

To be fair to the Minister, Deputy Darragh O'Brien, and the Minister of State, Deputy Peter Burke, they understand that. The full implementation of the Moorhead report would not be in councillors' best interests and I know the Minister of State, as a former colleague when he was chairman of Westmeath County Council, has listened to councillors and has their concerns at heart. He was happy to change the recommendation in the Moorhead report that councillors work 18-and-a-half hours. As we know, 30 hours would be a better figure to work from or possibly even 40.

Councillors are not employees; they are officeholders. Any talk of incremental pay increases would be disastrous as this is long overdue. There has been enough about councillors' pay in the media recently, particularly in some of the red tops, which is not helpful. It would not, therefore, be helpful to pay this on three occasions, that is, if it is to be paid incrementally. This would be detrimental and something the Minister of State should veer away from at all costs.

Mileage under the Moorhead report would have the same effect as the aggregation. Councillors like Gearóid Murphy and Joe Carroll in west Cork, to name but two, would be €5,000 per annum worse off under the proposed new mileage system. People may ask where the money will come from. The money is already there, as the Cathaoirleach mentioned, due to the abolition of town councils and the cutting back of county councils. The Exchequer has saved approximately €10 million per annum. The Minister of State can add the figures up. The money is there. It has already been ring-fenced from cutbacks and savings.

Much work has been done by the Association of Irish Local Government, AILG, Local Authorities Members Association, LAMA, and many Senators, including Senator Gallagher, who gave me some of his time to speak, so I should mention him. I would not be speaking, but for him.

The Minister of State, Deputy Burke, has a comprehensive proposal and I look forward to it going to Cabinet soon. I thank the Minister, Deputy Darragh O'Brien, and the Minister of State, Deputy Burke, for their great work in preparing the proposal. The sooner we get it through, the better. I am aware it is a high priority for the Minister of State. Everybody in this House has worked towards it. I appreciate the work everyone has put in over the years.

**Senator Victor Boyhan:** I welcome the Minister of State to the House. I am aware he has not been long in office but anytime I have made contact, he has got back to me. It is a good omen. I also welcome Ms Mary Hurley, assistant secretary, to the House. Ms Hurley was an important player in housing and in Rebuilding Ireland and she is now in local government. The Minister of State has an able person by his side or perhaps he is by her side. I do not know which but they make a formidable team. I wish them well.

I also acknowledge the enormous work that Deputy Phelan did. He did not succeed where, hopefully, the Minister of State will. It was not through any fault of Deputy Phelan but was due to the tricky politics around this issue for so long. That is a disappointment. However, I do not doubt his commitment, as someone who was elected in 1999 when I was first elected to local government. I want to acknowledge Deputy Phelan.

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I also thank the city and county councillors for their ongoing work and service to local government. We do not state it enough. I thank them, in particular, for their work on the community call initiative. Their response was amazing. Local government is at its best when it is out there providing a service, when everyone is harnessed together for one thing - community gain and representing the people.

It is a wonderful honour to be elected a city or county councillor. Between the day I arrived in the county hall of Dún Laoghaire-Rathdown County Council, to which I was first elected in 1999, and the day I came into Seanad Éireann in Leinster House, my first day in a local council was a greater day and sense of achievement. It is worth pointing out.

I thank the Association of Irish Local Government, AILG, and Local Authorities Members Association, LAMA, and their respective presidents - Councillor Mary Hoade, president of the AILG, and Councillor Micheál Anglim, chairperson of LAMA. The executive and directors of both these associations are responsible positions. Many other representative bodies would not have taken a longer or more pragmatic view. We have to acknowledge and respect the responsible roles they have played in this debate, conscious that they represent their membership.

I raise the issue of councillors' pay, expenses and allowances. We all agree in that regard. Before I came in here, I did a tot of how many Members would speak today and, more importantly, of how many of them were councillors. Almost everyone in this House, bar a few, have been councillors. I include the Minister of State in this. We are all on the one page. It is disappointing it has taken so long. It is perceived outside as internalising and as fighting about pay. Let us get it over the line and acknowledge the role these people play.

One of the hardest things to have to hear over the last few years in regard to councillors' pay is that men and women have had to dip into their household income to subsidise their work in local government. That is not right or proper. I do not want to get into a big debate about vouched and unvouched expenses but whatever regime applies to the councillors should apply in here. I will insist on it. We all have to be treated the same.

I do not support the idea that councillors are out on a limb, linked into public service pay. They are politicians, Senators are politicians and Deputies are politicians. Respect the fact that they are politicians. Reward them appropriately according to their work and their responsibility, which is important. Responsibility is also another important aspect of this, as is the issue of governance of local authorities and accountability. We do not hear too much talk about our elected members holding the officials to account. We need more councillors exercising more powers. They have plenty of them and they need to be exercised. That is important.

The time is over for empty promises, rhetoric and dodging the bullet. The Moorhead report is not the silver bullet. There are loads of issues, of which the Minister is aware. We must be careful what we wish for. We need to be clear that €17,000, with taxes and PRSI deducted on top of that, is simply not good enough remuneration for people who represent their communities, who have a very responsible role in county development plans, who advocate for enterprise and who advocate for their cities and their counties. It is not enough and it is wrong. The Minister of State, Deputy Burke, knows this within his party with the very able Fine Gael councillors. Fianna Fáil and Independent Senators know likewise. Councillors are committed. They want to do the job but they cannot do it if they are dipping into their housekeeping money and shorting their own families for finances to carry out this job. It is very important that we address these issues.

I believe we want a better deal for local government. I too want a fairer deal for councillors. I want to work, as do the Minister of State and everyone in this House, to develop a stronger local proactive and pro-participatory democratic local government.

Colleagues, we need to join forces to unite and be in solidarity with our councillors up and down the country. We need to agree to financially support councillors who want to continue to serve. We need to provide an enhanced package and pension for those who wish to retire. We must proactively, encourage and support new entrants into the noble profession of city and county councillor.

**An Leas-Chathaoirleach:** I now call the Chief Whip of the Seanad, Senator Kyne. I sincerely apologise to him because I misread the list of speakers and Senator Kyne should have been first. It is not Senator Boyhan's fault, it is mine.

**Senator Seán Kyne:** Gabhaim buíochas leis an Leas-Chathaoirleach. Cuirim fáilte roimh an Aire Stáit. I acknowledge the importance of this debate and those who have put down the motion. As a former member of a local authority, Galway County Council, I was privileged to have spent from 2004 to 2011 in that chamber and to serve as deputy mayor. I was due to be elected as Mayor of County Galway in 2011 but other things conspired against me that year when I was elected as a Deputy. I have a lot of experience and I know, as we all do, the very important role that councillors play. They are ambassadors for their area and work for the betterment of their counties. In the Galway County Council chamber and in interviews I often said that people have different party politics and hats, and are members of all parties or none, but everybody wants to do their best and do what they can for their local area. Effectively, that is the role of the councillor.

I acknowledge the role of the Local Authority Members Association and the Association of Irish Local Government for their advocacy on behalf of their members. I congratulate my colleague in Galway, Councillor Mary Hoade, as the first woman president of the AILG. I am aware that she is in regular contact with the Minister of State on behalf of her members with regard to the issue of councillors' pay.

I also acknowledge the work of the Minister of State's predecessor, the former Minister of State, Deputy Phelan, who together with the then Minister for Finance and Public Expenditure and Reform, Deputy Donohoe, invited Ms Sara Moorhead, SC, to carry out a review of the role and remuneration of the councillor. The interim report was published in December 2018 and the final report was published last year, although unduly delayed I must concur. I would also agree with some commentary of other Members that the reality of the role of a councillor was not as clearly expressed in the Moorhead review as it perhaps should have been with regard to the hours, the meetings and the accountability. Once upon a time a councillor would have received written letters in the post or would have met with somebody in the community. Nowadays the councillor is accessible by mobile phone, text message, Facebook, Instagram and all the other forms of social media. As a result of the fact that everything is now instant, people expect instant replies. It is not always possible to provide such replies in respect of what can be difficult areas.

Other Senators mentioned the array of committees and outside bodies of which councillors are members, such as SPCs, joint policing committees, municipal and local area committees and CPGs. When I was a councillor, I was on the board of Galway Rural Development, Forum Connemara, Galway Harbour Company and the Lough Corrib Navigation Trustees at various

stages and in different terms. There are also all the meetings of local residents' groups that councillors must attend. There was much demand for speaking time during this debate and my colleague Senator Currie asked me to make a few points about the role of a councillor. She stated:

The role of a councillor is not part-time and nor do constituents expect councillors to be available on a part-time basis only. I worked full-time as a [councillor], which meant most of my salary went towards paying for childcare. If I didn't have a supportive partner and family, as a mother, I would not have been able to take on the role. What does that say about the prospects of increasing women in politics and our political system? [Councillor] pay must be addressed. Common sense must prevail. Proper pay and measures to balance work and family commitments, such as maternity leave have to be introduced.

I acknowledge the work the Minister of State has done to get this resolved. He has been hands-on with it since early in his role and has engaged with the AILG, LAMA and other groups to ascertain councillors' views on the Moorhead report, which was published shortly before he came to office. I ask him to reflect on some of the pitfalls in the report and to bring his proposals to the Ministers for Housing, Local Government and Heritage and Public Expenditure and Reform, with the expectation that they would be brought to the Cabinet. I hope the Minister of State gets to present these plans to Cabinet at the earliest opportunity. That is very important. We have to ask whether we want councillors to work full-time or part-time. If we want the latter, they cannot have the level of responsibility that they do; that is neither right nor fair. They have responsibilities and it is important that they be paid for them.

When I was urging people to run for the council on the second to last occasion, I recall telling one potential candidate that the council meeting would be held every fourth Monday, starting at 2 p.m. As it happened, when that individual was elected to the council, the meetings were brought forward to 11 a.m. As a teacher, she was immediately on the back foot. It was as though I had sold her a pup and misled her, which, of course, I had not, but with the increase in the number of councillors, Mondays were effectively gone. The same is true of committees. I could not possibly say that politics were at play. It was ensured that municipal meetings were also held earlier in the day to disenfranchise that person.

They are, unfortunately, some of the issues. I appreciate that some local authorities hold evening meetings but in Galway, for example, where there are 39 councillors, the meetings when I was a member were held at 11 a.m., while the municipal meetings were also held early in the day. It did not fit for somebody who was working in another role as well. Many members, therefore, were retired or self-employed, whereas PAYE workers could not take up the role of a councillor because they would be disenfranchised and find it very difficult to carry out their role.

I commend the Minister of State on what he has done thus far. We need to get this over the line and he is the person to do it. I look forward to the final decision being made at Cabinet, whereby this issue will be brought to a conclusion and councillors will receive the pay they deserve.

**Senator Shane Cassells:** I welcome the debate and I welcome the Minister of State. I commend him on all the work he is doing for local government, not just in regard to this issue but to a range of issues that he has tackled from the get-go. I was a member of a local authority for 17 years. I have a deep passion for this subject and it is evident that the Minister of State shares

that passion. He is driving this issue forward.

I have in front of me two newspaper articles. The headline of one states that councillors are in line for a pay bump that will net them an additional €8,000, while the other article states, “Long sought pay rises [...] expected to be in the region of €8,000”. They are for the most part, once the sensationalist adjectives are stripped away, pretty much the same article with one notable difference: one was written last week; one was written in 2019. That is where we are, a saga that has now been running longer than “Game of Thrones”. I walked down to the committee rooms and to a meeting of the local government committee in November 2019 with Senator Boyhan. We went down to do our job and to question the then Minister of State, Deputy Phelan, on the imminent publication of the Moorhead report, only for it to be leaked to “Morning Ireland” that morning as we were walking down, before we got to the committee room. That was the manner in which business was conducted back then, and let us not forget it because there is a political narrative developing here surrounding the current situation and one wonders whether those spreading it are developing amnesia. I met the then Minister of State on 10 July 2019, back when I was shadowing him, in his office. He told me the memo on the report would go to Cabinet at the last Cabinet meeting of that summer. That was July 2019. That is what he told me. There were not two men in the room; Senator Mark Daly was with me in the room that day as well. We know what was said, and I made notes on what was said. That was the message that was delivered quite clearly by the Minister of State’s predecessor. The message was that this would be sorted in summer 2019, and here we are nearly two years later and quite clearly it has not been sorted. It was sitting on the then Minister of State’s desk for so long it could have mutated, sprouted legs and walked to the Cabinet room on its own.

I will move on from that period because, as evidenced by the speeches today, people want to get to a resolution of this report and the work that is carried out. I said at the outset that there are people who believe that the councillors must now be on a six-figure salary as it has been announced so many times. Let us be clear: what we are talking about is current remuneration of just €17,000 for the work they do. They are without doubt the lowest-paid members - not employees - of the local authority system yet they are the public persons who deal with the queries daily. They also act as ambassadors on behalf of the executive to promote the positive work done by local authorities. Prior to the publication of the report, as Senator Boyhan noted earlier, both councillor representative bodies, namely, the AILG, which at the time was led by Luie McEntire, thereafter by Mick Cahill and now by Councillor Mary Hoade, and LAMA, led by our late colleague, Mags Murray, to whom I pay tribute and remember today and Micheál Anglim, spent time setting out the work done by their members across a range of areas and how they are expected to be knowledgeable in a range of areas. The Cathaoirleach must have been reading back on my speech for the introduction of my local government Bill in 2017 when he quoted earlier the numbers of representatives. In France there is one councillor for every 78 citizens; in Ireland there is one for every 4,000, which is the lowest ratio in western Europe. The knifing of town councils was not just an act of barbarism towards local democracy; it also resulted in extra work from the urbanised areas being placed on the county councillors. The Minister of State would appreciate that as a Mullingar man. I acknowledge Senator Moynihan’s comments earlier that Labour was wrong to have participated in the destruction of town councils. Her former party leader, Deputy Howlin, made a similar comment in the previous Dáil.

What is most worrying from the analysis of the Moorhead report, and other reports since the research has been carried out, is that as a body politic we will find it increasingly difficult,

no matter the party and whether Independent or not, to attract new people into politics. It is okay for people to make derisory comments and scoff about these kinds of debates but that is the stark reality. The level of commitment to local office since I first got elected as a 21-year-old in 1999 has been immense. There are the legislative requirements with which we expect councillors to be *au fait*. There are the attacks to which they are now subjected on social media, which we at national level probably brush off, even though we should not. They are now part and parcel of local democracy, which is awful and wrong. Why would a young person subject himself or herself to that and become involved in our local democratic institutions? How will we attract the next generation? Again, it is all right for people to scoff at this but as we saw in America, there is a fine line and it can be destroyed. To those who scoff at this and at those who put themselves out there at a local level, I make the point that our local councillors are promoting and maintaining the very democracy we enjoy. The backdrop to this debate is the fact that several county development plans are in preparation at present, including in my home county of Meath and in the Minister of State's home county of Westmeath. These plans are highly detailed documents that set out the futures of our counties, towns and villages. A significant level of knowledge and commitment, as well as eight-hour days each day for weeks on end, are involved in the process.

Remarks were made earlier about peoples' commitment to this process and this report but for the first time ever, we now have a commitment to implementing the recommendations of the Moorhead report in the programme for Government. All 20 Fianna Fáil Senators are behind that process and I say that on behalf of all the members we represent. I appreciate that the Minister of State acted in respect of this issue when he came into office. He put it on his agenda and put the wheels in motion. He is to be commended for that but now we need to see this process come to a conclusion. Effectively, this comes down to the simple issue of whether we value the work of our local councillors. If we agree that we do, then we need to put the appropriate support in place for them.

**An Leas-Chathaoirleach:** I thank Senator Cassells for his contribution. We must suspend for 15 minutes to allow for cleaning of the Chamber.

*Sitting suspended at 4.57 p.m. and resumed at 5.12 p.m.*

**Senator Garret Ahearn:** I welcome the Minister of State to the Chamber. The greatest honour I have ever had was to be elected to Tipperary County Council and subsequently to become mayor of my home town of Clonmel. My father was a county councillor for ten years and my mother served as a councillor for 18 or 19 years before being elected to Dáil Éireann. I have lived in a household of local representatives all my life and have known nothing else. I appreciate the role of local representatives and the job they do.

In the past ten years, the workload of local representatives has increased dramatically. It is no longer a part-time role, as I believe most people recognise. The work local representatives do goes above and beyond that which was done ten or 20 years ago. My home county of Tipperary is so large and long that a councillor living in Carrick-on-Suir must travel 100 km to get to council meetings in Nenagh. That is a 200 km round trip and a full day's work just to travel to a meeting and back. A salary of €17,000 is not even close to being enough. It prevents good, decent people from taking on the job and means the good, decent people who are in the job cannot stay in it for long. That is not acceptable. We need to make changes.

Proposing the motion, Senator Craughwell spoke about government having done nothing.

Senator Keogan stated that Independent Senators forced the hand of government on this issue. I believe those statements are a little disingenuous. The programme for Government states clearly that this issue must be dealt in the Government's first 12 months in office. I cannot think of any other commitment in the programme for Government which has a timeline for delivery of just one year. The Minister of State has worked immensely hard on this issue from the start. He has answered all my calls, which I appreciate, so to suggest nothing is being done is wrong. This debate is a clear sign the Minister of State is succeeding in what he is doing. I have no doubt he will succeed in this work and the appropriate pay will be given to councillors.

**Senator Joe O'Reilly:** It is a disgrace that we are even having this debate. It should be over. It is demoralising and insulting to councillors as they watch a wage agreement go through, pay increases for Oireachtas Members and an increase of €81,000 for a Secretary General. They have every reason to feel demoralised, undervalued and greatly annoyed. The last intervention for councillors that made a difference was when the now Tánaiste gave them a PRSI opportunity, which mattered a lot to them. The Minister of State, Deputy Peter Burke, has taken this issue by the scruff of the neck, following on the work of his colleague and former Minister of State, Deputy Phelan, in this regard. He has engaged with LAMA and the AILG and I am getting great feedback on that engagement. Now is the time for action. I appeal to him to push this change down the last bit of the road.

I had the opportunity of serving on Cavan County Council for more than 20 years, including as cathaoirleach. It was a huge honour. It is a very diverse council but, in general, one can only have a diverse council when there is proper pay and remuneration for councillors. People are not in it for money. Local government is a vocation and people love to do public service, but they also have to pay the bills and try to exist. The workload of councillors has risen exponentially since 2004 and is gone out of all proportion. If we are to reform local government properly into the future, we will need a taxation system that is effective for local councillors. That is not possible if councillors are not paid even to do what they have to do at the moment. We will not get good candidates and there will not be diversity in councils. The idea that there would not be some vouched expenses, as referred to by Senator Warfield, is not a runner because of the differences in councillors' situations.

I acknowledge my colleague, Senator Craughwell, for bringing forward this motion.

**Senator Barry Ward:** The Minister of State has heard many examples today of how hard-working councillors are. They are the most underresourced and overworked group of elected representatives in this country. In tandem with that, their role has been devalued by successive Governments since 2000. Since the introduction of the Planning and Development Act, power after power has been stripped away from local government. Sometimes those powers have been taken away altogether; in other cases, they have been taken from elected representatives and given to unelected officials and executives at local level, thereby rendering the role of the councillor, who is the representative of the people, increasingly marginalised.

There are still quibbles when we talk about the pay of councillors. Several speakers have noted that the latest provisions have already been announced several times, which means the public could well have the impression that the increases have already been given when, in fact, they have not. That is incredibly frustrating, especially when I think of the people in my own council. Councillor Frank McNamara, for example, who is a new councillor representing the Killiney and Shankill areas, is a trainee solicitor and somebody with options. What on earth is there to persuade someone like him to continue in local government? Siobhán Shovlin in

Castleknock, a teacher, is another person with options and who is now doing two jobs. Brídín Murphy in Wexford is a social worker who has to travel to Dublin regularly. Serving in local government is incredibly difficult for these people and there is very little in it for them. This pay increase is not enough but it is the very least we can do to encourage people to remain in local government.

**Acting Chairperson (Senator Mary Seery Kearney):** The next speaker is Senator Hoey and she is sharing time with Senator Wall.

**Senator Annie Hoey:** Unlike Senator Ahearn, I am not from a family of public representatives. It is great to hear the pride in his voice as he talks about his wonderful family tradition. I sometimes wonder why there has never, as far as we know, been anyone in my extended family involved in politics. Perhaps it is because we felt there was no place for us or we would not be welcome. Perhaps it did not seem like an attractive option for us, financial or otherwise. Many speakers today have outlined the very real financial issues associated with being a councillor. As I said, I am the first in my family to go into politics but, I hope, not the last. There is no question that being a councillor is not an attractive option for those who cannot afford it. We should not have public representation for communities and local groups based on those who can afford to do it. That is not good for democracy, public engagement and public representation.

Everything that needs to be said on this issue has already been outlined. I very often talk about who is not in the room, usually in regard to education and student nurses. I take this opportunity to remind the Minister of State to make sure the student nurses are paid. Several colleagues alluded to who is not in the room when we are talking about public representation. The people who are not in the room include mothers who simply cannot afford to be public representatives. Reasons for that include the absence of decent maternity leave and I am also speaking about paternity leave in this regard.

Migrant communities are desperately under-represented in our councillor groups, as are Travellers. We do not have the diverse representation that we absolutely need on our councils and we have to look at whether - I do not think there is any question about it - it is a difficult job. Councillors get an awful lot of slack online. People can be pretty rough to councillors and now it is compounded by the fact one is paid pretty shoddily on top of it.

There is also the time it takes to be a councillor. They have to give up so much of their personal time. Their phones are ringing and they are constantly on the go. I dream a dream sometimes of it being a nine to five job where councillors just get to turn off, and off they go and it is great, as opposed to midnight phone calls on a Saturday. However, that is also part of it and those of us who are in it would never go back and undo it. People give so much time to being councillors and public representatives and it needs to be properly remunerated. Loving the job simply does not pay the bills.

The clientelism referenced in the Moorhead report is all well and good and I have joked about the time I went for a stroll along the beach in Bettystown with my father and it was the best time I ever met people because he knew absolutely everyone. However, it is not practical to go strolling along the beach to meet people. I do not have time to do that or the capacity.

I offer my full support to the motion. It is high time we recognise the work our councillors do. It is not dramatic to say they hold our democracy together and we need to do an awful lot more than we do for them.

**Senator Mark Wall:** I welcome the Minister of State to the House. I also thank Senators Craughwell, Boyhan and Keogan for tabling this very important matter during Private Members' time. Having had the honour of being elected to Kildare County Council for the first time in 2009, I have seen the role of local authority members change quite considerably each year since then. The increase in the areas to be covered and the increase in population size after 2014 have totally changed the way councillors are expected to work. There is no doubt that remuneration for the role has not kept pace with these changes.

Councillors work seven days a week and are definitely not limited to eight-hour days. Their work has progressed to a stage where they are expected to be constantly on. The old way, of course, was to contact a councillor by phone, a clinic or even email. Today, given the various and growing social media outlets, councillors are expected to cover every phone call, every text and every email, as well as every Facebook message, WhatsApp message and Twitter message. I am sure there are many other examples of social media in use today. The role of the councillor has changed dramatically over the years. Councillors are taking more and more calls from constituents who find themselves in a desperate situation. Councillors find they are the first point of contact and then have to suggest and arrange consultations with various professionals to help the person who has contacted them.

We cannot and should never prevent those who wish to run for local government from doing so because of the pay and conditions. If the Government does not change the pay and conditions we are simply saying that unless people have substantial additional income or, as has already been mentioned in the House, substantial family savings to support them, then we are, unfortunately, saying local government is not for them. This is not good enough.

The pay and conditions must also be changed for those who are serving at present. More and more councillors ask themselves and their families whether they wish to continue to serve given the time and cost of doing so. We must ensure that those who wish to continue in the service of their local area are properly paid given the hours and workload they put in at present. The simple fact is that remuneration for a councillor does not reflect these hours or this work.

We all know we need to improve the gender balance in local authorities and in the Oireachtas. We have to attract more women to contest local elections. We must ensure greater gender balance. We also need local government to reflect the many great changes in our communities that have happened in our country over the past 20 to 30 years.

I am aware that a working group has been established to examine the important non-pay recommendations contained in the Moorhead report and how these could be progressed. The Minister of State indicated the objective of the working group is to examine these recommendations and explore opportunities to allow for their implementation at the earliest opportunity. I would appreciate an update on this. Will the Minister of State include in this review the issue of abuse, online and elsewhere, of councillors? I have been contacted by and spoken to a number of local representatives who have been the subject of this abuse. We need to have this conversation as there is very little in the Moorhead report about it. We need to address it. Like other Senators, I would appreciate the consideration of the Minister of State of these matters.

**Senator Ollie Crowe:** I welcome the Minister of State to the House. Since 2014, there has been a 40% reduction in the number councillors, electoral areas have significantly increased and additional duties involving local community development committees, LCDCs, climate action committees, the local property tax, LPT, the setting of rates, etc. have been introduced. If

one wants to know the life of a councillor, then one must walk in his or her shoes. For 11 years until last year, I was a councillor and was very proud to be one. During my time in the council, many city and county council colleagues left public life due to the inadequate standards of pay and conditions, and pressures of being in public life. I find democracy is being greatly impacted by this. Councils need to be reflective of the people they serve. That is a necessity.

As far as I am concerned, €17,500 is not acceptable as a salary for a public representative. This amount must be increased significantly. As Members of the House have said, the time for talking is over. I take this opportunity to commend the president of the Association of Irish Local Government, AILG, Councillor Mary Hoade, and Tommy Moylan of AILG, and Micheál Anglim and his colleagues in the Local Authority Members Association, LAMA, on supporting every councillor across the country and raising many issues in their quest for the improvement of conditions for councillors.

The Government has been in place since last June. I am extremely confident that this motion will be brought to Cabinet for approval in the coming weeks. This will significantly improve the pay and conditions of the 949 city and county councillors across the country, as per the programme for Government commitment.

**Senator Lorraine Clifford-Lee:** I will briefly talk about aspects of this issue, which have not been covered by my colleagues. We all know the pressure councillors are under. It is an increasingly difficult job to do. I was glad to see a commitment to deliver on the Moorhead report included in the programme for Government. We all agree approximately €17,000 is not sufficient pay for someone doing the kind of full-time job councillors do. Being a public face to a very important role within a local authority is very full on. The Moorhead report was completed long before the Government was formed. There was no reason it was not acted on but I am glad we will see action on it. I pay tribute to Councillor Mary Hoade of AILG, Councillor Micheál Anglim and the executives of LAMA for their tireless work linking in with every group in this House and the Dáil in regard to this. Delivery of this is most important.

No one goes into politics for the money. People go into it for the love of their community and county. The reality is that they pay bills and have financial commitments like everyone else. The exodus of councillors during the last local elections really struck me. These were former councillors who had been elected in 2014 but due to the increase in the size of local authority areas and the increase in commitments, they felt they could not keep it up. In particular, these were people with young families who could not keep up the job because of the onslaught of work that hit them when they were first elected. I am glad to see the Labour Party has acknowledged it was a mistake to abolish town councils because they were a vital part of local government.

I want to briefly mention the lack of maternity leave rights for councillors. We cannot expect women to put themselves forward for election at local authority level if we do not ensure they have maternity leave rights. This in turn has a knock on effect on the female representation in both Houses of the Oireachtas. It is a serious barrier to entry. I want to see this report, and other commitments around the conditions of local authority members, delivered on.

**Senator Malcolm Byrne:** Oscar Wilde defined a cynic as someone who knows the price of everything and the value of nothing. I think that can be applied to *The Mirror's* ill-informed clickbait coverage around local government last week. It is a frequent problem in national media that we do not see proper coverage of local government. RTÉ regularly has discussion

programmes about local government without involving councillors.

There is a need, and it is a challenge, for AILG and LAMA to explain more effectively the role of a local councillor. This is something Members have spoken effectively about but it is a pity our national media has not looked at the other side. There is an obsession around salaries without looking at the workload on the other side. That is in sharp contrast with local media. Newspapers and local radio do provide good coverage of what goes on at local level. Senator Ward was right in what he said earlier concerning the challenges being faced in local government. We have seen local government lose power after power, so this issue is about more than just a salary. More is now expected of councillors who have fewer powers. Instead, we have organisations like Irish Water and the HSE involved in this context, as well as the Office of the Planning Regulator, which is increasingly engaged in a power grab regarding local authorities. At the same time, as the Cathaoirleach mentioned earlier, the ratio of councillors to citizens in Ireland is the highest in Europe, currently about 1:5,000.

I set the Minister of State a challenge. Yes, the recommendations regarding pay should be implemented. When the Minister of State leaves his office, however, I want him to be remembered as the person who again empowered local government and local councillors. The directly elected post of the mayor of Limerick presents an opportunity for that role to be imaginative and to drive that city and county. However, what I would love to see is the Minister of State being able to state when he leaves office that not alone did he ensure councillors were properly paid but also that local government was finally properly empowered.

**Senator John McGahon:** The Moorhead report is the greatest work of fiction completed in recent times. This is the problem with having people, like academics in ivory towers, writing reports about what men and women are doing in their jobs in their communities and constituencies. What happens in a situation like that is we get works of fiction like this report, which is the most insulting such report I have ever read in my life about the work of local councillors. I put on the record that is what happens when we have people in ivory towers writing reports on stuff about which they have no idea.

I was elected in 2014 and I was on the council for six and a half or seven years. Many young councillors from my party of Fine Gael who were co-opted in 2011 or elected in 2014 left politics. All those people were talented and were going to be future Teachtaí, if they had had the opportunity to stay in local government longer. They could not do that, however, and they left because it was not paying well enough. Councillors are paid €315 a week. I got paid €630 every two weeks when I was on Louth County Council. It is a paltry amount.

My final point to sum up this situation concerns my memories of working in this House as a young councillor. Different Senators, who are no longer in the House, used to come up to me and tell me that they had sorted out the issue of pay, it would be done in six months and that I should not be worrying. Councillors are sick of this situation now. It needs to be sorted out. This Minister of State has done more about this issue in his role in the past couple of months than anyone else has previously, and I really hope he gets this change across the line. I state that because we are now beyond the point of talking and giving plaudits in this regard. The situation must be resolved.

**Senator Paddy Burke:** I welcome the Minister of State to the House and congratulate him on the great work being done on councillors' pay and the work of councils. Much more remains to be done, however. I could not do justice to this subject in the time I have, so I do not know

what to say really. I congratulate the authors of this motion. Every Member of this House has spoken at some stage or other about the pay and conditions of local councillors.

Nobody knows this better than the Minister of State. He was a member of Westmeath County Council for many years, but he is now seeing the other side of the situation as the Minister of State with special responsibility for this area. He has studied the Moorhead report in great detail. That report was obviously written by somebody who was not a councillor or a public representative, and that is quite easy to see in the report. At the same time, however, the report gives us something to work on. I welcome having had the opportunity to have said a few words on the Moorhead report previously. I reiterate what previous speakers have said about the pay of councillors. Everybody realises they should be paid and should be paid immediately, and that they deserve to be paid because they are getting a pittance now.

I have seen over many years the erosion of the powers of members of local authorities. I refer to the different powers councillors had 40 years ago and the changes in what councillors do today compared with back then. There has been a huge change. Councillors now have much less in the way of powers than 40 years ago. The Minister of State is the man to lead the charge in this area, to bring back powers to local authorities and to make them more efficient. I refer to running them like a business. I remember when I was a member of Castlebar Town Council, I proposed the local authority members visit Bradford in England. There were several documentaries on how the town council ran its business. It operated like a business. When a member of the public went in, he or she got an answer there and then. That is the way all local authorities should work. I think the Minister of State is a man to do that. Knowing him, I think that he will put the train in motion to do that.

**Senator Tim Lombard:** I thank Senator McGahon for sharing his time with me. I welcome the Minister of State, Deputy Burke.

This is an important topic. The Moorhead report has been a topic of considerable debate within the council and community for a long time. Action is required to implement the report's recommendations. The two main issues for councillors that the Minister of State probably hears about is pay, but also the lack of powers. We have seen an erosion of powers in recent years. We have done some of it ourselves. The introduction of a planning regulator was a sign that we did not trust the planning authority. We saw what that meant in County Cork in recent months when county development plan rulings were overturned by the planning regulator. That was a significant step, but it was a bad step for democracy. It is one of the key issues we must discuss. If the recommendations of the report are implemented, we must acknowledge that the councillors are the elected representatives of the people, not someone appointed by other bodies who determines what is happening on the ground.

Pay and conditions are a significant issue. When I was in county hall from 2014 to 2019, the five youngest councillors on Cork County Council across all political parties left. They were from Sinn Féin, the Labour Party, Fine Gael and Fianna Fáil. The average age of those councillors was 28. They either did not stand again, resigned or just walked away from politics. That is a deficit in society, and it is due to the regime put in place. A significant amount of work is required to be done. Pay will be a step in the right direction and powers will result in a serious step forward. It suits certain quarters in Dublin not to have any power at local level, and because of that we have a deficit of powers on the ground.

**Acting Chairperson (Senator Mary Seery Kearney):** That concludes the contributions

of Senators. It is over to the Minister of State. We can sum up the debate in saying that pay and powers need to be addressed. I thank him most sincerely for all the work he has done since he came into office. Naturally, I would have liked to have tacked maternity leave on to the debate, but it has been withdrawn lest it be construed as a delay in what is rightfully in the hands of the councillors.

**Minister of State at the Department of Housing, Local Government and Heritage (Deputy Peter Burke):** I thank all the Senators for their contributions. We can hear very clearly the frustration that has been articulated by all Members of this House and by members of all 31 local authorities throughout the country. I fully empathise with them and understand that because this issue is going on far too long. I fully accept that. We need to find a way forward very quickly.

In terms of the Moorhead report, I wish to outline what happens with local authorities, where we are in terms of my work and where we aim to end up. I will also mention the non-pay aspects of the Moorhead report. One of the key bones of contention contained within the report is the view that local authority members work 18.5 hours a week. That is a determination the independent senior counsel made at that juncture.

I was elected to Westmeath County Council and I had the privilege and honour to get a chance to serve my local community in 2009. I also had the chance to serve as cathaoirleach of my county, chairperson of the town council and mayor of the town in my last year. I could see at first hand the significant effort required for public representation at local authority level. In a recent report I noted that the local authority provides 600 individual services to citizens in each of the 31 local authorities. Local government is the closest arm to the citizens. There is no doubt about that. When I reflect on the conclusion about the 18.5 hours and look at the 360 statutory bodies that have to be filled by nominations from the 31 local authorities, that adds up to 1,100 nominations. In regard to the roles on the 400 external bodies that have to be filled through our 31 local authorities, there are 1,010 individual nominations. That is 2,140 nominations that have to be filled by the 949 councillors in this State. That is a significant voluntary role that councillors take up day in, day out. Looking at, and reflecting on, the public participation network that was established in 2004, there is an average of 360 community groups engaging with each local authority. Councillors deal with these groups on a daily basis, advising them on grants and of the various different ways to improve their community and society at large. I also think about the vulnerable people our local authority members engage with, day after day, week after week - for example, helping elderly people complete housing adaptation grant forms, or helping families in crisis to access housing supports and social housing. Those are the key roles undertaken by our local authority members day by day and week by week. The AILG and LAMA have done research on the length of the working week of a local authority member. We are all agreed on the fact that it is longer than 18.5 hours. The representation role is vital. It is the lifeblood of how a local councillor engages with the community and how they get feedback on the ground, and the views of society at large and its direction.

Second, I want to set out the trajectory of where we are. In June 2018 Ms Sara Moorhead, SC, was appointed to commission a report into the pay and conditions of local authority members. In June 2020 the report was published by the Government. Subsequent to that, the programme for Government has committed to endorsing the report and implementing it within 12 months of the formation of the Government. When I had the privilege of being appointed to my current role, I immediately set about engaging with our local representatives. I operated an open-door policy from day one. I spoke and met with many councillors across the country. I

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engaged with the AILG and LAMA, and held a series of meetings with them to get their views on the Moorhead report. I also engaged with many Members of this House and Dáil Éireann to get their views on the report.

Ms Moorhead has made her recommendations. I listened and I attach huge value to the views local authority members have expressed on the recommendations in the report. I attach great value to that. On the foot of that, I have crafted a proposal, which I hope will reflect the role played by councillors and will be robust, transparent and will stand up to the highest scrutiny of public probity. That is most important in any proposal chosen. My engagement was fruitful in what I learned of the current frustrations of councillors. The fact of the matter is that the proposal has been crafted by me and the Minister and it has been presented to the Minister for Public Expenditure and Reform for approval. We need consent from his Department in order to approve any proposal. I look forward to working with the Minister for Public Expenditure and Reform in the coming weeks and with the Government to deliver the proposal within the timeframe of the programme for Government. It is most important that we do meet that commitment. An important commitment was given on the formation of the Government. As I progress this proposal through my Department and further afield, the programme for Government is the cornerstone that sets out the direction of travel for the next five years for any Government. This commitment is time limited and is set out in the programme for Government. I hope to work and deliver on it.

I was struck by a few of the contributions made today. Senator Fitzpatrick raised the issue of maternity leave. I know that the non-pay issue raised in the Moorhead report is important. More broadly than that, a number of local authority members raised issues with me. They are very frustrated by situations confronting them and I understand that. That is why we immediately established a working group, which has already met. I attended the first meeting at which we set out how we will improve efficiencies within the local authority sector and how we are going to support councillors. When I look into a council chamber, I want to see a reflection of society at large in terms of gender and diversity and how society operates because that is how we will get the best decision-making. I want to support local authority members to achieve that.

I hope that the working group will come back to me in quarter 2 with a series of recommendations on supports for councillors, including, for example, in respect of maternity leave and training. Senator Fitzpatrick spoke about having a baby and being asked why she was not at a council meeting. We do not want that in this country. As a progressive person and a young father, I know that is not right. I want to offer councillors real maternity leave. We had a situation where we falsely believed that we could change an instrument and that would provide maternity leave. I want a system people can use, can feel free to operate and that will offer significant support to bring more women and people generally into the local authority system. I am committed to working to deliver that and will not leave any stone unturned in my efforts.

A number of Senators mentioned retention, which is so important at the moment. Very good people are being lost from our local authority system and that is a crying shame. We really need to respond to that challenge and ensure that supports are in place. As I said earlier, we want society at large to be reflected in our council chambers and we will do everything we can to ensure that is the case.

Senator Moynihan was very fair in her contribution. She outlined the various challenges we have come through and pointed out that everyone in this House wants the same thing and is in agreement on this issue. I value the fact that we are all working together to try to deliver on

this. The Minister and I are working with the Department of Public Expenditure and Reform on this. Whether it needs a Government decision or a new regulation, the proposal is there and we must get on and implement it. I know, having spoken to councillors all over the country, that this issue comes up consistently but I want to move on to talk about reform and the real issues that matter so much to members of local government and to our citizens. It is vital that we get the opportunity to do that as soon as possible. Having listened to Senators today, the frustration on this issue is clear. Senators are obviously liaising with local authority members and reflecting the feedback they are getting. Obviously, I am also liaising with local authority members.

Senator Seery Kearney has contacted me several times about the issue of maternity leave. I agree that it is a significant issue and one that we really need to solve. Hopefully, we will be able to deliver on it and a number of other non-pay issues.

Senator Wall mentioned online bullying, which is of grave concern to many young councillors. People are afraid to run for election when they see some of the online behaviour of a minority of people, which is very frustrating. I will raise this issue with the reform group that we have established. We will try to work out how best to respond to it, particularly in terms of putting key supports in place for people who find themselves in a position like that.

I thank Senators for affording me the opportunity to discuss this matter. Obviously, the Government is not opposing the motion. We are all working together on this because we all want the same outcome. We all want this resolved as quickly as possible and I assure this House that I am doing my utmost to do so. I say that sincerely and in good faith. We want to get this done urgently and I believe we will do so.

**Senator Gerard P. Craughwell:** I thank the Minister of State for his response. I cannot say that I am not a little disappointed that the report in *The Mirror* newspaper was clearly inaccurate. Somebody leaked a report to the newspaper that Cabinet had already signed off on pay for councillors.

I thank all of my colleagues for the respectful way in which this debate was conducted, which is a testament to all of them. Nobody here has the corner on councillors' issues. All of us are indebted, in some way or other, to the councillors who elect us and must ensure the representations they make to us are brought to the attention of the Minister of State and the Government. I recognise the AILG and LAMA in that regard. I had not been a local authority member when I entered politics, but I was always welcomed and treated with the utmost respect when I attended AILG and LAMA meetings.

I am happy that Fine Gael withdrew its proposed amendment, but I am unhappy that the issues in the amendment are not being dealt with immediately. On maternity leave, if we have learned nothing else from Covid-19, we have learned that we can use technology to get around the issues that impact young parents, not just mothers but mothers and fathers. That is something the Minister of State can examine as we move out of the pandemic. I believe it was in 2015 that a Deputy had to be in the Chamber three days after having a baby because there was an important vote. It is totally unacceptable that we would do that in this day and age.

Ms Donna Sheridan, a Fine Gael councillor and a great friend of mine from my teaching days in the Teachers Union of Ireland, TUI, pointed out to me that when she attends a council meeting she must take annual leave because she cannot get time off. That is unacceptable. She serves the public, as do many teachers, nurses and various other public servants. The least we

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should do is make arrangements so they can attend their council meetings, and if that could be done remotely it would be great.

There are some non-pay issues. It is not all about pay, as some of my colleagues pointed out today. For example, there is massive divergence around the country in the technology that is made available to councillors. Some of them are provided with laptops and printers while others have computers that are so out of date they are incapable of using technology such as Zoom or Microsoft Teams. Then there is the matter of postage and prepaid envelopes. I was talking to a councillor a few weeks ago who was spending €25 or €30 per week on postage. A stamp costs €1. The councillors are carrying out a public service so the Minister of State might consider the provision of prepaid envelopes for them. There is also the replacement of mobile telephones. Technology is progressing all the time and we must keep abreast of it for the sake of councillors.

As regards travel, one of my colleagues, Senator Davitt, mentioned the councillor who travels from west Cork to Cork city. It is a day's journey in and out. He stood to lose €5,000. I wrote to councillors some years ago and warned them about the accumulation of mileage. It is the one good thing I saw emerge from the Moorhead report. I am glad the Minister of State looked at that report and then consulted the practitioners on the ground. If I learned little else when I was elected to this House, I learned that most of us do not know what councillors do. I had never served on a council and it has taken me years to build up some knowledge of the amount of work and commitment involved for councillors.

I must say that I am leaving the House today on a bit of a low. I believe what the Minister of State said and I will be holding him to account. I am sure the county councillors around the country will hold all Members of this House to account for what was promised today. I thank the Minister of State for taking the time to attend the debate and I thank all my colleagues who spoke in favour of our electorate and who were not afraid to make a case for our colleagues on the front line.

Question put and agreed to.

The Seanad adjourned at 5.55 p.m. until 10.30 a.m. on Friday, 26 February 2021.