



DÍOSPÓIREACHTAÍ PARLAIMINTE
PARLIAMENTARY DEBATES

SEANAD ÉIREANN

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

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SEANAD ÉIREANN

Déardaoin, 11 Samhain 2021

Thursday, 11 November 2021

Chuaigh an Cathaoirleach i gceannas ar 10.30 a.m.

*Machnamh agus Paidir.
Reflection and Prayer.*

Teachtaireachtaí ón Dáil - Messages from Dáil

An Cathaoirleach: Dáil Éireann has passed the Garda Síochána (Functions and Operational Areas) Bill 2021 on 10 November 2021, to which the agreement of Seanad Éireann is desired. Dáil Éireann has passed the Companies (Corporate Enforcement Authority) Bill 2021 on 10 November 2021, to which the agreement of Seanad Éireann is desired.

Message from Joint Committee

An Cathaoirleach: The Joint Committee on Enterprise, Trade and Employment has completed its consideration of the Sectoral Employment Order (Construction Sector) 2021.

Gnó an tSeanaid - Business of Seanad

An Cathaoirleach: I have received notice from Senator John Cummins that, on the motion for the Adjournment of the House today, he proposes to raise the following matter:

The need for the Minister for Agriculture, Food and the Marine to make a statement on the number of vacancies in district veterinary posts with responsibility for the tuberculosis, TB, eradication programme, especially in the Waterford and Cork areas.

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

The need for the Minister for Health to make a statement on the redevelopment of the former day care centre in Monasterevin, County Kildare, as a healthcare centre.

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

The need for the Minister for Education to make a statement on the lack of parity be-

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tween the use of traditional and simplified Chinese characters in leaving certificate Mandarin Chinese.

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

The need for the Minister for the Environment, Climate and Communications to make a statement on the appointments process relating to the Climate Change Advisory Council.

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

The need for the Minister for Further and Higher Education, Research, Innovation and Science to make a statement on the actions taken by his Department to address student housing poverty and the delivery of affordable student accommodation.

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

The need for the Minister for Health to make a statement on plans for the development of a hospice in the midlands.

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

The need for the Minister for Housing, Local Government and Heritage to make a statement on the new supports available to first-time buyers.

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

The need for the Minister for Transport to make a statement on the availability of charging points, especially in the counties Monaghan, Cavan and Meath.

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

The need for the Minister for Health to make a statement on the staffing resources and services at the diabetes clinic in the University of Limerick Hospital Group.

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 make a statement on the funding allocation for Galway County Council given that the local municipal districts have all rejected the proposed 2022 budgets.

I regard the matters raised by Senators Cummins, Wall, Ward and Boylan as suitable for discussion on the Adjournment and they will be taken at the conclusion of business. The other Senators may give notice on another day of the matter they have raised.

Nithe i dtosach suíonna - Commencement Matters

Animal Diseases

Senator John Cummins: I thank the Minister of State for taking this important matter. I

know he prioritised doing so and that he has a genuine interest in the issue to which it relates. His assistance with this serious matter is much appreciated, particularly as it is affecting farmers in County Waterford and further afield. This Commencement matter, a number of parliamentary questions that were submitted in recent weeks and other questions sent to the Minister of State's office emanate from a meeting I held with Waterford members of the Irish Farmers Association, IFA, a couple of weeks ago, at which the Minister for Foreign Affairs, Deputy Coveney, was present. At that meeting, it was brought to my attention there has been an increase in bovine TB outbreaks in the west Waterford and north Cork areas. The people present felt there was a strong correlation between vacancies in the regional veterinary office responsible for the administration and delivery of the TB eradication programme, which seeks to put effective controls in place.

As the Minister of State is aware, in 2020 bovine TB rates rose above 4% for the first time since 2012. While the specific cause of each of TB outbreak varies, it is a well-established fact that badgers play a central role in the spreading of TB to cattle. In order to eradicate TB, we have to address the risk posed by badgers. I know the Department, through the regional veterinary offices, is committed to removing badgers from areas in which there is a severe TB outbreak in cattle, which has been shown to be linked to badgers and is committed to vaccinated badgers where the risk posed to cattle by infected badgers has been brought under control.

Unfortunately, the success of the programme is determined by the number of staff available to carry out vaccinations and, in many cases, remove badgers from areas where there is a challenge. There clearly is a challenge in Waterford, particularly in the western part of the county. The figures with which I have been provided show herd incidence of bovine TB on 21 October 2019 stood at 2.3%. Today it stands at 4.78% and rising, which is very concerning and the impact of rising TB outbreaks is far-reaching. The disease causes untold hardship for farmers and farm families in rural island whose herds have to be culled. While the Department operates a good TB compensation scheme, it does not compensate for the distress and fear widespread among the communities I represent due to the rising number of cases. How many vacant posts exist in the Waterford and Cork North regional veterinary offices? What is the current incidence rate within these regional veterinary office, RVO, areas? When will these posts be filled?

While of course we must support farm families who are unfortunate enough to suffer TB outbreaks, there is an element of being penny wise and pound foolish when it comes to having vacancies in our RVOs. On one hand we are paying out in excess of €19 million in compensation for the culling of 22,245 animals across 5,217 herds and on the other hand we have 86 staff vacancies according to a reply I received to a parliamentary question. If we filled these vacancies it would have a dramatic positive impact on bringing the incidence of TB outbreaks under control. From my interactions with farmers, I know they are committed to working with the Department and the regional veterinary offices, but they must have the confidence the staff are in place in those regional veterinary offices to help them in tackling what is a very serious problem. I would appreciate the Minister of State's response in the matter.

Minister of State at the Department of Agriculture, Food and the Marine (Deputy Martin Heydon): I thank Senator Cummins for raising this issue, which is important nationally but obviously in the area of Waterford in particular, as the Senator has outlined. I am acutely aware of the financial and emotional burden faced by farmers after a TB breakdown. We must do everything we can, working together as a sector, to tackle this problem. I come from a suckler farm in south Kildare and I remember more than 20 years ago, when I was a schoolboy, the devastation that hit us by having a reactor. It really is devastating. I remember the feeling

around the house. It is a blow to the whole family and the whole family farm enterprise and I would not wish it on anybody.

The bovine TB, BTB, eradication programme is implemented through 16 regional veterinary offices, RVOs, throughout the country. The RVOs are operated and managed by two area management teams, AMTs, whose main function is to ensure delivery of the programme and verification of effective controls. These RVOs are staffed by teams of veterinary, technical and administrative personnel. Teams do not solely work on the BTB eradication programme. They are also involved in various other animal health and welfare programmes.

Unfortunately, due to retirements, promotions and transfers, vacancies can arise within these RVOs from time to time. I have been made aware of the vacant positions and I recognise the urgency in filling these posts. It is imperative that posts are filled as soon as possible. As of 7 November 2021, the number of vacancies nationally within the RVOs is five veterinary vacancies, 17 technical vacancies and 12 administrative vacancies, which is a total number of 34.

Within the Waterford RVO, as Senator Cummins has raised, there are no veterinary vacancies but there are three technical vacancies. There are no administrative vacancies, so the total vacancies in Waterford RVO is three. However, I wish to include the Cork North RVO which covers a significant portion of west Waterford and which Senator Cummins referred to specifically. In regard to Cork North RVO there are no veterinary vacancies but there are also three technical vacancies and one clerical officer vacancy, which is a total of four. It is important to note the figures do not include staff members on different types of leave such as maternity, parental leave and so on.

Following many successful years of reducing bovine TB levels to the benefit of Irish farmers and the sector, there is a concerning incremental increase in the disease since 2016. In 2020, herd incidence on a year-to-year basis breached 4% for the first time since 2012 and reactor numbers exceeded 20,000, the highest number since 2009. There are positive indications of progress however. The TB situation for 2021 is likely to represent an improvement compared with 2020. Working together, we can build on this momentum. On a year-to-date basis, as of 7 November 2021, national herd incidence stands at 4.18%. Waterford herd incidence stands at 5.05%. Cork North herd incidence stands at 8.34%. The specific causes of each outbreak of TB varies according to the particular epidemiological circumstances and requires a range of actions to address the problem.

Within each county the TB programme focuses on wildlife, how disease is distributed in the area, continuous programmes, gamma interferon, blood testing, cleansing and disinfecting, testing compliance and isolation of reactors. Each TB outbreak is investigated by a veterinary inspector to identify the likely source of the infection. In the case of every outbreak involving two or more standard reactors, there is a veterinary visit to advise the herd owner on how to eliminate infection and necessary measures to assist in reducing the risk of recurrence. This disease causes untold hardship for farms and farm families, and although the challenge is serious, my Department, working together with stakeholders and engaging with farmers, is committed to driving down the levels of this disease and eradicating it. I acknowledge the concerns Senator Cummins raised, and for us in the Department to play our part in working closely with all stakeholders and farmers, we need the full complement of staff in those offices. My officials are working hard to fill vacancies as they arise.

Senator John Cummins: I welcome the commitment of the Minister of State. I will take

up a couple of points. In a reply to a parliamentary question issued on 3 November the Department stated the 16 regional veterinary offices currently had a complement of 738 staff working and 86 vacancies. Today the figure provided by the Minister of State for 7 November indicates only 34 vacancies. Either there was a massive increase in staff between 3 and 7 November or one of the figures is wrong. I would appreciate it if the Minister of State could investigate that matter, because I am taking this matter very seriously.

The figure the Minister of State gave for the incidence rate of 5.05% for Waterford is higher than the 4.78% that was provided to me on 26 October. Frankly, the Cork figure of 8.34% is very alarming and that is reflective of what farmers are telling me on the ground. Clearly we have a rising incidence rate and we need to fill those vacancies without delay, specifically the three technical vacancies in both Waterford and Cork North RVOs. As I said, farmers will work with the Department but they must have the confidence the RVOs are fully staffed to assist them in tackling what is a very serious problem in these areas. I know the Minister of State is committed to assisting in that regard.

Deputy Martin Heydon: I thank the Senator for his detailed supplementary reply. I will look at that parliamentary response he received from the Minister, Deputy McConalogue. If there is a discrepancy between the numbers, it is important to note that the figures I have today do not include staff members on different types of leave. However, there is a sizeable gap between those two numbers, so I will check that and revert to the Senator on it.

Earlier this year the Minister launched a new bovine TB eradication strategy for 2021 to 2030. The implementation of this strategy is overseen by the TB stakeholder forum with support from three new working groups on science, implementation and finance to ensure all aspects of the strategy are addressed. These working groups comprise representatives from all stakeholders. Extensive consultation with the three working groups will develop a shared understanding of how collectively we can reduce TB incidence along with implementing the new TB eradication strategy. I accept the Senator's point of concern that, while there are not veterinary vacancies in Waterford, there are technical staff vacancies, as I have outlined. I want to put the full range of that on the record of the House. Only by acknowledging that challenge can we fix it in as timely a manner as possible. My officials are working very hard to do that and I am happy to stay in close contact with the Senator on this important issue for farmers in the Waterford region.

Community Care

Senator Mark Wall: I welcome the Minister of State, Deputy Burke, to the House. I wish to raise an issue which is very important for many people in Monasterevin, County Kildare. This issue has been going on since 2014. I am seeking an update, and wish to go through some detail with the Minister of State. The day care centre in Monasterevin was closed by HSE Estates in 2014 on health and safety grounds, and since then Monasterevan Gaelic Football Club, GFC, has kindly allowed the day care committee to rent its pavilion to continue this service on an interim basis. The users, the committee and the entire town of Monasterevin are deeply grateful to Monasterevan GFC for the use of its premises. However, the arrangement will cause increasing problems for Monasterevan GFC as, with reducing Covid restrictions, the club will need its facilities more. This could limit the time allotted to the day care service and the services the centre provides to many in the community. Planning permission for the refurbishment

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and development was granted 18 months ago on 27 May 2020. In further good news, the fire safety and disabled access certificates were approved in April of this year. In a recent reply to a parliamentary question from my colleague, Deputy Duncan Smith, the Minister advised that the project continues to progress to tender stage and, in a further reply, that all capital development proposals must progress through a number of approval stages, including planning and design, before a firm timeline or funding requirement can be established.

The Monasterevin day care committee is a voluntary organisation trying to fulfil a need in the community with the help of the HSE. Its founding members developed with the help of the HSE and HSE estates the day care centre in 1996, 25 years ago. Over the years, the centre acquired a special place in the lives and affections of the community. It was a great shock to the town and a loss to the community when the centre closed in 2014, a loss which is still felt sorely. The community of Monasterevin looks forward to the reopening of the Monasterevin day care centre. I know a number of those who attend the centre and it is their life. Without it, many of them would have a huge void. For many, it is their only social outlet and I would appreciate any assistance on this important matter. The committee is working night and day to reopen the centre. I have spoken to many users over the last couple of days and they have been in contact with me over a long period. They are looking to go back to the old centre they were in in 2014. The facilities in Monasterevan GFC are excellent but we need a purpose-built unit. I look forward to the Minister of State's reply.

Minister of State at the Department of Housing, Local Government and Heritage (Deputy Peter Burke): I thank the Senator for his Commencement matter. I am standing in for the Minister for Health, Deputy Stephen Donnelly, who cannot attend.

Day care services for the town of Monasterevin were historically provided from an old GP surgery on Drogheda Street. The HSE had to restrict access to the building in 2014 due to health and safety issues. Services were moved to the Monasterevan GAA Club on a temporary basis while significant refurbishment works are being undertaken. The building on Drogheda Street is an existing two-storey house that is listed as a protected structure which will be renovated and refurbished as part of this project. This will ensure the centre is fit for purpose to house an older persons' day services unit and primary care services.

Work is continuing on the preparation of tender documents for this project and all statutory approvals, including planning permission, fire safety certificate and disability access certificate, have been received. Tender documents are expected to issue in quarter 1 of 2022, followed by an 18-month construction programme with completion anticipated for 2023.

All capital development proposals must progress through a number of approval stages, in line with the public spending code, including detailed appraisal, planning, design and procurement, before a firm timeline or funding requirement is established.

The delivery of capital projects is a dynamic process and is subject to the successful completion of the various approval stages. The final decision to proceed with construction of a project cannot be made until the tender process has been completed and the costings reviewed to ensure the proposal delivers value for money and remains affordable, and that sufficient funding is available to fund the project to completion, including equipping and commissioning costs.

Senator Mark Wall: I thank the Minister of State for his reply. This is so important for the town of Monasterevin. For many of the older people who use the centre, this is their life.

Two days a week they head down to Monasterevan GAA to enjoy the facilities. It is a social outlet. The committee hopes to extend that to three days a week when the new centre opens. The question arising from what the Minister of State has said today and the timelines he has given is whether the HSE is 100% sure we will have a new day care centre in Monasterevin to incorporate the older persons' facilities.

People from the town of Monasterevin and those involved in the project have looked for a firm timeline. The Minister of State has given us quarter 1 of 2022 for the issue of tender documents and an anticipated finishing date of 2023. Will the Minister of State give a commitment that the people of Monasterevin will have a new, modern, fit-for-purpose day care centre in 2023 for those who enjoy this social outlet and benefit from the great committee that organises this on a daily basis? I look forward to that reply.

Deputy Peter Burke: I acknowledge the case the Senator has put forward. I know and appreciate how hard groups like the committee he referred to work on the ground delivering vital services to vulnerable people. I acknowledge their hard work. The circumstances they operate under can be difficult. He has put forward a strong case. As stated in the reply, tender documentation is to be received in quarter 1 and construction is to be completed in 2023. I will revert to the Minister for Health and try to get a firmer commitment. I know, based on the reply, that it is the intention for this to proceed and the work to be carried out. It is clear there is a demand and it has to be met. The Senator rightly pointed out that there is a significant challenge at the moment but as we emerge from Covid, the club will need its facilities back, which is a good thing in one sense. We have to provide an alternative for vulnerable people. The Senator has made a strong case and I will bring it back to the Minister for Health.

State Examinations

Senator Barry Ward: Cuirim fáilte roimh an Aire Stáit. I raise the issue of the leaving certificate Chinese Mandarin course, which is in its infancy and being put together by the Department of Education. This may be a niche issue because we do not have huge take-up on it yet but there is an opportunity for Irish schoolchildren to get involved in and study Mandarin.

An issue of controversy arises regarding the use of the characters or script used for learning Mandarin. Mandarin is the official language in China but is one dialect of thousands existing across that country, many of which are mutually unintelligible and as different as German and Spanish. It is understandable that the Chinese have chosen to identify one dialect, namely, the Han dialect of Mandarin, to be the *lingua franca* and it allows them all to communicate. When the simplified characters were brought in in the 1950s and 1960s, there was a solid rationale for that. They were brought in by the People's Republic of China and the communist party primarily to address literacy issues after the creation of the state in 1949. One in five people could read or write in China at that time. For understandable reasons, the Chinese Government decided to put in place an easier script for them to use. Traditional Chinese script, which has been in use for thousands of years, has thousands of characters and is complex. The idea of simplified characters existed long before the communist party put it into practise in 1949 and after. However, there are still large communities in places like Taiwan, Hong Kong and Macao who continue to use the traditional characters. Those characters bring with them a huge breadth of cultural and historical significance that is lost with the simplified characters. I do not criticise the use of simplified characters. They were effective in bringing an enormous population into

the bounds of literacy.

The difficulty I have is that the National Council for Curriculum and Assessment, under the aegis of the Department of Education, has made the decision that the leaving certificate course here will only deal with the simplified characters used in mainland China, Malaysia and Singapore, thereby excluding those who come from areas where traditional characters are used. That is at variance with many other English-language jurisdictions around the world, like the United Kingdom, the United States and Canada. They have offered students the choice between the two different scripts. They can do the exams, course and curriculum in either the simplified characters or the traditional ones used in certain areas. I recognise the Minister said on 8 July this was designed for *ab initio* learners, rather than immigrant or migrant communities. However, many thousands or even tens of thousands of people in this country come from Hong Kong, Taiwan or a community where the traditional characters are used.

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By putting this in place, we know they will still study leaving certificate Mandarin but we are denying them the opportunity to learn that aspect of the script and the culture that is attached to Mandarin Chinese. The other aspect is that if they only learn the simplified characters, it denies them access to another corpus of literature and material, and all that comes with that, which they might otherwise have.

The issue I am raising today is not to say we should not have simplified characters or that they are in any way wrong; it is to say that we should be giving students the choice. There is a real gap in the curriculum in that we are saying they must deal with one type of script when there are two available and two in use all over the world, sometimes necessarily, for example, in the United States, to communicate to both communities who use them. I hope the Minister of State can take that on board.

Deputy Peter Burke: I thank Senator Ward for raising this issue. I want to give the apologies of the Minister for Education, who cannot be present today.

Languages Connect - Ireland's Strategy for Foreign Languages in Education 2017-2026 aims to increase and diversify the range of languages taught and learned in line with the European framework of key competences for lifelong learning of 2007, which recognises the ability to communicate in a foreign language as one of the key competences needed for personal fulfilment and development, active citizenship, social inclusion and employment. Enterprise Ireland had identified eight languages as important for Ireland's future skills needs: German, French, Spanish, Portuguese, Mandarin Chinese, Russian, Arabic and Japanese. In the words of Enterprise Ireland:

A workforce possessed of significant foreign language capabilities will make Ireland a more attractive destination for investment, and provide the skills required by our indigenous companies to enable them to expand into overseas markets.

Languages Connect provided for the development of a "Leaving Certificate specification in Mandarin Chinese for non-native speakers (L3) as a follow on from the Junior Cycle short course in Chinese Language and Culture" and for specifications in "Portuguese, Polish and Lithuanian aimed at mother tongue speakers (L1) to replace existing non-curricular provision". There was very significant consultation in the lead-up to the development of this strategy. Subject specifications, including for leaving certificate Mandarin Chinese, are developed

by the National Council for Curriculum and Assessment, NCCA. The development process is a thorough one, involving extensive consultation, following which the subject specification is approved through the representative structures of the NCCA and subsequently approved by the Department. The State Examinations Commission then implements examinations in line with the subject specification and the overall policy framework.

The State Examinations Commission is required to conduct its examinations in a manner that is faithful to the approved subject specification developed by the NCCA and in line with assessment policy as set out by the Department. The assessment of the leaving certificate Mandarin Chinese programme is based on the specification and provides that candidates must respond to questions on the examination paper using simplified characters in line with the specification. Heritage speakers are also welcome to study the course and sit the exam, but it has been designed for students with no prior knowledge of Mandarin. By contrast, the Portuguese specification is intended for learners of all language backgrounds, including heritage learners. While Mandarin Chinese is pitched at pre-A1 or A1 level, Portuguese is pitched at A2 or B1 level.

The new language specifications broadly align with the common European framework of reference for languages, CEFR. Within CEFR, there is an EU project, European benchmarking Chinese language, to incorporate the Chinese language into the CEFR framework. If the design of the leaving certificate Mandarin Chinese specification had been for native speakers and-or encompassed both sets of characters, the differences in the two forms of characters would also have had implications for vocabulary, syntax and language use. This would present great challenges across teaching, learning and assessment, which would also have impacts on higher education language programmes and initial teacher education. The Department will consider the potential to develop a specification for leaving certificate Mandarin Chinese for native speakers, L1.

Senator Barry Ward: Much of that is information the Minister, Deputy Foley, has put into the public domain before. One change is that she had said previously that this might have implications for vocabulary, syntax, language use and, potentially, cultural use. She seems to have dropped the cultural aspect whereas I would see this as being exactly the crux of the issue. There is a significant difference in the experience of language learners depending on whether they are using simplified or traditional characters. My concern is that, even with new learners, we are cutting them off from a whole corpus of literature from places like Taiwan and Hong Kong, and many members of the immigrant community here come from those countries.

The real danger is that we are exposing ourselves to an accusation that we are selling out this curriculum to a foreign power - that being Beijing and China - and that we are only adopting theirs because, in that way, students of Mandarin only have access to literature and, indeed, propaganda that comes from the Chinese Communist Party and the centralised government in Beijing. That is an accusation that will be made and, I think, already has been made against this. That is the real danger. We can counter that by broadening the curriculum and allowing the facility for more people to learn the traditional script as well.

Deputy Peter Burke: I again thank Senator Ward for his remarks and for the very strong case which he has put forward, backed up by evidence. I will revert to the Minister, Deputy Foley, with the content of the Senator's response. I will set out clearly the evidence he has put on the table here today in terms of the benefits to our State that this can potentially have, but also the accusations that the State could potentially be open to unintended consequences, given the direction the Department is currently going in. I will raise that with the Minister, Deputy

Foley, and ask her to revert directly to the Senator.

Appointments to State Boards

Senator Lynn Boylan: I would like to use my time this morning to raise the manner in which the Minister, Deputy Eamon Ryan, is making appointments to the Climate Change Advisory Council. I am a member of the Joint Committee on Climate Action. We engaged in extensive prelegislative scrutiny of the climate Bill, where we heard from leading experts on international best practice for climate law and carbon budgets. During that prelegislative scrutiny, the make-up of the Climate Change Advisory Council was discussed at length. It was accepted that the previous council was disproportionately made up of economists and that any new council must have a broader range of expertise. It was also pointed out that Ireland was an outlier in having *ex officio* members as full members of the council and that representatives of State bodies should only serve in an advisory capacity.

We then heard about the importance of a public appointments process. We were told that the members of the Climate Change Advisory Council must be independent and they must be in a position to hold whatever Government it may be to account if it fails to meet its legally binding targets. We were advised that the hallmark of independence is the appointments process. We were told of the need for positions to be publicly advertised and filled by open competition. The Joint Committee on Climate Action agreed with this advice and included that recommendation in its prelegislative report to the Minister, Deputy Ryan.

In February, before the climate Bill passed, the Minister, Deputy Ryan, made a number of appointments to the council. I questioned the process of those appointments and was informed they were made under the provisions of the 2015 Act and that future appointments would be made when the new Bill passed. Sinn Féin put forward detailed amendments to the new Bill calling for a similar appointments process to that for the Irish Human Rights and Equality Commission. Other members of the Opposition supported our amendments calling for a public appointments process. None of those amendments were accepted. In fact, we were assured there was no need for the amendments because a protocol has been in place for appointments since 2014. Therefore, the House can imagine our surprise and disappointment when the Minister, Deputy Ryan, proceeded to appoint more members to the Climate Change Advisory Council in October with no process at all. It was simply that the Minister said that he knows best and that the people appointed were qualified. If that does not sound exactly like Zappone and the arrogance that we heard from the Minister, Deputy Coveney, on the Zappone appointment, then I do not know what does. Nobody is saying that the people appointed are not qualified. Nobody is calling into question their expertise but it appears that this Government has learned nothing from Zapponegate. Ministers cannot and should not go around appointing their friends to publicly paid positions just because they think they are the best person for the job. If they are the best person for the job, then they have nothing to fear from a competitive process.

Appointments to boards cannot be about rewarding friends who canvassed for you or who took to social media to support your leadership challenge or who argued strongly for the Green Party to go into government during those talks. That is not the appropriate way to do business. It does not matter if the people are qualified. They should have nothing to fear from a public appointments process. What has happened here is not about the individuals in question. It is not calling into question their expertise. Just like the Zappone appointment, this is cronyism

through and through. I look forward to hearing the Minister's explanation for why the Government did not follow the protocol that is in place with regard to public appointments.

Minister of State at the Department of the Environment, Climate and Communications (Deputy Ossian Smyth): I thank the Chair for inviting me to address this Commencement matter. The Climate Action and Low Carbon Development (Amendment) Act 2021 sets out the process for appointing members to the Climate Change Advisory Council and the qualifications and experience that members must have. The four appointments made in October followed these requirements scrupulously, and I am fully confident that the council has an excellent set of members who have the knowledge and experience needed to fulfil their crucial role. The Act allowed the Climate Change Advisory Council to expand to 13 ordinary members. Three members are *ex officio*, including the director general of the Environmental Protection Agency; the director of Teagasc - the Agriculture and Food Development Authority, and the director of the Irish National Meteorological Service, Met Éireann. The remaining members are to be nominated by the Minister for Environment, Climate and Communications and are appointed by the Government.

Section 10(4)(a) of the Act requires that each member of the Climate Change Advisory Council has knowledge of or expertise in at least one of the following areas: climate science; adaptation policy; transport policy; energy policy; agricultural policy; behavioural and communication science; biodiversity and ecosystem services; economics; finance; or political sociology or ethics in relation to climate. In October, the Minister, Deputy Eamon Ryan, recommended four additional members for the council to the Government and the Government decided to appoint these nominees. The new members are Dr. Cara Augustenborg, a distinguished climate scientist; Dr. Morgan Bazilian, a distinguished climate and energy scientist; Ms Sinead O'Brien, a prominent environmentalist and water specialist; and Ms Jillian Mahon, a highly experienced financial executive and director with expertise in climate finance. Commenting on the appointments at the time, the Minister, Deputy Ryan said:

A critical part of our transition to a low carbon society is the provision of accurate and timely advice. The Climate Change Advisory Council needs to have a broad and diverse balance of skills and experience that will advise Government on both carbon budgets and progress on implementation of the Climate Action Plan.

I am sure any objective observer would agree that these appointments achieved that aim.

Senator Lynn Boylan: I find it astounding that the justification echoes exactly what Deputy Simon Coveney said about Katherine Zappone's appointment, when he asked if anyone was seriously questioning the person's expertise or ability. Nobody is questioning that. At no point am I questioning any expertise or ability of the people who are on the Climate Change Advisory Council but these people have to be able to hold the Government to account. They have to say whether a Minister is doing the job or not. I am sorry, there is no process, paper trail or anything. The Minister basically went out and said he thinks that these are the best people, with no process. It just so happens that some of those people were members of the Green Party, canvassed for the Green Party and took to social media to defend the Minister, Deputy Ryan, in the leadership battle. Can the Minister of State see why a member of the public might look on and say that it does not matter that that person was the best one for the job because there was no process and the person is in receipt of public money? Will they be able to hold the Minister,

Deputy Ryan, to account if he does not fulfil the legally binding emission targets?

Deputy Ossian Smyth: I thank the Senator. As I have explained, the proper process was followed in making these appointments. This has ensured that an exceptional group of members has been appointed to the council to allow it to fulfil its crucial functions. That process is outlined in the climate legislation passed by the Houses of the Oireachtas earlier this year. I believe it was the most important legislation to have passed in many years. It was passed with consensus, including support from every party, apart from some Independents, with only ten people voting against it. That Act details how people would be appointed to the Climate Change Advisory Council. The steps of that process were followed exactly and scrupulously. Dr. Cara Augustenborg is probably the best-known woman in climate science in Ireland. She has extensive experience and academic qualifications. She is a senior fellow in environmental policy at University College Dublin. She has an MSc in environmental health sciences; a PhD in environmental sciences from University of California, Los Angeles; she is one of seven people appointed to the Council of State under President Higgins; and, I am happy that she is one of the four people who was appointed. Dr. Morgan Bazilian is equally somebody of great repute, as are Ms Sinead O'Brien and Ms Jillian Mahon. We have a Climate Change Advisory Council which will be well capable to deliver on this extremely important challenge that is facing Ireland and the world.

Senator Lynn Boylan: They would have flown through an interview.

Sitting suspended at 11.17 a.m. and resumed at 11.30 a.m.

An tOrd Gnó - Order of Business

Senator Seán Kyne: The Order of Business is No. 1, statements on Forestry Licensing, to be taken at 1 p.m. and to conclude at 3 p.m. if not previously concluded, with the time allocated to the opening remarks of the Minister not to exceed ten minutes, group spokespersons not to exceed eight minutes, all other Senators not to exceed five minutes and the Minister to be given not less than ten minutes to reply to the debate; No. 2, statements to mark Science Week, to be taken at 3 p.m. and to conclude at 4.30 p.m. if not previously concluded, with the time allocated to the opening remarks of the Minister not to exceed ten minutes, all Senators not to exceed six minutes and the Minister to be given not less than ten minutes to reply to the debate; and No. 3, Land and Conveyancing Law Reform Bill 2021 – Committee Stage, to be taken at 4.30 p.m.

Senator Fiona O'Loughlin: Two days ago I spoke about the price of tickets for the match between Ireland and Portugal this evening. I am glad to say that the FAI has capitulated and refunded the difference between the cost of a ticket for a child and a ticket for an adult in terms of the person of whom I spoke. That is really good news. I referred to the company that sold the tickets online but it still has not replied to either myself or the individual. Of course, we all wish the Irish team well tonight.

Last night, I watched a recording of the documentary entitled "The Missing Children" that was aired on television on Tuesday night. The programme was shocking, horrific and showed

us how the State failed many times to protect these vulnerable souls and the survivors. The documentary tells the story of the incredible work done by Catherine Corless and her discovery of death records for 796 babies and infants. By now the story is well known and I know that the area concerned is geographically close to where the Acting Leader is from. I am confident that the Minister for Children, Equality, Disability, Integration and Youth, Deputy O’Gorman, is acting on this matter but we, in this House, must send a very strong message. We must ask the Government to make it a priority to exhume the remains and afford these innocent souls the dignity that they did not have in their short lives or, indeed, in their deaths.

Yesterday evening, I had the opportunity to attend the launch of the Irish Thoroughbred Country Destination Experience Development Plan by the mayor of Kildare, Mr. Naoise Ó Cearúil, and the mayor of Tipperary, Ms Marie Murphy. The horse has been an integral part of Ireland’s cultural and sporting heritage for the past 2,000 years. Ireland is internationally recognised throughout the world for its equine industry and horse breeding so it is important that we develop all that. The plan is five years in duration and has a vision to deliver the world’s best collective thoroughbred experience for both domestic and international tourism. The initiative is headed up by Ms Laura Magee and spearheaded by Mr. Cathal Beale, the manager of the National Stud. I wish them well and encourage people to visit the counties of Kildare and Tipperary, and to see this plan for themselves.

Finally, I wish to mention a fascinating and fantastic project that the Kildare Chamber of Commerce undertook with sponsorship from Intel. The chamber of commerce availed of an app called Ducky and invited companies to join so that their employees can log how they will reduce their carbon footprint. I am glad to say that in two weeks employees have sequestered almost 10 tonnes of CO₂. Basically, companies can log on and record activity. The app encourages people to walk or avail of public transport to get to work, to take a shorter shower, etc. We should adopt a similar initiative in Leinster House as 1,300 people work here, including Members of the Dáil and the Seanad. Such an initiative would encourage all of us to make a personal difference in terms of our fight against climate change.

Senator Barry Ward: We all recognise that domestic violence is a scourge on society. It is something that affects many families throughout this country. When it happens then we must have in place structures to deal with it and to allow people who are the victims of domestic violence to seek refuge earlier. That is why I welcome the moves this morning by the Minister, Deputy Humphreys, to re-establish that certain payments will not be used against people who are the victims of domestic violence to deny them the opportunity to get housing elsewhere outside that abusive environment.

In welcoming that, I should say I come from Dún Laoghaire which is probably the most populous area in the country that does not have a domestic violence refuge. When I was on Dún Laoghaire-Rathdown County Council from 2009, I called many times for a refuge. I found an article this morning by Fiona Gartland in *The Irish Times* from 2012 which referred to a study that identified what she referred to as a major gap in the provision of domestic violence refuges and domestic violence services in the Dún Laoghaire area. That was nearly ten years ago. This week Ellen Coyne essentially wrote the same story in the *Irish Independent*, that it has not changed in ten years. This was on foot of another study done by the *Irish Independent*, again in conjunction with Dún Laoghaire-Rathdown County Council, on the fact there is no refuge in the Dún Laoghaire-Rathdown area, an area of approximately 250,000 people. There are nine counties throughout Ireland that do not have refuges but Dún Laoghaire-Rathdown is by some distance the most populous of them.

This was discussed by the justice committee last week. There is a major problem here. I raised this previously with the Minister, Deputy O’Gorman. There was to be a study earlier in the year to examine where the gaps in provision were and I have yet to see the outcome, but I do not know what other information is required to identify that there is definitely a gap in Dún Laoghaire, a large suburban area in Dublin, where Dublin generally has a smaller proportion of refuges than the rest of the country. There is a gap there. The problem also has a knock-on effect for surrounding areas, because when an individual or family in Dún Laoghaire needs to be given refuge, they are put into another area which means someone in that area must go elsewhere. It is grossly unfair on people for whom the wider Dún Laoghaire area is their home that they must go elsewhere to seek refuge. They should be entitled to one on their doorstep the same as anyone in Cork, Galway, Letterkenny or wherever. There is a gap which has been identified for more than ten years. It needs to be addressed urgently. I ask the Deputy Leader that we would have a debate in the House as soon as possible and to bring to the attention of the Minister, Deputy O’Gorman, this massive lacuna that needs urgently to be plugged.

Senator Sharon Keogan: I call for a debate on the reinstatement of the Special Committee on Covid-19 Response. It has been mentioned a few times since its dissolution on 8 October 2020, 11 days before another level 5 total lockdown was imposed on this country. More than a year later, our case numbers are three times what they were then and the dedicated Covid committee, established to consider and take evidence on the State’s response to the Covid-19 pandemic has remained disbanded having been forced to give its final report less than half way through the pandemic it was established to help with.

The reason for its dissolution is as clear now as it was at the time. As Senator McDowell explained earlier this month, the Government found it inconvenient that there should be a forum of parliamentarians to which it would be responsible. A dedicated Covid committee established with the expressed dual purpose of (a) critically analysing and evaluating the Government’s response to Covid and (b) planning a legitimate roadmap out of this crisis for the country. It is a no-brainer.

At this stage of the pandemic the people deserve something a little more from the Government than sitting and waiting, watching case numbers rise with their hands over the big red lockdown button. Is a grand exit plan being whipped up behind closed doors? No one would be happier than myself but unfortunately it seems the failure of the vaccines and the Covid certificates to suppress the virus is to change nothing and continue to champion the same measures.

The most vaccinated county in this country is the one with the most cases. Covid certificates can allow people with Covid to enter premises while barring those who are Covid free. It is not working. It no longer makes sense. Something needs to change. Most importantly, we need a committee with teeth. Last time, NPHEC only appeared before the committee once or twice. We need a proper committee with the powers to service its function. NPHEC, the national immunisation advisory committee, NIAC, the Minister for Health and all must be answerable to it to ensure all decisions being made at a national policy level are adequately scrutinised. Can we discuss this in the House or, better yet, establish the committee with colleagues from both Houses and get on with the work?

Senator Paul Gavan: I raise this week’s report by Daft.ie on the most recent increases in the price of rents. I will home in on Limerick where the average price of a one-bed apartment in Limerick city is now €999 a month. For a three-bedroom house it is €1,277, an increase of 8% in the year. The average cost of renting a single room in Limerick city centre is €464, an

increase of 21% year on year. The average cost of a double room in the suburbs is €505, up 13% year on year, clearly driven by the outrageous shortage of accommodation around our colleges. Just 236 homes were available to rent in Munster on 1 November, the lowest ever in a series extending back to 2006. The pre-Covid average for 2019 was 750.

This marks the 36th consecutive quarter where rents are higher than a year ago, in other words, nine years of rent rises. The impact on people is truly horrendous. People are unable to pay their bills. There is a cost of living crisis, with people challenged each month. It is impossible for people to save for a home of their own. They just do not have any money because of these exorbitant increases in rents that have happened over ten years of Fine Gael governments. There is now another phenomenon where adult children are having live at home with parents because they cannot afford to rent their own homes.

I have to raise the subject of ideology because this decision to outsource large swathes of social housing to the private sector is ideological. We had further evidence of that this morning thanks to my colleague Deputy Ó Broin. The figures for the housing assistance payment and the rental accommodation scheme are truly shocking. Some €1.5 billion was spent on the housing assistance payment since 2017 and €260 million has been spent this year alone. That is a huge transfer of wealth from the State to private landlords. The most shocking figure of all is that one in three people now rent privately. They have outsourced social housing to the private sector. This does not happen by accident. This is not some natural phenomenon. It is because the Government failed to build houses for so long.

Now they tell us they are going to build houses but there are two issues. First, there is no ambition in the targets which are nowhere near what is necessary to address the scale of the crisis. Second is the most outrageous proposal in the most recent budget, which is that 2,600 homes next year will not be bought by local councils but instead the Government insists they will be leased from vulture funds which can then take the profits for the 25 years tax free. How does that make any sense? How does it make sense for local authorities to lease homes so that they own nothing after 25 years of payments rather than buying them? I have yet to hear any decent explanation from any Government Minister. People in Limerick are shocked to hear this is happening throughout the State, but there it was in the budget.

I am calling for another debate on housing because we have not received good answers and unfortunately all the statistics show us things are getting worse rather than better.

Senator Marie Sherlock: By this weekend we expect the outcome of the COP26 negotiations, a profound set of words and commitments it is hoped will demonstrate that developed countries are taking this climate emergency seriously. Profound words are one thing but real action is another. I welcome the declarations the Irish Government has signed up to in recent days on aviation and car transport, but I also question why Ireland did not expressly add itself to a declaration signed last weekend on a just transition. That declaration was signed by Belgium, Denmark, France, Germany, Greece, Netherlands, Italy, Spain and Sweden along with other countries in the EU, the UK and the USA. We must ask why Ireland decided to hide under the umbrella of the EU and not add its name to that when it did to other declarations. If we are to understand anything about the scale and the challenge of combating global warming, we need to support those who are most vulnerable, least able to invest in changes to how they live and to their housing, transport and everything else, and whose jobs need to change. I would like to see the Government making a much clearer statement on a just transition. We have had foot-dragging on the establishment of the just transition commission. It was referred to in the

climate action plan that was recently published. The Government must take the issue much more seriously.

Going back to putting the profound words into action, this week we had the publication of the draft transport strategy for the greater Dublin area. I am dismayed at the lack of ambition on getting people out of cars. There are a lot of fine words about cycling and walking. I agree that we must encourage people to do that, but we will not truly have safer streets and cleaner communities unless we invest in rail. The extension of the timelines for the metro in particular is simply not good enough. We have spent at least €219 million on the metro in recent years and we still have nothing to show for it. The Government is planning to reduce car use within the greater Dublin area from 52% to 42% over 35 years. That lack of ambition is simply not acceptable, and we must see more ambition on rail and getting people out of their cars sooner rather than later.

Senator Catherine Ardagh: Today, I wish to raise two issues. First, I seek a meaningful debate on the St. Michael's House rejuvenation project. This is not just any development; it is one of the State's flagship cost-rental developments. At this stage we do not have a meaningful update from the Minister on where exactly we are with the project in terms of the budget envisaged and the timeframes. I would like the development to be treated with more urgency. It is a huge vacant site in the middle of Inchicore. Traditionally, it housed hundreds of families and we want to make sure that the site is brought back to life and housing families from the area on a cost-rental basis. Perhaps the Acting Leader could invite the Minister to the House for a specific debate on the rejuvenation of St. Michael's House because it is such a significant flagship development for the State.

The second issue I wish to raise today relates to childcare. The budget for 2022 went some way towards extending childcare and laying the foundations for a better childcare system. I mentioned this previously. We are all singing off the same hymn sheet as a House. This is something you could get involved in, a Chathaoirleach, in that the Seanad could champion childcare properly. Early preschool childcare must be brought into the primary school system and curriculum. We will not have a decent childcare system until that happens. If it was brought into the education system, I understand that private providers might not be happy, but there are ways to merge it. That would give workers proper career progression and it would give families and, ultimately, women proper autonomy to flourish in their careers. It would also give them stability. The current haphazard childcare is just not working for families and it would be better if it was brought within the ambit of the State. Many Gaelscoileanna have a naíonra on site. They are a little bit ahead of other types of school. It should be the norm for all national schools to have a preschool on site for families and parents.

Senator Aisling Dolan: This is Science Week, which takes place from 7 to 14 November. Creating our Future is a national conversation that is taking place. It has been great to see the broadcasters going to towns around the country in a few key areas trying to get good feedback from the public about current research that is taking place. We have had virtual Science Week with magicians and scientists and events happening all around the country. It is possible to log on and find an event happening close to where you are based. Events include coding for kids, DNA fingerprinting, Go Fly Your Kite in Cork, reptile superpowers in Celbridge, a bug doctor in Galway, a telescope tour in Birr, a science trail in Sligo, and Pint of Science with stand-up comedians in Tralee. There is something for everyone in there. It is also a great opportunity if you want to find out about careers because that is available with engineers and doctors this week. For fun, there is even a Science of Happiness event.

Science Week is bringing industry, colleges, schools and everyone together. It is important to note as well this week and with COP26 taking place that we had another historic first for Ireland, in particular for the Acting Leader. In east Galway, we had the first ever win for an Irish national school, Clontuskert, which won the climate action project school of excellence award. The children in the school, along with the incredible principal, Kate Murray, are real trailblazers, along with the teaching staff. They are becoming champions and advocates for change. They have a campaign to get rid of plastic on vegetables in supermarkets. The whole community in east Galway is so proud of this school, which has been winning awards for years, such as the Microsoft showcase school. It is a green flag school and also a digital school of distinction. As spokesperson for research, innovation and science, I am so proud this school has achieved such an award. It is a great primary school in east Galway having such an impact at a global level and driving change.

Senator Róisín Garvey: I wish to express my delight with the funding announced yesterday by the Minister, Deputy Eamon Ryan, for communities to get funding for climate action projects. There is a commitment to €30 million over the next 18 months and another €30 million 18 months later. To break it down, it gives an opportunity for community groups or individuals who want to work with community groups to look for funding under five themes: home energy, travel, food and waste, shopping and recycling, and local climate and environmental action. This is really positive because everybody knows that climate is at an emergency stage and that we need to do all we can at every level from the bottom up and from the top down as well.

I will give an example of some of the funding applications that could be made. They include, community electric vehicle, EV, charging points, small renewable energy projects, community EVs, bike parking, repair hubs, food growing and bulk buying of energy for a group of houses. It is worth looking into. It will be run through Pobal. Some €24 million of the initial €30 million is going to the local authorities, but €6 million will be available through Pobal. I strongly suggest that people who are interested get involved. There are lots of great community volunteers and activists all over the country, and we are not short of them in County Clare. There will be a webinar to inform people more clearly on 18 and 25 November. All the information will be available on *pobal.ie*. This is an important initiative that the entire House should support and inform their communities about, because for too long we have had to do everything without any funding. There have been volunteers and pioneers for ages but now we see real money being provided to make it easier for communities. Every community must look at climate change and see what it needs to do in its local area. Think globally and act locally is more true now than ever and it is good to see the funding put behind that. I thank the Minister for helping people to get through this period. A just transition will happen if we can get the money to local communities at grassroots level.

Senator Aidan Davitt: I want to raise an issue you broached in this Chamber, a Chathaoirligh, on many occasions. I know it is close to the heart of the Acting Leader as well. It is six months since we enacted the long-promised legislation on councillors' pay that had been bandied about for some time. Fianna Fáil, Fine Gael and the Green Party dealt with it head-on, and we implemented the recommendations on pay that were contained in the Moorhead report. However, allowances and expenses remain to be addressed. The Association of Irish Local Government, AILG, and the Local Authority Members Association, LAMA, have written to the Minister, and I have written to him several times, on what should be allowable and what would ease the burden on councillors and help them to carry out their daily work. It would be apt if we could bring the Minister of State, Deputy Peter Burke, to the House to discuss the issue. He

is very hands-on with this matter. We could discuss what should be allowable and what would be of help to councillors going forward.

12 o'clock

The Acting Leader might see whether it is possible to have the Minister of State come to the House to consult Senators. It would be constructive.

Senator Eugene Murphy: I agree with Senator Davitt's comments.

I did not speak in the House yesterday, so I wish to extend my sympathies to our colleague, Senator Currie, on the death of her dad, Austin, a man who stood shoulder to shoulder with the Catholic community in Northern Ireland when they needed it. He never did it through violent means, but always through peaceful means. Go ndéanfaidh Dia trócaire ar a anam dílis.

Senator Dolan referenced the wonderful environmental work being done in schools. Fun-nily enough, I have received a request from a number of schools because they want to purchase polytunnels. That is a fantastic request but - Senator Garvey will tell me whether I am wrong - there does not seem to be a fund to support them. Quite a deal of money in the budget has gone towards horticulture. I have checked with the Department of Education but have not spoken to the Minister of State, Senator Hackett. If there is not a fund, I would like to suggest that we ask the Minister of State and the Minister for Education, Deputy Foley, to see whether we can get one. Schools tell me that there is no such fund available. I have done a bit of a trawl and cannot see one either, although money can be provided for various developments. A fund would be a good measure. If one goes into a supermarket, one can see the various produce from Brazil, Peru and Colombia. One can see green beans from Kenya and lentils from somewhere else. All of those crops can easily be grown in this country. If we had to subsidise our growers to do so, then fantastic, because cost would be an issue. When national and secondary schools want to purchase polytunnels and are seeking assistance in that regard, we should rally to their cause and help them.

Senator Róisín Garvey: On a point of information, there is not a particular fund for poly-tunnels, but many schools have got funding for them through the community environment action fund, which was formerly local agenda 21, or biodiversity grants under local community development.

An Cathaoirleach: We will not open up a debate on the matter, but I thank the Senator for that information.

Senator Jerry Buttimer: Will the Acting Leader facilitate a debate on the future of retail so that our nation might have a new retail strategy? As we all know from observing the cities and towns in our areas, a major challenge is facing retail on the high street with the migration to online shopping. Streets and towns are being hollowed out. The House needs to debate the matter with the Minister of State, Deputy English, who should be praised for his proactivity. We should also acknowledge the considerable work being done by local enterprise offices and councils.

There is a nervousness within the SME sector and wider business community concerning what will happen when the scaffolding of supports is taken away or diluted. Businesses cannot find people to work. Does this shortage of workers mean that people have returned to their native countries, moved to different sectors or changed their lifestyles? An action plan for retail

is needed sooner rather than later, in particular around Christmas. I applaud Chambers Ireland, which is asking people to shop local and in person and to start early. I hope the Acting Leader can facilitate a debate as soon as possible.

Senator Robbie Gallagher: The North-South interconnector has been a controversial project since it was first mooted. In its present guise, it will not proceed because the communities affected will ensure it does not.

With this in mind, I was disturbed to hear last week that EirGrid or its agents were caught sneaking - that is the word I would use - across a landowner's property without the landowner's consent or giving prior notice. For a company that is working on behalf of the State, this is deplorable and needs further investigation. The high-voltage overhead power line will travel through Meath, Cavan and Monaghan on its way to Tyrone, but the project does not have the support of the local community and will not go ahead unless the local community supports it. I ask that the Minister, Deputy Eamon Ryan, come to the House as soon as possible to update us on the current review of the project, when the review is expected, what is happening and what EirGrid is doing on behalf of the State by sneaking onto private individuals' lands without their consent.

I wish to discuss the Northern Ireland protocol and the Brexit situation in the North. The business community is beginning to lead the way in pointing out the advantages of the protocol. Almac is a leading pharmaceutical company with more than 6,000 employees, almost 4,000 of whom are located in Northern Ireland. It is creating a further 1,000 jobs in Craigavon and in its Derry plant. This is good news. A page entitled "Post-Brexit: The Almac Advantage" on the company's website reads: "Unique, unfettered and flexible access to the UK, Europe and beyond". This is the key. I would like more businesses to lead the way instead of politicians from certain communities leading us down a blind alley. It is time we listened to the business community.

Senator Mary Seery Kearney: I wish to raise two matters. This morning, the Joint Committee on Disability Matters heard from the mother of a man with an acquired brain injury and from a woman who was 33 years of age when she had a stroke. The latter stated:

Not one medical expert came to our house following my discharge. Members need to realise that, at this time, there were a large number of everyday tasks that I could not do for myself. There were no follow-up services for me once I was discharged. There was no one to check on me. The first time I needed to wash myself, I stood in front of the shower for a full five minutes trying to figure out how to turn it on. I only had to press one button but I had absolutely no idea what to do.

The Irish Heart Foundation also appeared before the committee. It spoke about the national stroke strategy, which was commissioned by the then Minister for Health, Deputy Harris, in 2017 but remains unpublished. Might the House write to ask when the strategy will be published and for a comment? I will follow up with a Commencement matter, which I hope the Cathaoirleach will oblige on top of the other three Commencement matters on my list. I ask that the Seanad write to find out where the national stroke strategy is. The Irish Heart Foundation does extraordinary work. Just 3% of its funding comes from the State, with 90% coming from donations. It provides support groups, nurses and advice. We need a stroke strategy to be implemented.

Shamefully, the *Irish Sun* published an article yesterday that induced people to gamble on a match. I believe there is a big match tonight. Is there? I do not know - I am not really a soccer girl. According to the article, if people bet a certain amount, they would be guaranteed to get money back even if they lost. Induced gambling like that is the sort of thing that brings people back into addiction, costs people their homes, families and livelihoods, and makes children go hungry. The Bill has been published, so we need to bring its gambling regulations in as a matter of urgency in order to stop the scourge of actions like this, which are appalling and undermine families and people.

Senator Erin McGreehan: I support Senator Seery Kearney's comments. I was also at the meeting of the Joint Committee on Disability Matters this morning. I wish to highlight the words of the lady who had a stroke when she was in her 30s about the inflexibility of our public system in terms of providing employment. If there is one area in which we should be able to meet targets in terms of the employment of people disabilities it is the public sector. It should be a welcoming employer, but it is so inflexible in terms of supporting people with disabilities. I was shocked to hear this morning that the Department of Education is putting up barriers to this lady being able to get back into work and teaching our children. She is the type of person I would want teaching my children because she has empathy, experience and the best qualifications a teacher could have.

I want to raise another issue, which is a local issue with regard to disabilities. This matter was highlighted last week by an individual, Darragh Ó Heiligh, from Drogheda. This gentleman is visually impaired. There are very welcome roadworks taking place in the Drogheda area but as a result, access to the town of Drogheda is completely blocked off. This is happening repeatedly. There are guidelines in place. Last year, the Department of Transport put in place temporary traffic measures and signs for roadworks guide. However, the requirement is only that "they should allow for access". This needs to be changed to "must allow for access". As I said this gentleman is visually impaired and he had to walk in the middle of a road to get around safely. Thankfully, he did manage to get around safely. This needs to change. When local authorities employ companies to do roadworks they must ensure that they provide safe access for our citizens.

An Cathaoirleach: I thank the Senator for raising that issue. In my own county, the Ring of Kerry road is blocked off completely for access for hours each day. In the event of an emergency an ambulance would not be able to get through to people who might need its services.

Senator Robbie Gallagher: All politics is local.

An Cathaoirleach: Indeed. Tip O'Neill was not wrong, as we all know. The next speaker is Senator Carrigy.

Senator Micheál Carrigy: Following on from a conversation I had with a constituent with regard to renewal of car insurance, I want to raise the issue of car insurance. Despite no change in circumstances in terms of no penalty points and no accidents, the constituent's premium had increased. It is stated on the *coverinaclick.ie* website that the average motor insurance premium secured for customers at renewal is down, on average, 8.5% since June 2020 and 24.5% since June 2019. The decline in premium reflects the final premium paid, not the initial renewal quote offered by the current insurer. The online broker warning states that drivers who opt to auto-renew their cover are missing out on savings. This is an issue, in my opinion, in that insurers are automatically issuing a renewal that is not the actual premium amount they are prepared to

accept. They are doing this in the hope that people will auto-renew. A percentage of the population will auto-renew and not move their insurance to another company, particularly the elderly citizens in our community. The joint committee with responsibility for this area needs to bring in the insurance companies. They need to be quoting the actual premium. With the reduction in accidents and claims, we are being told that there are significant decreases in premiums, but the insurance companies are not passing this on to the customers. They are sending out renewals in the hope that a significant number of customers will auto-renew and they can make bigger profits. I ask that the relevant joint committee with responsibility for this matter would bring in the insurance companies. There was significant engagement a number of years ago when the insurance companies were brought in with regard to claims, etc. We are now hearing about significant reductions but that is not the case for everybody.

Senator Martin Conway: As people might be aware, next Sunday, 14 November, is International Diabetes Day. We have come a long way in this country in terms of supporting and providing treatment and so on for people with diabetes. Unfortunately, that is not the case in the mid-west. The diabetes unit in the mid-west hospital is grossly inadequate to support the needs of people with diabetes in Limerick. There are people who require expert support and advice in terms of use of insulin pumps but they cannot get it at the hospital in Limerick. They have to travel to Galway or other areas to get it. The clinic in Galway is a very good clinic. Many of the people in the mid-west who previously used the services in the clinic in Limerick have been moved to the Galway clinic. This is unacceptable. New treatments coming online, such as the dose adjustment for normal eating, DAFNE, approach in terms treating people with diabetes, are not being provided in Limerick. New treatments that have been identified and new ways of supporting people with diabetes are not being provided in Limerick. Limerick is not taking on any new patients who require support with insulin pumps. This is not good enough. I want a debate on this issue with the Minister for Health. I have submitted a Commencement matter on this issue for discussion next week, which I hope the Cathaoirleach will accept, but we also need a debate on what is going on in Limerick, why the investment is not being provided in Limerick and why the unit is not being upgraded and made fit for purpose. People with diabetes in Ennis, County Clare, Limerick and Tipperary deserve the same standard of care and support as citizens in other parts of the country.

Senator Lynn Boylan: I want to raise an issue I seem to be raising every week in this House, that is, animal welfare. Last night, the Joint Committee on Agriculture, Food and the Marine heard from the Dublin Society for the Prevention of Cruelty to Animals, DSPCA, on what needs to happen to strengthen the laws in this country, particularly in the area of dog welfare. The DSPCA pointed out that puppy farms are the biggest animal welfare problem it faces. This entire industry is based on the concept of cruelty to animals and deception of the consumer, with pups as young as six weeks old being transported across the Border and smuggled into Britain.

The DSPCA has called for dog breeding laws to be brought under the remit of the Department of Agriculture, Food and the Marine and for a single public database showing how many breeding bitches are on a site, who owns the site and how many times it has been inspected. It has also called for the DSPCA and other authorised officers under the Animal Health and Welfare Act 2013 to be designated as the inspectors of those dog breeding establishments because the local authorities are not doing an effective job. It is quite possible for a responsible breeder to make a living, but in Ireland there are as many as 600 breeding bitches on one establishment. That is not including the pups and the stud dogs. These animals have no socialisation skills and

no genetic screening. They are being fed mechanically and, as such, they are having very little human interaction. They are then being sold into families who are left wondering why the pups have behavioural problems or they are very sick.

We are the puppy farm capital of Europe. It is not a label that we should be proud of. This can be fixed but we need proper transparency and inspections of these sites. We also need Revenue to scrutinise these establishments which are breeding up to 600 bitches, possibly, twice a year, with ten pups being sold for approximately €1,500 each. When one does the maths, Revenue is losing out because we do not have the proper transparency and no monitoring of this area by the Department of Agriculture, Food and the Marine.

An Cathaoirleach: I call the Acting Leader to respond to the Order of Business.

Senator Seán Kyne: I thank all Senators for their contributions on a wide range of topics. Senator O’Loughlin raised the issue of ticket pricing for the Ireland-Portugal match. We all wish the boys in green well this evening. Senator Seery Kearney raised the issue of gambling in advance of that match, which is being proposed in an article in the *Irish Sun*. That is despicable. It is that type of leading article that brings people back into gambling. I agree with Senator Seery Kearney on that point.

Senator O’Loughlin also spoke about the television programme, “The Missing Children” which aired on Tuesday night. I watched most of the programme, which set out the story of the mother and baby homes in Tuam and elsewhere. I acknowledge the work of Catherine Corless and the RTÉ programme with regard to the 796 missing children. As stated by Catherine Corless, she does not believe they are all buried at the Tuam site. It may be that there are children who were illegally adopted and untraced, perhaps in the United States. We need to progress the legislation with regard to the exhumation. I will seek an update on that from the Minister, Deputy O’Gorman.

Senator O’Loughlin also mentioned Irish thoroughbred mares. I acknowledge the official opening by the Minister of State at the Department of Agriculture, Deputy Heydon, of the €3.3 million thoroughbred equine experience facility in Kildare. The sod was turned in 2019 by the then Minister of State, Deputy Brendan Griffin. There was Fáilte Ireland funding for the project. This is a wonderful tourism initiative in the Kildare area. The Senator mentioned carbon sequestration and the work of Kildare Chamber of Commerce in that regard.

Senator Ward mentioned the very important issue of domestic violence and the fact that nine counties do not have refuges. There is also no refuge in Dún Laoghaire, which, I acknowledge, is a major urban area. As the Senator rightly pointed out, where an area has no facility, there are knock-on effects in other areas which can mean that vulnerable women have nowhere to go. This is an important issue and we should have a debate on it with the Minister for Justice.

Senator Keogan mentioned the possible re-establishment of the Oireachtas Covid committee. That would be a matter for the Seanad Committee for Procedure and Privileges, CPP, and the Dáil’s Business Committee. The original committee was established on 6 May 2020. At that stage, a new Government had not been formed and Oireachtas committees had not been established. The Covid committee was established on a cross-party basis and did a tremendous amount of work right through the summer of 2020. By the start of October, members were quite tired because they had a lot of other responsibilities to attend to because the Dáil was back in business and doing important work. It was decided that the sectoral committee would deal

with Covid matters. The Joint Committee on Health has met representatives of NPHET, NIAC on numerous occasions. The Minister for Health, Deputy Stephen Donnelly has also appeared before the committee, as has Mr. Robert Watt from the Department of Health, to discuss all of the relevant issues. Whether there is a need to re-establish that committee is a matter for the CPP of this House and the Business Committee of the Dáil. The matter can certainly be discussed with Senator Keogan's representative on the CPP.

Senator Gavan spoke about housing and requested a debate with the Minister for Housing, Local Government and Heritage on rents. I can certainly make that request of the Minister's office. I acknowledge the very high rents being charged at present as a result of pent-up pressure and supply constraints. Housing for All focuses on tackling supply and affordability issues within the housing sector. In the short term, the Government is legislating to cap rent increases at a maximum of 2% in rent pressure zones and is committed to the provision of more cost-rental homes. Senator Ardagh mentioned the St. Michael's Estate rejuvenation project in Inchicore, which, I suggest, is an issue for a Commencement matter debate. That said, I will ask the Minister to come to the House for a debate housing, including in the context of cost-rental homes and rent increases.

Senator Sherlock talked about the importance of action versus words in the context of COP26. The Government's climate action plan has been published and over the coming weeks we will be debating sectoral areas in the context of that plan. We will be dealing with forestry today and hope to deal with transport and agriculture soon. The Minister for Environment, Climate and Communications, Deputy Eamon Ryan, was here to discuss energy recently too. This is a matter in respect of which words are not good enough. We need to see specific sectoral actions in all areas responsible for carbon emissions

. Senator Sherlock also mentioned the draft transport strategy for the greater Dublin area. Fine Gael party members tabled a motion last week on public transport. We supported the MetroLink and Dart+ but if the Senator has specific questions, it might be appropriate for her to table a Commencement matter on the subject.

Senator Ardagh referred to childcare and bringing it into the formal education system. She rightly talked about the great work that naíonraí are doing at preschool level. As former Minister of State with responsibility for the Gaeltacht, I know that the Government funded the development of a naíonra on the site of Gaelscoil Mhic Amhlaigh in Knocknacarra in Galway city. Excellent work is being done there and in many other areas and where it is possible to provide childcare within the formal education system, that should be looked at in terms of public provision.

Senator Dolan talked about Science Week, which we will have statements on later this afternoon. She referred to the great work being done by children in Clontuskert national school in east Galway. Those children are trailblazers and advocates for change. I wish them well in their work. It is important that we continue to educate but also to allow children to teach adults about what needs to be done. There are no better advocates for change than young people.

Senator Garvey welcomed the good news regarding just transition funding of €30 million over the next 18 months, with more to follow thereafter. That funding will be used for many things, including EV charging points in communities and repair hubs. The Senator spoke about an important webinar later this month and urged us all to promote this within our communities, which we will certainly do.

Senator Davitt talked about the great work done by the Minister of State at the Department of Housing, Local Government and Heritage, Deputy Peter Burke, on councillor's pay. The Minister of State has the support of all in this House and in the Dáil in that regard. Senator Davitt referred to the Moorhead report and asked that the Minister of State would come to the House to discuss it. I will raise this with the Minister of State who is constantly engaging with the Association of Irish Local Government, AILG and the Local Authorities Members Association, LAMA, in relation to councillor's expenses. Perhaps he could come to the House to debate the matter or he might meet the group leaders privately to brief them on progress to date.

Senator Murphy concurred with Senator Davitt regarding councillors. He also paid tribute to the late Austin Currie. The Senator spoke about the wonderful work going on in schools and about the need for funding for polytunnels. Senator Garvey confirmed that funding is available for same, which is good news.

Senator Buttimer spoke about the retail strategy and the need to update it. I will certainly write to the Minister of State at the Department of Enterprise, Trade and Employment, Deputy English, to encourage him to come to the House to discuss that strategy. The Tánaiste and Minister for Enterprise, Trade and Employment, Deputy Varadkar, was in Galway last Friday and met a number of business people who raised the issue of well-known chains closing during the lockdown and, having evaluated the situation, deciding not to reopen. This is unfortunate and the move to online shopping makes the challenge for retailers of maintaining a presence on main streets throughout the country even greater. This is an issue that will become more important and more serious in the future so I will ask the Minister of State to come to the House to discuss it.

Senator Gallagher talked about the North-South interconnector. Perhaps the Leader would be the more appropriate person to deal with this because she was very concerned about the interconnector during her time as a Deputy for Meath East and continues to be interested in it. I cannot comment on any specific alleged trespass but I would suggest that the landowner takes the matter up with a solicitor. I will certainly ask the Minister for Environment, Climate and Communications to come to the House to discuss the matter but it might also be worth raising it as a Commencement matter.

Senator Gallagher also spoke about the Northern Ireland protocol. He is quite right to say that businesses in Northern Ireland, thankfully, have the best of both worlds in terms of having access to the EU Single Market and access to the UK market and yet there are politicians in the UK and in the Tory party who are trying to suggest that the protocol is not working for Northern Ireland. It is patently ridiculous, to be honest, and they should accept that the protocol was negotiated in good faith, signed by the UK Government and is working well for Northern Ireland.

Senators Seery Kearney and McGreehan talked about the Joint Committee on Disability Matters and the testimony its members heard regarding stroke. The Irish Heart Foundation does tremendous work in this area, as does Croí in the west of Ireland. The latter appeared before the Joint Committee on Health a couple of months ago. I will seek an update on the national stroke strategy which is hugely important. As I said earlier this year, a stroke can hit anyone of any age at any time.

Senator Mary Seery Kearney: It is awfully sad.

Senator Seán Kyne: It can hit people in their 80s and 90s but it can also hit people, as

Senator Seery Kearney said, at the age of 33. Stroke can hit people quite suddenly. I will ask for an update on the strategy.

Senator McGreehan also talked about Drogheda town and access issues there. I do not know the exact ins and outs of the situation to which she referred but clearly more cognisance must be taken of people with disabilities, including those who are visually impaired, by those engaging in roadworks. They must ensure that safe access is provided and that someone is available to assist those with disabilities when such works are taking place. That is a matter for the Department of Transport and, more specifically, for Louth County Council. I am sure the Senator has taken it up with the latter already. Senator Carrigy talked about car insurance. I acknowledge the work done by the former Minister of State, Michael D'Arcy, in that regard, followed up by the current Minister of State, Deputy Fleming. We were of the view that car insurance premiums were coming down but there is evidence that they are creeping up again. I will perhaps invite the Minister of State to come in and give an update on insurance of all types. He has done much work regarding the book of quantum but many insurance providers left the market because of the high payouts. Perhaps the level of competition is not what is needed to reduce premiums.

Senator Conway spoke about diabetes. Former Member, Ray Burke, is an inspiration regarding his weight loss and diabetes story, of which he has rightly been proud in his time here and since then. Regarding the issue in the mid-west, I hope the Senator is successful in his Commencement debate request on that matter next week because it is hugely important to counties Clare, Limerick and Tipperary, as the Senator said, as to why the unit has not been upgraded in Limerick.

Senator Boylan rightly spoke about the importance of animal welfare legislation. I did not see the committee last night but I have seen some of the evidence on news investigations and they are quite horrific. As a former Minister of State, my Department updated at the time the dog-breeding legislation. There was reluctance from the Department of agriculture to take over that area but there were huge improvements in the area. Enforcement is the crux of any legislation. We tried to improve the issue of socialisation, which is very important for puppies. Having human contact from the get-go, in terms of vision, smell and all of that, is very important in those puppies going on to lead the lives they deserve and provide company and comfort to children and adults. I was involved in this and we worked on it but there are people who are not following any guidelines.

As a former owner of a rescue dog, I know the cruel treatment they can undergo, yet they can be wonderful companions for people. We were delighted to give a nine-year-old doggy a good home for the five years she was with us, little Ciara, who passed away in March. I agree with the Senator and perhaps the area is worthy of a debate because it is important.

Order of Business agreed to.

Sitting suspended at 12.33 p.m. and resumed at 1 p.m.

1 o'clock

Acting Chairperson (Senator Eugene Murphy): I extend a special welcome to the Minister of State, Senator Pippa Hackett. It is nice that a Minister of State is also a Senator. I also welcome Members to this very important debate. I remind them that the Minister of State will have ten minutes to deliver her opening statement. We will then move to the party leaders. Senator Garvey will have eight minutes, followed by Senators Mullen, Paul Daly, Lombard, Boylan, Hoey and Higgins.

Minister of State at the Department of Agriculture, Food and the Marine (Senator Pippa Hackett): It is good to be here. I thank the Seanad for the invitation to update Members on the latest developments on forestry policy and licensing. I have come here directly from COP26, having returned last night. Clearly, as we all know, the discussions there on climate change and the need to move to carbon neutrality are thought-provoking and resonate very strongly with me and, I am sure, with everyone here too.

Climate change is the challenge of our era and the one that future generations will judge us on. In that context, forestry has very much to offer. If we harvest our wood resource and unlock our potential for tree planting, we will have renewable resources and a consistent rate of carbon capture and storage to help us on the pathway towards significantly reducing our greenhouse gas emissions. This Government is committed to the future of forestry in Ireland, as we recognise its importance to society, the natural environment and the fight against climate change. It is our goal to deliver on our ambitions for forestry in the future. While there are many elements to meeting this goal, I am more than aware that, right now, the continued need to issue licences is still an immediate concern. The backlog is, I know, a source of deep frustration for those within the sector and resolving it is something I have made a priority. We are moving in the right direction in dealing with this difficult issue and I will provide Members with some updates today.

It is important that these discussions are based on facts. It is untrue to say that very few licences are issuing. In past two months, we issued more than 1,000 new licences. This rate of licensing means that licences are issuing at double the rate of applications received and every week means a net reduction in the number of licences on hand. By October this year, we had issued licences for the whole of last year and we remain confident that we will issue more than 4,000 licences this year, which will be 50% higher than last year.

The volume of timber licensed this year is on track to be the highest ever licensed in a single year. By the end of this week, we expect to have passed the 7 million cu. m mark. The volume of forest roads licensed this year will also be the highest ever. The target for annual forest roads in the climate action plan is 125 km. We have already licensed over 200 km and will come very close to doubling that target for the year. Notable too is the number of private felling licences approved, which is something forest owners and those in the sawmilling sector have been calling for. To date, we have issued more than 1,000 private felling licences to farmers at a volume of 2.13 million cu. m. Coillte, which supplies 75% of timber, is fully licensed for 2021 and we expect its 2022 programme will be fully complete by the end of the year.

As Senators will recall, I introduced emergency legislation this time last year to make the forestry appeals committee, FAC, more efficient in how it conducts its hearings. This has been remarkably successful and the committee now has 30 appeals to hear, down from almost 1,000 at the peak. I acknowledge the FAC for its work on this.

I am not claiming that everything is resolved; far from it. I am well aware that the output of afforestation licences has not kept pace with felling licensing. Getting afforestation licens-

ing back on track remains our main outstanding priority. We are addressing this and now have ten ecologists dedicated to afforestation. By their nature, afforestation licences are more difficult to process as they represent a change of land-use activity and there are strict assessment requirements. As things stand, 5,700 ha of approved land are available for afforestation and I encourage every landowner with an afforestation licence to make use of it. Indeed, the reasons behind the differences between the land area licensed and the area planted is something we need to examine in further detail.

There has been some commentary on how long it takes to issue a licence and I fully understand this. It is, unfortunately, the case that when one has a backlog, timelines are impacted. Right now, the average time for a decision on a forestry licence is approximately 11 months. This figure is reducing and we are working hard to reduce it further. Overall, our improved output reflects our investment in resources within the Department, with 27 ecologists now working exclusively on forestry files. We have also increased the number of inspectors and administrative staff dealing with forestry. This, of course, was needed, given the complexity of the licensing environment and increased need for public participation. We are keeping resource requirements under continuous review. However, I firmly believe that issues in forestry now will only be resolved through a collaborative approach involving stakeholders, communities and NGOs. We must take a longer term view and put in place a strategy which aims for consensus and for a national vision for forestry. This is why I established Project Woodland.

A phrase I heard during my visit to COP26 was this: “If you want to go somewhere fast go alone, but if you want to go the distance, then bring the team.” I would like to acknowledge the members of my forestry policy group and Project Woodland, who have committed their time, effort and knowledge for a year now to this cause. Project Woodland was set up earlier this year to deal with both current and longer term issues in forestry. As I said, it involves all stakeholders working together and is addressing many areas, including that of timelines for issuing licences. In regard to timelines, the reality is that before we can agree on specific key performance indicators, certain aspects of Project Woodland must first be completed. We have started a full review of the forest regulations legislation and environmental requirements which will be led by external consultants. We expect that to report back to us next February. This will review the existing statutory framework for the licensing of forestry activities in relation to environmental and public participation obligations.

We have also had an independent systems analyst looking at our processes. She has submitted an interim report to the project board of Project Woodland on this end-to-end process review. This will hopefully yield some process improvement gains in due course. Complementary to this are two proposals to help improve the quality of applications received as this is an important aspect of service delivery. These two proposals for the payment of an environmental planning grant and for a pilot project for pre-application discussions are well advanced.

The Mackinnon report, which underpins Project Woodland, was wide-ranging in the scope of its recommendations to improve the licensing approval process. I can appreciate that there are some who are of the view that Project Woodland is not delivering as quickly as it should. However, this is not easy work. There are diverse views in Ireland right now on the current and future forestry policy. However, I am determined to build a vision and strategy that provides a place for new woodland creation, while highlighting the multi-functional benefits they can bring. A new Irish forest strategy, which will chart the way forward for forestry for the rest of this century, is under development. This renewed vision foresees the right tree, in the right place, for the right reasons, including the right management.

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As a nation, we must think about what we want from our trees. Everyone will get a chance to have their say as part of an extensive consultation to create a shared national vision of what our forests will look like in the future. Public consultation will include a public attitude survey, a deliberative dialogue, and engagement with young people. This will inform the design of the next forestry programme, which will commence in 2023.

We also need to look at smaller-scale tree planting. I would like to see every farmer in this country, where possible, planting trees. To encourage that and to tackle climate change we are drafting legislation which will allow for small-scale planting of native trees. I intend that between this, other measures that will be incorporated into our agri-environmental schemes, and a fit-for-purpose new national forestry programme, we will see many more trees covering our land over the next few years. I am concerned that the public narrative on forestry right now is both too narrow and too negative. Farmers are disengaging for sure. The licensing delays have played their part in that. The bottom line is that for too long we have tended to see native tree planting and forestry as somewhat separate. I intend to bring them together. We will be doing that under the climate action plan and Project Woodland.

I want to talk briefly about where we should plant our trees. Yes, there are land areas that should never have been planted. We are actively working to address this through Coilte, which has already identified some of its estates for rewetting and restoration projects. I hope that the land use review would help us in identifying lands which are suitable and those which are not, such as deep-peat sites and sites of conservation interest for habitats and birds. I also want to see wood embedded in our housing plans. Using timber for construction displaces high-carbon steel and concrete. On the importation of wood, we have always done this and will continue to do it. Yes, the price of wood is currently inflated but this is a global issue. I dispute accusations that this is solely due to our licensing issues.

Finally, I wish to assure Senators of my commitment to continue with the progress made in dealing with the licensing backlog, to continue the work of Project Woodland, and to deliver a fit-for-purpose forest strategy for our country.

Senator Róisín Garvey: Fáilte isteach, a Aire, agus failte ar ais ó COP26. I found a beautiful poem to remind us about the importance of trees. I will read a few lines from it. A lovely bard and wandering minstrel in Clare made this known to me many moons ago.

I think that I shall never see
A poem lovely as a tree.
A tree whose hungry mouth is prest
Against the earth's sweet flowing breast;
A tree that looks at God all day,
And lifts her leafy arms to pray;
A tree that may in Summer wear
A nest of robins in her hair;
Upon whose bosom snow has lain;

Who intimately lives with rain.

Poems are made by fools like me,

But only God can make a tree.

That is by the great poet Joyce Kilmer. It brought to mind interesting lines from the Pope. I met the Bishop of Ferns last week. We were talking about the fact that even the Pope is now asking bishops to tell their priests to give sermons on the importance of taking care of our forests and nature. Trees play such an important part in that. For all the lower plants, the trees provide shelter and foliage. They say that the carbon sink of a mature beech tree is the same as the carbon sink of an acre of land. We really have to look at trees in a whole new way. In the past, it was all about getting trees out of the way for developing land and industry. Hundreds of years ago we were covered in oak trees. Apparently, Fionn mac Cumhaill went from one end of Ireland to the other without putting his foot on the ground. Now, we have the lowest forestry rates in Europe. However, we have one of the best hedgerow systems. It is important to recognise the part that trees play in our hedgerow systems, such as blackthorn and ash. We have to be mindful of the hedgerows for that reason.

In the not even a year and a half since the Minister of State, Deputy Hackett, has been in Government she has played a blinder. She was handed a poisoned chalice with a huge backlog of licensing. It is easy to blame the current Minister, but the Minister of State has focused on being positive. She has put a lot of energy into trying to resolve the issue as opposed to blaming other people. There has been good progress made. As she has outlined, there have been many more licences distributed this year. More will come at the end of the year. Everything takes time. I am sure she would have given out 10,000 licences if she could have done so. It is not as if there is not a big want and desire there. I want to acknowledge that.

There is important work to be done around forestry in making sure we have the right trees in the right place. We should not say that all sitka spruce is evil and that if it is not native woodland it is bad. That kind of narrative is creeping in as well. There has perhaps been an over-extension of lands taken over completely by sitka spruce in the past, which has caused this issue. However, we are far more intelligent. We should be able to have a nuanced debate about forestry instead of polarising sitka versus native woodland. That does not serve anybody. As the Minister of State outlined we need sitka spruce and softwoods to help build the country as well. It is important that we have a proper debate about forestry and that we do not polarise. We have seen what polarisation does. It does not resolve any issues, it just drives a wedge. We have to come together as a country and as a Government to try to resolve these issues.

Lots of good work has been done by a number of farmers. They have stopped clearing their hedges. There was a big movement to make all their fields as big as possible. I see that now is waning, which is a good thing. There is a new appreciation for hedgerows. If one calls to farmers, they will say that they do not hear the birds they used to hear. They have seen what can happen within a few years. If we put trees back again, it will change everything in the land. It will give shelter to the animals and it will increase the different types of birds again. There is such a richness around trees. I used to go to some of the green schools. If I asked a child to tell me something about trees, they would give 50 reasons trees are amazing, from the desks they are sitting at, to the nuts that they eat, to the things that trees have been used to build, to the paper they write on, and so many other things. Trees have to be greatly valued. Under old Brehon law, if someone chopped a tree, they were fined a cow, but if they chopped an oak tree

or a hardwood tree, they were fined a cow in calf. That is nostalgia but, at the same time, there was a real value for trees, and we need to bring that back again. We have to focus on getting the right tree in the right place and there is some work to be done around that. I have a couple of acres of Sitka spruce and I am still trying to figure out the best way to deal with that. I have used some of it already, making some really rough furniture, and I have burned some in my wood stove as well. We are going to have to be very clever in how we use trees. If forests are managed properly, we can produce good timber - if it is the right tree, if the forest is maintained properly and if we grow native woodlands.

During Covid, we all got reconnected through finding a nice forest anywhere we could near us. It is good for our mental health and our physical health to walk among the trees. It is so important that we get this issue right. I am very glad we have someone like the Minister of State, Senator Hackett, in this place, facing this challenge, because I know she is deeply concerned and is coming from the best place possible to try to rectify the situation.

It was good to attend the Joint Committee on Agriculture, Food and the Marine yesterday. I was listening to some of the plans around eco-agri schemes which will see trees planted on every farm in Ireland, which is very important. I did a module in tree science many moons ago in Drumcolliher. One of the things that really struck me was that a tree, say, a willow tree, is like a column of water, so trees have such an important part to play in that they can stop soil erosion and assist in drainage. We have underestimated the value of trees but that is changing and, in some ways, the lockdowns reconnected people with the importance of trees.

I was at a Sharon Shannon gig last week. The Bishop of Ferns was also there. We had such a beautiful chat about the importance of trees. We are going to work together on bringing that to the people who attend church on Sundays, which many people do in Ireland. It shows how it has come into the middle of Ireland and how it has become so important. It is not just the tree huggers and the sandal wearers anymore because it is too big and too important an issue. The farmers want to harvest the trees and everybody is coming from the right place. We need to focus on not causing polarisation and focus on getting the job done. It does not help to be tearing strips off each other and we do not have time for that anymore.

We will have to look for extra supports for the nurseries because there is going to be a huge demand to plant trees. The Minister of State might outline if there will be more supports for tree nurseries. I know from doing tree seed saving myself that it can take a couple years to even get a sapling established. Of course, I could cut a slip of willow and stick it in the ground, which is a great one, and I have done that as well. It is very important that we have the right tree in the right place. I look forward to hearing more about the future strategy and how we plan to increase the coverage. Well done so far on trying to deal with the backlog in licensing and some progress has been made, although there is plenty more left to do. I thank the Minister of State for her work to date and look forward to hearing her response.

Acting Chairperson (Senator Eugene Murphy): Not alone did we find out that Senator Garvey has a great knowledge of trees, but she is good at reciting poetry as well. I call Senator Mullen from the Independent Group.

Senator Rónán Mullen: I welcome the Minister of State and compliment her on the good work being done. I know that there are many challenges and that there is road to go. I also compliment Senator Garvey on reminding us of the importance of trees. They are indeed wonderful and we should think a lot about them. I would like to see that furniture. I do not know

how rough it is but it would certainly be better than what this pair of paws would produce, I am sure.

I remember being in Rome a number of years ago and visiting the Basilica of San Clemente, which is a beautiful church and one of the treasures of Rome. It has been run by the Irish Dominicans for many years and, in fact, it was a priest from Lanesborough in the 19th century who caused the excavations to be done that discovered, right at the base, the remains of a temple of the Mithraic cult. It is wonderful at so many levels. The beautiful apse at the back of it, which I think is executed in wood, dates back 800 or 900 years and depicts the tree of life and, of course, there is the whole Christian linkage with the cross. It has the interconnectedness through the swirling branches and leaves, with all aspects of human activity - all trades and so on - and it is one of the treasures of the world.

To return to more practical issues and today's topic, I recall that the Government had set a target of 4,500 forestry licences to be processed in 2021. I heard most of the Minister of State's speech on the screen before I came to the Chamber. She told the Dáil recently that the target will be missed and that it is likely that 4,000 or so licences will be issued. Of course, it has to be acknowledged that is a major improvement on 2017, when just 3,000 were issued, but it is still a long way off the 6,700 issued in 2016.

As we all know, what led to the collapse in the number of licences being issued was the very broad right of appeal which existed against the issuing of licences, with virtually anybody being allowed to challenge a decision. The latter gave rise to a backlog of appeals extending to two years. Of course, there has been a knock-on effect in many areas and we have discussed in this House before those knock-on effects, in particular the limiting of the supply of timber needed for homebuilding. In September of last year, I spoke in the debate on the Forestry (Miscellaneous Provisions) Bill 2020, which was designed to deal with the backlog in the licensing system. The Minister of State has given us an update on where things now stand in regard to that backlog 13 months after the passage of the Bill into law. However, I want to recall one of the cases I knew of where a 20-year investment had been held up and caused much financial pain as a result. It is important that we continue to remember there may be a great many people in similar situations.

It is a two-pronged approach that is needed, first, that better quality licensing decisions be made in the first instance and, second, that when those decisions are appealed by those who have a direct stake in the matter, such appeals are processed speedily. The question for us will be whether those two aims are being met following the passage into law of the new legislation last year.

One deficiency which I pointed out in the context of the Act was the issue of the right to appeal. Originally, it was proposed that that right should be restricted to those who have a direct interest in the matter by virtue of the fact they occupy adjoining land or have contributed to the consultation process at an earlier stage. To me, that seemed entirely reasonable. It is in line with the rule which generally applies in court settings that a person may only pursue either litigation or an appeal of an administrative function if they have *locus standi* to do so because they are somehow affected. That approach prevents a glut of spurious appeals or actions by persons who have little or no direct interest in matters at hand but who may have some other motive. There is no reason why an exception to the general rule should exist in regard to forestry licensing and I would be glad to hear the Minister of State's continuing thoughts on that. My understanding was that we had approached a position last year where virtually 100% of forestry licences were

being appealed, which suggested a very large number of vexatious appeals being made.

It has to be acknowledged that environmental campaigners do good work but there can be serial litigants in their ranks as well. They have suggested that limiting the right to appeal breaches the Aarhus Convention on justice in environmental matters. That convention states that there must be “adequate and effective remedies” and that the procedures must be “fair, equitable, timely and not prohibitively expensive”. Limiting the right to appeal against forestry licences to those who are affected by them does not appear to breach either the spirit or the letter of those requirements under the Aarhus Convention. I note as well, in fairness, that under section 4 of the 2020 Act, the Forestry Appeals Committee has the power to strike out appeals that it considers to be vexatious. Again, I would be glad to hear more from the Minister of State about how she thinks this is operating in practice and whether many appeals have been dismissed on the grounds that they are vexatious.

One aspect of the passage of that legislation that troubled me was that environmental groups – again, I acknowledge their importance and their role - seemed to have success in scuppering sections of the Act which related to environmental bodies and their ability to mount appeals. An Taisce had originally described the proposal as being arbitrary and restrictive. I did not think so and that proposal, and what was contained in the Act, seemed to me to be reasonable. Environmental groups must not be actively prohibited or discriminated against but people do not have a God-given right to police all forestry licences or developments generally. It seems that it is all about a balance of some sort being struck. That is an issue that needs to be continually examined.

I will leave it at that. I look forward to hearing what the Minister of State and other speakers have to say

Acting Chairperson (Senator Eugene Murphy): Thank you. I call Senator Paul Daly, who is representing Fianna Fáil.

Senator Paul Daly: I welcome the Minister of State for this debate on forestry. It is an on-going debate, and has been both prior to and since she assumed the position as Minister of State with responsibility. That led to the Minister of State’s predecessor, the former Minister of State, Andrew Doyle, commissioning the MacKinnon report, which the Minister of State mentioned and a copy of which I have before me.

When a Department or a Minister of State commissions a report and when it hits the public domain, the stakeholders involved are usually up in arms and saying the group was employed by the Department and the report is written in favour of the Department. I want to try to be solution-focused and solution-led. On this occasion we have all the stakeholders lobbying us to have the MacKinnon report implemented. They have welcomed it with open arms and in their minds it contains many of the solutions. I know the Minister of State has employed Jo O’Hara to try to push that along but I have the solution in this report in my hand if we could only implement it. That is where the priority needs to lie.

The MacKinnon report recommends that there would be one licence coupled with something like a management plan. When you get a licence to sow forestry, you have to come back to get a licence to thin. Then you have to get another licence for an access road and eventually you also have to get a licence to fell that forestry. No wonder there is a backlog when you need four licences for one piece of forestry. I welcome that the Minister of State has mentioned she

would bring in pre-licence consultation, like a pre-planning meeting if you were applying to the council to build a house. We should let the one licence deal with the whole lot after that and incorporate into the conditions of that licence a forestry management plan which would deal with the maintenance, thinning, access road and eventual felling. Confidence in the sector and in potential future foresters is gone because of the fact we have got to this situation with the backlog in licensing. We need to rebuild and reinstate that confidence or we will never meet our targets. The programme for Government and climate action target is 8,000 ha of new forestry per year, but if we do 2,000 ha, we will be doing well.

The MacKinnon report states that there needs to be a fixed time for planning. If you put in a planning or a licence application, you should know that you will have an answer, let it be good, bad or indifferent, within a fixed time. Licensing processes are dragging on and there is no fixed time. People in the industry will tell you that 60% of people who have put in applications and who are considering sowing trees in an area of land, which is their livelihood and asset, have been waiting so long that they have formulated or proceeded with other plans and done something else with that land. By the time the licences eventually come out, they have moved on and they are lost to the system. With that in mind, I suggest the Department could do an analysis of the licences that are sitting in the backlog and contact the applicants. While we are trying to alleviate the backlog, it would be unfortunate if a lot of time, money and energy was spent working on licences which were granted only for the applicants, unknown to the Department, the officials or the people who are dealing with the licence, to have made alternative plans for their land because of their impatience and because the thing had taken so long, causing them to move on. If we could do a trawl and a weeding-out process of the backlog to see how many of the applicants are still genuinely interested, that would be one way of shortening that list in the short term.

Another issue that is coming up a lot is the lack of correlation between forestry and the environmental schemes and the inclusion of forestry within the Common Agricultural Policy, CAP, system. It was a big mistake, and I hope it can be corrected soon, that nobody from the forestry side was involved in the stakeholder consultative committee in the formulation of the CAP strategic plan. This is a wrong that needs to be righted and it is to be hoped that can be addressed shortly. The major issue that has arisen with CAP is that for people who entered environmental schemes in the previous CAP, their GLAS eliminated their forestry or *vice versa*. They could not have both. That is reflected in the figures for forestry. Some 852 farmers planted trees in 2015 and that reduced to 100 in 2020. The people in the industry will tell you this happened because of the correlation between farmers who wanted to get into GLAS and were made to choose between the two. It was not possible for them to partake in GLAS and plant forestry. That has to be addressed and that would have been highlighted more had there been stakeholders from the forestry side on that stakeholder consultative committee.

I welcome and agree wholeheartedly with what Senator Garvey said about the Sitka spruce and the native trees. I am a lover of our native trees. Senator Garvey put it well. There needs to be a mix, but there is almost an “us and them” situation arising where people’s vision of forestry is being clouded by their love of the native Irish tree and it is dominating the debate. We need the correct mix and we need Sitka spruce for its speed of growth, its sequestration qualities and the soft wood timber that should be used a lot more in our building of houses going forward.

I said I wanted to talk about potential solutions. I welcomed the Forestry (Miscellaneous Provisions) Act 2020 that the Minister of State introduced, and I compliment her on getting it to the floors of both Houses so soon after her appointment, but we need to go that step further.

As I said, the answers are in the MacKinnon report and we need to get that implemented sooner rather than later. The backlog is what it is and we do not have the colour of the amount of afforestation applications coming in. If we were getting the number of applications for licences to plant that would equate to planting 8,000 ha per year, what would the backlog be? I am not being critical in saying this but, in such circumstances, if we were not alleviating the backlog to solve the problem, then the backlog should actually be a lot bigger. That sounds like a contradictory statement, but if we were getting what we needed, we would have a serious backlog.

There are other measures that need to be looked at, including the land use change when you go into forestry, which is off-putting for a lot of people. If you plant once, you are obliged to replant when you harvest that timber and that puts a lot of people off. It scares people that because of the longevity of the project they are tying into, they will tie the hands of the next generation behind their backs. If you plant forestry and fell it, you more than likely will make the decision there and then to go back in and replant anyway, but the fact you have to sign on the dotted line and that you know you are possibly signing for your successors and the next generation puts a lot of people off.

I also ask the Minister of State to go back and look at the grants of licences. While she gave the figures for the kilometres of roads and the cubic metres of timber involved, there has to be a correlation between the two. There is no point in any of us coming in here and saying that so many licences have been granted for the felling of trees if the roads are not being permitted for those forests. There needs to be a correlation between those figures. I also refer to the time when trees can be felled. A licence that is granted today with a felling date of 2023 will not help the immediate crisis we find ourselves in.

We are all in this together. We need to reach the afforestation target of 8,000 ha per year but the biggest problem we have in reaching that is getting the people to come with us. It is like what the Minister of State said earlier. If you want to go somewhere fast, you go on your own, but if you want to bring the team with you and get there successfully, you have to get the confidence of the people back. We have to get the people who want to grow trees doing so. We are on 12% afforestation with approximately 770,000 ha. The European average is 40% and that says it all, but the positive in that is that the 770,000 ha that are planted are storing 312 million tonnes of CO₂ and will take in another 3.6 million tonnes of CO₂ annually. If we were on the target of 8,000 ha per year, those figures would be welcome to everybody.

Senator Tim Lombard: I welcome the Minister of State and her speech. If possible, the Minister of State might issue that speech to Members of the Seanad at some stage as it is important we would get a copy of it. We have had serious debates this year about the forestry issue in this Chamber, in the Dáil and in the Committee on Agriculture, Food and the Marine. I am not sure how many times it has happened but on multiple occasions the Department has been before the Committee on Agriculture, Food and the Marine to discuss this issue and I know there will be another debate on it in the Dáil in the coming days. That shows the real interest there is at a political level in trying to find solutions to what is a significant issue and in how we will address these shortfalls in reaching our targets.

The Minister of State mentioned in the Dáil that we would not reach the targets. Is the Minister of State, Senator Hackett, confirming that we will reach the target of 4,500 licences? That clarification would be very helpful. It is something the general public needs to hear. Afforestation licensing, in particular, is something we will all be judged on, albeit not in the short term. Future generations will judge us on the afforestation licences of the last few months. In

June, July and August only 34 licences were issued. We were significantly below the 30% mark that we were hoping for.

Looking at where we are going with the licensing programme, if we do not have afforestation lined up we are going nowhere in real terms. Last week I met a man in Skibbereen who had an application in for afforestation for three and a half years. He was in Skibbereen mart buying cattle, having walked away from the forestry project. Senator Paul Daly has previously mentioned the big issue of people walking away from the programme. We need to have more forestry, we need more people involved and we need to get confidence back in the sector. There have been protests outside Leinster House. Several delegations have come to meet me on a conciliatory basis about how we can reach the targets. We have effectively lost the confidence of the sector. It will take a significant body of work to build up that confidence. That is the body of work that needs to be done with regard to licensing.

There are 4,500 licences being proposed. The industry was looking for 6,500 licences so we are behind the curve on what the industry says it needs to survive. Raw timber is coming into Cork Harbour on a monthly basis to keep the mills going in that part of the country. It does not make sense, even on the carbon side of things, to have raw timber coming into Cork Harbour and out to the sawmills. It is illogical in so many ways when we have the potential to do so much here in Ireland. That is having a huge impact. I have asked questions about the biosecurity arrangements on site. Is the Minister of State confident that we will not bring in the spruce beetle? We have seen what happened before with ash dieback. We brought that in due to inadequate biosecurity. Are we running the same risk by bringing in more of this timber? The potential is there. The capability exists for the spruce beetle, which is currently in the southern part of the UK, to come here. Most of this timber is coming in from the north. Its arrival would decimate our entire industry. It would wipe it out. We need to make sure that biosecurity is appropriate at our ports. That is another major issue which the entire industry will be talking about. In fact, all of society will be affected because there will be nothing left if the spruce beetle gets in.

We need to build up the confidence of the foresters on the ground. The biggest issue we have in this context is the timelines. A person who submits an application to the Department tomorrow morning will have no indication when it will come back. It might be two months, two years or 20 years. In fairness, 20 years would be the exception. That is where we are at. If a person makes an application to Cork County Council for a housing project, he or she will get a fixed timeline all the way through. Such timelines are not available for foresters. The Minister of State successfully brought legislation before the Oireachtas this time last year which solved the actual appeal issue. I believe the time is appropriate now for her to bring forward legislation to put timelines in place in her Department, so that there is a timeline applicable to each application. People cannot wait three years for a decision, or even to know what stage it is at, in afforestation. It does not make sense. There is no logic in that. There is communication or interaction on the backlogs. As a result, they are walking away from us. We need to bring forward drastic measures. I believe the Minister of State's long-term policy is appropriate. What we are proposing in Project Woodland is the way forward, with one licence for an entire project all the way through. That is where we need to go, but we will not get there in the short term. How do we get confidence back into the sector? We will be at 30% afforestation again next year. I cannot see the sector changing. I cannot see the farming community rallying behind something if they do not get confidence. We need to have a drastic change in policy to get confidence in order to get people planting.

The Minister of State was at COP26 and saw where we are. More than any other Member of this House, she has knowledge of what is required. In light of what is at stake, it is illogical that we are achieving 30% of our target afforestation at the moment. All of this means that we must make some drastic changes to legislation. People have been attacking the Department about officials. I do not blame the officials or the staff. They are doing a good job, but the legislation is not strong enough to ensure this is delivered on time as it must be. As a result, there is going to be leakage. A personal applying for planning permission tomorrow morning will have a timeline from start to finish. He or she will have a timeline for further information all the way through. We have been through it, but when it comes to licensing we have no timeline. The time has come for emergency legislation to put a fixed timeline in place so we can get the backlog cleared. Then we can move ahead and implement Project Woodland, which is the key to solving the problems of this sector going forward. We have seen in Scotland how something like Project Woodland can happen. We have a unique problem here that needs a unique decision. It is in the hands of the Minister of State to do that.

Senator Lynn Boylan: I will not use the full eight minutes. It is an understatement to say that forestry is an important sector in our economy. Many jobs depend on it. It also has a serious knock-on effect on our climate ambitions. We know our forests are going to play an important role in the fight against climate change. It is important not to overstate that. We are facing a significant challenge as we seek to get as close to zero emissions as possible. Some hard-to-escape emissions will need to be compensated for with removals from forests. The land use, land-use change and forestry, LULUCF, sector is currently a net source of emissions so we face a major challenge to get that down.

The climate action plan, which was released recently, highlighted:

For example, planting a hectare of forest today, will remove carbon dioxide from the atmosphere as the trees grow, but will deliver most of its sequestration potential in the period after 2030.

As such, the failure in afforestation today will not only affect our ability to meet our 2030 target, but will have further implications after that. Part of the effort to get emissions down will have to involve planting trees in the right place. In a climate action plan briefing last week, the Minister, Deputy Eamon Ryan, informed us that we will need to stop planting on mountains and on peaty soils and instead move planting down to the lowlands. This is a very welcome move.

I do not think anybody will be surprised to hear that significant issues continue in the applications for the licences. Members will remember the heated debates of last year as the agriculture appeals (amendment) Bill made its way through these Houses. Unfortunately, the crisis in the licensing system is continuing. I warned at the time that the draconian reforms would not be adequate to address the problems in the system. As is the case in the planning system, it is not good enough simply to expedite bad plans. Fixing the problem means getting to the root of the problem and making sure the plans are adequate in the first place. That is why it is so important to protect the right of the public to participate. The arguments that were made last year fell on deaf ears, and lo and behold here we are 12 months later debating the same issues.

There were some welcome developments in the past 12 months. I am glad to see that new ecologists have been appointed. I would like to hear the Minister of State confirm that follow-up inspections are taking place to make sure that what is being promised under the licensing is actually being carried out. I also welcome the fact that public participation has been provided

for on the appropriate assessment in line with Ireland's legal obligations under both EU law and the Aarhus Convention by means of regulatory changes introduced this summer. When the Minister of State engaged with the Joint Committee on Agriculture, Food and the Marine on 4 August, she indicated that following the introduction of participation via the new regulation there had not been much public input. In light of the barrier to public participation presented by the fee of €20 introduced by the Department, I ask the Minister of State to undertake to remove or substantially lower that fee to ensure that participatory rights are not being compromised.

I agree with the Minister of State's suggestion in her opening statement that we need to build more with wood to create a vibrant market for our timber products and to reduce the carbon footprint of construction materials. However, there need to be adequate building regulations to accompany any plans to move to widespread timber frame construction. We also need training for the construction industry if we are to move to timber frames. We all saw what happened in Kildare when inadequate firebreaks were put into the houses. A whole row of houses was burned down within a matter of hours. I ask that the Minister of State work with her colleague in the Department of Housing, Local Government and Heritage to ensure that we end the light touch regulation of building standards in the country and that if we are moving to timber frames, we can assure people that they are built to the highest standard and are fire safe.

Regarding solutions, Sinn Féin would like to see a complete revamp of the regulation of forestry. We know the current process is not fit for purpose and needs to be comprehensively reformed. The Department of Agriculture, Food and the Marine needs to get serious about forestry and supporting the sector. We must find a way to meet the Government's ambitious tree-planting targets and our climate goals. We need a new forestry strategy that moves away from monoculture. Communities in places such as Leitrim have been swamped by monoculture Sitka spruce and have lost their light. We should move towards continuous cover broadleaf forestry. Any forestry programme has to encourage and incentivise farmers to diversify into planting forests and there must be a viable market for them to do so.

Senator Annie Hoey: I thank the Minister of State for being here. We had a lengthy couple of days earlier in this Seanad term to discuss this issue. We are back to discuss it again. As a member of the agricultural panel, I feel that afforestation is a method of decarbonisation that we do not really utilise enough in the fight against climate change. Given that we have the spectre of COP26 looming large over all discussions about climate action in Ireland and around the world, we are all hyper-focused on it. Everyone saw the clip of our former President, Mary Robinson, yesterday. She was deeply upset and frustrated by what she feels is a lack of action, commitment and real movement towards genuinely tackling the climate crisis. We need to think about what we are doing and all the different actions we are taking here, and how that impacts on climate change.

I note that many have stated in the media in recent weeks that COP26 is one of the more exclusionary gatherings. I was horrified to hear that there are more delegates from fossil fuel companies at COP26 than delegates from nations in attendance. It has also been correctly pointed out by nations in the global south that the biggest transgressors tend to be the ones in front of the cameras calling for climate justice and for all of us to pull together. The sad irony is that we then manage to keep up with the targets that we set ourselves. Many people would say that Ireland is a relatively small nation. However, we are one of the wealthiest nations in the world. We have standards of living, education and infrastructure which are the envy of nations around the world. It is time that we address the fact that our way of life is in no small part fuelled by resources and economies in much poorer countries. It is not fair for us to make

calls for others to meet new carbon reduction goals before we step up to the mark ourselves on climate change.

Returning to the topic of forestry licensing in Ireland, my colleague, Deputy Sherlock, accurately summed up the issue in a debate in the Dáil recently when he pointed out the significant cost of missing our afforestation targets in Ireland in recent years. Over the past five years, we have missed planting targets by over 15,000 ha and had this area been planted, it would have had the potential to remove 5.4 million tonnes of carbon from the atmosphere over its lifetime. That opportunity is now lost. Afforestation for 2021 will be approximately 2,000 ha. This is a missed opportunity to sequester carbon. That may sound defeatist. Language such as “lost” is not what I generally like to use but I feel that is the truth of the matter. Inaction on decarbonisation is not a neutral stance. It is destructive. Every day that we are not proactively planting trees is a day that we are contributing to this crisis.

While preparing for this debate, I was struck by the ambition shown about the matter in 2014. I will read what was written on the matter at the time. The publication states:

Forests, products and people – Ireland’s forest policy – a renewed vision was published in 2014. The strategic goal of Ireland’s forest policy is:

To develop an internationally competitive and sustainable forest sector that provides a full range of economic, environmental and social benefits to society and which accords with the Forest Europe definition of sustainable forest management.

It is probably fair to say that we have not yet quite reached those aims. That is not necessarily a jab at the Minister of State. It is fair to say that Ireland did not reach those aims that we laid out in 2014. Our climate action plan is completely undermined if we do not see a significant increase in new planting. As things stand, every year, we are missing out on millions of tonnes of carbon sequestration. Every hectare of new forest and its timber will offset 150 tonnes of carbon dioxide during its lifetime so every 1,000 ha we do not plant is 150,000 tonnes of carbon dioxide still in the atmosphere. This year, we will plant approximately 2,000 ha. We need 15,000 ha of new forest every year to get to net zero by 2050. There is a large gap between the Government’s ambition for tree-planting and what is being delivered.

There is a major challenge in the forestry sector. Not enough progress has been made despite unprecedented attention to forestry at the Joint Committee on Agriculture, Food and the Marine. This affects farmers and businesses all around the country. The Department of Agriculture, Food and the Marine continues its snail’s pace approach to solving the forestry crisis. The forestry licensing crisis continues with approximately 5,000 applications still in the backlog today. When we were here in September 2020, we listed different figures of backlogs from different people that we knew. There is still a backlog in applications. More applications will go into the system this year than licences will come out and the problem will continue to grow. The Department recently committed to ensuring 4,500 licences this year but it is now clear that we will miss that target.

Planting of new forest continues to be especially badly hit. No progress has been made on afforestation, with less than ten licences issuing each week, with a two-year waiting list. We do not have two years. When we are talking about climate change, it is time to accept that we have run out of road. In fact, we ran out of road a long time ago. Afforestation is just one method that we can use to help to mitigate the worst impacts of the climate crisis. It is time to start accepting

that and responding accordingly. This not only has an impact on the climate in the long term but it has a direct impact on farmers and workers in the business-related forestry sector. The single biggest issue in getting farmers to plant trees is the delay in licences, which we are here to talk about. There is too much uncertainty and bureaucracy. Farmers are losing millions of euro in lost timber revenues. They cannot harvest when they want to. Some 700,000 tonnes of logs have been lost to licensing delays in the last two years. This has hit forest owners and sawmills. The licensing crisis is undermining the growth of our sawmill industry and the forestry sector is rapidly losing people because of the Government's inability to deliver licences.

There are solutions to these challenges but urgency and ambition are needed to deliver them. We must find a way to meet the Government's ambitious tree-planting targets and our own climate goals. As Senator Boylan said, we need a new forest strategy that encourages all types of new forests, away from the monoculture Sitka spruce, with a move towards continuous cover broadleaf forests. We need a new forestry programme that will encourage and incentivise farmers to plant forests. There is a gap between what the Government is saying about forestry and planting and what is being heard on the ground. Perhaps that is because of the complexity around licences or because it is overwhelming. I do not think that those connections are being made in the way that they need to be made. We need to re-energise and reward our forestry sector and start to support it rather than holding it back. We need a public campaign to show the great benefits of forests to encourage more public support.

As I said the last time when we discussed this, I have grave concerns about fees and costs being used as a deterrent. I am still of a view that that is really what the fees are for. I want to put my concerns about the fees and how they impact people on the record again. With regard to genuinely engaging with Government, planning and all sorts of different things, I do not know if fees are doing what they set out to do.

2 o'clock

Senator Fiona O'Loughlin: Finland is officially the world's happiest country and that is not unrelated to the fact it is 75% covered in trees. We all know the therapeutic benefit of trees. I often go for a walk in Killinthomas in Rathangan, in Moore Abbey in Monasterevin and Mullaghreelan near Kilkea Castle and derive great benefit from it. Of course, today, we want to talk about the commercial aspect of forestry, why it is so important to us and why we absolutely need to have urgent action. I thank the Minister of State for being here and the Leader for affording us the opportunity to address this very important and pertinent issue.

The situation in the forestry sector has been described by the industry as an absolute scandal. It is difficult to disagree with it on that. We are all aware certain High Court decisions have changed the processing of forestry licence applications. In doing some research on the debate today, I came across a parliamentary question submitted to the Minister, Deputy McConalogue. In that response, as a result of the High Court decision, I noted approximately 80% of applications are being screened for a comprehensive ecological assessment. There is no doubt the Department was not prepared for those numbers. In addition, the number of appeals increased from 21 in 2017 to a peak of 582 in 2020.

While, of course, we would expect something of a delay in the issuing of licences, at this point, it is a crisis and a resolution must be found. The statistics are stark. In 2016, the Department issued 6,731 felling licences, compared with just 1,717 in 2020. This year, we are starting to improve and that has to be acknowledged, but we must be able to put into focus and in

train Project Woodland, which was launched by the Minister of State and the Minister, Deputy McConalogue, in February of this year. I acknowledge the additional resources, such as the increase in ecologists, which has gone from one in 2018 to 27 now, and the 21 additional forestry inspectors. Of course, that is welcome.

Many of us had the opportunity to meet with the Social Economic and Environmental Forestry Association approximately two weeks ago. Its message was very clear in that this would have to be sorted or it would be out of business. We have no option but to get it sorted, for so many reasons. Apart from those who are directly impacted, the backlog is having significant impacts on the ground. People cannot plant their land, farmers are struggling to manage their crops and they cannot harvest timber. This lack of domestic supply is having a significant impact on the cost of wood and timber materials in Ireland. I have heard claims the prices for basic timber products have gone up 60%. That is totally unsustainable.

We are in the midst of a significant housing crisis and a decade of Government failure to invest in public housing or increase our housing supply has left us in a situation in which thousands of families are in precarious living conditions and need to have the chance, opportunity and dream of owning their own homes. One of the many ways of tackling this is to dramatically increase our housing supply, which requires significant amounts of timber. Our colleague, the Minister for Housing, Heritage and Local Government, Deputy O'Brien, has secured record investment in housing, but we need every single euro to stretch as far as it can.

Allowing timber prices to skyrocket will result in a dwindling of our resources and budget and impact on our ability to utilise this unprecedented housing budget to the fullest. We are relying on the Minister to deliver on this issue. I acknowledge it is not an easy one to solve, especially in light of the recent High Court positions, but we need to get it sorted for those who are dependent on a viable and functional forestry sector and those who are dependent on having timber for our house building and many other projects.

Senator Aisling Dolan: I welcome the Minister of State, Deputy Hackett. We are quite close in location and she is conscious of the serious concerns on this topic. A forestry company, in which people are employed, is working in Ballinasloe and is struggling. It is dealing with farmers and its clients. What can it do? It is stuck in no man's land. I met with them during the year and last year and we have raised this in a number of fora. It is good to hear a higher number of 27 ecologists have been recruited, who are dealing solely with the backlog. I appreciate the measures the Minister of State has put in place to deal with the appeals and that they have reduced to 30 from a high of 1,000. That is all very positive and shows she is taking measures to reduce the current backlogs.

However, ecologists seem to be very hard to find on the ground these days. What are we doing to increase the number of available ecologists? What sort of courses are out there? From the apprenticeship and further education side, what basic degrees or diplomas could be used as a launch pad to a career in ecology? We need to increase the number of ecologists. I find it frustrating. An article in the *Irish Farmer's Journal* from September referenced numbers of licences. I know we have had the habitats directive and so on since then, but the article looked at highs in 2016 of more than 6,500 licences being granted and compared it to 2020, when approximately only 1,700 licences were granted.

The Minister, Deputy McConalogue, has commented on the consultation period of 30 days, which is causing disruption to this process. Is a measure needed to remind people who are

applying for licences to do so six months in advance? It is absolutely shocking. How do we manage that better? Do we need more ecologists? Is streamlining needed in the Department on how the process is handled? Are we being proactive in communicating with people who are submitting applications, with regard to the lengths of time this will take? My colleagues here and Senator Daly have mentioned the streamlining of the process. There are a number of planning permissions.

This has been raised with me over and over again. I attended IFA meetings in Galway, recently, in Athenry. There were huge numbers there and what comes up over and over again, along with the CAP and other concerns farmers have, is forestry and what we are doing about it. We are working together in government. We have many goals and objectives to achieve and there are ways by which we will be doing that over the coming time, but this is knocking on our doors all the time. When we attend these meetings, this is what is cropping up and we are responding to the concerns for farmers on this.

The Minister of State also mentioned how we can use wood more in construction and so on. It is important we are considering how we use timber in different ways, but the concern is about the ways we use timber right now. We cannot get timber. This is quite positive and may be aspirational, but we need to deal with the immediate demands for timber. What are the plans for streamlining and for potential legislation to streamline the planning permissions for road building, from planting to harvesting? How and what are our strategies around that? That will be crucial to showing we will make a difference to these huge challenges, which the Minister of State has in some ways inherited, but we have to resolve. It is on our watch. Gabhaim buíochas leis an Aire Stáit for her time.

Senator Eugene Murphy: I have no doubt that the Minister of State's heart is in the right place in her efforts to deal with this issue and I welcome her statement today. Senator O'Loughlin quoted figures on licences going back to 2016 which were quite high but in some of the intervening years there has been a drop. This should not have all been dropped on the Minister of State's desk. It is not all her fault. Part of the problem has been building up for quite some years. Like many others here, I have met foresters in the hotel across the road recently. To be honest, I have never seen people as upset and frustrated in a few years. They were really under pressure and were pleading with us to try and sort this out. I welcome there being some light at the end of the tunnel in terms of licences this year and we hope that 2022 will show further improvement. We must reflect on the amount of jobs that rely on it. In my area, there is Murray Timber Group of Ballygar which as the Minister of State knows is a huge employer, as is Masonite in Carrick-on-Shannon on the Roscommon-Leitrim border and Glennon Brothers in Longford, which I am sure Senator Carrigy will mention. We want to recognise that in terms of solving this problem. Many of those people will have to import timber, and are already doing so, which is not what we want.

I will not go into the whole Mackinnon report but I want to support Senator Paul Daly's remarks on its implementation. I know that the Minister of State is aware of that and is trying to work on it. It needs to be implemented as quickly as possible. A number of speakers, Senators Dolan, Daly, O'Loughlin and others, have spoken about the process. The fact that you have to go for four licences though this whole process is simply not workable. It is causing a lot of frustration. I would urge the Minister of State to consider, as Senator Paul Daly said, one licence with a proper management plan. We should insist on a proper management plan with one licence. That is very important.

Many others have noted that we talk about climate action and its importance in terms of reducing our carbon count. It will be so important. Senator Paul Daly mentioned the agri-environmental schemes. We must get the forestry sector right, not only to protect the employment that is there but for climate change because it can make a huge contribution. Farmers and foresters in general are very willing to work in that regard. There is a huge emphasis on planting trees, as the Minister of State knows.

Project Woodland has been mentioned. There are extra ecologists and inspectors, as Senators O'Loughlin and Dolan noted, which is good. I think it will help to further alleviate the difficulties in the system. There is nothing as nice for me as walking on Sliabh Bawn, which I am inviting the Minister of State to visit again, very close to my home in County Roscommon, walking among the trees, looking at the nature. There is a great therapeutic value in trees and forests and they should be developed for the local communities too, which is really important.

We have to acknowledge how successfully Sitka spruce grows in this country. Many of the timber companies are exporting this. It is greatly sought after in places such as England. We have been importing timber from Latvia, and not since today nor yesterday but for a number of years. We have to get the balance right and manage it properly but Sitka spruce grows really well on Irish land. It is probably the only thing that will grow on some of that Irish land which is exceptionally good for it. Our native trees are very important, of course, but we must realise the economic value of Sitka spruce. I accept that we need to plant them in the right areas.

There is a lot of repetition there. I am pleading with the Minister of State, and I know she will do her best, to work as hard as she can to solve this matter because it is of grave concern at this stage. She is going in the right direction. Hopefully it will be a success.

Senator Micheál Carrigy: It is disappointing that we are here today despite unprecedented attention on the forestry sector at the recent joint committee on agriculture. Like others, I have met with the IFA and other farmer organisations and with businesses. Senator Murphy mentioned Glennon Brothers in Longford. It is probably the largest timber manufacturing company in the country. It recently took over Balcas. It employs over 300 people in my own county. It is having a serious effect on them as the licensing crisis continues. There is a backlog of around 5,000 applications in the system and more applications are going in. This problem will only snowball and get bigger. We have committed to issuing 4,500 licences a year but clearly this will not happen. There has been no progress on afforestation. Fewer than ten licenses are being issued each week. There is a two-year waiting list. This is having a significant impact on farmers and businesses.

There is a complete loss of confidence in the industry and the loss of confidence in us as a Government to deal with the situation. We are losing millions of euro in lost timber revenues. Some 700,000 tonnes of logs have been lost in licensing delays in the last two years. This has hit both forestry owners and sawmills dramatically. That has had a knock-on effect on the building industry. There has been an increase in cost of around 45% in recent months. For someone looking to build a house that adds significant extra costs. Someone might have got a mortgage to build a house and then the next thing the price of timber has increased and increased again.

We recently launched a climate action plan but that plan is completely undermined if we do not have large increases in planting. We are missing out on millions of tonnes in carbon sequestration. Every hectare of new forest and its timber will offset 150 tonnes of carbon dioxide during its lifetime. Therefore, 1,000 ha that we do not plant is 150,000 tons of carbon dioxide

still in the atmosphere. This year we will plant around 2,300 ha yet we need 15,000 ha of new forest each year to get net zero by 2050. There is a huge gap between the Government's ambitions for planting and what we are actually delivering.

The solutions that I have put forward come from meeting people within the industry and from documents they have sent us. We have to deliver on this. We need to totally revamp our regulation of forestry and fast-track changes to the system. We need to introduce maximum time limits and a functioning licensing system. Senator Lombard noted that a person looking to build a house will have set timelines, eight weeks and three weeks for objections and so on, and a planning decision delivered in three months, yet people are waiting for over two years. We should look at where people want to plant forests that we tie in the road licence and felling licence into that rather than replicating the whole issue down the line.

As others have said we need full implementation of the Mackinnon report. The Department needs to get serious about forestry, to be honest, and to support the forestry sector. We need new ways to meet our ambition in tree planting targets and our climate goals. We need a new forestry programme that will encourage and incentivise farmers to plant forests. We need to develop a forestry development agency. From speaking to the Social, Economic, Environmental Forestry Association, SEEFA, I believe it is the only natural resource sector without a development agency. We need to re-energise and reward our forestry sector and start supporting it rather than holding it back. We need to use more wood and to build a vibrant market for our timber products and reduce our carbon footprint. We need commitments on legislation to be brought forward immediately to solve this crisis and make sure that we, as a Government, can get back the confidence of those in the forestry sector. We are the people who can make those changes and we must do so.

Senator Erin McGreehan: I welcome the Minister of State. We also had statements on forestry last year. I hope that the next time we see the Minister of State here talking about forestry, we will actually be implementing legislation to improve the situation.

Members have spoken about the crisis we have and the long delays, with 5,000 applications in the system at the moment. This proves that there is an incredible interest and a want for what we are discussing. The media like to think we are dragging farmers by the scruff of the necks into being environmental but there are 5,000 applications, granted that 2,000 relate to Coillte. That shows farmers are open-minded towards growing trees and carbon sequestration. We have to support them and move to action.

I commend the Minister of State. When she came in, she was given a poisoned chalice in this regard. There is a huge issue with the granting of licences in this country in general. We have seen the problem with peat, which has fallen through a licensing crack or a legislative crack, whatever the case may be. This situation has been ongoing for more than a decade. We are getting to a crisis point in that we are in stasis and cannot move on.

Anyone who knows me will know I am a huge advocate for native Irish trees. First, they are a clear form of carbon sequestration and they are a pathway to becoming a cleaner and greener country, but they also hold an awful lot of our heritage. Three of our counties – Mayo, Derry and Kildare - are named after trees, as are many townlands. There is an incredible amount of knowledge in our townlands. I think of Anaverna in my home county, which is named after the alder tree, although I doubt there is an alder left in Anaverna. Would it not be lovely to start putting in trees that fit into the townlands, given that they are supposed to be there? We think of

areas with the word “cuileann”, which is the holly tree. They were there and those townlands are named after them for a reason. Let us start embracing and using that because our ancestors were very wise to our ecology before they even had the word “ecology”.

We speak about a crisis and about an emergency. We had the Covid crisis and we brought in emergency legislation. We took that, we grabbed hold of it and we changed things very dramatically. We had different recruitment processes for healthcare workers and we started breaking down bureaucracy. This is not just for the Minister of State and it is a whole-of-government problem that relates to the procurement of staff within the entire public system. We have a problem with hiring people. The Minister of State mentioned that we have dramatically increased the number of ecologists; I think there were just two when the Minister of State came into office, or very near that, and we now have a dramatically higher number. That is all down to the Minister of State and her ambition towards our forestry sector.

One thing I would like to highlight is my disappointment that the CAP plan did not contain a hedgerow management scheme. That is a huge door. We have over 700,000 km of hedgerow in the country and, all along our roadsides, they are a highway for biodiversity and sequestration. I hope there will be a proper hedgerow management plan. Even on our motorways, they are cutting down trees to the bare roots and I ask why that is happening. We sit on the M1, seeing bare roots, when it would be far nicer to see trees and wildlife while driving by.

Members spoke about the streamlining of the process, which is very important. For want of a better word, we want a one-stop shop so that, if I want to plant trees on my land, I will go to this Department and it will be taken care of, and I will not have to deal with different organisations and different planning processes.

I apologise for running over time, but I have so much to say on this. I wish the Minister of State the very best of luck.

Senator Garret Ahearn: I welcome the Minister of State and thank her for taking the debate. I know she treats this issue with the same importance as everyone else. I want to acknowledge that. I thank her for coming back from her trip to COP26, which I hope went well for her and for the Department.

To follow on from other speakers, I want to share the frustration that farmers and others in the sector have in terms of the process and the licensing delays. I listened to the Minister of State’s speech and she is correct to say things have improved over the last number of months. Fair-minded people will recognise that and see the work the Minister of State is doing to try to alleviate and solve the problem. The issue, obviously, is that because so many licences have been delayed, it takes time to get them all through. Despite all the improving and streamlining of the process the Minister of State has done, the frustration for people who have not yet got their applications or licences resolved increases when we tell them things are speeding up. I have spoken to the Minister of State before and she knows there are a lot of cases in Tipperary, where people have been waiting two to three years for licences. There is a level of frustration and the confidence in the sector is dropping, given that frustration.

We have ambitious targets which the Minister of State wants to meet but which we are missing at the moment. From a Government perspective, we recognise the importance of the forestry sector, and we recognise the importance of maintaining people in the forestry sector and bringing new people in.

The Minister of State talked about the independent regulator. When replying to the debate, she might expand on how she sees the independent regulator's review helping the sector.

A number of speakers referred to nurseries, from which there will be huge demand in the coming years. I live about a mile from SAP Nurseries, which is just outside Cahir. It is run by the Walsh family. They have been in business for as long as I have been alive and they provide a wonderful service. If we are going to plant more trees and put more demands on this sector, they need support. What supports do the Minister of State and her Department envisage for such companies and for sawmills? The sector employs an awful lot of people, for example, at Smartply and Dunne's Sawmills. There are so many businesses with staff who are either directly or indirectly employed on the back of forestry and it is important we support that going forward. I would be interested to hear what type of supports the Minister of State is talking about for that sector.

On an issue raised by a couple of other Senators, I would like to hear about the timelines. This is one of the real frustrations for people. It is like everything: when people apply for something, they want to have some idea when a decision will be made, or even a gauge. We would often have planning queries or other queries with county councils and we would always have an idea whether it is going to be four weeks or eight weeks before a decision is made. In forestry, when someone submits an application, he or she does not have a clue when it is going to be decided upon. That is where the frustration starts in the first place. A constituent of mine is waiting three years. Such a long wait means people almost give up hope but they should not because the Minister of State is committed to solving the problem.

While I agree with the many Senators who have spoken about the frustration in the sector, I do not wish to go over the same thing again. I acknowledge that progress has been made. Some people in the sector acknowledge that, but the request is always to speed things up more.

Senator John Cummins: I welcome the Minister of State. I thank her for her proactive engagement on this very serious matter for many in the sector and right across the country.

In preparation for today I spoke to representatives of Smartply Europe Limited at Waterford Port. The company has a positive story to paint because it no longer imports timber. It was doing so last year and into the first quarter of this year. It had to import at a high cost to get product, but it no longer imports as a result of the licences that are coming through.

As the Minister of State will know, there are simply not enough licences being issued. Many people are experiencing delays in the felling system and particularly in terms of planting licences. This will have a seriously negative impact as we attempt to meet our targets for climate action. I do not need to give her a lesson in this area but I would like to remind her that for every 1,000 ha we do not plant, some 150,000 tonnes of CO₂ remains in the atmosphere. We must make significant progress this year in this space if we are to meet the Government's ambitions. We are going to plant 300 ha this year when we need to plant 15,000 ha of new forest to meet net zero by 2050.

I agree with previous speakers that the sector lacks confidence in the entire system and that this will lead to people withdrawing. When someone gets a felling licence or seeks to plant a forest, the advice given is not to go there. We must acknowledge that is the reality, but we need people to plant and we need to make progress with felling licences. I will give one example. A constituent of mine owns 21 acres. A forest was planted by Coillte with oak 18 years ago. At

the time the standard procedure was to thin the oak trees by planting Scots pine but 18 years later the pine has overtaken the oak, thus having a seriously negative impact. The man does not want to fell the oak trees at all. In fact, he recognises the contribution that his oak trees make to the climate. In reality, without a felling licence to thin the pine trees, his oak trees will be lost. He is 14 months in the system. I have been told by officials in the Department that his file has been reviewed and completed. Unfortunately, his file must get an ecological assessment. It will take a number of months before the file is picked up, and then the file must go through the mandatory 30-day consultation before being returned to the ecologist and subsequently to the district inspector. This lengthy process is very frustrating. I have given just one tangible example of existing cases. I acknowledge that there is urgency in this space but the Department is simply not getting through enough cases in order to have the impact we need.

I wish the Minister of State well in her role. I know that she is committed to this issue. If we are to have a proper system, timelines must be attached, as many Senators have referenced. We discussed the replacement for the strategic housing development process in the Seanad yesterday during the debate on the Planning and Development (Amendment) (Large-scale Residential Development) Bill 2021, which puts statutory timelines in place for preconsultation, council decision-making and decision-making by An Bord Pleanála. In that case, the Government will apply a €10,000 fine if An Bord Pleanála does not meet its targets. We need to consider adopting a similar measure for the felling licence system. As other Senators have said, we must merge the licences for felling, roads and planting into one as otherwise we will not streamline the process, as needed.

Acting Chairperson (Senator Fiona O'Loughlin): The Minister of State has a minimum of ten minutes and can actually take 20 minutes.

Minister of State at the Department of Agriculture, Food and the Marine (Senator Pippa Hackett): I thank all of the Senators for their valuable input because they reflect the views not only of their constituents but also of the people who approach them, write to them and contact them on this issue. Therefore, it is important to discuss the licensing system from my perspective, from the perspective of my Department and from the perspective of the public.

Senator Garvey and a number of Senators highlighted their appreciation for trees and the importance of trees. Senator Garvey also highlighted the need for a mixed model. Senator Paul Daly highlighted the need to deliver across the board for forestry, which is a longer term aim for where we want to be. Part of that discussion is to engage widely as I am currently doing. In terms of a new strategy for this country, Irish Rural Link is already being engaged with publicly and it will engage in focus groups with communities affected by forestry. We will have a wide-reaching engagement with young groups online and there will be bilaterals led by the Department in terms of what we design for the future.

The main concern in this Chamber today is the current problems and impasses. Some similar themes have emerged. Confidence in the sector is an issue and we need that confidence back. We need to address how we do that and embrace that. We need to get farmers and landowners back on side because ultimately we are going to need them to deliver for us into the future.

Another element that arose is the need to have a co-ordinated approach to licensing. This issue needs to be examined. There is not much point having a felling licence if a road is not in place. I think that is something that we need to look at. There is a systems analyst now in place in the Department who considers the end-to-end process. These are the exact types of things

that we look at and try to improve.

Senator Mullen has left but he talked about the appeals process as did one or two other Senators. We have a third party right of appeal. We are glad we have this important right. It is not just about directly affecting individuals. People can lodge submissions and observations on forestry applications because an application might have an impact on an environment or habitat. I think that option should be open to everyone and it is open to everyone. Certainly we are committed to that.

The appeals legislation that was brought in last year has proved very successful and has dealt with the backlog of appeals. Appeals still come in so we have not stopped appeals. That is good because we need that right of public participation, which Senator Boylan highlighted.

One or two Senators, including Senator Boylan, raised the need to consider timber for building purposes. That is an important issue and I referenced it in my opening address. Indeed, we need to look at the building regulations to permit that. I will engage with my colleagues across Government to deliver on that.

Senator Dolan acknowledged the positives, as did a couple of other Senators. I appreciate that. Regarding future skills needs, we are talking about ecologists and the numbers that we have recruited. It is becoming more difficult to recruit them and I will certainly engage with the Minister for Further and Higher Education, Research, Innovation and Science, Deputy Harris, in exploring how we can open the door to recruiting not only ecologists, but also hydrologists and a variety of other people with the skills we will require in future. This will probably not just be the case with forestry, but also with any land use change. This is important.

Several Senators also spoke about the need to streamline the process. We are looking into doing that. As I said in my opening statement, we have initiated an independent review of the regulatory and legislative context in line with the environmental requirements. Senator Ahearn asked what this will do. Ideally, it will inform us as a Department. A Senator said earlier that when the Department does something, people then remark that it has been set up by the Department. This review, however, is independent and it will examine the processes and give us indications as to where we can perhaps streamline the system. Perhaps we are underdoing it or overdoing it, but we will wait to find out and do whatever it tells us. If that review tells us that we need to do more, such as to recruit 100 additional ecologists to get through this situation, then we will have to get those 100 ecologists. I hope it does not tell us that, because that would mean we are spiralling into a situation where we could not keep up with the demand. Clearly we need a fit-for-purpose licensing system. No one is denying that. Considering the targets we must reach, that must be done as soon as possible. I am hoping therefore that that independent regulatory review will inform us about what we must do in future to develop that fit-for-purpose model.

Senator Carrigy also mentioned farmer confidence and how important that is. Senators also mentioned costs and the rising price of wood, and I referred to that aspect in my opening statement. It is wrong to say that this is solely due to our licensing issue because there has been a global increase in the demand for timber recently. There is a huge demand now. We operate in a global system and we are a net exporter of timber. While we have been importing more timber than we should be, I understand that there has been a drop-off in recent months. That is a good sign, and hopefully the level of imports will continue to drop off and we will be more self-sufficient in producing what we need.

Senator Lombard mentioned the appearances at the committee. In the last year, between me and my officials, there have been a significant number of committee appearances to discuss forestry and that again highlights the concerns which exist in this area. The number of licences awarded in July and August dropped off as a result of a statutory instrument introduced at the end of June. We had been making good progress on licences issued in June. That dropped off in July and August, but it has picked up again since. I would like to think that we have turned a bit of the corner and we must just keep building on that momentum and keep driving on.

There were also one or two comments on biosecurity. We are permitted to import timber from one part of Scotland. There is free trade within the EU, however, and biosecurity has never, unfortunately, been a part of our Department's responsibility in respect of that trade. We do have a special plant health status in respect of other products and we do apply biosecurity measures for those.

Turning to queries about farmer confidence, Senator Murphy said that he has met many foresters, farmers and owners, as indeed have I. He spoke about streamlining the process, and this is a theme which keeps coming through. I do not feel at this stage that there is a magic bullet in the form of legislation that could be brought in. I hope that the independent review might bring forward some suggestions in that regard. However, even if we were to consider bringing in legislation, it would have to stand up to national and EU law. In a way, it has been breaches of EU law that have resulted in us being in this situation in the first place. We have moved from a situation where we were issuing 6,000 and 7,000 licences each year to the current situation because of that very reason. We must, therefore, be cognisant of EU law. If we were to introduce legislation that was in breach of EU law, then we would just be taking steps backwards. I urge caution about thinking that we can just change the legislation quickly in this area. I am not sure how long I have been speaking.

Acting Chairperson (Senator Fiona O'Loughlin): The Minister of State is fine.

Senator Pippa Hackett: I am just about finished anyway. We have committed to implementing the Mackinnon report and that is the basis of why Project Woodland was set up. The work is ongoing, but it is not as quick as people would like. I think Senator Ahearn asked about timelines in this regard.

Senator Garret Ahearn: Yes.

Senator Pippa Hackett: Everybody wants to know that. I also want to know how long everything is going to take. However, we are making progress. It takes, on average, about 11 months to deal with a licence application submitted now. That does not include those who have been waiting long term for licences. I ask those who have licences and who are waiting to keep in touch with my Department. I ask those people waiting for a felling licence to ensure that they have submitted a good quality harvest plan. It is important that that is done. Senator Cummins gave an example in this regard, and I thank him for that. There are examples like that from all over the country, and it is good to hear of them.

That is pretty much everything I have to say. I ask the Senators to follow up with me if I have missed a specific query. I thank them again for their views. I am fully cognisant and fully determined to sort out this situation. We are making progress, albeit slower than people would like to see. By some strange twist of fate, I will be in the Dáil this evening to talk about forestry issues again and I expect to hear something similar from the Deputies. It is good to talk, and

we will keep communicating and engaging. I like to think that we will get further along if we do this together. I thank the Senators for their time.

Sitting suspended at 2.47 p.m. and resumed at 3 p.m.

3 o'clock

Science Week: Statements

Acting Chairperson (Senator Lynn Boylan): I take the opportunity to welcome the Minister for Further and Higher Education, Research, Innovation and Science, Deputy Simon Harris. I am particularly delighted to be chairing a session to mark Science Week, as I used to teach teachers how to teach science to primary school kids. I will therefore be interested to hear the contributions. The Minister has ten minutes.

Minister for Further and Higher Education, Research, Innovation and Science (Deputy Simon Harris): I thank the Acting Chair. I note her personal interest in the topic. It is great that we are having a debate in Seanad Éireann, as well as last night in Dáil Éireann, on the issue of Science Week. We may use this debate as a catalyst or launch point to have a conversation about science in general, research in science, policymaking, and the work that we do as well. I thank Senators for scheduling this debate. I will sharing with my colleague, the Minister of State, Deputy Niall Collins, who will be here for some of it.

I want to start by acknowledging the people who make scientific discovery and who use that progress to benefit all of us. I want to acknowledge on the floor of this House the talent, dedication, sheer dogged determination, hard work and creativity of scientists right across our country. Whether these people are learning maths in school right now, are studying a science, technology, engineering and mathematics, STEM, course at third level or are researching or working in education or in industry, I thank them for their work and for everything they do for our society and economy.

We have thanked many people for the national effort related to Covid-19. I want this House to know, as I am sure it already does, there are so many people behind the scenes whose names we do not know. They are not household names. However, many of us have met them in the course of our work. They are working in university laboratories, in science and research in the broadest sense of the word. They have contributed so much. There is not a university lab in this country that has not helped with the national effort. They have lent personal protective equipment, PPE, they have adapted what they do to help frontline workers and they have undertaken research projects. I came across one of these research projects in University College Dublin, UCD, recently. They are studying the impact of Covid-19 on children, as well as the lasting impact on how we as policymakers might respond to that. I, as Minister for Further and Higher Education, Research, Innovation and Science, want to thank particularly the higher education sector for the contributions they have made.

It is important that we are highlighting the importance of science with Science Week during the very week in which negotiations will hopefully come to a conclusion at the COP26 conference. We are doing so in the context of the pervasive impact that the Covid-19 pandemic is

having on our minds. In some of our darkest days, science was our only hope. It has not let us down. As a result, one of the positives to come out of Covid-19 is that it has now brought science in from the shadows. I can see this in a few ways. There is an increase in the number of school leavers applying for STEM courses in this year's leaving certificate. Some scientists have become household names. I see this with my own Creating our Future project, which I will mention. Scientific terms are now part of everyday conversation. Science is being talked about on couches in sitting rooms around the country and around kitchen tables as a result, particularly, of climate change and Covid-19.

We see around climate debates and discourse the incredible engagement of people of all generations, particularly of younger generations, in the science of climate. It is fair to say the outcome of COP26 in Glasgow will shape the future of our planet in a real way. There are huge challenges ahead of us in Ireland and globally. The race is now on to save our planet. We have never before seen the level of engagement and understanding across public conversations about scientific facts and climate and the practical human responses necessary in how we live our everyday lives.

Science and research are at the core of the formidable tasks of understanding and addressing climate change. In this House, during Science Week, it is worth reminding ourselves of the Taoiseach's words to our leaders in Glasgow last week that Ireland is now ready to play its part. Specifically, at COP26, Ireland has pledged to contribute to the global target of cutting methane. We vowed to more than double Ireland's contributions to help developing countries by delivering at least €225 million a year by 2025 to help them fight the climate crisis.

On Monday, I was particularly pleased to be in Cork to meet students and staff at University College Cork, UCC. We are proud of UCC. It is the only university in Ireland that has a delegation of researchers and students at COP26. It has official observer status at the conference. The delegation is led by the director of the Science Foundation Ireland funded MaREI Centre for Energy, Climate and Marine at UCC, Professor Brian Ó Gallachóir. I want to acknowledge and commend Professor Ó Gallachóir and all his team for their leadership. I am looking forward to meeting with them on their return. The UCC delegation led by example by making its way to Glasgow in a low-carbon manner by boat and by train. We have all seen through the media coverage that the delegation has been actively contributing to events there. Like my colleagues across Government, my Department is now prioritising our commitments under the climate action plan, including climate solutions through science. I will be happy to keep the House updated on this.

We do a good job in the science sector of talking to each other about science and research. Yet, if we were to be self-critical, we do not do a good enough job of talking to civic society and broader society and of having civic and meaningful engagement about what is science, what is research, why it matters, how it matters to civic society communities and how civic society can get involved.

One of the first measures I put in place on taking up this role as Minister was an initiative called Creating our Future. I did not come up with this idea; it is copped from an initiative held in the Netherlands. Other countries across the European Union have done it as well. It looks for a democratic mandate in relation to research and science. They go into communities, such as to fisherman in Killybegs, or a school for children with intellectual disabilities, both of whom they have met. They meet with everybody and anybody across society. They ask them what research and science means to them and what they want their publicly funded research in science

to be working on. We think it is the right time to have this conversation, because the people of Ireland now have that heightened sense of awareness of and engagement with science. We have invited the public to be central to these conversations. In so doing, we can ensure that the direction of research in Ireland is informed by the people that it serves.

The starting point for all research, science and innovation is simple. It starts with a wonderful idea or an interesting question. I was reminded in the Dáil last night that sometimes small children say the word “why” on loop. That is, I suppose, the beginning of curiosity for science in a young child. We are overwhelmed already by the response to Creating our Future. I thank Members from across the House for their involvement in Creating our Future when it has visited their constituencies and their counties. That will continue until the end of this month. More than 5,000 ideas and questions have been submitted by members of the public. They can submit a question by going to *creatingourfuture.ie* or watching out for the Creating our Future roadshow coming to their own town. I think Sligo has the most ideas in so far-----

Senator Aisling Dolan: That is it.

Deputy Simon Harris: There is still time left for other counties to catch up.

When we look to the future, it is important to look at our research past as well. Ireland has for many years played its part in advancing the breadth of human knowledge in creating new technologies that have had an international impact. One notable person is Ellen Hutchins of Cork, who was Ireland’s first female botanist. Her name is still carried by so many of the plants that she studied. Another of those innovators was Father Nicholas Callan, a professor of natural philosophy in Maynooth College from 1834 to 1864. He was a pioneer in the development of electrical science, and invented the induction coil, which was instrumental in the development of the modern transformer. We think this priest in Maynooth in the 1800s probably had the first electrically propelled vehicle in the world. He even proposed electricity as a means of propulsion for the then newly invented railways. It was another Irishman, James Drumm, who devised the system of battery-powered trains on Dublin’s railways a hundred years ago. We are all familiar with John Tyndall, one of our most successful scientists and educators, after whom the Tyndall National Institute is named. I am happy to say that we continue to support the Tyndall National Institute, named in his honour. For 40 years it has played a key role in securing Ireland’s international prominence in the ICT industry, particularly in the chip and semiconductor sector.

I want to note some of the initiatives we have put in place to support science and research. Covid-19 gave us a real opportunity and a requirement to reach out to the community and ask what we can do to help. Throughout 2020, the Covid-19 rapid response research and innovation funding programme invested approximately €18 million in 83 projects. This has seen very high levels of collaboration throughout the country and our institutions. They have been looking at incredible things, including how to detect current or previous infection with SARS-CoV-2 and how to study the immune responses in different Covid-19 patient cohorts. These provided key information for the design of more effective vaccines that can confer long-term protection, as well as therapeutics that control inflammation. We all know the challenge of outbreaks of meat plants in Ireland. Research on the latter was also funded through this initiative.

I want to bring Senators up to date on a few matters. Last night, I announced my intention to decouple the roles of chief scientific adviser and director general of Science Foundation Ireland. This is essential and overdue. It needs to happen. I briefed the Government on it this

week. The current arrangements were put in place in a particular context nearly a decade ago. A lot has changed since then domestically and internationally. I decided to conduct a review of the structures and not to continue the arrangement whereby the director general of Science Foundation Ireland also acts as chief scientific adviser from the new year. In early 2022, we will consult on what an appropriate structure looks like. The idea that one person can provide scientific advice on everything does not understand what science is and the range of disciplines it covers. Perhaps it will be a structure whereby we bring together many scientists from many disciplines, one of whom could act as the chief scientific adviser. I will not pre-empt the outcome of the process.

I also want to inform the House on my views on the Science Gallery. This has been a particular issue in our capital city but not just there. We need more science galleries and not fewer. I am delighted to be working with the provost of Trinity and I thank her for her work and leadership. We are considering what a science gallery of the future looks like. We want it to take us ahead in the next decade or so, serving our capital city and our country. The Department is committed to finding a resolution to this matter. I look forward to the debate and engagement this afternoon.

Senator Fiona O'Loughlin: The Minister is very welcome. This is going to be a fascinating debate. I thank the Minister for his opening words, which were inspirational and educational. They certainly give real impetus in the context of the importance we need to place on science with regard to our lives, not just within the classroom but also in everything we do.

I welcome the opportunity to speak on behalf of the Fianna Fáil group. The focus is on creating our future and having a national conversation between the general public, the research community and policy makers. Ensuring the voices of everybody in our science community are to the fore in terms of driving our policy development is absolutely key. Some time ago, I came across a definition of education, which is that education should be a conversation between one generation and the next about how we shape the future. What the Minister is doing is very much aligned with this. As we look to the future and consider all of the challenges that impact us, from dealing with Covid to climate change, other potential viral epidemics, technological transformation and keeping pace with globalisation, scientific advancement and developments will be key to dealing with all of these issues.

We all have a renewed sense of gratitude, respect for and, to a certain extent, understanding of the pivotal work carried out in the scientific community because of, as the Minister mentioned, the tireless groundbreaking research done that led us to the Covid vaccines. Without this we would not be here in the Chamber having this debate because none of us would be able to function in any way apart from remotely. To think that our children would not be back in classrooms and we would not be able to see our loved ones getting married or honour our dead in a meaningful way would be heartbreaking. Many went through it and, thankfully, with the development of vaccines, we do not have to. The development of vaccines has given us our lives back. We owe the scientific community enormous gratitude for everything it has given, not just in Ireland but globally. The Minister said not to mention specific names but Dr. Teresa Lamb, OBE, who is from Kilcullen in Kildare, worked on creating the AstraZeneca vaccine in Oxford. She needs to be mentioned.

I pay tribute to the phenomenal work of Science Foundation Ireland for the range of events and information it has made available. I had a quick look at its website prior to coming to the House. The amount of activities taking place online and in person is staggering. I commend it

on this. To get in a local plug, Kildare library service has events going on all month until 27 November. They are all online and they are all free. They range from making ice cream to a family-friendly Lego forum, to something that is always of interest to everybody, which is forensic science, to astronomy and to coding. There are many ways we can explore science and bring it to younger and older people. It is very important.

A group I want to acknowledge in particular as chair of the Oireachtas women's caucus is Women in Technology and Science Ireland, WITS. This group, which is supported by Uachtarán na hÉireann, Michael D. Higgins, aims to achieve a society where women have equal opportunities, experiences and recognition in STEM. We have a lot of work to do to equalise female participation in STEM. Figures from a UCD study showed that on CAO forms more than 40% of boys list a STEM course but just 19% of girls do so. We really need to move on this.

I want to mention Dr. Kathleen Lonsdale, who was born in 1903 in Newbridge. She became a very well-known crystallographer and was responsible for a lot of work on molecules and atoms. The women are out there but the trend I mentioned with regard to the number of boys and girls studying continues into academia. Statistics from the European University Institute show that while half of academic staff at lecturer level are female, which is great, women comprise just 19% of those who hold full professorships. Only one in six engineering graduates are women. We need to put the call out to any young girls who are inspired by what they see this week to think of STEM. WITS will host the 2021 student career series online on 16 November. They should go along and be female leaders of the future.

The Minister mentioned the decoupling of the two roles. We should thank Dr. Philip Nolan for his role in battling Covid. We should congratulate him on his new position. He is the former president of NUI Maynooth.

The Minister spoke about the figures that came in with regard to Creating our Future. There have been almost 5,000 submissions so far. This is amazing. He said most of them are from Sligo but we have to give a shout out to every other county in Ireland. The target is for 10,000 submissions by the closing date. It is incredible to see this huge level of submissions. The submissions will be considered by an expert panel and the findings and the conversation will be brought to the Government and published. I hope we have the opportunity to engage again on all of this. The fact that young people and older people can help inform our research and innovation policy is tremendous.

It was a long held ambition of Fianna Fáil to have a stand-alone Department for third level and further education. The Minister is heading it. It is a very exciting Department and there has been incredible innovation. I thank the Minister and the Minister of State, Deputy Niall Collins, for all their work in the area.

Senator Aisling Dolan: I welcome the Minister to the House on this great week, Science Week. I was speaking earlier this morning about the activities that are going on for Science Week and I might mention some of them because they have astounded me. I was wishing we had Science Week when I was in school. Our Science Week involved the things we did around Hallowe'en and crazy experiments we came up with. Science Week is on from 7 November to 14 November so we have another few days left this week. As has been mentioned, events are happening all around the country so I invite Members to log on and find out what is happening close to them. I saw events like coding for kids, DNA fingerprinting, events in Dublin Zoo, the go fly your kite event in Cork and reptile superpowers in Celbridge. There is a bug doctor in

Galway, a telescope tour in Birr, which is a place I love, a science trail in Sligo, a pint of science and a course with stand-up comedians in Tralee. I know the pint of science used to go down well in a lot of different locations with students, particularly at third level.

Science Week is a way for us to talk about careers. An awful lot of students can engage with scientists and engineers to find out what a career in science is and where they can go if they do a science degree. That is what is great about Science Week and we have a lot of communicators involved in it. It is important that we talk a lot about science, technology, engineering and mathematics, STEM, but the arts and social sciences are also important for communicating the impact of science and technology. That is something we are getting good at because we see so many science communicators emerging. It has been funded through the Science Foundation Ireland, SFI, centres of research, which means there has been a lot of outreach and public engagement and that is crucial. I wish all of that well.

I am being cheeky because I mentioned this already this morning but I am just very proud. There is a national school in east Galway, Clontuskert national school, and it was the first ever Irish school to win the climate action project school of excellence award, which it won last week at COP26. It won that award because children in this small school outside of Ballinasloe are fighting to get rid of plastic on vegetables in supermarkets and they have an amazing principal who is driving a lot of that change. They are great advocates for change.

The Minister mentioned Creating our Future and I was delighted to welcome the Creating our Future roadshow team down to Ballinasloe and Roscommon town. We had a brainstorming event in Ballinasloe and it was a wonderful way to bring everyone in the community together. We were able to invite representatives from active development associations, accessibility groups and our local Europe Direct library. It brought different representative groups together to examine what research means to them and what we want to see research on in the next five to ten years in our regional towns, as well as in our urban areas. One thing that is wonderful about this programme and that has been rolled out by SFI is that it really engaged with people in our regional and local areas and showed that science does not just happen behind high walls in labs in universities in our city centres. That is what is important about regional outreach. Mr. Brendan Smith is one of the regional outreach managers for Insight, one of the SFI centres in Galway, and he does great work.

There are many groups that do great work in engaging with schools as well, both at primary and secondary level. They also engage with groups like Active Retirement Ireland. Professor John Breslin who compiled the book *Old Ireland in Colour*, is one of the lead principal investigators, PIs, in Insight. That book has been such a winner and they brought out a second version of it as well. It had photos in black and white from 50 or 100 years ago and that shows how data analytics can train simulations and behaviour to identify and colour in these black and white photos. I thought that was a wonderful way for people of all ages to see some old photos in colour.

I mention the Big Ideas event, which is on at the moment so I hope I get to see a recording of it. There are 12 campus start-ups out there pitching and telling us exactly what wonderful innovations they have come up with through our third level sector and that is being supported by Enterprise Ireland. Research takes place in our universities but how do we translate that impact? We do so through our arts and social sciences, our communication and through commercialisation. How do we get the impact of research out to our communities and into society as soon as possible? We saw with the vaccine that we were able to accelerate clinical trials

over the period of last year. Look at what was done and at how innovation drove change. We were able to accelerate the ways we did what we have done. People thought it could never be changed before, even when it came to electronic prescriptions and so on. That shows what can be done in a time of real need and that is what is important about the commercialisation of groups like Big Ideas. We have 12 campus start-ups and I wish them the best. They are in healthcare, artificial intelligence, data analytics and technology and they are looking at driving change in people's quality of life, because that is what it comes down to. They are passionate advocates and those entrepreneurs are coming out of our research-funded systems. The Government is putting funding into SFI through the Irish Research Council that is funding our PhD students, masters students and postdoctoral students. These are the people who becoming part of these incredible SFI-funded PI teams but who then can take an aspect of that research and decide that it could have an application in the real world and that they would like to see that happen now. For example, this could include looking at the impacts of chemotherapy and hair loss and impacts to quality of life. If anyone wants to tune into that it is there until 4 p.m. I know the Minister will speak to us about it later as well.

Some of the other key areas for me were the evidence base and the Science Gallery. It is important that we support our evidence base and I welcome what the Minister is saying about the Science Gallery as well.

Senator Róisín Garvey: I welcome the Minister of State, Deputy Niall Collins, to the House. It is great that we have Science Week and that we have a discussion around STEM. I have a degree in maths, physics and computers and I have always been one of the few women in the room, whether it was doing honours maths or studying maths and physics in college. I still have huge concerns around that gender inequality and we are still failing in that. I did not get my degree today or yesterday but my son is studying energy engineering and there is one girl in his class of 20. We are still failing when it comes to gender equality because we all know for a fact that women are equally as good at maths, physics and the sciences as men are. There is something seriously wrong there and it does not start at third level.

If we are serious about changing it, we will have to look back to primary and secondary school level. The leaving certificate choices that students make strongly dictate what they study in college and one will often see that girls have to fight hard to prove they are good enough for honours maths whereas it is almost presumed that boys will do honours maths and that if they do badly they might be forced to go back to pass maths. That is still the case so we have a lot of work to do on that. It has to be reiterated that women are just as good at maths, physics and the sciences as men and boys are. We have to keep reminding people of that. We have to remind our children, including our daughters, sons, nephews and nieces of that and not make assumptions because we have been reared in a patriarchy and we need to work hard to debunk those myths.

Science Week is an important week and lots of things are happening. The website is www.sfi.ie if one wants to find out about all the things that are going on. Another thing outside of the gender issue, which is huge, is that the way we teach maths and the sciences can sometimes fail to be interactive. For too long, book companies have been leading how we teach. Book companies are not teachers and they are not facing the students in front of us. I was involved in starting a Steiner school where we did not have books. The kids created their own books through discovery and experimentation and it definitely removed the dictatorship of the work-book to decide how things would be taught.

As a teacher I know that you have to look at the pupils who are in front of you on the day and if the way you teach is not working, you have to change the way you teach because you cannot change the pupils and the way they learn. Interaction and interactive maths teaching are missing there. I was, for instance, teaching area and volume in my last school, which is two and three-dimensional maths, yet we have no three-dimensional shapes or objects in the maths room. You have to try to borrow them from the science room, which is not always easy. For years teachers have been teaching volume in two dimensions, which is ridiculous. I used to walk in with a basketball and tell the students we would try to figure out how much leather it takes to make a basketball. That is something real and tangible. We also tried to figure out the width of a tyre for doing Formula One racing and I did Pythagoras's theorem on the wall of the handball alley in the school. That kind of learning is real and tangible.

People have wondered for years why we are doing maths. We should not be teaching maths without talking about the applications of it, otherwise the student does not know why he or she is learning it. There is a myth that one is either good at maths or bad at it, which is not true. Anybody can be good at maths if he or she is taught in the right way. That is something else we feel, when we see only half of our mathematics teachers are qualified mathematics teachers.

In my training in NUI Galway as a mathematics teacher, I substituted in schools for a couple of years. I found the training very idealistic and based on a presumption that everybody behaved the same way and learnt the same way in the classroom. We have to get with the reality that children are different and learn in different ways. We cannot just teach everything in the one way. We have a huge piece of work to do on teacher training and methodology. I was able to engage with pupils who would have thought they were bad at mathematics, but then I started talking about it being used in carpentry if you wanted to build an A-frame roof or if you wanted to make clothing. There are so many applications, and mathematics is brilliant. It is something we should be allowed enjoy as opposed to people being either really good at it or really bad at it. There is this division which means that those who are good at mathematics do science stuff and those who are not good at mathematics do art and home economics. That is the kind of thing we have been doing for years. We need to push further, especially for girls, and get them to think when they are going into senior cycle, to look at the science subjects and say they can do this and they are just as good as the lads at mathematics and physics. We need to look at the fact nothing seems to have changed in the figures.

I know as a country we have a good education system but I think perhaps teachers need better course development. We teach mathematics in the primary school curriculum for a given amount of time, but how we teach it is questionable as well. There is so much on-paper, flat, boring learning when mathematics is a very alive, interactive thing which can be taught in very different ways. The book companies need to be pushed back. It is not fair they dictate how things are taught. The teachers need to be more creative in how they teach to engage pupils. Everybody can be good at mathematics and physics. It was only when I went to third level and did mathematics and physics that I saw the real applications of them, although I had done them in the leaving certificate, . It opened up a whole other world to me that I wish had been opened up to me in secondary school. I always felt like a freak in secondary school for loving mathematics. I do not know if I was brilliant at it but I just really enjoyed it. That should be allowed and it is okay as a teacher to show you enjoy mathematics.

We have some work to do there right back to primary and secondary levels. It is important for the Minister, Deputy Harris, and the Minister of State, Deputy Collins, to engage with the Minister, Deputy Foley on looking at the curriculum, how we teach subjects and making them

more real for children. Everything is 3D and has gone digital now for children, but I am talking about being hands-on, that you learn with your head, heart and hands. It is not about the head all the time. We need to bring in the heart and the hands, the real applications and how amazing mathematics is in real life. It was originally a philosophy but we have lost that. The beginning of mathematics was a philosophy which was used for problem solving and helping to deal with mental problems, but we have lost all that. I look forward to these science weeks and looking more into the philosophy of mathematics and its real, practical uses.

Senator Fintan Warfield: I wish to speak about something serious, and I am sure the Minister, Deputy Harris, and his Department are also concerned about it. It is very disappointing that as we mark Science Week, in the same week we must ask Government the current situation regarding the Science Gallery in Dublin. It would be a huge blow to the city, to the arts and science to lose the Science Gallery on Pearse Street, which at the moment looks set to close in February. There has been huge public support, with people sharing their stories online. The gallery reopened on 22 October and it is featuring its 50th free exhibition, called “Bias: Built this Way”, which interrogates fairness, the ethics of artificial intelligence, AI, machine learning and data processing in humans and algorithms. I suggest that in the month when Facebook launches its metaverse, and apparently we are all now in the meta, the importance of such exhibitions, which is the type of work that should be happening, shows why we need the Science Gallery. Maybe some of us have never been or have only been to the café or to events which took place there, such as an excellent event on the global response to HIV. That event explored the experience of patients, clinicians and researchers, and challenged the perceptions of what it means to live with HIV. While some of us perhaps have not been to it, three million visitors have been to the Science Gallery on Pearse Street since it opened in 2008 as a new space to ignite curiosity and discovery, where science and arts collide.

Creativity is acknowledged as an economic driver, an essential input into business, the economy and social policy, essential for understanding and thriving in a new economy. The Science Gallery was established because of a lack of a forum in Ireland for public engagement with the issues posed by emerging technologies and cutting edge research. As I said already, this work is more important than ever. We have not even managed to get a grip on the multitude of issues presented to us by the screen, let alone a metaverse which Facebook is pumping double the amount of money into than it puts into users’ safety on its platforms.

RTE.ie had a really good piece by Diane Tangney asking why the existence of the Science Gallery is under threat when science and creativity are essential to our culture and society. She said:

Science and creativity are central to our culture, our society and policy-making, so why then is the existence of Science Gallery under threat? The effects of the global pandemic may have had a hand in the decision to close the space but, stop right there, surely the global pandemic demonstrated the potential for science and technology to work together to protect life on earth?

Surely, the need for art and science to imagine new solutions to the world’s grand challenges is now more potent and obvious than ever before. Surely, Ireland with its visionaries and globally-influencing technology companies can come together to save Science Gallery?

She also quoted President Higgins from 2014. I wish to read that quote into the Oireachtas record:

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Irish creativity is a creativity that is not confined to the arts but has also had a significant impact on the world of science and on the shaping of the technological age that we live in today.

[...]

That record of original thinking and creative achievement is a wonderful intellectual resource on which we must continue to build.

The Minister, Deputy Harris, has mentioned he wants to see the Science Gallery on Pearse Street remain open. Before he left here he mentioned that he is working to that end. I wonder can the Minister inform us is his Department leading the talks on the part of the Department of Tourism, Culture, Arts, Gaeltacht, Sport and Media, which provides about €280,000 a year. I read that the talks have been positive but it has been about ten days since I have heard anything. What position is Trinity College taking? Had it asked for an increase in funding on top of the €280,000 that is provided annually? Had it asked for an increase in advance of the announcement of this closure? An announcement such as that reminds me of Lyric FM, where it was announced it was just going to close and then everybody had to scramble to figure out why. It just seems as though the area of the arts is somewhat disposable when threatened with closure and we all scramble and figure out how to save it. Ultimately, do we see the Science Gallery being saved? It must be saved.

Senator Annie Hoey: I thank the Minister and everyone involved in making Science Week happen. It is fantastic and gives us an opportunity to celebrate the role of science in our everyday lives. I commend the Creating our Future initiative by Science Foundation Ireland to encourage members of the public to make submissions into the public call for sources of research topics.

I also echo Senator Warfield's comments with regard to the Science Gallery and the dismay many people felt on hearing it is closing. I would be interested to hear the Minister's response to Senator Warfield's questions on the state of play now.

We can all agree that Covid-19 has really hurtled scientists into the mainstream. The lingo of science has entered our common parlance. Of course, with that has come the backlash against scientific knowledge and expertise. Sometimes it feels like perhaps we are surrounded by self-declared scientists and experts, as are our inboxes.

It would be remiss of me to reflect on Science Week without reflecting on the state of our further and higher education sector, which is creaking at the seams due to a dire lack of funding. It is certainly not the first time I have spoken on this matter and I doubt that it will be the last. Funds are going into this, that and the other but, while short-term funding is welcome, the sector needs a long-term and viable funding option. It has been calling out for that. The Cassells report was launched in 2016, which was quite some time ago by all standards. It is time that we had an answer to the funding crisis in the sector. I know of STEM students doing labs in laboratories that are woefully out of date and not up to standard. If we are talking about Science Week, having world-class scientists and laboratories and the wonderful impact that scientists have on our everyday lives, then we must invest in those scientists during their training and learning. We need a resolution to the funding crisis.

Given that we are discussing Science Week, it would be wild of me not to discuss the Medical Laboratory Scientists Association and its move to ballot for better pay. The association highlights the essential role that medical scientists play in Covid testing and screening services. My colleague, Deputy Duncan Smith, stated that, if we were serious about building a best-in-class health service, then we needed expert lab workers to stay in the sector. It is not a surprise that there is a ballot for industrial action. A number of long-term industrial issues in the sector predate Covid-19, but the pandemic has brought into sharp focus the great work that medical scientists do all of the time. The Minister for Health and the HSE need to recognise this contribution. Medical scientists are unseen members of Ireland's front line and have played a vital role in addressing the health emergency. Their workloads have shot up drastically throughout the pandemic, particularly in light of the significant shortage of such scientists across the public health service. All that the medical scientists are seeking is recognition of, and respect for, the hard work they do. Approximately 70% of diagnoses made by clinicians are based on test results carried out by medical scientists. Healthcare cannot be achieved without the work of a medical scientist. For quite some time, there have been more vacancies in laboratories than there have been graduates to fill them. As such, it does not take much to realise that there will be a breaking point. We need to address pay parity as a matter of urgency to hold on to our recent graduates. We need career progression to retain our bright and hard-working scientists. They are fundamental to every area of healthcare from diagnosis to infection and from cross-matching blood transfusions to cancer diagnoses. The shortage has led to outsourcing much of our testing capacity to the US and UK. We need to do more to get these highly skilled scientists to stay in the system in order that we can deliver best-in-class healthcare. Deputy Duncan Smith has written to the Minister for Health and the CEO of the HSE asking them to support these front-line workers, whose demands for pay parity and basic decency must be met. It would be remiss of me to stand up and not speak about a workers' rights issue.

It would also be remiss of me not to speak about some other of our medical staff, in particular student nurses and the other various medical undergraduates who are working in our healthcare system, often holding it up. They are not getting fairly treated or remunerated for the work they do.

I cannot discuss Science Week without speaking about fossil fuels. The news of Equinor's withdrawal from Ireland due to planning issues with offshore wind infrastructure is a major concern that needs to be addressed by the Government. A great deal needs to be done in reducing our reliance on fossil fuels. We need to see serious investment in a suite of technologies. According to Wind Energy Ireland's analysis, "carbon pricing, long duration storage and green hydrogen will eliminate the need for fossil fuels in the Irish electricity system." The Minister of State needs to take the message to his Government colleagues that there needs to be a Government intervention that will give effect to these projects and optimistic modelling.

I am sure everyone saw Ms Mary Robinson yesterday when she spoke emotionally about COP26 and her experience there, with people taking the climate crisis seriously. I will finish with her words: "You can't negotiate with science."

I thank the Minister of State for attending for this debate.

Senator Martin Conway: It is appropriate that Senator Boylan is chairing this debate, given her commitment in life to science and the education of young people in that respect.

I welcome the Minister of State to the House. I heard some of what the Minister, Deputy

Harris, said. I am glad that science is a key commitment of their Department, given that it is extremely important. Recently, we have witnessed how science has saved many lives; it created the Covid-19 vaccines. It is incredible that, less than 12 months into a pandemic, science was able to create vaccines that could protect many people. Every penny that we spend on science is money well spent.

I applaud the Minister of State and the Minister for trying to bring science to the ordinary citizen. For too long, science has spoken to itself and created an intellectual superiority, but every individual in our country can embrace science once science embraces him or her. The conversations that the Minister of State and Minister are having and the programmes they have launched to promote science among ordinary people are welcome.

Senator Dolan is present. The work she did in research and agribusiness before becoming a Senator was scientific. Her commitment in that area is second to none. Farmers are good scientists. We can see what is happening in the Burren. My colleague beside me knows the Burrenbeo project and the Burren conservation project, which involve people examining a problem and coming up with a solution that is good for the environment, agriculture and humanity.

For people with disabilities, the difference that science can make and the advances in technology are phenomenal. For the blind and visually impaired community across the world, there are iPads, computers and iPhones whose print can be enlarged with the click of a finger. That option was not available 20 or 30 years ago. This change was because of science and because educated people who were dedicated to creativity created something that could be mass produced to help people.

We need to increase our investment in science and research and support what is happening in our universities in that regard. If we do so, we will reap the reward as a society in an infinite way. It is incredible what science has achieved and its potential is phenomenal.

Acting Chairperson (Senator Lynn Boylan): I welcome the Minister of State, Deputy Niall Collins, to the House.

Minister of State at the Department of Further and Higher Education, Research, Innovation and Science (Deputy Niall Collins): I am delighted to partake in another session with the House.

In his opening statement, the Minister referenced our past achievements in the fields of science and innovation. Building on this, we can look to the future and the many advances we are making every day in research and innovation. For example, the Science Foundation Ireland, SFI, future innovator prize is a challenge-based prize funding programme that seeks to support Ireland's best and brightest in developing novel and potentially disruptive technologies to address significant societal challenges. Challenge-based funding is a solution-focused approach to funding research that uses prizes and other incentives to direct innovation activities at specific problems. The successful roll-out of challenge funding through the SFI future innovator prize aims at driving solutions to key societal challenges. Eleven teams commenced the zero-emission future innovator prize competition in January 2020. Following an independent review, the Carbery Farm Zero C team was selected as the overall winner of the challenge and recipient of a €2 million prize. The Minister had the opportunity to visit the Carbery group's Farm Zero C project on Monday last. The Farm Zero C project seeks to enable dairy farms to become carbon neutral and resilient in a commercially viable way. As part of the SFI zero-

emissions challenge, which supports interdisciplinary teams as they develop solutions for Ireland to reach net zero greenhouse gas emissions by 2050, the project is exploring changes to farm practices that boost biodiversity and reduce greenhouse gases. It brings together academic researchers, the dairy industry and dairy farmers.

Farm Zero C looks at the farm in an holistic way. Work is carried out in the lab and, at the same time, work is happening on the farm. The project research includes studies on how planting different types of grasses and clovers on pastures and supporting hedgerows can boost biodiversity and soil health; on using renewable energy that reduces greenhouse gas emissions; and on how changing what we feed livestock affects how much methane gas they produce. Dairy farming is economically important for Ireland. This project is aimed at identifying strategies to reduce those emissions while improving the economic health of the sector. It is hoped we can create a proof of concept for farms in Ireland and worldwide that shows that dairy farming and our agricultural systems as a whole can provide food security while being environmentally sustainable.

Following our recent announcement of the setting up of two more technological universities, TUs, one in the south east and the other in the north west, the development of these technological universities will contribute greatly to building research capacity and promoting innovation and its diffusion. Also, through support for firm-level innovation, we will develop research centres and gateways in established and emerging regional clusters, ensuring the research system in the regions is internationally connected. Newly established TUs, will pursue research-informed teaching and learning. They will retain applied research strengths but also encompass basic research and will seek to build greater research capacity in line with the recommendations of the 2019 TURN report.

TU research will be closely linked to innovation and human capital and skills development. It will be aligned to the needs of the economy and will flow from their connectedness and collaboration with local, regional, national and international partners, enterprise and employers more generally. Situating a research leadership within TUs will also provide a richer regional interplay between research, education and innovation. Starting from their current research base, TUs will need to establish incrementally, field by field, a sustainable deepened research capacity. Its quality must be internationally recognised to ensure TUs can attract international research, talent and collaborative partners to build and enhance capacity.

The research activities and innovation of TUs will also be very important in assessing, predicting and testing the emerging and new areas of learning and skills provision that are likely to be required in five, ten and 20 years. TUs are expected to assist in positioning Ireland's higher education system as global innovation leader. TUs will be national leaders in building strong cultures of research and postgraduate education for the technological sector. TUs will need to raise the level of their research and innovation capacity substantially to achieve these targets.

The achievement of the national priority for balanced regional development envisaged by Project Ireland 2040 of embracing innovative technological change, as envisaged by Future Jobs Ireland, and the further transformation of regional economies call for deepening the focus on research to meet economic and societal needs, thus linking it more closely to innovation, human capital and skills development and deepening their rootedness in the regions while also responding to national policy objectives and building their international profile and linkages.

The 2019 TURN report, which provides the blueprint for successful TU development in Ire-

land, states that enabling new TUs to meet the expectations placed upon them is a major challenge. They start from a relatively low base of historical investment and activity in research. It is critical therefore that each TU is adequately supported and equipped to compete successfully for research funding while simultaneously ensuring its research has a direct impact for industry and enterprise in its region. The disparity in research capacity must be addressed to bring TUs to a level where they can fully engage with national strategic policies for research and innovation, as detailed in Innovation 2020 and Future Jobs Ireland.

Support for research communities both based in and linked to multi-campus and multidisciplinary environments is crucial to building the reputation of TUs and imperative to raising the international visibility of TU research to attract front-line international research talent.

For TUs to bid successfully for major national, EU and other international funding on a competitive basis, a significant acceleration is essential in research activity to build a stronger track record of research excellence such as has been created over many decades in the rest of the university sector. To date, performance has been uneven and research capacity has depended on a relatively small cohort of research leaders in individual institutes creating pockets of excellence but on a small scale. Correspondingly, there has been limited success in competitive access to research funding compared with other universities. The creation of TUs provides an opportunity to increase the scale and scope of research of value to the economy and to society, strengthening the innovative capacity of the regions and making Ireland a more attractive magnet for inward investment and for leading international research talent.

The Department, together with the Higher Education Authority, is seeking to source additional funding from the European Regional Development Fund, ERDF, Operational Programmes 2021-2027 for TU-oriented research activities. This is in addition to Exchequer funding provided for TU establishment and development under the Exchequer-sourced transformation fund. The proposed technological university regional research development and innovation integration scheme funded under the ERDF would relate primarily to the development of research and innovation hubs and offices in TUs. Eligible activities proposed include funding directed at developing research or human capital in TUs, including staff development, recruitment, postgraduate training and supervision, networking and collaborative knowledge transfer and mobility schemes; and the establishment, equipping and staffing of regional research offices within the TUs to enable engagement with local and regional business, industries and enterprise stakeholders. If approved, this could attract €100 million for TU research-oriented funding over the next five years.

Last week we launched a new academic and industry research programme designed to future-proof EU data flows and drive innovations in data protection internationally. The Empower programme will develop systems to protect citizens and work to their advantage while streamlining data exchange in European business ecosystems. The programme represents research of almost €10 million focused on data platforms, data governance and ecosystems and will involve researchers from four SFI research centres: Lero, the programme lead, Insight, ADAPT and FutureNeuro, co-ordinated by Empower director, Professor Markus Helfert, based in Maynooth University.

One of the Government's core ambitions is to build competitive advantage and to foster enterprise development through a world-class research and innovation system. Empower clearly demonstrates that when we combine talent and investment, we in Ireland can undertake cutting-edge, impactful research. We can compete with the very best internationally and we can

contribute solutions to global challenges. Empower is an important strategic research project for our country. Empower brings together multidisciplinary research in data governance from across the participating SFI research centres to achieve this goal.

Lero, FutureNeuro, Insight and ADAPT share a strong culture of academic-industry collaboration with companies across sectors experiencing disruptive transitions to data and AI-driven business models, such as software development, health, biotech, fintech, medical technology, agricultural technology, smart city technology, mobility, media and publishing, sports performance, automotive and construction. Empower's academic researchers will work together with a number of companies, including Meta, Siemens, Huawei, Truata, Trilateral Research, Genesis, P4ML, RedZinc Services and Analog Devices, to develop innovations in data governance that will have the potential to benefit individuals and companies.

4 o'clock

I hope I have demonstrated this Government's commitment to supporting science, innovation and research. We are committed to building on Ireland's illustrious past in these areas to support future activities and for the betterment of our country.

I will briefly respond to Senator Warfield regarding the TCD Science Gallery. The Minister has indicated that the Department and the Department of Tourism, Culture, Arts, Gaeltacht, Sport and Media are in discussions with TCD to see how they can assist. I am advised those discussions are ongoing and as soon as they are progressed it will be communicated. I will ask the Department to communicate any such progress to Senators.

Acting Chairperson (Senator Lynn Boylan): I thank everybody for their contributions.

Sitting suspended at 4.01 p.m. and resumed at 4.30 p.m.

Land and Conveyancing Law Reform Bill 2021: Committee Stage

Acting Chairperson (Senator Gerry Horkan): I welcome the Minister for Justice, Deputy Helen McEntee, back to the House. It is her first time in the Chamber since her return from maternity leave. I again congratulate her and I am delighted she is here.

Section 1 agreed to.

SECTION 2

Question proposed: "That section 2 stand part of the Bill."

Senator Alice-Mary Higgins: I will give a wider speech on my amendment a little later. On section 2, I will flag that it is good there is a provision allowing those who may have already registered under the current process to preserve that, yet we also protect those who may wish to register in future. It might, however, be an area that could require further clarification. One area I might look at on Report Stage concerns those who have started the process of registration. I warmly welcome the Minister back to the House and I thank her for her engagement, and that of her officials, on this area. I also acknowledge the Minister of State, Deputy James Browne, who has also been very constructive in engaging on this.

This is a collective piece of work where we are trying to come out with the best outcomes.

One of the measures I wanted to signal for this section that I might look at on Report Stage is the question of those who have started the registration process or may be in the middle of it. I am sure the Minister will have heard that many people have hit last-minute barriers in registration, including the provision of additional pieces of paperwork. The problem we had was the 30 November deadline re-set was going to re-set the clock to zero. Thankfully, the general thrust of this Bill will not now mean re-setting the clock to zero on 30 November, yet those who have already registered before that deadline will preserve the 12-year right to register an easement. A little limbo space might be there for those who were nearly through the process and all the hoops before 30 November. For many of them, if they have invested quite a lot of time and effort into trying to register under the 12-year period, the return to the 20-year period might prove a little difficult. I just wanted to signal it as an area of concern. I might chat to the Minister and her officials about it between now and Report Stage.

Senator Lynn Boylan: I will raise two concerns and might table amendments on Report Stage. The first concern relates to the doctrine of lost modern grant, which is relied upon in the Bill. We are hearing concerns that it might not be sufficient to restore the law to the practice of the courts prior to the changes anticipated by sections 33 to 39 of the 2009 Act, which will be repealed by the Bill. In short, the Prescription Act 1832 may need to be revived. We may bring forward amendments reflecting necessary references to that and to any other relevant considerations.

We would welcome the views of the Minister on the rationale for not including reference to the Prescription Act 1832 in this Bill, particularly in section 2(b) and section 4, in addition to making adjustments to section 1. There is stuff on section 6 as well. We believe the 1832 Act was enacted to remedy difficulties that arose in the application of prescription at common law under the doctrines of use and lost modern grant. If this is correct, our concern is the repeal of the Prescription Act must be of concern to all conveyancing lawyers and not just those concerned with rights on the foreshore. I welcome the views of the Minister on the inclusion of references to the Prescription Act in the Bill.

Minister for Justice (Deputy Helen McEntee): On the Deputy's last point, it is my understanding that, under current law, people are able to use all three of the old rules, which are common law time immemorial rules, common law doctrine of lost modern grant and, as the Deputy mentioned, the Prescription Act 1832. I may be corrected on this, but the feeling was that there were more complexities and difficulties with the Prescription Act 1832. As a result, it was decided to go with the common law doctrine of lost modern grant, which obviously means that any period of 20 years would create that presumption, making it a much easier process for individuals. Perhaps I can come back to the Senator with more detail but that is my understanding of why that particular choice was made and the other has not been mentioned.

In response to the comments of Senator Higgins, my understanding is that anybody who is going through the process but has not concluded it by the set date at the end of the month will immediately return to the common law doctrine of lost modern grant, which is the 20-year period. I appreciate that a lot of work might have been done up to this point but adding a new date for people who might be halfway through the process adds another layer of complexity to all of this. I am happy to look at what the Senator suggested in that regard.

Question put and agreed to.

SECTION 3

Question proposed: “That section 3 stand part of the Bill.”

Senator Alice-Mary Higgins: I have had a bit of back and forth with the Minister in respect of section 3. I appreciate the information and useful tables she supplied regarding applications. My question relates specifically to the foreshore and State lands. As I understand it, while the legislation is moving back in terms of the previous periods that applied, it is also effectively removing many of the provisions of the 2009 Act relating to private easements and *profits à prendre* on private land. However, for State land and foreshore, some of the shifts and changes that were brought in through the 2009 Act are still there, including the period involved.

I welcome the fact that I have had some assurances and perhaps the Minister could restate the assurance that there is no question of the clock resetting to zero and the time previously required for State lands, including State foreshore land, will disappear on 30 November. That is crucially important. I know there has been some discussion of what comes next. Everybody is clear that the solution we are putting in place with this Bill is not ideal and we are at the beginning of a process in that regard. I have a concern about the time periods involved. The 2009 Act extended the time periods, moving from a 30-year requirement to a 60-year requirement for acquired rights of easement or *profit à prendre* on State land and State foreshore land.

I will refer to the grids, if I have them with me. As I understand it, there are two questions here. Those who had acquired time before 2009 would be in one situation. Am I right in thinking those who had started acquiring time after 2009 would be facing the requirement for a longer period? To whom does a 30-year requirement apply and to whom does a 60-year requirement apply in terms of easements? As I understood it, claims that were based on use before December 2009 were able to use the old time periods whereas claims in which all of the time involved related to the period after 1 December 2009 would require the longer period. Of course, many of them will not have achieved that yet but will achieve it later this century. I want to get clarity on that and to express some concern.

I am concerned that the 60-year period is very long. I understand that the 60-year period, particularly in the case of foreshore land being reclaimed, may create a very high bar. We are seeing extraordinary changes to our foreshore. A maritime planning Bill is before the Houses. The designation of marine protected areas and access to them should precede the marine planning Bill. That is of crucial importance. On a practical level, right around the country, we know there has always been a question about access to the sea and the shore. It is important for people. We have had many situations where a golf course has cut off that access and so forth. It is good that the changes we are making in this Bill will negate those private blockages of access to the foreshore. Where there is State land on the foreshore, it is important that we err on the side of ensuring access and connectivity. I indicate that issue. We might be able to tease it out a little more. The 60-year period is quite a long time for persons to have acquired and proved their rights. Perhaps the Minister can assure me this will not be the last part of this discussion.

Senator Lynn Boylan: I have similar concerns regarding the different prescription period proposed for State-owned land in section 3, which includes the foreshore. I echo what Senator Higgins has said. I would much prefer that we had designated protected areas before we gave planning permission for offshore wind, but that is why we are particularly concerned about this section. There is going to be so much change around our coastline.

Why should the State have a longer prescription period that is more favourable to it than that applicable to private landlords? As Senator Higgins said, a period of 60 years is proposed,

which is a substantial increase from the 20 or 30 years required under the current system. It will thereby take away existing rights that may have accrued to seaweed harvesters.

There is also a difficulty faced by a claimant to rights on the foreshore through the rebuttal presumption in the Foreshore Act 1933 that the State is the owner of the foreshore if the foreshore concerned is not in private ownership. A claimant would not have access to knowledge of the ownership of the foreshore concerned. Only the private landowner would have that on his or her grant of title. In order to avoid taking rights away from, for example, seaweed harvesters who can prove 30 or 40 years of use, we will be considering essential amendments to section 3 on Report Stage. It is of the most serious concern that the change in section 3 seems to be in a completely different spirit to the effects of the other changes in the Bill which act to allow for other interests to be recognised and not to compromise them. We would welcome the opportunity to tease this out further with the Minister, particularly on Report Stage. As I said, we will probably submit amendments. We have concerns around the 60-year period, given the level of change that is going to be happening in that part of our country.

Senator Robbie Gallagher: I echo what the previous two speakers said about this particular section. They have my support. Following on from the example given by Senator Higgins, I am aware of a situation in Donegal where a right of way had long been established across a beach. People enjoyed that right for many years but a developer bought a farm and land which ran down to the sea. The developer subsequently built holiday homes and a hotel, and advertised them with exclusive and private rights onto the beach. It proved a controversial development, so much so that arguments and rows are still going on today. Following on from the contributions of Senators Higgins and Boylan, I am wondering what will happen in the future. In the particular instance I have mentioned, planning permission was given to the applicant along the lines I described. The planning authority did not seem to know that a long-established right of way was in existence, one which the public had enjoyed for many years. After this legislation is enacted, will all public rights of way be registered in a central area so that a planner in a local authority will have sight of a right of way before the planning authority will either grant or refuse planning permission for subsequent development? I would welcome the Minister's comments on that issue.

Deputy Helen McEntee: As the Senator has rightly said, this is the only element of the 2009 Act that is being kept on in the Bill. The clock will not be set back. That will not happen in any instance, be it the 30 years for the State-owned lands or the 60 years for the foreshore. The longer periods were put in place on foot of the recommendation from the Law Reform Commission. This can be looked at as part of the review I have given a commitment to undertake. We hope the review will start in the new year and be concluded next year. Everything in this legislation has been included with the support and approval of the Law Reform Commission, the Bar Council, the Law Society and all of the stakeholders. We have gone through much of this and this is the recommendation they have made.

To clarify and to reassure the Senator, this is not about public rights of way. That would be a matter for the Minister for the Environment, Climate and Communications. This specifically focuses on prescriptive rights where one has private rights with regard to private land owned next to a foreshore where a right of way had been used to access the business or to carry it out. This will not in any way impact public rights of way. The longer periods are because of the recommendations. Time will not be reset. It will apply for the 30 and 60 years. In most instances, when we talk about State or foreshore land, that period of 60 years has already been met and it will not have any impact.

Question put and agreed to.

SECTION 4

Question proposed: “That section 4 stand part of the Bill.”

Senator Alice-Mary Higgins: I should have mentioned this in the previous section. We are going back to the Land and Conveyancing Law Reform Act 2009. This legislation is moving forward in a very tight timeframe. With regard to easement versus *profit à prendre*, we could and should be looking at shorter periods for certain *profits à prendre*, as basic as the right to light, but that will potentially be part of the review. I will speak on the extinguishment of easements and *profits à prendre*. This Bill will not fix the legislation on easements. The issue of extinguishment is not named in my amendment coming later, but I hope the Minister will signal that it will be part of the review. It intersects with what was said about the public rights of way. We have these public rights of way, but in many cases, the network of public rights of way intersects with these prescriptive rights of way. The route that gets people from their house to the public right of way is a prescriptive right of way or an easement, or that is the path. They are almost like the rivulets that feed into our public rights of way.

I read with great interest the Second Stage debate and the call for awareness raising. As well as the call for awareness raising of the registration rights, we need to have more awareness raising cross-departmentally. I originally raised this issue with the Minister of State with responsibility for heritage and more than a year ago. Subsequently, I raised it with the Minister of State with responsibility for local government and planning, Deputy Peter Burke. He gave me some engagement on it, but was not able to progress it because it was not in his Department. I have gone the rounds, including with the Department of Justice before and after the summer. One of the problems is that this is regarded as being in and belonging to many Departments and we do not get a joined-up approach. When I was trying to raise the alarm on the 30 November deadline, almost 15 months ago, it took a long time to reach the right ears.

I have a real concern about what was mentioned about public rights of way and their extinguishment. Many local authorities across the country end up extinguishing public rights of way. We know these items, involving the extinguishment of rights of way, come up at the end of the agenda at local council meetings. Such a right of way might connect with other prescriptive rights of way and might be the piece needed to make a network of connectivity. We all want the 15-minute city and the ten-minute town. We all want access to nature and safe green networks around our cities and rural areas. I raise a flag of concern on extinguishments because sometimes they happen in a piecemeal fashion. A right of way might be extinguished because the five houses next to it might not see its importance, even though it might be very important in terms of what it connects to. I appeal to the Minister that when she is doing her review, as well as looking at the legal issues, she should give space for engagement on the policy space. As I will come to that later in my amendment on reviews, I will not go into it now. We need to look at how public rights of way intersect with prescriptive and permissive rights of way.

Senator Lynn Boylan: To leave the option open for amendments on Report Stage, I want to flag again the non-inclusion of a reference to the Prescription Act 1832 in section 4 of the Bill.

Deputy Helen McEntee: Senator Higgins has outlined not just how complex this legislation is, but also how it is interconnected in so many ways. Even though the 2009 Act was

brought in to try to make things easier, the reason we are reverting back is that this section of the 2009 Bill just has not worked in this instance. In setting out the terms of reference for the review that will take place next year, I am open to getting the views of Senators and those who are especially interested in this to see where there is a crossover, be it in other Departments or other areas of law that need to be looked at. It is difficult to extinguish a private right of way and the Bill we are talking about does not provide for an extinguishment of public rights of way. We are talking about two different things, but I appreciate there is often a crossover when private and public are somewhat one and the same or connected. I am open to looking at how the terms of reference can be looked at and whether this can be included.

Question put and agreed to.

Section 5 agreed to.

SECTION 6

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

Senator Lynn Boylan: I want to flag again my concern that there may be a need for section 6 to be adjusted on the basis of the reference in the 2009 Act to the Prescription Act 1832. I refer to the provision that the reference in Part 4 to Schedule 2 to the 2009 Act is deleted and the effect of such reference is revoked. I may come back with amendments on Report Stage.

Senator Alice-Mary Higgins: The point I would like to make relates to section 5, but it does not matter too much. I welcome that it has been recognised that the burden of proof in the 2009 Act was so high that it would, in some cases, almost be in conflict with legislation that has come in subsequently, such as the general data protection regulation. For example, people would be required to provide large amounts of information about their neighbours, which they could not do. I welcome the shift in that section where there is a recognition. The authority can be satisfied in relation to a registration, rather than having to prove something beyond reasonable doubt, such as the mental health and capacity of somebody who may have lived next to that land 15 or 20 years previously. I am pleased that this is going in a more common sense direction and one that will be more practicable. It is a positive comment.

Deputy Helen McEntee: I will come back to the 1832 Act. The view from stakeholder engagement is that it is problematic and difficult and that is why the reference is being taken out. I ask that we have some engagement prior to this going on to the next stage because any further amendments or changes might delay it. As people will appreciate, many problems could arise for individuals if this is not passed on time. However, I want to engage and go through any of the problems Senators might have.

Question put and agreed to.

5 o'clock

NEW SECTION

Senator Alice-Mary Higgins: I move amendment No. 1:

1. In page 5, between lines 10 and 11, to insert the following:

"Report on engagement

7. The Minister shall, within 12 months of the passing of this Act, lay a report before both Houses of the Oireachtas outlining progress in relation to engagement with the Law Reform Commission, the Oireachtas, local authorities and other key stakeholders in

respect of the provisions of this Act and potential further legislative or policy measures in respect of prescriptive easements and rights of way.”.

The Minister is aware that I have engaged in this issue over the past 15 months and have been round the Departments on it. Even my own understanding of the issue has really expanded. I started with the very simple idea of “wouldn’t it be great if we could link up prescriptive rights of way with public rights of way”. I know many people living in rural Ireland who have to use cars because their children would have to walk on a motorway to visit a neighbour. The idea of green networks is reflected in the report of the Oireachtas Joint Committee on Climate Action on transport - that this is part of what we need. It is almost a re-imagining of all of those little strands of connectivity in rural Ireland. We could take what were mass paths, cow roads and routes to water and make them things that give independence to family members because we know lots of households have one car and people are almost trapped on an island given road safety concerns. It came from that positive idea and then looking then at the law and realising that we are in danger of not just neglecting to take a step forward but of taking a significant step backwards. I went originally to the Department of Housing, Heritage and Local Government and tried to look at this in terms of planning because planning and development are where public rights of way sit. It eventually became clear that it is in conveyancing and the Department of Justice, which is why I have been engaging with that Department for the past six months. I thank the departmental officials because they have been really good in engaging, particularly in the past two months around this issue.

I say this in the context of the review because my amendment is looking for a review. I know the Minister has signalled a review so I am unlikely to press my amendment if I can hear more about the review. I wanted to unpack what was planned for the review because I know we have the standard implementation pieces. When we put forward legislation, we know it is not perfect. We are almost going back to the least bad of existing laws to address it but I want to get the Minister’s sense on this issue. I acknowledge the conveyancing group within the Law Society, which has been really excellent and has really championed this issue, along with the Irish Farmers Association, IFA, and the *Irish Farmers Journal*, which have really pressed the issue. I tried to bring an amendment on a miscellaneous Bill to extend the period of time before the summer but over the summer, the practical effect, that is, the legal confusion that would be created and the extreme pragmatic difficulties people face in registering these rights of way, became so evident that the urgency arose. My comment is not directed at the Minister but I wish that there had been that engagement when the issue was flagged first. This is not in the sense of “I told you so”. It is saying that sometimes, backbenchers in Government parties and Opposition Members flag an issue. If we had engaged with it last year, we might be in a position where we were putting forward legislation that would fix all the problems. What we are doing is producing “just in time” legislation that will remove the cliff edge of 30 November and make sure the clock does not reset to zero and that rights of way paths people have walked for generations do not get reset to zero. None of us want to see rocks rolled across paths and fences appearing on 1 December and years of usage being unacknowledged, which is why the Bill is urgent.

This is the context. This is why my amendment relates to the review. This is not a normal situation relating to a review where we introduce a law we think will work completely and

we just want to check how it is going. It is in a situation where we have bought time. This legislation is just buying time. There are so many things to be teased out, particularly around foreshore, intersection with public land and questions about *profit à prendre* - even the phrase is archaic - because the meaning of the phrase is very different now. The amenity people might be accessing might not always be seaweed, turbary rights or access to grazing or water. It might be blackberry picking, access to nature and natural resources or the right to light, which is very important to people so there is a lot there. Again, I focused on rural Ireland, and I acknowledge this issue has been identified, but I think there is a significant constituency in urban Ireland when we even look at the housing estates in the 1950s and 1970s and their back lanes. I will not name any groups but there are groups that are worried about this. If a local brass band accesses a park to rehearse, would it be able to cut across that park because it is the only safe way for children to access the place? In particular, during Covid when so many people have had to seek out these places, particularly in our cities that do not have enough green spaces, the routes to access those spaces of nature, green spaces or shared public spaces have been important for people. What happens in someone's 2 km or 5 km radius has become really pressing for people. It has been a lifeline for people.

The Minister will see that in respect of the review, I am talking about the law and fixing the law. What I am hoping for is for this review can have a slightly wider scope so we are not just addressing past rights and rights acquired over generations but are also building in a vision for the future in terms of rights of way and something that will be fit for purpose and a bit more ambitious about the accessibility, permeability and inclusiveness of our shared island and shared places.

Senator Robbie Gallagher: Again, I find myself supporting the Senator's proposal. I think it is common sense. The Minister said that this is a very complex area and the more we talk about it, the more complex it becomes. From my limited knowledge of this, I have come across a few disputes recently. For example, one related to a public right of way where I spoke to a lady down south regarding a public right of way enjoyed by the public for years. A planning application was received that could have had an adverse effect on that and the lady went to the local authority and asked it whether it was aware of the long-established right of way over the particular property. The local authority said it was aware but that it was not up to it to register that right as such and that it was up to the public to do so. This is neither right nor fair. We need joined-up thinking across various Departments to ensure things like that are covered.

Never mind looking back, looking forward is another good point. It is a very complex area and if we are going to do it at all, it is important we do it right. This is rushed legislation. I brought forward a Commencement matter on this issue a number of months ago and it was full steam ahead for 30 November deadline. Thankfully, through the good work of Senator Higgins, this has been overcome. I compliment the Minister on taking it on board but it is a very complex area and it will take time to do it properly. A review after 12 months would be very worthwhile. We can take the learnings from that and possibly shape the future with them.

Senator Alice-Mary Higgins: There are rights to declare public rights of way but local authorities do not use them. Compulsory purchase order powers tend not to be used. There are a lot of powers that are not used and it is a sad fact that in a lot of local authorities, members do not feel empowered to suggest new rights of way. We do not tend to add new public rights of way very often but we can. We extinguish public rights of way all the time. I will not go into it because it is a separate piece but it is also around making sure local authorities have the resources to support public rights of way. It is in tune with Government policy across lots of

different Departments even from the climate and environmental perspective, leaving aside others such as health and child safety. Supporting local authorities and local authority members to feel confident to propose new rights of way and declare them would be something really great that could come out of this discussion.

I ask the Minister to give an indication in respect of timelines. It probably is a little more pressing. I tried to give it scope of 12 months but it would be very useful for the Minister to indicate how she plans to engage with stakeholders and Oireachtas Members, as well as giving her sense in terms of potential timelines for the review.

Deputy Helen McEntee: I thank the Senator for her engagement on this issue. I know it is a matter in which she has had a long-standing interest and I appreciate that she has been engaging with my officials for some time. I thank those officials because this has been a lengthy and complex issue and, as all present will agree, it is a matter we need to resolve before the deadline because of the impacts it could have on people. I have moved house and, this week, my new neighbour came to me. My neighbour is trying to sell their home but cannot do so or cannot register due to the complexities in the context of the landowners along the lane. For a person not to be able to sell a home - a house built in the 1800s and with what has been used as a private right of way for a long time - is not good enough. The practical implications are significant.

I appreciate the support of all present in ensuring the Bill will pass in a timely manner. I appreciate that what the Senator is seeking in the review is more about looking to the future than the past. As she stated, to review law we do not think is right may not be the correct way to go about it. The aim is to review how we plan to put new laws in place. Although we are reverting to the law as it stood prior to 2009, that is not the ultimate solution. We need to decide what to do next. There is a pressing need for this to be addressed. The intention is to have the review established early in the new year. I reassure Senators that I hope to have an eminent jurist or a person of similar distinction to lead the review and it will be concluded by summer. The terms of reference have not been fully finalised, so I will engage with Senators and others who wish to have an input on this matter. I am happy to do so. Although we need to look at the fact that there are complications and complexities in the context of private and public rights of way, I cannot, as Minister for Justice, deal with the public right of way. It is not within my remit. However, I am happy to engage with the relevant Ministers in that regard to raise these concerns, highlight the fact that the review is taking place and is specific to private rights of way, and see where we can go from there. I appreciate that the Senator may not press the amendment. I commit to the review happening in a timely manner. We are aiming for summer next year, rather than 12 months.

Amendment, by leave, withdrawn.

Section 7 agreed to.

Title agreed to.

Bill reported without amendment.

Acting Chairperson (Senator Gerry Horkan): When is it proposed to take next Stage?

Senator Robbie Gallagher: Next Tuesday.

Acting Chairperson (Senator Gerry Horkan): Is that agreed? Agreed.

11 November 2021

Report Stage ordered for Tuesday, 16 November 2021.

Acting Chairperson (Senator Gerry Horkan): When is it proposed to sit again?

Senator Robbie Gallagher: Next Tuesday at 2.30 p.m.

Acting Chairperson (Senator Gerry Horkan): Is that agreed? Agreed.

The Seanad adjourned at 5.14 p.m. until 2.30 p.m. on Tuesday, 16 November 2021.