



DÍOSPÓIREACHTAÍ PARLAIMINTE  
PARLIAMENTARY DEBATES

**SEANAD ÉIREANN**

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

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## SEANAD ÉIREANN

*Dé Céadaoin, 8 Nollaig 2021*

*Wednesday, 8 December 2021*

Chuaigh an Cathaoirleach i gceannas ar 10.30 a.m.

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*Machnamh agus Paidir.  
Reflection and Prayer.*

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

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

The need for the Minister for Finance to make a statement on the potential development of new homes on NAMA-controlled lands.

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

The need for the Minister for Agriculture, Food and the Marine to make a statement on fertiliser tariffs.

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

The need for the Minister for Foreign Affairs to make a statement on the method of appointment of special rapporteurs by the United Nations Human Rights Council.

I have also received notice from Senator Regina Doherty of the following matter:

The need for the Minister for Social Protection to make a statement on the publication date of the Indecon report on the cost of disability in Ireland.

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

The need for the Minister of State with responsibility for sport and the Gaeltacht to provide an update on the Government's proposal to host the 2024 America's Cup yacht race in Cork.

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

The need for the Minister for Health to provide funding for the expansion of Westdoc services in Galway.

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

The need for the Minister for Education to provide an update on the status of the school building project for Gaelscoil Choláiste Mhuire, 4 Cearnóg Pharnell, Baile Átha Cliath 1.

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

The need for the Minister for Children, Equality, Disability, Integration and Youth to make a statement on the need for a career structure for staff in the childcare sector.

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

The need for the Minister for Justice to make a statement on plans to ensure street safety in County Kildare.

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

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

### **National Asset Management Agency**

**Senator Victor Boyhan:** I thank the Cathaoirleach for selecting this Commencement matter and I thank the Minister of State, Deputy Fleming, for coming to the House from the Department of Finance to discuss what I think is a really important issue. I refer to the need for the Minister to make a statement on NAMA-controlled lands estimated at 426 ha with planning permission for housing and zoned residential use sufficient to build at least 20,000 new homes. I wish to put on the record of the House that these figures were provided by the Minister for Finance, Deputy Donohoe, in response to a parliamentary question tabled by Deputy Ó Broin in the Dáil. The response indicates that some 63 acres of land under NAMA control with the potential for 2,745 housing units have planning permission. That is a significant figure, and it is alarming to some extent, given that we have a housing crisis, but also given the role of NAMA and its connection with the State. The reply suggests that South Dublin County Council has the largest parcel of land, comprising 15 ha, enough to accommodate 817 housing units. I wish to acknowledge Deputy Ó Broin for raising this issue. He is on the housing committee with me.

NAMA controls all of this land for approximately 20,000 houses. That is really significant at a time when we have a housing crisis. However, when one drills down into the figures relating to this landbank and its potential for housing development, one sees the majority of it is located in the areas of the four Dublin councils, namely, Dublin City Council, Fingal County Council, South Dublin County Council and Dún Laoghaire-Rathdown County Council. On top of that, there is Kildare County Council and Meath County Council. It is significant. To provide some figures in this regard: Dublin City Council has 94 ha with the potential for 7,400 housing units; Fingal County Council has 136 ha of land with the potential for 4,751 residential units; Kildare County Council has 370 ha with the potential for 1,340 housing units; Dún Laoghaire-Rathdown County Council, where I live, has 7 ha with the potential for 720 housing units; and Wexford County Council has 15 ha with the potential for 436 residential units. That

is an exceptional amount of land. There are other areas too.

NAMA was created by the Government in 2009 to alleviate the pressures on Irish banks. It did this by taking €74 billion of risky property loans off the hands of the five banks, namely, AIB, Bank of Ireland, the Educational Building Society, the famous Anglo Irish Bank and Irish Nationwide. What a mess those banks left and what a legacy and difficulty the then Government had. It had no option. I am not suggesting NAMA did not do the right thing or was not the right move. It was the right move. In fairness to NAMA, it has managed its portfolio and assets on behalf of the State exceptionally well. There is sometimes a failure to acknowledge the significance of NAMA and the importance of its role. We should remember that the financial banking crisis resulted from excessive, and in many cases inappropriate, lending for the property sector. I refer to the history of the crisis within the banks. There is also their connection to the property sector, greedy and excessive development and excessive borrowing for development to make vast profits. We should now look at the assets and resources in NAMA and use these assets to address what is a national housing crisis, particularly in the Dublin region and in Kildare and Meath where there seems to be a block of this land. I am very happy the Minister of State has come to the House. I hope he will shed light on this. It is an important issue on which we and the public need to know more about.

**Minister of State at the Department of Finance (Deputy Sean Fleming):** I thank the Senator for raising this issue. The issue of housing and NAMA is always a matter for discussion and should regularly be discussed in the Seanad and Dáil Éireann. As the Senator rightly said, the taxpayer heavily invested in bailing out the banks originally. As a preamble, the five banks the Senator mentioned that were bailed out and whose commercial loans were transferred to NAMA included Anglo Irish Bank and Irish Nationwide, which were subsequently liquidated by the State and the Houses of the Oireachtas some time ago.

I want to clarify that the majority of the remaining land secured to NAMA does not have planning permission for housing and much of it is not currently suitable for residential development. It is important that the commentary regarding the amount of residential units that NAMA can deliver is fully cognisant of the factual position regarding NAMA's remaining portfolio and the restrictions under which the agency operates.

I am advised that NAMA debtors and receivers own an estimated 489 ha of land that is potentially suitable for residential development in Ireland between now and 2035. There is quite a time period involved in which all this could take place. At present, 63 ha of this land is under construction or has funding approved for construction. Of the remaining land, 63 ha have planning permission and planning applications have been lodged in respect of 26 ha. The remaining 337 ha do not yet have planning permission.

NAMA is not hoarding land. Since inception, NAMA debtors and receivers have sold or refinanced approximately 5,500 ha of residential zoned land with potential for 86,000 residential units, representing 71% of NAMA's original secured land bank. However, the majority of this land did not have zoning or planning permission for housing. Furthermore, NAMA is progressing delivery of residential units on all sites where it can, and has already facilitated the delivery of 22,500 new homes. Many of the sites in NAMA's portfolio are simply not suitable for residential development at present owing to a lack of appropriate planning, zoning or essential infrastructure and services such as roads, water, sewerage and utilities. The new taxes being introduced in the Finance Bill, which we discussed yesterday, deal with sites that have planning permission and are serviced and are capable of being built on. A site with appropriate zoning

may not have planning or services. There may be no water or sewerage services and Irish Water may not be in a position to provide them in the short term. Just because there is land in NAMA does not mean it is suitable for residential development in the short term. Some of it may never be suitable for residential development.

Of the approximately 22,000 units which NAMA has identified for residential delivery between now and 2035, there are 1,500 units under construction or with funding approved for construction and 1,200 units which have been granted planning permission for which NAMA funding is under consideration. A further 1,500 units have been granted planning permission and will be sold or refinanced by NAMA debtors. There are 3,900 units in the planning system, with planning either lodged or being prepared.

The remaining land, with long-term potential of delivering 11,700 units have infrastructural needs, such as roads, water and sewerage, which will need to be addressed by local authorities and Irish Water. Accordingly, much of the delivery potential of the remaining portfolio can only occur over the medium to long term. Recognising this, NAMA aims to advance sites through the planning system to maximise the number of sites that are ready for future development.

**Senator Victor Boyhan:** I thank the Minister of State for what was a comprehensive statement that has shone a light on many of the issues I have raised. I find it helpful. Clearly we have a housing crisis. Clearly we are not operating in a silo. We need to work together. There are challenges with land and for the 31 local authorities. There is potential for the Land Development Agency to look at some of this or to work and collaborate with people involved in this land. We must always remember what NAMA was set up for. I understand it is leveraging its assets versus available land. The Minister of State made a very valid point in summing up on Irish Water. We now see as a regular occurrence the frustration and difficulties people have in rolling out development land for housing because of Irish Water.

There are 31 local authorities. There is the Land Development Agency. There is NAMA and there is Irish Water. They are all in the mix. We should be banging their heads together and trying to realise the potential to deliver homes, be they social, affordable or shared equity. Whatever the model, we need homes for our people. I know the Minister of State is a champion of this. I thank him for his comprehensive response.

**Deputy Sean Fleming:** I thank the Senator for his remarks. It is also important to state that commercial viability is becoming more challenging for developers throughout the sector. Some sites that have planning permission in place are not viable to build on, and this is especially true for certain apartment blocks. Under NAMA's legislation, commercial viability is the most important and relevant factor for NAMA-funded residential development. This basically means that NAMA can only finance developments that are expected to yield a profit. It was given a commercial mandate by this House, this Parliament and the European Commission on the strict basis that it would be a time-limited project. This is why we were allowed to take the loans off the banks in the first place.

The Senator is aware that what are often referred to as "NAMA land" or "NAMA properties" are not owned by NAMA. NAMA owns only the loans. The Senator is fully aware of this and I do not need to point it out. Some people think NAMA owns the land and can do what it likes. It only has ownership of the loans on those sites. NAMA has been successful in achieving its mandate and ultimately it will have a commercial return of €4.2 billion for the taxpayer, together with the delivery of all of the houses. We would all love to see it done more

quickly but there are physical problems with services, infrastructure and commercial viability, and NAMA is determined to do everything it can to complete its mandate by the end of 2025, which has been approved by the European Commission.

### Agriculture Industry

**Senator Robbie Gallagher:** Ar dtús, ba mhaith liom fáilte a chur roimh an Aire go dtí an Teach agus gabhaim buíochas leis as a bheith anseo mar tá a fhios agam go bhfuil sé faoi bhrú mar go bhfuil a lán oibre le déanamh aige. The Minister is very welcome to the House this morning. The Minister knows, and he does not need me to tell him, that every farmer in the country is speaking about the price of fertiliser. It has gone through the roof. Recent figures I have seen show the price of urea has risen almost 80% in the past year. The average price of all fertilisers has risen by 72%. According to the World Bank, unfortunately, this is a trend that is set to continue. This is very bad and worrying news for the farming community. When coupled with a recent Teagasc report that predicts that farm incomes are set to decline by an average of 19% next year in all sectors, it is a worrying and troublesome time for the farming community. As we all know, what is bad news for the farmer is ultimately bad news for the consumer because the results of this will be higher food prices. This is something that affects us all.

We are told the reason for this is the increasing price of natural gas throughout Europe. Recently, I saw statistics that in the past year, the price of natural gas throughout Europe has risen by 441%. This is a crazy figure. This will be a serious problem for farmers. In the meantime, it will also be a serious problem for the importers and suppliers of fertiliser to the farmers. They will have difficulty in trying to source it. If they do source it, the cost they will incur by importing it will have serious implications for them holding this type of funding. A potential solution would have to involve the banks, as well as the farming community.

There is another solution that has been talked about, which is temporary. The EU could set aside the anti-dumping charge on fertilisers, which we import from Trinidad and Tobago, the US and Russia, and perhaps that would result in an easement as well. The Minister has been proactive in this case and he wrote to the EU some time ago looking to see what can be done. We need a short-term solution. Perhaps a more long-term solution could be found in a county such as the one in which I reside. As the Minister will be aware, County Monaghan has a strong tradition of food production the mushroom, poultry and pig sectors. The waste that those plants generate currently cost farmers between €15 and €16 per tonne to remove from their sites. Perhaps if that particular product was dried, turned into pellets and some value added then that could be the future of fertiliser not just for ourselves in this country but for export. One would imagine that option would be a much more environmentally friendly solution or substitute for fertiliser in the long run. We should explore that option and I am interested in the Minister's comments on how we can explore the possibility of using the waste while solving a problem for the farming community.

**Minister for Agriculture, Food and the Marine (Deputy Charlie McConalogue):** I thank the Senator for raising this issue. He has his finger on the pulse regarding the importance of this issue for farmers and the fact that it will be a significant issue in the year ahead. We have found that to be the case during the autumn. There is no doubt that the situation has become more acute in terms of the inflation we are seeing and, indeed, it is going to be a significant factor for 2022.

Ireland, as a member of the EU, supports an open, rules-based trading environment. However, we recognise the need to ensure that agreed trade rules are applied uniformly with full transparency to ensure that wider commercial interests are maintained, and that EU industry is not unfairly disadvantaged as a result of third-country trade practices that might distort EU internal market dynamics, particularly referring to the issue of fertiliser, fertiliser tariffs, and anti-dumping tariffs and their role in pricing. It is for that reason that the European Commission operates a comprehensive trade defence system that seeks to strike an appropriate balance between user and producer interests when there is clear evidence that trading practices in foreign jurisdictions are having a distorting effect within the Single Market.

These trade defence instruments can include the application of duties on goods. This is the case in a number of fertiliser products, specifically urea and ammonium nitrate, UAN, and ammonium nitrate, being imported into the EU from a number of third countries. Anti-dumping fixed rate duties range from €22.24 per tonne to €42.47 per tonne. These duties are imposed on UAN that originates from Russia, Trinidad and Tobago and the US. As the latest measures were imposed in 2019, no full review of these measures is expected until 2024.

Ammonium nitrate, which is a key ingredient in calcium ammonium nitrate, CAN, is one of the main types of fertiliser that are used by many Irish farmers. Anti-dumping fixed rate duties range from €28.78 per tonne to €32.71 per tonne and are imposed on products that originate from Russia. As the latest measures were imposed in 2020, no review of these measures is expected until 2025. However, as provided for in EU regulations, an interim review can be initiated once the current measures have been in place for one year.

As has been discussed in this House in the past month, it is quite clear that there has been a sharp increase in fertiliser prices over the past year, particularly in recent months as pointed out by the Senator. I am very conscious of the impact that these price increases have had at farm level. The fertiliser market is driven by global supply and demand with several factors that influence the price of fertilisers. The major driving factors for the increase in prices over the recent period has been the increase in the price of raw material and the cost of energy production. There is also protectionism by global players and issues with the supply of certain fertiliser products.

The imposition of the anti-dumping tariffs from certain third countries is an additional, albeit secondary, factor when imported into the EU from these producing countries. At the November meeting of the Agriculture and Fisheries Council, I raised the increasing challenge faced by farmers around fertiliser prices. I called on the EU Commission to consider all options to ease the pressure on farmers at this time, including the question of whether the imposition of anti-dumping duties on fertiliser imports continues to be appropriate. Indeed, I called for this matter to be examined as a priority. Last week, I wrote to the EU Commissioner for Agriculture, Mr. Janusz Wojciechowski, asking him to finalise the Commission's examination of the tariffs.

With fertiliser prices constituting such a high portion of farmers' expenditure, I am aware that the impact of rising fertiliser prices will very much have a negative effect on farmers' incomes. Ireland will remain a fertiliser price-taker in this regard as no fertilisers are manufactured in Ireland, rather fertiliser companies blend a number of imported fertiliser products into different compositions that are suitable for agricultural use in Ireland.

In line with the farm to fork strategy at European level, the climate action plan commits to a more targeted and reduced use of chemical nitrogen fertiliser over the time ahead, while main-

taining the same level of grass produced through more use of multi-species sward and clover swards, for example. I engage regularly with the farming organisations and have introduced a number of initiatives to support farmers to reduce their dependence on chemical fertiliser such as the planting of multi-species sward and introduced a support for that. Recently, I also introduced a pilot soil sampling programme. Additionally, I have asked Teagasc to develop a roadmap for farmers to reduce the use of chemical fertilisers on farms. I expect to be able to publish this report before the end of next year.

Finally, the Senator made a specific suggestion for the constituency of Cavan-Monaghan, which I will deal with in my further response.

**Senator Robbie Gallagher:** I thank the Minister for his comprehensive response. He has been on the ball on this matter, which he demonstrated when he outlined his contacts with the EU. I am sure that he understands and accepts that this is a serious matter. This is a particularly worrying time for the farming community as the price of fertiliser is rocketing. Ultimately, what is bad news for the farmer will end up being bad news for us all. The long-term strategy is to reduce the use of fertiliser and nitrates, which is important and I understand that Teagasc is working on a long-term plan. However, the most immediate problem needs an urgent response. I have every confidence in the Minister that something positive will come from his negotiations with the EU.

In conclusion, I look forward to his response to my suggestion concerning the waste generated by food production plants in County Monaghan.

**Deputy Charlie McConalogue:** The anti-dumping tariff ranges from €28 per tonne to €32 per tonne for CAN, which is now a smaller portion of the overall cost because fertiliser prices have rocketed. At the start of this year the tariff was 10% of the price but because prices have rocketed the tariff is now a smaller portion. Nonetheless, it is another cost for farmers and I am determined to address this issue at European level. At national level, we have a lot of latent capacity in how efficiently we use organic fertiliser. There is a particular supply in Cavan-Monaghan as it is a region that is at the beating heart of the poultry sector at a national level. The constituency has significant pig, dairy and other sectors. How we use that efficiently and ensure farmers seek to replace chemical fertilisers with a better use of organic fertilisers will be important and I have given the task to Teagasc. Professor Frank O'Mara and his team are doing a lot of work on how we can advise farmers to best use organic fertilisers in the time ahead, and how we can ensure that there is more collaboration between farm types so that the poultry sector, for example, can work with the livestock or tillage sectors to make the most use of such fertilisers.

The Senator used a word that is often used when talking about organic fertiliser, which is "waste". That is used in respect of the poultry sector. That has been the terminology used over the years and we must change that around so people view waste as a valuable resource. We must ensure that such waste is sought after and demanded by farmers because it is a powerful organic fertiliser, which we very much value. I want lots of progress in this area over the course of this year and next. That is a key way in which we can, hopefully, try to mitigate the very real pressure generated by chemical fertiliser prices.

Finally, I again thank the Senator for raising this matter.



*11 o'clock*

## **United Nations**

**Senator Rónán Mullen:** Cuirim fáilte roimh an Aire Stáit. The context of the matter I raise today is that Ireland pays more than €300 million per annum towards the cost of running the United Nations. Within that framework of the United Nations, special rapporteurs are regularly appointed and given a remit to examine and report on a specific human rights matter of broad concern worldwide or a matter specific to a particular country. Examples might include child poverty internationally or specific human rights abuses in a particular country or region. These rapporteurs are appointed by the UN Human Rights Council and they are usually lawyers considered to be independent human rights experts.

According to the UN Human Rights Council, these rapporteurs undertake country visits, act on individual cases of reported violations by sending communications to states, seek information, contribute to the development of international human rights standards, engage in advocacy and so on. These positions are unpaid and there are three-year mandates that can be renewed for a further three years. As of last October, there were 58 such mandates. Given the nature of this role, it is vital these rapporteurs carry out these tasks without fear or favour and are beholden to no master. That is why the positions are unpaid and there is a code of conduct that applies to special rapporteurs binding them to “objectivity and non-selectivity in the consideration of human rights issues, and the elimination of double standards and politicisation”.

The reason this objectivity is demanded is very clear and obvious. The conclusions these rapporteurs come to can have significant impacts on the position of the United Nations and the UN Human Rights Council on many controversial matters. It can have a positive and negative impact on the reputations of individual member states and their governments. There should not be any conflicts of interest, and this brings me to the matter I raise today.

Earlier this year, the European Centre for Law and Justice, ECLJ, a well-known and respected non-governmental organisation, NGO, based in Strasbourg, published a report indicating some shocking practices relating to these special rapporteurs. Much of this information was in the public domain but it was gathered by the ECLJ as part of an exhaustive research process it conducted. It found various private foundations, NGOs, state governments and private corporations are spending huge amounts to influence these special rapporteurs and, in some cases, to recruit them in the first place. There were 121 special rapporteurs appointed between 2015 and 2019 and 37 of those received payments totalling \$11 million outside any UN control from private foundations and NGOs, including the Ford Foundation, the Open Society Foundation of George Soros and other anonymous donors.

It is a matter of public record that the UN special rapporteur on extreme poverty, Mr. Philip Alston, was paid \$600,000 by the Open Society Foundation in 2018 and 2019 alone through various grants and yet only declared \$5,000 to the United Nations. An Irish lawyer, Professor Fionnuala Ní Aoláin, has held special rapporteur positions while concurrently being the chairperson of an Open Society Foundation project. There are myriad other examples in the report of the European Centre for Law and Justice, which is available on its website.

It seems there has been widespread knowledge of these practices for many years but a cul-

ture of *omerta* seems to have grown, so the publication of the report has caused some stir. The problem is this: the Open Society Foundations, the Ford Foundation and other such groups are not independent and disinterested actors when it comes to certain human rights issues. They often have very particular positions on controversial matters such as marriage rights, the right to life, assisted suicide, religious freedom, religious ethos in education, transgender rights and so on. They spend vast amounts in financing campaigns advancing those views.

Is the Government aware of the ECLJ report to which I have referred? Is it aware of the allegations made about financial influence being exerted over the holders of such positions? Has this Government made any representations in this regard? Is the Irish Government ever consulted when it is proposed to appoint an Irish citizen as a special rapporteur? What monitoring takes place within the Minister of State's Department on the operation of the United Nations Human Rights Council? The Minister of State would surely agree we should insist on proper ethical standards, given Ireland pays more than €300 million per annum towards the cost of running the UN.

**Minister of State at the Department of Foreign Affairs (Deputy Thomas Byrne):** Gabhaim buíochas leis an Seanadóir as ucht an t-ábhar seo a ardú inniu. We believe the offices of the UN special rapporteurs receive adequate funding to allow them to implement their important mandates fully and in an independent manner.

As the Senator will be well aware, respect for human rights and the promotion of human rights is, and will continue to be, a cornerstone of our foreign policy. Ireland plays an active role in promoting and protecting human rights at the United Nations, primarily through our consistent engagement in the Human Rights Council in Geneva and at the Third Committee of the General Assembly in New York but also through our membership this term of the UN Security Council.

The UN special procedures, including the special rapporteurs, independent experts and members of the working groups play a critical role in protecting and promoting human rights. They are independent human rights experts with mandates to report and advise on human rights from a thematic or country-specific perspective. The system of special procedures is a central element of the United Nations human rights machinery and covers all human rights, including civil, cultural, economic, political, and social.

The independent status of the mandate holders is crucial for them to be able to fulfil their functions in an impartial manner as guided by the code of conduct adopted by the Human Rights Council. It is a testament to the strength of civil society in Ireland that of 45 thematic and 13 country mandates, five prominent Irish experts are currently serving as special rapporteurs or working group members. These are Ms Mary Lawlor, special rapporteur on the situation of human rights defenders; Professor Fionnuala Ní Aoláin, as mentioned by the Senator, who is doing very good work as special rapporteur on the promotion and protection of human rights and fundamental freedoms while countering terrorism; Ms Siobhán Mullally, special rapporteur on trafficking in persons, especially in women and children; Mr. Gerard Quinn, special rapporteur on the rights of persons with disabilities; and Ms Anita Ramasastry, member of the working group on the issue of human rights and transnational corporations and other business enterprises.

I am conscious that the international human rights system is facing a triple threat. First, across the world we see growing evidence of conflict and abuses and violations of human rights.

In some countries we are seeing a pushback by states against the fundamental concept of universal human rights for all individuals. Second, the Covid-19 pandemic has created additional challenges and, in particular, has severely restricted the opportunities for special rapporteurs to undertake essential country visits. Third, the human rights system of the United Nations is severely underfunded, with the Office of the High Commissioner on Human Rights receiving only 3.7% of the budget we proportionately pay into that was mentioned by the Senator.

Against this background, Ireland remains committed to supporting the independent mandate of the special rapporteurs and to protecting that mandate in the face of growing pressure from those countries and organisations that would seek to reduce their influence.

**Senator Rónán Mullen:** I thank the Minister of State for his response and, of course, I agree with much of what he has said about the need for such special rapporteurs to receive adequate funding and the importance of their role. I question whether they can be as independent as he says when it is a matter of public record, for example, that the Open Society Foundation donated \$137,000 to Amnesty International to fund a pro-abortion campaign. Should we not be concerned when organisations that campaign on such issues are making huge payments to supposedly independent special rapporteurs at the UN level.

The Minister of State agrees that if he left office or the Dáil in the morning, as a matter of law now there would need to be a decontamination period before he could take up advocacy in the private sector. In a very similar way we could argue that, as occurred in the case of Professor Ní Aoláin, there should be no question of a person being concurrently a chairperson and, I presume, in the pay of an Open Society Foundation project while also supposedly acting as an independent UN special rapporteur. There is an apparent conflict of interest and the Minister of State's response to me, with all due respect to the Government, does not address it.

I am interested in finding out whether the Government knows about the ECLJ report and if there is anything in the report that worries the Government. Does the Government propose to look at it now in light of what I have brought up? Is the Government consulted when it comes to the appointment of special rapporteurs from this country? In principle, we should be very proud of that. The question is, if there is an apparent conflict of interest, whether the Government will express a view.

**Deputy Thomas Byrne:** The Senator was a special rapporteur at the Council of Europe.

**Senator Rónán Mullen:** I was a rapporteur for a report for a parliamentary assembly. It is a very different matter.

**Deputy Thomas Byrne:** It is a different forum but it is a similar matter.

**Senator Rónán Mullen:** I do not have the same code of objectivity, independence, freedom etc. from all parties. I am a parliamentarian. It is a very different matter. We are political.

**Deputy Thomas Byrne:** Absolutely.

**Senator Rónán Mullen:** An independent special rapporteur cannot be political in that way.

**Acting Chairman (Senator Lynn Boylan):** The Minister of State has the floor.

**Deputy Thomas Byrne:** The Senator's position of special rapporteur is similar, albeit in a different context.

**Senator Rónán Mullen:** I was not concurrently funded by any private body. My only salary was my parliamentarian's salary.

**Deputy Thomas Byrne:** The Senator was in that position with his own views and those of the organisations of which he is a member.

**Senator Rónán Mullen:** We are all entitled to our views but we are not entitled to conflicts of interest.

**Deputy Thomas Byrne:** I am not saying they are directly comparable and I am not accusing the Senator of conflicts of interest. To be honest, the Senator in this House has accused people of a conflict of interest and I am not clear exactly what the conflict of interest is. I do not believe he has specified it. He has made allegations that people are in the pay of some organisations while also doing the work of the UN. He has not substantiated those allegations.

**Senator Rónán Mullen:** I have; there are several matters on the public record. I mentioned Mr. Philip Alston. It is a matter of public record-----

**Deputy Thomas Byrne:** I heard the Senator mention the Soros foundation on a number of occasions.

**Senator Rónán Mullen:** He got \$600,000 from Soros and declared only \$5,000 of it to the UN. Does the Government know about that, and is it worried about it?

**Deputy Thomas Byrne:** I am very pleased and happy-----

**Acting Chairperson (Senator Lynn Boylan):** I ask both Members to respect the House. The Minister of State has the floor. Senator Mullen has had his opportunity.

**Senator Rónán Mullen:** The Minister of State is a distinguished former Member of this House-----

**Deputy Thomas Byrne:** I reject any allegation that I have disrespected the House because I spoke only when it was my turn. I thank the Chair. I am in the hands of the Chair, of course, but I found the ruling difficult.

People like the staff I mentioned are doing incredible work. They are representing our country. The person the Senator mentioned is extremely highly qualified. NGOs and private foundations can make a contribution to human rights and the Human Rights Council, but there are a small number of countries, notably the Netherlands, Germany, the United States and Ireland, that proportionately make additional unearmarked voluntary contributions to allow the special rapporteurs maintain their independence. That is because we want them to be independent.

**Senator Rónán Mullen:** Exactly.

**Deputy Thomas Byrne:** We are providing funding to make sure that is possible.

**Senator Rónán Mullen:** And not in the pay of private organisations.

**Deputy Thomas Byrne:** I have not heard a specific allegation that somebody has had a conflict of interest. I have heard it stated but, as far as I can see, there has been nothing-----

**Senator Rónán Mullen:** I gave two examples: Mr. Philip Alston and Ms Fionnuala Ní

Aoláin.

**Acting Chairperson (Senator Lynn Boylan):** I am afraid the time is up. There are to be no more interruptions as we have a schedule to keep to.

**Deputy Thomas Byrne:** This year we provided €1.965 million in unearmarked funding to the Office of the UN High Commissioner for Human Rights. Achieving the sustainable development goals in respect of protecting human rights requires collective action. To this end, we are a strong supporter of multilateralism and core flexible funding to enable our multilateral partners to plan and manage resources effectively.

In February, the Minister for Foreign Affairs, Deputy Coveney, joined an initiative led by the Netherlands calling on the UN Secretary General to ensure the UN human-rights-based approach is supported with increased financial resources. The Department of Foreign Affairs, from Dublin and through permanent missions in Geneva and New York, will continue to advocate for adequate financing and will support the independence of the special procedures system.

### **Disability Services**

**Senator Regina Doherty:** I thank the Minister of State for attending. I appreciate his time. I have submitted a Commencement matter to call for the publication of the Indecon report on disabilities. The Minister of State will be aware that I was the Minister in 2018 when the Cabinet was good enough to give the money to do the research. As with most of us, I can see daily that the social welfare supports on offer from the Department of Social Protection and various other Departments do not really cut the mustard when it comes to recognising the extra costs incurred by people with disabilities. I am pleased, therefore, that we are welcoming this morning the publication of the report late last night and the statement from the Department of Social Protection.

The aim of the report and research was to gain a better understanding of the costs faced by people with disabilities daily. It is not just a question of money, although money is incredibly important and although we need to, and be seen to, put our money where our mouth is. The additional costs are unaffordable to those with disabilities, as borne out by the research. The research shows the genuine challenges associated with independent living and the risk of high poverty and social exclusion among people with a disability who are lucky enough to be able to live independently. It shows that the increased payments, access to services and the provision of targeted grants programmes actually work, and it highlights the fact that the approach needs to be more targeted and effective. It shows the difficulties faced by people with a disability in accessing employment and the significant challenge faced by employers who are willing to take on people with a disability in ensuring the process is smooth. It also shows that additional supports are needed for those most in need. Those who have a disability face the most deprivation. We need to challenge and change our payments system and allowances to recognise that people have different kinds of disabilities and, therefore, different costs associated with living their normal lives.

We need to recognise the loss of earnings and sacrifices of families who are offering care and support. In many cases where a child is disabled, the parents have to stay at home. In a significant number of families, parents, including elderly parents, care for an adult with a disability in the home. The most important aspect of the report to me is its highlighting of the

mistakes of the past in not making every scheme, support or service the State offers central to the individuals we are here to recognise and support.

I welcome the publication of the report. I was the person who had the privilege of ensuring it would feed into the practical changes in policy associated with the commitment in the programme for Government. Therefore, I am genuinely dismayed that the report will be sent to a steering group, the national disability inclusion strategy steering group. I mean no disrespect to the Minister of State at the Department of Health, Deputy Rabbitte, who has been doing incredible and mighty work in this area for the past 18 months. The Taoiseach's office absolutely needs to take the lead and co-ordinate a coherent response across all Departments. The Taoiseach is the only person who has the power and might to make sure every single Secretary General of a Department responsible for providing disability services and every single Minister will come together under a special Cabinet sub-committee to ensure there are quarterly reports related to the recommendations in the report and that everybody will be held to account. This is not just about the Department of Social Protection although we absolutely need to see an increase in the budget next year for people with disabilities; it is also about a coherent Government response and living up to the commitment we made in the programme for Government.

**Deputy Thomas Byrne:** I thank Senator Doherty for raising this issue and for all her work on it in her previous role. The cost of disability is the extra cost faced by people with a disability in their day-to-day lives that others in society do not face. This extra cost is a direct result of the person's disability and would not arise otherwise.

Research conducted in Ireland and internationally over many years has shown that there can be significant costs associated with disability. As the Senator is aware, to gain a better understanding of these costs the Department of Social Protection commissioned Indecon to conduct an independent cost-of-disability study. The report was presented to the Cabinet and published yesterday, as the Senator has noted.

The programme for Government commits the entire Government to use the research into the cost of disability to individuals and families to properly inform the direction of future policy. The Senator mentioned the Minister of State responsible for disabilities, Deputy Rabbitte. This matter of costs and disability allowances falls under the Minister for Social Protection, Deputy Humphreys, at this juncture, but it is obviously a whole-of-government consideration. The Minister, Deputy Humphreys, apologises for not being able to be here.

This report confirms earlier studies that show that people with disabilities face significant additional living costs by comparison with people without disabilities. While some of the costs are met by the State, further improvements cannot be delivered through income supports alone and require the broader perspective the Senator spoke about. The research finds that costs vary across several dimensions, including age, the severity and nature of the disability, and household type. There is no one single or typical cost of disability but, rather, a range of costs. Indecon estimated this range, using both a costs-studies method and an equivalence approach. The cost-studies method is based on over 4,734 responses to a survey of people with disabilities. The equivalence approach applies econometric techniques to data from the annual survey of income and living conditions of the Central Statistics Office.

Indecon, using both a direct-costs approach and an income-equivalence approach, estimated that the overall average annual cost of disability in Ireland ranges from €9,482 per annum to €11,734 per annum. Additional costs of disability go across several areas of expenditure, in-

cluding: housing; equipment, aids and appliances; mobility, transport and communications; medicines; care and assistance services; and additional living expenses.

The report recommends that additional costs of disability should be based on a multifaceted approach involving increased cash payments, enhanced access to service provision, and specific targeted grant programmes. The report also recommends that disability payment levels should reflect the very different costs that arise depending on the type and severity of disability. Furthermore, the concentration of any additional supports should be targeted at those most in need and who face the greatest additional costs. The report also highlights that increasing employment opportunities for people with disabilities should be a priority.

This matter is significantly wider than the income-support system under the Minister for Social Protection, as implied by Senator Doherty, and it is clear that the solution will not be found in a specific income-support payment. The findings contained in the report have implications for many areas of public policy, including delivery of care, health, housing, education, transport and income supports. That is why the whole-of-government perspective for which the Senator has advocated is being taken on this issue.

**Senator Regina Doherty:** I welcome everything the Minister of State has said on behalf of the Minister. I know the memorandum to Cabinet yesterday only sought permission to publish the report. What we need to see now is action on the recommendations. I know from speaking to the Minister of State, Deputy Rabbitte, that she will bring the report to the steering group next week. The Minister of State, Deputy Byrne, and I both know that the might of the Taoiseach's office is needed to direct and manage the recommendations on a quarterly basis. We are one third of the way through the term of this Government already. We have a real commitment in the programme for Government to make a tangible difference in the lives of people with disabilities.

As the Cathaoirleach knows, Senators speak week-in, week-out about the conscious and unconscious biases faced by people with disabilities. We have a real opportunity to address the financial burden people with disabilities live with weekly and to recognise the extra supports that are needed. I know this will cost hundreds of millions of euro, if not €1 billion, but it is time for the Government to show the true measure of the decisions that are made and the real positive impact we can make for the tens of thousands, if not hundreds of thousands, of people and families living with a person with a disability and for the State to support them as we truly wish it to do.

**Deputy Thomas Byrne:** I thank the Senator for her comments. The Government is keen to address the concerns raised by the people who live the daily reality of disability and it will use the results of this research to inform measures to address the issue of cost. People with disabilities have widely differing needs and the extra costs of disability do not arise to the same extent in every case. Basic standard income support is unlikely to address properly the costs incurred by those most severely limited by disability. As we have said, measures should be based on a multifaceted approach. The approach taken will be the one most suitable to improving the economic and social position of people with disabilities. The Government has agreed that the national disability inclusion strategy steering group will consider it. The group is chaired by the Minister of State, Deputy Rabbitte, who has responsibility for disability across Government. Actions taken across all Departments will be monitored bi-annually through the process. The next meeting will take place on 15 December and Indecon will present the report to stakeholders.

It is important to acknowledge that the Government is already taking or has committed to take many actions under the national disability inclusion strategy, Pathways to Work, the road-map for social inclusion and Sláintecare that will improve living standards and outcomes for people with disabilities. As the Senator will probably agree, the Taoiseach has a track record of advocating for people with disabilities and getting involved in the minutiae of policy across a range of Departments, so I have no doubt he will be highly involved in this. Although the group will be chaired by the Minister of State, Deputy Rabbitte, the Taoiseach takes a very keen interest in disability issues and is keen to get results from this and the Government in that regard. The Government will continue to take positive steps to ensure people with disabilities have the opportunity and the supports necessary to play a full part in society.

*Sitting suspended at 11.23 a.m. and resumed at 11.30 a.m.*

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

**Senator Lisa Chambers:** The Order of Business is No. 1, Official Languages (Amendment) Bill 2019 - Report and Final Stages, to be taken at 1 p.m. and the proceedings thereon shall, if not previously concluded, to be brought to a conclusion at 3.30 p.m. by the putting of one question from the Chair which shall, in relation to amendments, include only those set down or accepted by the Government; No. 2, Houses of the Oireachtas Commission (Amendment) Bill 2021 - Second Stage, to be taken at 3.45 p.m. and to conclude no later than 5.15 p.m., with the time allocated to the opening remarks of the Minister not to exceed ten minutes, group spokespersons not to exceed seven minutes, all other Senators not to exceed four minutes and the Minister to be given no less than ten minutes to reply to the debate; No. 3, motion regarding the Horse and Greyhound Racing Fund Regulations 2021, to be taken at 5.30 p.m. and to conclude no later than 6.30 p.m., with the time allocated to the opening remarks of the Minister not to exceed six minutes, all other Senators not to exceed four minutes and the Minister to be given no less than six minutes to reply to the debate; and No. 88, motion 2, motion regarding the Antarctic Treaty, to be taken at 7 p.m., with the time allocated to this debate not to exceed two hours.

**Senator Fiona O'Loughlin:** I second the Order of Business as proposed by Senator Chambers. I wish to bring up a few issues today. Under the Order of Business last week, I brought up the lack of gardaí on the streets of Newbridge. Making our streets safe and secure is a huge issue around the country. When comparing three towns within the midlands; I mentioned that Portlaoise and Tullamore have 160 and 73 members of the Garda, respectively, while Newbridge has 44 gardaí, of whom ten are in a regional unit and so effectively only has 34. That is simply not good enough. Twice I have tried to put this in as a Commencement matter, and I accept the Cathaoirleach's ruling that it cannot be put in for the Minister for Justice. However, I attended a joint policing committee, JPC, meeting on Monday evening at which Garda Commissioner Drew Harris was present and while I put in that question twice, I did not get a response. My point is we must have some type of forum where we can discuss and bring up issues around Garda numbers. If we believe the people we are representing are not adequately served in terms of Garda numbers, we must have that facility. We might possibly have the Minister here to have a debate about the general issue of keeping our streets safe and secure. We



talk about it quite a bit in terms of incidents that happen and violence on our streets. If we do not have our streets lit by our local authorities, and Kildare County Council is at fault in Newbridge because some of the lighting is substandard, and if we do not have enough gardaí on the beat, there is a serious problem.

I also raise the serious lack of testing capacity at Punchestown Racecourse, which covers both north and south Kildare. For example, a parent of a child who had symptoms of Covid contacted me. She was not comfortable returning her child to school until a negative PCR test was received, which is very responsible parenting and shows thinking of everybody within the community. The parent monitored the website for a few days, waiting for an appointment, and nothing. Portlaoise was also booked up. The closest available appointment was quite a distance away, in Tullamore, a journey of more than an hour. That is a long way to bring a sick child, but also is very difficult if somebody does not have private transport. I have also heard reports of people being left queuing in the freezing cold with young children. At the end of last week, County Kildare's 14-day Covid-19 incidence rate was above the national average. The HSE needs to intervene and adequately resource our testing facilities, or possibly set up another testing facility in Newbridge in south Kildare, which is what it did before. Our testing capacity needs to be increased. We need to ensure that people who need a PCR test get one as quickly as possible.

**An Cathaoirleach:** On that Commencement matter, I regret that I had to rule it out of order. The matter you raise is valid and might also be something for the justice committee.

**Senator Joe O'Reilly:** It is very good news that the national immunisation advisory committee, NIAC, has signed off on 480,000 primary school children between the ages of five and 11 being vaccinated. This is extremely important because the key to this lies in vaccination. While most of these children would not become seriously ill, the problem with them getting Covid is that they bring it home and bring it to vulnerable adults and older relations. In some instances, they themselves would be vulnerable and in danger and of course, this also affects their teachers. It is a very important advance and the key lies in vaccination. It is important that Members welcome it. It is also important that we support all the other measures around hygiene, mask wearing etc. It is in responsible behaviour that we will solve this problem.

It would seem so far that while Storm Barra is doing significant damage, it is not of the awful proportions that might have been anticipated and that is good news. I welcome that yesterday in this Chamber the Tánaiste said that in the case of severe damage, where a business could not be covered by insurance for whatever reason, a good look would be taken at having it compensated. That is a very important piece of comfort and good news for people in that situation, and I welcome it.

Talking of Storm Barra, neatly brings me on to the question of climate change. This was a remarkable year in that we set legal limits and targets, and there will be a carbon budget in each Department. This House should have a debate soon on the minutia, the practical solutions. I wish to offer three practical solutions. As with the co-operative model of old, we should have a wind turbine in each community. Communities should be urged to do it as it would provide their own energy supply which could be fed into the grid through which they might even make money for their communities. It would introduce them to the concept of the green agenda, climate change, etc., which is important.

First-time car purchasers should get a significant reduction in VRT if they buy electric. If

they start with an electric car, they will buy into the concept and will never leave an electric car. They will also feel ownership of the climate change agenda.

Each farm in the country has a few non-arable acres not in use. That should be planted, as was the case with a little shelter belt which would be a carbon sink. We should incentivise farmers to do that as a priority. I commend those three recommendations to the House and in that context, I call for a debate on the minutia. As we have now set the targets, let us get on with doing it.

**Senator Rónán Mullen:** The concerns I had that the proposed three-year review of the 2018 abortion legislation would not be impartial have only grown since hearing what the Minister for Health had to say this morning. From the outset he continued to speak of his concern about widening access to abortion. When the official from the Department of Health spoke about the supposedly independent chair this morning, she stressed the need for a candidate with an approach of sexual and reproductive rights. This has been a consistent byword for pro-choice or pro-abortion, whichever one wishes to call it. The use by the official, Ms Luddy in this case, of that term raises concern in me and in many other people about whether there will be any independence at all.

The Government and perhaps this House might not mind being reminded that in 2018 we removed a constitutional right to life for the unborn child, but we did not create a constitutional right to abortion. The Constitution now states that “Provision may be made by law for the regulation of termination of pregnancy”. It follows from that that any independent review of the legislation should hear impartially about whether the law ought to be restricted or extended. Given the major increase in the number of abortions that have taken place since the legislation was introduced, there is a very strong case to be made for modifications of the law, for example, in the direction of precautionary pain relief for late-term abortion situations and indeed promoting alternatives to abortion.

There is no evidence that the Government has any respect for that point of view. From what was said at the committee this morning there is no evidence that it has any interest in having a genuinely independent chair. That is a disgrace and people need to raise their voices about it.

On another human rights matter, the United States and Australia are now calling for a diplomatic boycott of the Winter Olympics in Beijing. I know that our Minister will not be present, but our Government needs to be much stronger in coming out in favour of a full diplomatic boycott. That means no officials from our State turning up. It also means that the Olympic Federation of Ireland should not be represented. I do not want to deny the small number of athletes we have their chance to compete for Olympic glory, but in the circumstances they should not do so under an Irish flag. What is the Government’s position? Normally, it is happy to follow the lead of a Democratic Administration in the United States. America is leading the way on this one; will Ireland follow? Along with other Senators I wrote to the chair of the Olympic Federation of Ireland last year expressing our concern. We did not even get a response from the then chair, Sarah Keane. Will the Government show any interest in pursuing the matter further?

The *Service Central des Courses et Jeux*, which is the branch of the police in France that deals with cheating and abuses in racing and competition, recently arrested several racehorse trainers and vets. Does anything like that ever happen in Ireland? The Cathaoirleach introduced a very interesting initiative to allow the Chairs of committees to appear before this House. I ask that the Chairman of the Joint Committee on Agriculture, Food and Marine, Deputy Cahill,

would appear before us to discuss that committee's recently completed report into horse racing in Ireland. It raises issues about the need for protocols to prevent doping in horse racing but also issues about the governance of the very body responsible for integrity in the sport, the Irish Horse Racing Regulatory Board.

I am conscious that I have gone over time and I thank you for allowing me, a Chathaoirligh.

**An Cathaoirleach:** I wish to clarify for the Senator that the concept is to invite a committee Chair to appear before the House about six months after such a report is published. We would review the recommendations and invite the Chair along with the Minister to see if the recommendations have been implemented or are in the process of being implemented. We will make that request before the summer to see if those recommendations have been implemented.

**Senator Pauline O'Reilly:** I remind Senator Mullen that we already had a referendum on abortion. The people of Ireland have spoken. This is not a rerunning of a referendum which would require having somebody independent sit in the middle of the whole conversation. We are reviewing laws that have already been enacted. That is the difference.

I wish to raise the issue of animal welfare and live exports which have been raised by members of the animal welfare policy group in my own party. Significant concerns were raised this week about the *Finola M* vessel which was travelling from Ireland to Libya with livestock on board when it got caught in the middle of Storm Barra. A vessel of this size should not be travelling with livestock onboard in wind speeds greater than 6 knots. The wind speed actually got to 30 knots with waves peaking at 24 ft. with animals on board. This is of major concern. It has now docked. Having done more investigation since these reports were brought to me, I have ascertained that there was no vet on board. Vets are not on board these vessels at the moment due to the pandemic. We need to ensure that these animals have correct veterinary protection at the very least. It is outrageous to have animals on these vessels for ten days or two weeks. We need to re-examine the live exports of animals over long distances if we really value our animal husbandry.

I welcome the decision by the Minister for Education to provide €50 million on high-efficiency particulate absorbing, HEPA, filters. Last week when the Minister was in the House, I said that the report from March had indicated that many schools would benefit from HEPA filters. These filtration systems are well worth the money for the air quality they provide. Quite apart from us being in the middle of a pandemic, they help those with asthma. I welcome that the Minister has taken on board the concerns of teachers and parents about mask wearing. My concern was that a small child does not always make decisions. We need to ensure they are getting access to an education irrespective of whether their parents are for or against mask wearing. We need to convey the message that vaccination and mask wearing are all good things, but let us also ensure that every child gets an education.

**Senator Niall Ó Donnghaile:** I commend and thank the front-line workers in the emergency services and across statutory agencies who have been out during Storm Barra and no doubt will be out again, unfortunately, over the rest of the winter dealing with adverse weather events. While acknowledging and thanking them for their work is important, we might give some thought across the Chamber to how we might do an item of work that would support those on the front line. The past few days have highlighted the issues Senator Craughwell, in particular, has brought to the attention of the Chamber in recent weeks and months concerning our emergency services.

A draft housing supply strategy was announced by the Minister with responsibility for housing in the North, Deirdre Hargey. Under that strategy it is planned to more than 100,000 homes over the next 15 years, of which at least one third will be social homes. It is planned that high-quality social and affordable homes for families and workers will be built in record-breaking numbers. We, as Members of the Seanad, should call for Ministers, North and South, to engage through the North-South Ministerial Council to learn about best practice and how to effectively deal with the housing crisis.

The Minister for Further and Higher Education, Innovation and Science, Deputy Harris, was in Derry last week for a series of engagements on North-South co-operation in the field of further and higher education and third-level education. It is an important area of work that often gets overlooked in terms of its development. It was encouraging to hear that from the Minister and the Government. I would welcome the opportunity early in the new year to have statements on cross-Border co-operation on third-level education with the Minister in attendance in order that he can update the House on that.

I am glad the Deputy Leader is occupying that chair this morning and I am sure she will agree to what I am requesting and will do her best to facilitate it. As we approach the conclusion of the work of the Seanad Special Select Committee on the Withdrawal of the UK from the EU, I would like us to have an opportunity early in the new year, similar to that which we had with respect to the interim report, to engage and have statements on that committee's work on the report and to have the Minister in attendance. While what will be will be in terms of the committee, we should ensure particular emphasis is given to the issue of Brexit in this Chamber and we keep a watching brief on that issue. The Minister has been very good in facilitating our requests for statements. In the context of everything else that is going on, we should ensure we do not take our eye off the ball on this issue. I know the chair of our committee, the Deputy Leader, will work hard to endeavour to ensure that happens.

**Senator Rebecca Moynihan:** Like Senator O'Reilly, I would like to remind Senator Mullen we had a referendum and its outcome very clearly showed the women and people of Ireland wanted people to have access to have safe, legal, local abortion in Ireland. I was disappointed that in the discussion at the Joint Committee on Health today the Minister indicated the policy of the Act would not be reviewed only the operations of the Act. The operations of abortion rights are always contested worldwide. I certainly do not think the women of Ireland will be happy that women are being left behind. We fought for the rights of women in the North and will continue to fight for them and for the women who are travelling and being left behind by the operation of the Health (Regulation of Termination of Pregnancy) Act 2018. People will not be happy that the review will be simply limited to the operations of the Act.

I want to raise with the Deputy Leader the issue of a housing co-operative and housing supply in Dún Laoghaire. Last week, councillors in Dún Laoghaire got word that a contractor has pulled out of a contract to build 42 houses. Under the model of housing co-operatives, eight people were due to buy those houses as well as a housing association, Co-Operative Housing Ireland, which is taking over the other units. It is very disappointing at this late stage when the contractor was meant to be turning sod and to be on-site before Christmas that it has pulled out. This is a problem. It is important to have a debate on housing. Targets are set in Rebuilding Ireland. If we cannot get a contractor to build a simple development of 42 housing units in Dún Laoghaire that has been planned and worked on for three years, I do not know how the housing targets that have been set to address our housing crisis will be met.

I want to raise an local issue. Over the weekend the Dublin Flea Market announced it was closing and ceasing operations. I have known about this for a number of months having worked with those involved in it alongside Councillor Claire Byrne to try to find a place for it operate, but it is still very disappointing. Not only did the flea market have a place for Dubliners to come and pull together, it provided an essential microenterprise space for people to chance their arm and set up a business. Many successful businesses have grown from the flea market. As somebody who comes from Newmarket in Dublin 8 and attended the flea market for many years from when it first started in the depths of the recession, it is very disappointing we could not find a solution and a space for it. The loss of market spaces to the city is great. I particularly want to mention Sharon Greene who was driving force behind it. I express my thanks to Sharon, Aisling, Luca and Dave for all they created in the ten years we have had the Dublin Flea Market.

**Senator Ollie Crowe:** I very much welcome the approval by An Bord Pleanála yesterday for the Galway city outer ring road. This has been long promised for Galway, going back decades at this stage. It is frightening that every other city, Cork, Limerick, Waterford, Dublin and smaller areas and towns have developed their road network, yet we have been left in the ha'penny place. Traffic is such an issue in Galway city that when representatives of American and European companies have come to invest in the city they have opted to establish their companies in Limerick or Cork, mainly due to the traffic congestion. That is a fact. The lack of a bypass has damaged the local economy significantly. As a public representative I would have no problem in promoting in public transport and cycling, but Galway city's population will increase to 130,000 by 2040. Our road network is incapable of handling the current volume of traffic not to mention when the population growth will be taken into account. That has shown to be the case during the past 20 years. Galway's current poor road infrastructure is a disservice to the people of the region, a major threat to the regional economy and it is a considerable risk to the future development of the capital of the west, as the Deputy Leader will know the city. Not alone does it not serve Galway city it does not serve the 40,000 people based in Connemara. The road is part of the programme for Government. I have discussed it with the Taoiseach on numerous occasions. I look forward to the Government advancing the project as soon as possible with urgency.

**Senator Seán Kyne:** I, too, welcome the decision of An Bord Pleanála yesterday on the Galway city ring road. It has been a long time in the offing, along with its predecessor, the Galway city outer bypass, on which considerable preparatory work has been done by engineers from the Arup Group, which have been tasked with this project, and all the county council officials, with the council being the lead agency on behalf of both Galway city and county. The ring road is pivotal. I made a submission to the oral hearing at the time. In August 2020, I wrote to An Bord Pleanála asking it to re-establish the oral hearing in order to conclude it, it having been suspended due to the Covid-19 pandemic. Thankfully, it did that and the oral hearing was concluded towards the end of 2020. The ring road is vital to the long-term infrastructural needs of the city and county, for proper growth and development of the city and county, for access to Connemara and tourism, and to increase the potential of companies to set up and establish in Galway city. If CEOs of multinationals arrive into Dublin Airport, Shannon Airport or Ireland West Airport Knock, get to the outskirts of Galway city and then spend an hour travelling to the city before they get to parts of Connemara, how can we expect them to establish in the city? This is a momentous decision for Galway as the regional capital of the west. I hope the Government will pursue and conclude this project and bring it to construction. The previous Fine Gael-Independent Government agreed this at Cabinet in October 2018. Some €588 million was committed to it at that stage. I hope and expect this Government will not be found wanting in

progressing this plan. The Tánaiste, who is a former Minister for Transport, is fully supportive of this project, as he has indicated to me on numerous occasions. I hope to see good progress on this vital project for the city and county.

*12 o'clock*

**Senator Sharon Keogan:** I would also like to talk about the health committee and the Minister for Health commencing phase 1 of the review of the Health (Regulation of Termination of Pregnancy) Act 2018. I find it slightly ironic that Senator Pauline O'Reilly talked about animal welfare straight after talking about abortion and had no thought for the welfare of the unborn. There are legitimate concerns that the Government's three-year review of the new abortion laws will be a missed opportunity. To date, the Minister for Health has met only with abortion-supporting groups about the process. The public are entitled to better than a pretend public consultation process that has all the appearance of listening to people's concerns but is nothing more than a public relations exercise with a prearranged outcome. The Minister must demonstrate by his actions that he is not listening just to one side of the debate. The three-year review must look at Ireland's spiralling abortion rate as a priority and at other troubling effects of the new law such as the fact that no protocols are in place on how to care for babies who survive late-term abortions. In the first two years of the new law coming into effect in 2019, 13,243 abortions took place. That is a massive 70% increase in the number of abortions in two years. The Government's three-year review is an opportunity to scrutinise what has happened and ask some really hard questions about the new law and the changes that are needed. The recent finding by Amárach Research that 89% of the public support women being offered information about alternatives before proceeding with an abortion is welcome. Another important finding from the recently published Amárach poll is that 77% of the public support an amendment to the abortion law to ensure that babies who survive late-term abortions are given medical and palliative care and not left to die alone. The Government has already acknowledged that it is aware of the UCC study that pointed to the fact that babies have survived the abortion procedure under the new law and have been left to die unaided. One in three people voted for abortion in 2018. The recent Amárach polls show that the overwhelming majority of the public backs proposals to be put forward by the pro-life movement as part of the three-year review. The Government needs to acknowledge this support and invite pro-life representatives into the decision-making process rather than shutting them out, as is currently the case. I hope the chair who will be appointed next year will take pro-life views into consideration.

**Senator Eugene Murphy:** I wish to return to an issue on which my colleague, Senator Gallagher, had a Commencement matter this morning, for which the Minister for Agriculture, Food and the Marine, Deputy McConalogue, was in the House. I compliment the Minister, who has been doing a lot of work on this. I refer to the spiralling cost of fertiliser for farmers. While we all want to promote organic fertilisers and ensure we do all this type of work in a more environmentally friendly way, the fact is that farmers cannot produce food without using some nitrogen. I do not know how many people are aware of this, but most fertilisers farmers use have doubled in price since last year, mainly due to global gas prices, which is outside our control. Two of the fertilisers farmers use a lot are calcium ammonium nitrate, CAN, which contains 27% nitrogen, and urea. Both those fertilisers have doubled in price. It is just not possible for many farmers to purchase fertilisers any more. If you take into consideration the fact that 60% of grass growth occurs before the month of May, you can see that the time span here is very short. There is one thing that can be done. There are tariffs on fertilisers imported from outside the EU. We have been looking - I know the Minister has been looking at this as well -

at getting those tariffs reduced if at all possible, even for a short period, in order to bring down the price of fertilisers. If the farmers cannot produce the food, in a very short space of time we could find ourselves having food shortages. It is an urgent issue and I ask that the Deputy Leader again contact the Minister expressing my views. I am sure I will have the support of the House on the matter.

**Senator Tim Lombard:** I wish to raise the issue of the storm that hit west Cork and southern Ireland in particular yesterday. I think it is moving northwards now. It did significant damage in many ways to roads and other infrastructure. The town of Bantry got flooded again. It is the fourth time it has been flooded in the past 18 months. It was a significant flood. Damage to local property was limited because of the good work of Cork County Council. Having the flood relief scheme in Bantry brought forward is a massive issue for the town. You cannot realistically have viable, thriving trade if the town will be flooded continuously. Four floods in 18 months is unbelievable. Having talked to the traders this morning, I understand they have never seen such a prolonged flood in the history of the town. We have a huge issue in making sure that infrastructure and towns such as Bantry will be protected from storms coming in.

A debate is required with the Minister of State with responsibility for the OPW about how he hopes to progress these schemes. They are very important. Flood defence schemes in particular need to be progressed. We have seen changes in weather patterns and storms come in regularly. Unless we bring forward and streamline these proposals, towns such as Bantry will still be flooded every time a southwesterly gale comes in with a storm. It was unfair on the entire peninsula and the entire community that one of the major towns, if not the biggest town, of that part of the world was totally closed up yesterday because of a flood. This has a huge impact on the entire business community and on society itself. We therefore need an urgent debate in these Houses about how we can fast-track these projects. We cannot have them held up for decades because of planning issues. A debate with the Minister of State with responsibility for this issue would be very important.

**Senator Paul Gavan:** I have to raise the issue of University Hospital Limerick once again, regrettably. The number on trolleys in the hospital yesterday was 83; on Monday it was 82. Some 3,500 people have been treated on trolleys in the hospital in the past three months alone. A 96-bed unit is planned. From a meeting on Friday, I gather that a tender for that is still open and that the earliest - it is a very optimistic "earliest" - that that 96-bed unit will be ready is July 2023. What are the people of Limerick expected to do in the meantime? This crisis at University Hospital Limerick has been with us for over a decade. It has got progressively worse year after year. I am calling for an urgent debate and an intervention by the Government. There is something fundamentally wrong when things continue to get worse and worse at this hospital. The morale of staff is at an all-time low. People dread the prospect of having to go into the hospital. The chaos there should be thought of in the context of the Omicron variant, God forbid, because we know that the number of Omicron cases is doubling in Britain every day. How on earth is University Hospital Limerick supposed to cope when it has people crowded in hallways day after day, week after week? This has been an ongoing failure - it is Government failure, let me be clear - for over a decade, and something fundamental has to change. In the previous Seanad I called for a ministerial intervention to see what else could be done because right now nothing is being done for people in Limerick. We have the prospect, God forbid, of a really challenging January. The numbers get worse week on week, month on month, and there is no plan that will work that is in place, which is not good enough. We need to see a step change, and it has to come from the Government, to challenge the ongoing crisis in University Hospital

Limerick. The people of Limerick have suffered enough. I will finish with the question I asked earlier. What are the people of Limerick expected to do until 2023? By the way, that 96-bed unit represents only 48 new beds. The others are replacement beds. That is only a quarter of what we need. University Hospital Limerick is 200 beds short. After all this investment, we will still be three quarters short of where we need to be. It is a disgraceful record for this Government and preceding Governments.

**Senator Mary Fitzpatrick:** I welcome the announcement of the completion of the review of the national childcare scheme by the Minister with responsibility for children. Particularly welcome is the Government's decision to adopt a number of the recommendations, specifically to ensure an additional €270 million in funding is provided for childcare services, which money will be used to control fees which for many families are a second mortgage and a barrier to paid employment for parents; to improve pay and conditions for workers, which is very important because these workers look after our youngest citizens and provide incredible care; and, most important, to provide dedicated funding for children who are in disadvantaged situations and to ensure the universality of childcare. I thank all the NGOs and childcare providers who engaged, especially in my own constituency. I refer to the inner city co-op and the childcare providers from the inner city, the northside and the southside of Dublin who engaged with the Minister and me in that review. I look forward to the details of it being made available.

I welcome the decision by Government to approve the preliminary business case for expansion of the DART+ project. This is a very important project for reaching our carbon neutrality target by 2050 but also for improving people's quality of life in the city. Some €1 billion has been committed to it and it promises to double capacity on the DART network. The first phase of that is the electrification of the Maynooth line, within my own constituency, which runs from Connolly Station. There is a very important facility on that line, the Ashtown stables. I have raised this previously. It is imperative the National Transport Authority, NTA, deal with the Ashtown stables prior to making the railway order. I ask the Leader to write to the NTA and ask it to do that.

**Senator Jerry Buttimer:** I join colleagues in commending our front-line workers who worked so tirelessly yesterday to keep us all safe. I say "míle buíochas" to them. I agree with Senator Lombard that there is a need for the Office of Public Works, OPW, to expedite flood defence schemes across Cork as a matter of urgency. I exhort the OPW and the Minister of State, Deputy O'Donovan, to get on with the work. Let us make sure we do not have any more conundrums about flooding and fear, in Cork city in particular.

The Deputy Leader and I served on the Committee on the Eighth Amendment of the Constitution. I ask that we have a debate in this House on the review of the health Act of 2018. As somebody who is coming from a different vantage point from Senators Keogan and Mullen, I agree there is a need for a fair and balanced debate in the review. It is important we have that debate, recognising that the country has made a democratic decision but that as legislators we also have to uphold our side of the bargain.

I ask for the Minister for Health to come to the House and that we have a debate on our vaccination programme. I do so acknowledging we have a very successful vaccination programme, through which a million people have had their third shot or booster. It is inexcusable and unconscionable that people would not turn up for a vaccine and they should inform HSE personnel as to why they do not come, if they are not coming. There is also a need for members of An Garda Síochána to be prioritised in that vaccination programme. They are front-line



workers at the coalface, with high visibility in our high streets and on our roads in advance of Christmas. I ask that we have a debate on the vaccination programme. I am conscious that the national immunisation advisory committee, NIAC, today has made a recommendation on the vaccination programme. We should debate it in this House.

**Senator Annie Hoey:** I refer to the Fórsa campaign. There was a briefing in the past hour. I would say it is hot off the presses but, alas, the campaign is about an ongoing issue. It is the Respect for SNAs campaign, which aims to highlight the value and role of special needs assistants. This is following up on the Department of Education's refusal of a new union claim for a new minimum qualification for SNAs. This has not been altered since the introduction of the childcare assistance scheme in 1979.

The campaign is to gain recognition and respect for the role of SNAs by establishing a qualification for new entrants to the job that reflects the complexities of the role. The Department has not committed to any timescale yet, nor does it accept that a level 6 qualification is desirable, preferring instead to leave the decision to individual schools. This puts Ireland out of step with international standards for the qualifications required from an SNA. I do not even need to go into some of the work SNAs do, such as PEG feeding, hoisting, taking an enormous amount of care, and sometimes facing abuse, aggression or frustration. Sometimes they are just a safety blanket for kids. These points were all read out at the briefing today.

I ask that Members support the Respect for SNAs campaign and take it back to their political parties. It is important we all have awareness of the complex role of SNAs in supporting students and that we encourage people to engage and learn about the work of SNAs. I reiterate my own support for the Respect for SNAs campaign. I will be writing to the Minister, Deputy Foley on this. I would certainly like to see support from this House for the campaign. I encourage Senators to read up on it and learn about it.

**Senator Niall Blaney:** I wish to discuss the railway strategic review which is now under way. It was announced by the Ministers, Nichola Mallon, MLA, and Deputy Eamon Ryan on 29 November. I did not speak on it last week because of the whole mica situation. I did not want to blur the lines. I very much want to emphasise that this review is now taking place. I thank the two Ministers for the input they have had and wish to put on record some of the conditions they have set in respect of the review. The press release states that the strategic review of the rail network on the island of Ireland will examine improving sustainable connectivity to the major cities, enhancing regional accessibility, including the north west, which is very significant for us in the north west, and supporting balanced regional development while considering the potential to increase rail freight. The strategic rail review reflects an Irish Government commitment under the New Decade, New Approach agreement. It also recognises the will and input of the shared island unit and the Taoiseach's desire to have rail connectivity in the north west.

When I say the north west I am talking to those who are involved in that north west city status area of Donegal, Tyrone and Derry. I am asking them to take the time to look up the site for the rail review at *strategicrailreview.com*. Submissions have to be in by 21 January. This is for the first time providing a real opportunity for the people of all the north west to bring back rail connectivity with the potential for speed rail between Derry and Belfast. It is a great opportunity for an area that has lost rail since the middle of the last century. I ask communities, business people and individuals to make their submissions and help get this off the ground.

**Senator Garret Ahearn:** I welcome the announcement made a few minutes ago by the Minister, Deputy Catherine Martin, about a €50 million tourism business continuity programme, which is to help tourism businesses throughout 2022. The programme is going to support strategic tourism, transport businesses, Irish-based inbound agents, attractions and activity providers, and tourism accommodation providers. It will build on a five-phase €55 million tourism business continuity scheme that was administered by Fáilte Ireland in 2021 and will be again next year. This is a very significant scheme for all of those businesses that have been impacted by the travel restrictions.

Yesterday when the Tánaiste was in the Chamber, I was contacted by numerous businesses across Tipperary. I brought the suggestion to the floor yesterday when the Tánaiste was here that we should reintroduce this scheme which was very successful in 2021. The businesses in Tipperary I have been speaking to have lost over 90% of their business in 2021. All the calls they are receiving now over recent weeks, since the decisions we have made in terms of travel restrictions, have been about cancellations and tours that are going to be cancelled. The restrictions we have made on hospitality have an end date of 9 January, which we hope will be met. However, I refer to the tourism sector, inbound tourism and operators who work on the basis of that. There is no end date whatsoever. They have no idea when this will end. There was an air of confidence in September and October that next year, 2022, was going to be a good year for tourism, but that is completely gone now. It is very important that the Government acts quickly to help the sector get over 2022. All of the measures, including this €50 million for tourism, are about helping that sector to survive, whether it is small businesses in Cahir or Clonmel, or right across the State.

**Senator Maria Byrne:** I wish to raise two issues. The Minister, Deputy Eamon Ryan, confirmed after the Cabinet that a €36 million investment will be available to Shannon and Cork airports. A review brought to Cabinet showed that passenger numbers at Shannon Airport were down 1.5 million to just over 300,000. I understand that this money will be for security and sustainability. This is important for the development of the regions. Shannon Airport means so much to the mid-west region, to businesses and to people who want ease of access using flights from Shannon Airport. I welcome that this money is available to regional airports today.

I read with interest a report where front-line workers are being abused by members of the public when they are asked to put on a mask. I understand that people are frustrated, but our front-line workers and those working in the hospitality industry and the retail grocery industry are there to provide a service. People need to have a bit of respect towards workers because they are there to do their job and they must follow the guidelines in front of them. It is incumbent on us to get the message out there that people need to have respect for their fellow citizens. After all, they are there to do their job. This is very important.

**Senator Lisa Chambers:** I thank all Members for the contributions on the Order of Business. Senator O'Loughlin kicked off today's Order of Business and raised once again the issue of Garda numbers in Kildare compared with areas of similar population size in the State. I note that the Senator has expressed frustration that she has no forum in which to raise this matter. I understand that the Cathaoirleach has attempted to facilitate that. It is only right and proper that the Senator has a forum to raise those issues, which she said again this morning. Senator O'Loughlin also spoke about testing capacity and in particular PCR testing for the community that she represents.

Senator Joe O'Reilly welcomed the NIAC approval for vaccines for 5- to 11-year-olds. The

Senator reiterated his belief that vaccines are one of the major tools and the key to fighting this pandemic. The Senator also spoke about climate and made three specific suggestions, which are proposed practical solutions for how we can bring the community on board. The Senator suggested: wind turbines in every local community that would be owned by the community; a reduction in vehicle registration tax for first-time electric vehicle purchasers; and an incentive for farmers to create carbon sinks on their land. The Senator has requested a debate in the Seanad around those types of practical solutions for the climate agenda.

Senator Mullen raised the issue of the review of the Health (Regulation of Termination of Pregnancy) Act, as did Senator Keogan and others. We obviously come from very different places on this issue but I will also always defend the Senators' right, and the right of others, to have their views heard and properly listened to and respected. I do so because we want the same in return on other issues. It is an important part of the democratic process. I am very conscious that it may be decades down the line when we revisit this again in the same way, but things could also turn around. I am very conscious that we should always be respectful. I take on board the Senator's comments on the need for the review to be impartial and objective. I want that too. I want it to be a legitimate review that has credibility, which is very important. I take on board the comments of the Senator about the chair and for that person to be somebody who is respected by all sides. This is such a contentious issue that I do not believe everybody will ever be happy, no matter what way it is done. To have legitimacy and credibility, every effort must be made to ensure that all views are respected and heard. While the Senator may not agree, I believe we tried to do the best we could at the Oireachtas Committee on the Eighth Amendment of the Constitution, which at times was contested heavily. The committee held some very strong debates.

Senator Mullen also raised the prospect of a diplomatic boycott of the Beijing Olympics and that the United States of America and Australia have already moved to do so. My personal view is that we should do so. I believe that the vast majority of Members of this House would agree with that. Certainly, this is a message we should send from those in agreement in this Chamber, to the powers that be, that this would happen. I note that our Minister of State with responsibility for sport, Deputy Chambers, will not be attending, nor will his officials. That is not in any way to cast aspersions on any of the athletes competing. That is separate issue. Of course we want our athletes to have the opportunity to compete at the highest levels.

Senator Mullen also raised the issue of cheating in horse racing. I share the Senator's concerns. It is a huge industry here and we are aware that a lot of money is involved. Because of this, there are many interested stakeholders when it comes to that issue. It is important however, that we ask the tough questions. If certain practices are happening in other countries, we need to make sure they are not happening in Ireland. It is possible, of course, but we just do not know. I do not know the answers to all of that. It is an interesting request to invite the committee chairperson here but as the Cathaoirleach has pointed out, it is not quite in line with our process around inviting chairpersons to the House. It is open to any Member of this House to attend the Oireachtas Joint Committee on Agriculture, Food and Marine to ask those questions directly to the chairman, Deputy Jackie Cahill. I am sure he would facilitate that.

Senator Pauline O'Reilly raised the issue of live exports and the transportation of livestock to locations that would be considered long distance. She particularly referenced the *Finola M* vessel. The Senator painted a harrowing picture. I am not sure what I can offer the Senator in terms of information. It must have been a very distressing journey for those animals to travel those distances in those conditions with no vet on board. Assuming that what the Senator has

put on the record of the House is accurate and correct, I would share concerns for those animals and their welfare, and the fact that there was no veterinary support on the vessel. One must ask if the persons involved in that type of transportation, and particularly in that situation, have an appropriate level of concern for the animals? Many people would feel that is not the case. While there is big money in live exports, animal welfare should always be the top priority when we engage in this type of trade. Senator Pauline O'Reilly also welcomed the announcement by the Minister for Education, Deputy Foley, of the €50 million for HEPA filters.

Senator Ó Donnghaile spoke on a number of issues. The Senator spoke on the housing supply strategy, which was published in Northern Ireland this morning, and the commitment to build one third of social homes out of 100,000 units. This sounds very ambitious and I wish them well. The Senator also spoke of the need to have better cross-Border engagement through the North-South Ministerial Council on the issue of housing. If we can learn best practice and get advice and tips from each other, then why would we not do that? That is a fair suggestion. Senator Ó Donnghaile also referred to the recent visit to Derry by the Minister for Further and Higher Education, Research, Innovation and Science, Deputy Harris. The Senator asked for a debate on cross-Border education in the space of higher education.

Senator Ó Donnghaile also raised the imminent publication of the final report of the Seanad Special Select Committee on the Withdrawal of the UK from the EU, of which I am the Chairperson. Senator Ó Donnghaile is a member of that committee, as are a number of our Seanad colleagues. We will publish our final report tomorrow. It will be a virtual report and all Members are welcome to attend at 12 noon tomorrow. I thank all of the Senators for their work. I give the Senator a commitment that of course we will have a debate on the report. It will not be possible to do this before the end of this term, because we only have next week. At the earliest opportunity in the new term we will have a debate on the report as published. Six months following publication, as we have decided, we will invite the Minister back to the Chamber to give an update to the House on how the recommendations in the report are being implemented.

Senator Moynihan expressed her view on the review of the Health (Regulation of Termination of Pregnancy) Act and to express her commitment to safe, legal access for all women in the State. The Senator also expressed her disappointment that the review of the Act is simply on the operation of the Act and not the policy within the Act.

Senator Moynihan also spoke about a specific issue regarding Dún Laoghaire and a housing co-operative where the contractor has pulled out. I do not have the full details on that issue but I note the Senator's comments. The Senator also spoke about the Dublin Flea Market, which has not been able to find a home. Senator Moynihan is a Dubliner and I can understand how upsetting it is for people in the locality to lose that. It has been in Dublin for so many years. It is a shame that it was not facilitated in continuing.

Senator Crowe rose to welcome, finally, the approval by An Bord Pleanála of the Galway city outer ring road, as did Senator Kyne. I can say, with first-hand experience, having lived in Galway for many years, how terrible and bad the traffic is there. I would even go as far as saying that it is worse than Cork. The traffic in Galway has gone beyond that; it is terrible. The city is choked and people cannot get or out of it. We know, from dealing with the business community in the western region, of the problems. Business owners, particularly those who are located in the business parks around the edge of Galway city, are telling us that they cannot expand, get staff or take on new contracts. It is having a devastating impact on the city's growth and potential for new jobs and attracting forward inward investment. The approval is really

welcome. Getting the planning was the first step; now it has to be built. It is a little way off, but there is funding there to do it. It is a positive day for the city. I recall, even going back ten years, that there was talk of different environmental concerns. The difficulty was that although people agreed with addressing the environmental issues, no progress was made. It has taken far too long to get to this point, but it is a welcome day for people living in Galway and for those who travel to Galway for work, as many in people in Mayo, Roscommon, Clare and the surrounding counties do.

Senator Keogan raised the review of abortion legislation announced by the Minister for Health. The Senator made some comments that I feel are appropriate to address directly. She said that it the review is a pretend public consultation process. I must reject that comment. She said that the outcome is prearranged. Again, I reject that assertion. It is not prearranged. She stated that there have been more than 13,000 abortions in the past two years, representing a 70% increase. She has probably not taken into account the fact that many of those women travelled to undergo abortions. Those abortions happened, but happened in a different jurisdiction, that being the point.

**Senator Paul Gavan:** Well said.

**Senator Lisa Chambers:** The Senator also said that a third of people voted for abortion. Actually, more than 66% of our citizens voted to remove the eighth amendment. That is the factual position. That amounts to two thirds of the country. However, I agree with the Senator that the views of people with a pro-life position need to be facilitated, should be given a space to be articulated and should be respected. We must do everything that we can to ensure that the review is done in a respectful and balanced way, and that it is credible and legitimate. I agree with her on that point.

Senator Murphy raised the increased cost of fertilisers for farmers. He put some stark figures on the record of the House regarding a doubling of the price of some of those fertilisers. Farmers have had a very difficult period. They are trying to adjust to the climate agenda and they are doing a good job on that front. They have also been dealing with very volatile weather conditions in the past number of years, which has made things more difficult, and now they are facing this price increase. It is certainly something for the Joint Oireachtas Committee on Agriculture, Food and the Marine to take on board. Perhaps it can do more detailed work on the issue on behalf of the farming community.

Senator Lombard referred to planning issues and the fast-tracking of particular projects. In particular, he raised the issue of the flooding scheme for Bantry. There have been four floods in that area in the past 18 months, which is a lot for any community to cope with. I agree with his comments. The Taoiseach has announced a complete overhaul and review of the planning process. He is due to receive a report on it before the end of next year. It is a huge undertaking and has never been done. The idea and the aim of the review is to try to speed up the planning applications and processes to deliver those flooding schemes and other schemes for communities such as those in Bantry.

Senator Gavan once again raised the issue of University Hospital Limerick and the difficult situation that patients face there. The numbers on trolleys are far greater than they should be. We should not have anybody on trolleys. It might happen in the case of one or two people, but anything in excess of 80 or 90 on a daily basis is a huge number. I extend my support and solidarity to the staff working in the hospital, in particular. It must be so difficult for them. I

welcome that there has been investment to try to deliver the 96-bed unit and other supports. However, I appreciate that it has not alleviated the issues there at the moment. It is a significant investment. I am not going to comment in great detail on the issue because I am not a public representative for the area. Senator Gavan and others have far more knowledge of the issue. We must consider step-down facilities, home care packages, the fair deal scheme and all the factors that cause people to take up beds in hospitals. If we can get people out sooner, it should help alleviate the problem. I agree that something has to be done urgently. I think 2023 is a long time to ask people to wait for the issue to be resolved.

Senator Fitzpatrick welcomed the national childcare scheme announced by the Minister for Children, Equality, Disability, Integration and Youth yesterday. It was a significant announcement. We have been talking about this for a long time. As I said yesterday, it is a start and a plan. Now we need to deliver it. We need to deliver a reduction in fees for parents, better pay and conditions for the workers and to ensure access is universal. The childcare fees that parents are paying currently are unsustainable. As the Senator pointed out, the fees are a barrier to people, predominantly women, from entering the workplace and getting back to work. They cannot afford to go back to work, which should never be the case. She also welcomed the acceptance of preliminary business case for the DART+ programme to extend greater commuter services in those areas.

Senator Buttimer requested a debate on the review of the Health (Regulation of Termination of Pregnancy) Act 2018. I agree with that. We hope to have a debate on the issue in the Chamber at the earliest opportunity. It is unlikely to happen before the end of term because we only have next week. Similarly, I am not sure we can deliver on the Senator's request to get the Minister in to the House by next week, but we can try. It could be early next year. The vaccination programme will continue well into next year. That will give us an opportunity to see how the winter goes, have that debate with the Minister and get an update for the House. We will certainly have a debate on the review of the Health (Regulation of Termination of Pregnancy) Act 2018.

Senator Hoey alerted Members to the Fórsa Respect for SNAs campaign. SNAs are seeking recognition of their qualifications, a minimum qualification standard, a recognition of the work they do and also the level of responsibility attached to the work they do. I agree with her comments on the work SNAs do, the variety of work they do and the responsibility they have to deal with on a daily basis. Every child's needs are so different. We ask a lot of our SNAs. They are not getting the respect that they need and the acknowledgement of the work that they do currently. We previously addressed issues around childcare workers. We now know that the correct term for them is "early years educators". We must carry out a similar campaign for SNAs. We must ensure that they are given the respect that they deserve.

Senator Blaney raised the issue of the railway strategic review announced by the Minister for Transport and the Northern Ireland Minister for Infrastructure in recent days. He highlighted the role that the shared island unit plays in connecting the island and made a call to those in the north west, in particular, in counties Donegal, Tyrone and Derry, to engage with the railway strategic review. Connection on the island is most important. The review will examine other rail connections throughout the country and the western rail corridor will be part of that.

Senator Ahearn welcomed the €15 million in funding announced by the Minister for Tourism, Culture, Arts, Gaeltacht, Sport and Media for the tourism business continuity programme. The Senator is correct that it is effectively a pre-emptive strike in acknowledgement that 2022

is probably not going to be year that we had hoped it would be for the tourism sector and for all those small businesses that sustain communities throughout the country. I think of my own county of Mayo. Many tourism businesses are finding it difficult and are not feeling as positive about next year. However, domestic tourism has been good in many of those areas. The extra boost, which is a significant sum, will go a long way towards helping those businesses survive next year and ensuring that they are around and can continue to create and maintain employment in those communities.

Senator Malcolm Byrne concluded by welcoming the €36 million in the regional airports funding for Shannon and Cork airports. He placed on the record of the House some stark figures, including a reduction in passenger numbers at Shannon Airport, which I was not aware of, from 1.5 million to 300,000. That is a huge drop in numbers for the airport. Of course, Shannon Airport is hugely important to the strategic development of the mid-west and to all the counties feeding into that. I hope that that money will go a long way towards maintaining the airport for the year ahead, allowing it to keep its staff and grow the passenger numbers back to what they were. The Senator also raised the issue of the abuse of front-line workers when they are asking people to comply with public health guidelines. All Members will join with the Senator in asserting that such abhorrent behaviour is unacceptable. We have a whole new appreciation for our front-line workers after the past year and a half. Any abuse of those workers when they are just trying to do their job to protect the public, is unacceptable.

Order of Business agreed to.

*Sitting suspended at 12.40 p.m. and resumed at 1 p.m.*

## **Bille na dTeangacha Oifigiúla (Leasú), 2019: An Tuarascáil agus an Céim Dheiridh**

### **Official Languages (Amendment) Act 2019: Report and Final Stages**

**Acting Chairperson (Senator Marie Sherlock):** Cuirim fáilte roimh an Aire Stáit, an Teachta Chambers, chuig an Seanad um thráthnóna. Sula dtosóimid, meabhraím do Sheanadóirí nach bhféadfaidh Seanadóir labhairt ach uair amháin ag Céim na Tuarascála ach amháin tairgeoir leasaithe, a bhféadfaidh freagairt don phlé ar an leasú. Ina theannta sin, ag Céim na Tuarascála, ní mór gach leasú neamhrialtasach a bheith cuidithe.

Tá baint idir leasú Uimh. 1 go 4, go huile, agus is féidir iad a phlé le chéile.

Leasú an Rialtais Uimh. 1:

I leathanach 9, líne 37, “tríd an bhfo-alt” a scriosadh agus “trí na fo-ailt” a chur ina ionad.

**Minister of State at the Department of Tourism, Culture, Arts, Gaeltacht, Sport and Media (Deputy Jack Chambers):** Pléifidh mé leasuithe Uimh. 1 go 4, go huile, le chéile toisc gur ar an ábhar céanna iad. Is leasú riaracháin atá i gceist le leasú Uimh. 1 atá ag iarraidh an téacs a leasú ó “tríd an bhfo-alt” go dtí “trí na fo-ailt” toisc go mbeidh fo-ailt bhreise curtha isteach tar éis alt 9(3) den phríomh-Acht. Déanfar tuilleadh plé ar na ceisteanna substainteacha a bhaineann leis an bhfo-alt nua agus muid ag déanamh plé ar leasú Uimh. 4, a bheidh á mholadh agam don Teach inniu. Molaim an leasú don Teach.

Maidir le leasú Uimh. 2, is leasú riaracháin atá i gceist sa chás seo chomh maith. Táthar ag iarraidh an téacs a leasú ó “i mBéarla agus i nGaeilge” go dtí “i nGaeilge agus i mBéarla” ar mhaithe le leanúnachas téarmaíochta tríd an mBille. Molaim an leasú seo don Teach.

Maidir le leasú Uimh. 3, gabhaim buíochas leis na Seanadóirí as ucht an leasaithe ach, toisc go bhfuil mo leasú féin agam, leasú Uimh. 4, a chlúdaíonn an t-ábhar seo, ní bheidh mé ag glacadh leis an leasú seo.

Is leasú é Uimh. 4 a mhol na Seanadóirí Kyne, Clifford-Lee, Ó Donnghaile, Warfield, Boylan agus Gavan ar Chéim an Choiste sa Teach seo. Gabhaim buíochas leis na Seanadóirí sin as ucht an leasú seo a mholadh don Teach. Dúirt mé ar Chéim an Choiste gur shíl mé go bhféadfadh fiúntas a bheith leis an leasú seo le cinntiú nach mbeidh aon chúlú ann ó thaobh na Gaeilge de agus go mbeidh an stádas céanna ag an teanga is atá ag an mBéarla. Tá an leasú seo i gcomhréir le huaillmhian bheartais foriomlán an Stáit maidir le tacú leis an nGaeilge agus maidir leis an nGaeilge a chur chun cinn. Go deimhin, is leasú é seo atá pléite ag oifigigh mo Roinne le Conradh na Gaeilge le seachtainí beaga anuas. De bharr sin, ba mhaith liom go mbeidh sé sonraithe sa Bhille, i gcás go ndéanfaí gach comhlacht poiblí cumarsáid i nGaeilge agus i mBéarla i scríbhinn nó leis an bpost leictreonach leis an bpobal chun faisnéis a thabhairt don phobal nó chun margaíocht a dhéanamh ar an gcomhlacht poiblí nó ar a chuid seirbhísí leis an bpobal, go gcinnteoidh an comhlacht, maidir leis an gcuid den téacs a bheidh i nGaeilge, nach mbeidh sé i gcló níos lú ná an chuid den téacs a bheidh i mBéarla agus go mbeidh sí chomh feiceálach, chomh hinfheicthe agus chomh hinléite céanna leis an gcuid den téacs a bheidh i mBéarla agus, más rud é, maidir leis an téacs a bheidh i nGaeilge, go mbeidh cuid de giorraithe, beidh an chuid den téacs a bheidh i mBéarla, arb í an t-aistriúchán ar an téacs giorraithe sin í, giorraithe freisin. Cé nach bhfuil gach gné den leasú a mhol na Seanadóirí ag Céim an Choiste clúdaithe sa leasú seo atá curtha síos agam, sílim go ndéanfaidh sé an beart chun stádas cuí a thabhairt don Ghaeilge. Molaim an leasú seo don Teach. B’fhéidir go mbeidh na Seanadóirí sásta a leasú féin a tharraingt siar.

**Senator Niall Ó Donnghaile:** Gabhaim buíochas leis an Aire Stáit agus cuirim fáilte ar ais don Chéim seo roimhe. Fáiltíonn Sinn Féin roimhe go bhfuil an tAire Stáit tar éis teacht ar ais maidir leis an leasú seo mar a gheall sé ag Céim an Choiste agus go bhfuil sé ag glacadh leis an méid a bhí le rá againn agus ag Conradh na Gaeilge. Tá rudaí ann a bhí inár leasú nach bhfuil i leasú an Aire Stáit áfach. Chinntigh ár leasú go mbeadh an Ghaeilge ann ar dtús, sa chlófhoireann chéanna leis an mBéarla agus den chló céanna agus den stíl chéanna. Chinnteodh sé nach mbeidh an Ghaeilge in italics, mar shampla, agus go gcuirfeadh an téacs i nGaeilge an fhaisnéis chéanna in iúl agus a chuireann an téacs i mBéarla in iúl. Cén fáth nach bhfuil na forálacha seo i leasú an Aire Stáit? An bhfuil aon rud beartaithe aige chun a chinntiú nach mbeidh fágtha sa chuid Gaeilge i gcumarsáid ach rud suarach nach bhfuil tábhachtach atá i bhfolach i gcló iodálach ar an chúl nó ag an deireadh? In áit an téarma “i nGaeilge” chur roimh “i mBéarla”, mar atá déanta i leasú Uimh. 2 - agus tacaíonn Sinn Féin leis sin - caithfear a chinntiú go mbeidh an leagan Gaeilge de chumarsáid chun tosaigh ar an leagan Béarla.

Aontaíodh an leasú.

Leasú an Rialtais Uimh. 2:

I leathanach 11, líne 6, “i mBéarla agus i nGaeilge, a bheidh an chumarsáid.” a scríodadh agus “i nGaeilge agus i mBéarla, a bheidh an chumarsáid.” a chur ina ionad.



Aontaíodh an leasú.

**Senator Niall Ó Donnghaile:** Tairgim leasú Uimh. 3:

I leathanach 11, líne 6, an méid seo a leanas a chur isteach i ndiaidh “a bheidh an chumarsáid.”:

“I gcás gur i nGaeilge agus i mBéarla a bheidh an chumarsáid, cinnteoidh an comhlacht poiblí:

(a) go mbeidh an téacs i nGaeilge ann ar dtús;

(b) go mbeidh an téacs i nGaeilge chomh feiceálach, chomh sofheicthe agus chomh hinléite céanna leis an téacs i mBéarla agus sa chlófhoireann chéanna agus den chló céanna agus den stíl chéanna;

(c) nach mbeidh na litreacha sa téacs i nGaeilge níos lú, ó thaobh méide de, ná na litreacha sa téacs i mBéarla;

(d) maidir leis an téacs i nGaeilge, cuirfidh sé in iúl an fhaisnéis chéanna leis an bhfaisnéis a chuireann an téacs i mBéarla in iúl;

agus

(e) nach ndéanfar focal sa téacs i nGaeilge a ghiorrú mura rud é go bhfuil an focal sa téacs i mBéarla, ar aistriúchán air é, giorraithe freisin.”.

**Senator Lynn Boylan:** Cuidím leis an leasú.

Cuireadh an leasú agus faisnéiseadh go rabhthas tar éis diúltú dó.

Leasú an Rialtais Uimh. 4:

I leathanach 11, idir línte 6 agus 7, an méid seo a leanas a chur isteach:

“(4) I gcás gur i nGaeilge agus i mBéarla a bheidh an chumarsáid dá dtagraítear i bhfo-alt (3)—

(a) maidir leis an gcuid den téacs a bheidh i nGaeilge, ní bheidh sí i gcló níos lú ná an chuid den téacs a bheidh i mBéarla agus beidh sí chomh feiceálach, chomh hinfeicthe agus chomh hinléite céanna leis an gcuid den téacs a bheidh i mBéarla, agus

(b) más rud é, maidir leis an téacs a bheidh i nGaeilge, go mbeidh cuid de giorraithe, beidh an chuid den téacs a bheidh i mBéarla, arb í an t-aistriúchán ar an téacs giorraithe sin í, giorraithe freisin.”.

Aontaíodh an leasú.

**Acting Chairperson (Senator Marie Sherlock):** Is oth liom a rá go bhfuil leasú Uimh. 5 as ord.

Níor tairgeadh leasú Uimh. 5.

**Acting Chairperson (Senator Marie Sherlock):** Tá baint idir leasuithe Uimh. 6 agus 7

agus is féidir iad a phlé le chéile.

Leasú an Rialtais Uimh. 6:

I leathanach 14, líne 14, “and part of the text that is in the Irish language is abbreviated the” a scriosadh agus “where part of the text that is in the Irish language is abbreviated, the” a chur ina ionad.

**Deputy Jack Chambers:** Pléifidh mé leasuithe Uimh. 6 agus 7 le chéile toisc gur ar an ábhar céanna iad. Is leasuithe riaracháin atá i gceist sa chás seo. Leis na leasuithe seo, níltear ach ag iarraidh botúin chló sa Bhille mar atá a cheartú. Molaim na leasuithe don Teach.

Aontaíodh an leasú.

Leasú an Rialtais Uimh. 7:

I leathanach 14, líne 35, “and part of the text that is in the Irish language is abbreviated the” a scriosadh agus “where part of the text that is in the Irish language is abbreviated, the” a chur ina ionad.

Aontaíodh an leasú.

**Senator Niall Ó Donnghaile:** Tairgim leasú Uimh. 8:

I leathanach 17, idir línte 15 agus 16, an méid seo a leanas a chur isteach:

**“Caighdeáin teanga sa tsainfháil phoiblí agus sa rialáil**

9F. I gcás go ngabhfaidh comhlacht poiblí do phróiseas sainfhála poiblí, nó do rialáil ar earnáil seirbhíse ar leith, lena bhféachfaidh an comhlacht poiblí, lena n-áirítear rialáláí Stáit, le conradh nó ceadúnas a dhámhachtain as seirbhís phoiblí a sholáthar, ní foláir don chomhlacht poiblí sin a chinntiú go ndéanfar breithniú cuí ar chumas an pháirtí faoi chonradh na caighdeáin teanga do sheirbhísí pobal-inrochtana a leagtar amach in alt 9E a chomhlíonadh, agus go dtabharfar ualú cuí don chéanna.”

**Senator Lynn Boylan:** Cuidím leis an leasú.

**Senator Niall Ó Donnghaile:** Is leasú é seo a bhí curtha ar an gcéad dul síos ag an Seanadóir Higgins chun dul i ngleic leis an bpríobháidiú atá á dhéanamh ar sheirbhísí bunúsacha fud fad an Stáit. Gan seirbhísí bunúsacha a bheith á soláthar ag an Stát, níl aon srian ann chun a chinntiú go mbeidh freastal ar Ghaeilgeoirí. Chuir an Seanadóir Higgins an sampla de na seirbhísí fostaíochta áitiúla in iúl dúinn agus thug mo chomhghleacaí, an Seanadóir Gavan, agus a lán Seanadóirí neamhspleácha agus ó na páirtithe eile tacaíocht di ar an bpointe sin ag Céim an Choiste. In ainneoin gur theip ar an leasú ag an staid sin, rinne muid an moladh seo a leasú ó shin chun go gcuimseoidh sé ceadúnais chomh maith le conarthaí de réir an tsainfháil phoiblí, toisc go bhfuilimid den tuairim go mba cheart go mbeadh cuideachtaí bainc, fónais agus cumarsáide agus ceadúnaithe atá i gceannas ar an gcrannchur náisiúnta agus ar an chóras Eircode, mar shampla, clúdaithe freisin. Ba chóir go mbeadh dualgas ar Bhainc Cheannais na hÉireann agus na rialtóirí lena mbaineann fónais, cumarsáid agus na nithe eile seo go léir a chinntiú go gcuirfeadh dóthain seirbhíse ar fáil do Ghaeilgeoirí agus iad ag dáileadh ceadúnais.

Bhí iontas ar chách nuair a phléigh an Seanad leasú eile de chuid Shinn Féin ag Céim an Choiste chun dualgas a chur ar bhainc i leith na Gaeilge. Dúirt an tAire Stáit:

Bhí plé agam leis na bainc tamall ó shin nuair a ceapadh sa ról seo mé agus bhí na bainc báúil go maith don Ghaeilge. Táim lánchinnte go mbeidh mé in ann obair as lámha a chéile leis na bainc chun an Ghaeilge a bheith níos feiceálaí sa chóras baincéireachta.

Caithfidh gurb é sin ceann de na freagraí is Fianna Fáilí atá cloiste i dTithe an Oireachtais le tamall fada de bhlianta. Ní gá aon srian ná dualgas a chur ar bhaincéirí toisc gur sár-leids iad atá báúil don Ghaeilge. Is cairde muid leis na baincéirí so ní gá dúinn ach obair as lámha a chéile. Is cairde iad. Chonaic muid an phraiseach a rinneadh den tír an uair dheireanach ach níl mé chun dul isteach sa rud sin go léir. Is é an rud is tábhachtaí faoin leasú seo ná, má tá na bainc chomh báúil sin don Ghaeilge, mar atá ráite ag an Aire Stáit cheana féin, bheidís lánsásta glacadh le dualgais sa reachtaíocht agus iad a chomhlíonadh. Is é sin an rud is tábhachtaí. Ní chuirfeadh sé seo an iachall ar bhainc.

Molaim an leasú seo. Ritheann sé le ciall. Sílim go dtiocfadh le gach grúpa sa Seanad agus le gach Seanadóir tacú leis an méid a bhfuil an leasú seo ag iarraidh a bhaint amach.

**Deputy Jack Chambers:** Gabhaim buíochas leis na Seanadóirí as leasú Uimh. 8 a mholadh don Teach. Is leasú é atá pléite go minic. Mar a luaigh mé ag Céim an Choiste sa Teach seo ar an 24 Samhain, tá seirbhísí pobal-inrochtana clúdaithe ag leasú a mhol mé féin agus a glacadh leis ag Céim na Tuarascála sa Dáil. Mar a mhínigh mé le linn na díospóireachta sin, cinnteoidh an leasú sin gurb amhlaidh, i gcás ina ndéanann comhlacht poiblí seirbhís a ngabhann teagmháil leis an bpobal léi a cheannach trí phróiseas soláthar poiblí, nó ar shlí eile, go mbeidh oibleagáidí áirithe teanga ar an soláthraí seirbhíse a mhéid a bhaineann leis an tseirbhís is ábhar don chonradh atá i gceist agus a mhéid sin amháin. Chun aon éiginnteacht a sheachaint, tá sainmhíniú ar fáil don téarma “seirbhís lena ngabhann teagmháil leis an bpobal”, is é sin le rá, seirbhís a sholáthraíonn tríú páirtí don phobal i gcoitinne, nó d’aicme den phobal i gcoitinne, thar ceann comhlacht poiblí. Dar ndóigh, cuirfidh sé seo go mór le feiceálacht na teanga in earnáil an ghnó, rud a bheidh tionchar aige ar úsáid na teanga i measc an phobail. Tá an chuid seo den Bhille scrúdaithe ag oifigigh mo Roinne go domhain agus tá muid muiníneach go bhfuil an fhocláíocht sa Bhille mar atá sé cuí. Go deimhin tá an t-ábhar seo pléite ag mo chuid feidhmeannaigh leis an Oifig um Sholáthar Rialtais le cinntiú go bhfuil alt 9E maidir le seirbhísí pobal-inrochtana in ord. Sílim go bhfuil gach iarracht déanta againn sa Rialtas a chinntiú go mbeidh an teanga á cosaint agus comhlachtaí poiblí ag dul i mbun próiseas soláthar poiblí. Ar an mbonn sin, ní bheidh mé ag glacadh leis an leasú seo.

**Senator Niall Ó Donnghaile:** Ba mhaith liom a bheith cinnte faoi seo in áit a bheith muiníneach faoi, mar atá ráite ag an Aire Stáit. Má tá sé in ord, ba mhian liom leasú Uimh. 8 a bhrú.

Amendment put:

The Seanad divided: Tá, 8; Níl, 30.	
Tá	Níl
Boylan, Lynn.	Ahearn, Garret.
Gavan, Paul.	Blaney, Niall.
Hoey, Annie.	Burke, Paddy.
Moynihan, Rebecca.	Buttimer, Jerry.
Ó Donnghaile, Niall.	Byrne, Malcolm.
Sherlock, Marie.	Byrne, Maria.

Wall, Mark.	Casey, Pat.
Warfield, Fintan.	Cassells, Shane.
	Chambers, Lisa.
	Conway, Martin.
	Crowe, Ollie.
	Cummins, John.
	Currie, Emer.
	Daly, Paul.
	Davitt, Aidan.
	Doherty, Regina.
	Dolan, Aisling.
	Dooley, Timmy.
	Gallagher, Robbie.
	Garvey, Róisín.
	Kyne, Seán.
	Lombard, Tim.
	Martin, Vincent P.
	McGahon, John.
	Murphy, Eugene.
	O'Loughlin, Fiona.
	O'Reilly, Pauline.
	O'Sullivan, Ned.
	Ward, Barry.
	Wilson, Diarmuid.

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

Amendment declared lost.

Tá sé curtha in iúl ag an Seanadóir Lorraine Clifford-Lee don Chathaoirleach go bhfuil sí tar éis socrú péireála vótála a dhéanamh leis an Seanadóir Eileen Flynn fad is atá an Seanadóir Flynn ar saoire mháithreachais agus, dá réir sin, níl sí tar éis vóta a chaitheamh sa vótáil seo.

Leasú an Rialtais Uimh. 9:

I leathanach 17, línte 21 go 23 a scriosadh agus an méid seo a leanas a chur ina n-ionad:

“(b) go ndéanfar 5 faoin gcéad ar a laghad d’aon airgead a chaithfidh an comhlacht ar fhógraíocht in aon bhliain a úsáid chun fógraíocht a chur amach i nGaeilge trí na meáin Ghaeilge.”.

**Acting Chairperson (Senator Róisín Garvey):** Tá baint idir leasuithe Uimh. 9 agus 10 agus is féidir iad a phlé le chéile. An bhfuil sé sin aontaithe? Aontaithe.

**Deputy Jack Chambers:** Pléifear leasuithe Uimh. 9 agus 10 le chéile toisc gur ar an ábhar céanna atá siad. Maidir le leasú Uimh. 9, is leasú é seo a mhol na Seanadóirí Kyne, Clifford-Lee, Ó Donnghaile, Warfield, Boylan agus Gavan ar Chéim an Choiste sa Seanad agus ba mhaith liom mo bhuíochas a ghabháil leis na Seanadóirí sin as ucht an leasaithe seo a mholadh don Teach.

Dúirt mé ar Chéim an Choiste gur shíl mé go bhféadfadh fiúntas a bheith leis an leasú seo le cinntiú go mbeidh 5% d'aon airgid a chaithfidh comhlacht poiblí ar fhógraíocht in aon bhliain caite ar fhógraíocht Ghaeilge ar na meáin Ghaeilge. Bhí plé tairbheach ag oifigigh mo Roinne le Conradh na Gaeilge le déanaí ar an ábhar seo. Dá bharr sin, ba mhaith liom go mbeidh sé sonraithe sa Bhille go mbeidh 5% de chaiteachais fhógraíochta arna déanamh ag an gcomhlacht in aon bhliain i nGaeilge ar na meáin Ghaeilge. Molaim an leasú don Teach.

Sílim go ndéanfaidh an leasú seo an rud céanna is atá molta ag leasú Uimh. 10. B'fhéidir go mbeidh na Seanadóirí sásta an leasú sin a tharraingt siar, dá bharr.

**Senator Niall Ó Donnghaile:** Mar gheall ar an méid atá ráite ag an Aire Stáit agus maidir leis an méid atá leasú Uimh. 9 ag iarraidh a bhaint amach, tá mise sásta leasú Uimh. 10 a tharraingt siar.

Aontaíodh an leasú.

**Senator Niall Ó Donnghaile:** Tairgim leasú Uimh. 10:

I leathanach 17, líne 22, “d’aon fhógraíocht arna déanamh ag an gcomhlacht” a scriosadh agus “d’aon bhuiséad fógraíochta a úsáidfidh an comhlacht” a chur ina ionad.

Tarraingíodh siar an leasú faoi chead.

**Senator Niall Ó Donnghaile:** Tairgim leasú Uimh. 11:

I leathanach 19, idir línte 29 agus 30, an méid seo a leanas a chur isteach:

“(5) Beidh an tAire agus an tAire Caiteachais Phoiblí agus Athchóirithe freagrach do Thithe an Oireachtais as feidhmiú agus obair an Choiste Chomhairligh.”.

**Senator Lynn Boylan:** Cuidím leis an leasú.

**Senator Niall Ó Donnghaile:** Is leasú é seo a mhol an Seanadóir Kyne ar Chéim an Choiste ach a tharraing sé siar in ainneoin nach raibh éisteacht ar bith ar an drochuair tugtha ag an Aire Stáit dó. Dúirt sé ag an am nach raibh sé sásta é a tharraingt siar agus go raibh díomá air faoin easpa suime a chur an tAire Stáit sa leasú ag an am fosta. D'iarr sé ar an Aire Stáit a leasú féin a thabhairt isteach ar an staid seo chun freagracht an Aire Caiteachais Phoiblí agus Athchóirithe a chinntiú, ach ní dhearna an tAire Stáit tabhairt faoi sin. Thacaigh Sinn Féin leis an leasú ar Chéim an Choiste, agus táimid á chur arís anois ionas gur féidir plé ceart a dhéanamh ar an ábhar seo.

Dúirt an Seanadóir Kyne coicís ó shin go raibh faitíos air go mbeidh an tAire Caiteachais Phoiblí agus Athchóirithe sásta aon cheist a fhágáil faoin gcoiste comhairleach agus cúrsaí earcaíochta laistigh den choiste comhairleach a fhágáil don Aire Gaeltachta. Tá sé tábhachtach

go mbeadh ról láidir agus lárnach ag an Aire Caiteachais Phoiblí agus Athchóirithe san earcaíocht agus go mbeadh an coiste seo ag feidhmiú go héifeachtach. Dúirt an Seanadóir:

Má táimid chun na spriocanna atá leagtha amach a bhaint amach, ar nós an céatadán de 20% a bheidh earcaithe a bheith líofa sa Ghaeilge agus a bheith in ann Gaeilge a úsáid sa tSeirbhís Phoiblí roimh 2030, caithfear ról lárnach a bheith ag an Aire Caiteachais Phoiblí agus Athchóirithe.

Mhol sé go gcinnteodh an leasú seo “go mbeadh an tAire ar an eolas agus go mbeadh suim aige nó aici ann toisc go mbeadh sé nó sí freagrach don Dáil as an gcoiste comhairleach seo.” Nílím ag iarraidh nach mbeidh sa choiste chomhairleach seo ach quango nó talking shop eile. Ní bhaineann sé seo le hAire ar leith. Bíonn Airí ann atá suim acu sa Ghaeilge agus Airí ann nach mbíonn suim ar bith acu sa Ghaeilge, ach ba chóir ar a laghad go mbeadh freagracht ag an Aire atá i gceannas ar sheirbhísí Stáit agus earcaíocht as seirbhísí Stáit agus earcaíocht chun freastal ar phobal na Gaeilge agus na Gaeltachta. Impím ar mo chomhghleacaithe an leasú seo a ghlacadh, agus go háirithe go ndéanfaidh an Seanadóir Kyne vótáil ar son a leasú féin.

**Senator Seán Kyne:** Is soiléir go bhfuil an Seanadóir Ó Donnghaile ag imirt polaitíochta leis an ábhar seo anois. Phléamar an t-ábhar seo an uair dheireanach coicís ó shin. D’fhreagair an tAire Stáit ceist na moltaí a bhí agamsa agus rinneamar socrú ar an ábhar seo. Tá sé tábhachtach go mbeadh an Rialtas freagrach as an gcoiste earcaíochta agus as an gcoiste comhairleach. Is é an coiste comhairleach a bheidh ag déileáil leis an ábhar tábhachtach seo - an earcaíocht. Táim sásta go mbeidh an Rialtas freagrach as seo. D’iarr mé ar an Aire Stáit smaoineamh ar an ábhar seo roimh dhíospóireacht an lae inniu. Táim sásta go bhfuil an cheist seo freagartha aige.

**Deputy Jack Chambers:** Maidir le leasú Uimh. 11, ní bheidh mé á ghlacadh toisc go bhfuilim den tuairim nach bhfuil gá lena leithéid de leasú. Tá an Rialtas tiomanta chun an Bhille seo a chur chun cinn. Gheall muid anuraidh go dtabharfadh muid Bille níos láidre chun cinn, rud atá á dhéanamh agam. I mo thuairimse, tá córas faireacháin den scoth beartaithe agam leis an méid atá sa Bhille cheana féin.

Mar a mhínigh mé ar an Dara Céim, beidh suíocháin ag oifigigh de chuid na Roinne Caiteachais Phoiblí agus Athchóirithe ar an gcoiste agus táim muiníneach go mbeidh siad in ann tuairisciú ar ais chuig an Aire maidir leis an obair thábhachtach a bheidh ar bun. Chomh maith leis sin, beidh an coiste ag tuairisciú chuig an Rialtas maidir leis an dul chun cinn a dhéanfar. Mar atá ráite agam go minic, is freagracht tras-Rialtais a bhaineann leis an mBille seo agus beidh dualgas ar gach Roinn agus Aire maidir lena fhorfheidhmiú nuair a bheidh sé achtaithe. Tá an Rialtas tiomanta i leith an Bhille seo. Tá an plean earcaíochta a bhfuil foráil déanta ina leith sa Bhille luaite go sonrath i Straitéis Athnuachana na Státseirbhíse 2030 de chuid an Rialtais. Sa phlean sin leagtar amach:

Is deis é neartú reachtaíocht teangacha oifigiúla agus an tiomantas chohórt na gcainteoirí Gaeilge sa Státseirbhís a mhéadú chun leibhéal seirbhíse feabhsaithe a chur ar fáil do phobal na Gaeilge, laistigh agus lasmuigh den Ghaeltacht araon.

Faoi alt 18F(4) den Bhille mar a sheasann sé faoi láthair, tá dualgas ar an Aire cóip den tuarascáil réitithe ag an gcoiste comhairleach agus cóip den tuairisc fhaireacháin ullmhaithe ag Oifig an Choimisinéara Teanga a leagan faoi bhráid an Oireachtais. Ar an mbonn sin, ní bheidh mé ag glacadh leis an leasú seo.

*Seanad Éireann*

**Senator Niall Ó Donnghaile:** I dtaca leis an leasú seo, geallaim do chomhghleacaithe nach bhfuilim ag imirt cluichí polaitiúla leis seo. Is ábhar polaitiúil é nuair nach bhfuil an Rialtas ag déanamh an méid agus is féidir leis agus ba cheart dó a dhéanamh i dtaca leis an ábhar seo. Níl mise ach ag athrá rudaí a bhí ráite ar Chéim an Choiste. Mar gheall ar sin, sílim gur b'fhiú an leasú seo. Neartaíonn sé an reachtaíocht agus beidh mé á bhrú.

Amendment put:

The Seanad divided: Tá, 5; Níl, 27.	
Tá	Níl
Boylan, Lynn.	Ahearn, Garret.
Gavan, Paul.	Ardagh, Catherine.
Ó Donnghaile, Niall.	Blaney, Niall.
Sherlock, Marie.	Burke, Paddy.
Wall, Mark.	Buttimer, Jerry.
	Byrne, Malcolm.
	Byrne, Maria.
	Casey, Pat.
	Cassells, Shane.
	Chambers, Lisa.
	Conway, Martin.
	Crowe, Ollie.
	Cummins, John.
	Currie, Emer.
	Daly, Paul.
	Davitt, Aidan.
	Dolan, Aisling.
	Gallagher, Robbie.
	Garvey, Róisín.
	Kyne, Seán.
	Lombard, Tim.
	Martin, Vincent P.
	McGahon, John.
	O'Reilly, Pauline.
	O'Sullivan, Ned.
	Ward, Barry.
	Wilson, Diarmuid.

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

Amendment declared lost.

*2 o'clock*

Tá sé curtha in iúl ag an Seanadóir Lorraine Clifford-Lee don Chathaoirleach go bhfuil sí tar éis socrú péireála vótála a dhéanamh leis an Seanadóir Eileen Flynn fad is atá an Seanadóir Flynn ar saoire mháithreachais agus, dá réir sin, níl sí tar éis vóta a chaitheamh sa vótáil seo. **Senator Niall Ó Donnghaile:** Tairgim leasú Uimh. 12:

I leathanach 25, líne 14, “gach 5 bliana tar éis an lae bunaithe” a scriosadh agus “bliain amháin tar éis an lae bunaithe agus gach 3 bliana ina dhiaidh sin” a chur ina ionad.

**Senator Lynn Boylan:** Tacaím leis an leasú.

**Senator Niall Ó Donnghaile:** Arís, is leasú é seo a mhol an Seanadóir Seán Kyne. Tá súil agam, i ndáiríre, nach bhfuil sé chun vótáil in éadan a chuid moltaí go léir díreach toisc go bhfuil neamhaird déanta orthu ag an Aire Stáit ar an drochuair. Thacaigh Sinn Féin leis an leasú seo an uair dheireanach. Is leasú iontach simplí é chun a chinntiú go ndéanfar eolas a chur ar fáil faoi dhul chun cinn an phlean náisiúnta agus an sprioc 20% faoi 2030 ag tús an phróisis, trí bliana ina dhiaidh agus arís trí bliana ina dhiaidh sin. Mar a dúirt an Seanadóir Kyne ar Chéim an Choiste:

Níl ann ach rud a chinnteodh go mbeadh níos mó eolais againn faoi conas mar atá rudaí ag dul agus go mbeadh monatóireacht níos fearr ar fáil. Tar éis cúig bliana, beidh leath an ama idir seo agus 2030 imithe.

Dúirt sé ag an am go raibh díomá air nár glacadh leis an leasú. Beidh díomá ormsa agus ar a lán daoine eile mura nglactar leis ag an bpointe seo.

Is leasú thar a bheith réasúnta é agus bheadh sé ar dóigh dá dtig leis an Aire Stáit léiriú inniu go mbeadh sé sásta glacadh leis.

**Senator Seán Kyne:** Arís, tá an Seanadóir ag imirt polaitíochta. Tá an cheist seo socraithe. Thug an tAire Stáit a chuid tuairimí ar an ábhar seo agus dúirt sé nach raibh sé chun glacadh leis an leasú. Sin an fáth gur tharraing mé siar é an uair dheireanach. Tá an cheist seo pléite agus freagartha so níl anseo ach polaitíocht agus cur amú ama.

**Deputy Jack Chambers:** Gabhaim buíochas leis na Seanadóirí as ucht an leasaithe seo. Is leasú de chuid an Rialtais a bhí san alt seo agus, dar liom, tá an fhoclaíocht atá ann sásúil mar atá. Mar is eol don Teach, tá sá i gceist coiste reachtúil, an coiste comhairleach um sheirbhísí Gaeilge, a bhunú chun tacú leis an obair seo. Leagtar amach feidhmeanna an choiste chomhairligh sa Bhille, lena n-áirítear plan náisiúnta a fhoilsiú ar mhaithe le soláthar seirbhísí poiblí trí mheán na Gaeilge a mhéadú. Chomh maith leis sin, tá mo Roinn ag féachaint lena chinntiú go mbeidh formhaoirsiú níos fearr ann tríd an gcoiste comhairleach um sheirbhísí Gaeilge a thabhairt isteach agus tríd ionad tiomnaithe a bhunú laistigh den Roinn a chuirfidh cur i ngníomh an bheartais ar a bhfuil an tAcht fothaithe chun tosaigh. Meastar go mbeidh cur chuige níos dinimiciúla ann mar thoradh ar na bearta seo maidir leis an líon cainteoirí Gaeilge agus maidir leis na seirbhísí Gaeilge san earnáil phoiblí a mhéadú. Táim muiníneach go gcuirfidh bunú an choiste chomhairligh go mór leis an gcaidreamh oibre a bhí ann cheana idir mo Roinn, an Roinn Caiteachais Phoiblí agus Athchóirithe agus an tSeirbhís um Cheapacháin Phoiblí. Léirítear leis sin freisin sprioc an Rialtais chun an cion cainteoirí Gaeilge a earcófar chuig comhlachtaí poiblí



a mhéadú go 20%, a fhágfaidh go dtiocfaidh méadú ar an gcumas a bheidh ag comhlachtaí poiblí seirbhísí a sholáthar i nGaeilge do chainteoirí Gaeilge agus do phobail Ghaeltachta.

Rinne mé tagairt don phlean náisiúnta níos túisce. Faoin bplean sin déanfar taighde chun bonnlíne a bhunú agus cinnteoidh staidéar breise gur féidir linn monatóireacht a dhéanamh ar dhul chun cinn le himeacht ama. Seans nach mbeadh dul chun cinn le feiceáil i dtréimhse ghearr ama, áfach, ach is togra fadtéarmach é seo agus beidh dul chun cinn le feiceáil sa staidéar a bheidh déanta síos an bóthar.

Glacaim leis an bpointe atá á dhéanamh ag an Seanadóir sa chás seo ach caithfidimid a bheith réalaíoch faoin fhad a thógann sé comórtas earcaíochta a chur ar bun agus a reáchtáil. Sílim go bhfuil cúig bliana níos réadúla ná trí bliana. Má thógann muid an comórtas d'ardoifigigh fheidhmiúcháin idir-rannach a ritheadh in 2020 mar shampla, tá iarrthóirí fós á earcú ón bpainéal sin agus muid ag druidim ar 2022. Creidim go láidir go mbeidh na céimeanna thuasluaite rithábachtach chun sprioc an Rialtais a bhaint amach agus is ar an mbonn sin nach mbeidh mé ag glacadh leis an leasú seo.

**Acting Chairperson (Senator Róisín Garvey):** Ar mhian leis an Seanadóir an leasú a tharraingt siar?

**Senator Niall Ó Donnghaile:** Níor mhian. Tá díomá orm. Mar a dúirt mé, tá an leasú seo thar a bheith réasúnta agus sílim gur féidir linn é seo a dhéanamh. Tá sé ráite ag an Seanadóir Kyne cúpla uair maidir le leasuithe atá molta agam go bhfuil siad réitithe nó socraithe. Níl siad socraithe go dtí go bhfuil siad socraithe. Sin an fáth go bhfuil an próiseas parlaiminte seo againn. Dá mbeadh siad réitithe agus socraithe thiocthadh deireadh leis an bpróiseas sin ar Chéim an Choiste. Tá sé de dhualgas orainne cinntiú maidir leis na leasuithe seo, a mhol Seanadóirí eile chun an reachtaíocht seo a neartú, gur féidir linne mar Sheanadóirí agus mar chuid den Oireachtas teacht ar ais acu ar an gCéim seo, mar atá sé i dteideal againn a dhéanamh, chun an reachtaíocht seo a fheabhsú agus cur léi. Go dtí seo, tá sé réitithe ag na Seanadóirí Rialtais gan an seal sin a ghlacadh agus is mór an trua é sin. Mar gheall go gcreidim sa leasú seo, beidh mé á chur chun vóta.

Amendment put:

The Seanad divided: Tá, 7; Níl, 27.	
Tá	Níl
Boylan, Lynn.	Ahearn, Garret.
Gavan, Paul.	Ardagh, Catherine.
Moynihan, Rebecca.	Blaney, Niall.
Ó Donnghaile, Niall.	Burke, Paddy.
Sherlock, Marie.	Buttimer, Jerry.
Wall, Mark.	Byrne, Maria.
Warfield, Fintan.	Casey, Pat.
	Cassells, Shane.
	Conway, Martin.
	Crowe, Ollie.
	Cummins, John.
	Currie, Emer.

	Daly, Paul.
	Davitt, Aidan.
	Dolan, Aisling.
	Dooley, Timmy.
	Gallagher, Robbie.
	Garvey, Róisín.
	Kyne, Seán.
	Lombard, Tim.
	Martin, Vincent P.
	McGahon, John.
	O'Loughlin, Fiona.
	O'Reilly, Pauline.
	O'Sullivan, Ned.
	Ward, Barry.
	Wilson, Diarmuid.

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

Amendment declared lost.

Tá sé curtha in iúl ag an Seanadóir Lorraine Clifford-Lee don Chathaoirleach go bhfuil sí tar éis socrú péireála vótála a dhéanamh leis an Seanadóir Eileen Flynn fad is atá an Seanadóir Flynn ar saoire mháithreachais agus, dá réir sin, níl sí tar éis vóta a chaitheamh sa vótáil seo.

**Acting Chairperson (Senator Róisín Garvey):** Tá baint ag leasuithe Uimh. 13 agus 14 le chéile agus is féidir iad a phlé le chéile.

**Senator Lorraine Clifford-Lee:** Tairgim leasú Uimh. 13:

I leathanach 27, línte 34 go 38 a scriosadh agus an méid seo a leanas a chur ina n-ionad:

“(b) an dáta a shonrú faoina ndéanfar na seirbhísí go léir arna soláthar ag comhlacht poiblí nó ag aicme comhlachtaí poiblí do Limistéar Pleanála Teanga Gaeltachta a sholáthar trí mheán na Gaeilge agus féadfar dátaí éagsúla a shonrú i leith Limistéir Pleanála Teanga Ghaeltachta éagsúla, ach ní bheidh an dáta níos déanaí ná an 31 Nollaig 2030.”.

Seo an leasú is tábhachtaí a bheas os ár gcomhair inniu. Táimid ag iarraidh a chinntiú sa leasú go mbeidh gach seirbhís phoiblí ar fáil do mhuintir na Gaeltachta faoi 31 Nollaig 2030. Tá leasú Uimh. 14 an-chosúil le leasú Uimh. 13 ach níl aon spriocdháta ann agus is ábhar inní é sin. Impím ar an Aire Stáit glacadh le leasú Uimh. 13 toisc go bhfuil sé níos láidre agus go dtu-gann sé cinnteacht do mhuintir na Gaeltachta. Tá gá le cinnteacht agus le spriocdháta mar sin.

**Senator Niall Ó Donnghaile:** Seo leasú eile a bhí molta ag an Seanadóir Kyne, ag Se-

anadóirí Shinn Féin agus ag an Seanadóir Clifford-Lee fosta, bunaithe ar mholadh ó Chonradh na Gaeilge. Tá áthas orm go bhfuil ainm an tSeanadóir Clifford-Lee leis an leasú seo fós agus fáiltim roimh an méid atá ráite aici inniu. Ar an drochuair, feicim go bhfuil an Seanadóir Kyne tar éis a ainm a bhaint den leasú. Tá súil agam nach ndéanfaidh na Seanadóirí sin casadh i gcoinne an chonradh ag an staid seo. Bhi oifigigh pleanála teanga fud fad na Gaeltachta ag lorg spriocdháta faoina mbeadh seirbhísí Gaeilge cinntithe sa Ghaeltacht, rud a bhí molta ag an Stát sa bhliain 1926 ach nár tharla ariamh. Bhí sé suntasach ar Chéim an Choiste go ndúirt an tAire Stáit: “Tá mé muiníneach go mbeidh an dáta roghnaithe i bhfad roimh an dáta a roghnaigh na Seanadóirí.” Is maith an rud é go n-aontaíonn an tAire Stáit nár chóir do phobal na Gaeltachta a bheith ag fanacht go dtí 2030, ach cén dáta mar sin? Má tá sé le bheith bainte amach i bhfad roimh 2030, cén fáth nach bhfuil sé sásta 2030 a chur sa reachtaíocht?

B’ait an rud é gur tharraing an Seanadóir Kyne siar an leasú seo ar an mbunús go raibh leasú nua geallta ag an Aire Stáit don Chéim seo maidir le seirbhísí a dhéantar taobh amuigh den Ghaeltacht chun freastail ar phobal na Gaeltachta. Tá an leasú sin tábhachtach, agus cuireann Sinn Féin fáilte roimhe, ach ní bhaineann sé le spriocdháta daingean a chur sa reachtaíocht, mar a bhí á lorg ag an bpobal sa leasú seo. Mar sin, tá gá le soiléiriú faoi cén fáth nach féidir an sprioc 2030 a chur isteach sa reachtaíocht anseo. Tá ocht mbliana againn go dtí 2030; ní chóir go mbeadh solúbthacht ag teastáil go dtí sin ón Aire Stáit, seachas má tá sé ag admháil nach bhfuil sé i gceist ag an Rialtas tabhairt faoi sheirbhísí tri Ghaeilge a chinntiú sa Ghaeltacht ar chor ar bith. Faoin am sin beidh os cionn 100 bliain caite ag pobal na Gaeltachta ag fanacht ar a gcuid bunsheirbhísí Stáit a bheith curtha ar fáil dóibh ina dteanga féin. Ní haon ionadh go bhfuil meath tarlaithe ar an nGaeltacht idir an dá linn.

Ba chóir do gach Seanadóir agus don Aire Stáit an tuarascáil a scríobh Coimisiún na Gaeltachta sa bhliain 1925 a léamh. Cuireann sé in iúl bunús na faidhbe a bheidh ann go dtí go mbeidh cinnteacht ag baint le seirbhísí trí Ghaeilge sa Ghaeltacht. Maíodh sa tuarascáil:

In order fully to understand it, one has only to visualise a Garda Síochána barracks of English Speaking Gardaí in the centre of an Irish Speaking district; or a Post Office, in which no one speaks Irish, in an Irish Speaking village; or a non-Irish Speaking official of the Department of Agriculture, or of the Land Commission, or of the Customs and Excise, operating amongst an Irish Speaking population. These officials are direct agents in the spreading and establishment of English.

This Government is a direct agent in the spreading and establishment of English until it sets down a clear deadline for services to be delivered in Irish in the Gaeltacht. Sin a scríobhadh in 1925. Mar sin, tá sé riachtanach go dtacóidh an Rialtas agus na páirtithe Rialtais leis an leasú seo.

**Deputy Jack Chambers:** Pléifidh mé leasuithe Uimh. 13 agus 14 le chéile toisc gur ar an ábhar céanna iad. Ba mhaith liom mo bhuíochas a ghabháil leis na Seanadóirí as ucht leasú Uimh. 13 a mholadh. Tá mo leasú féin, leasú Uimh. 14, á mholadh agam don Teach a chlúdaíonn an t-ábhar úd, agus mar sin ní bheidh mé ag glacadh le leasú Uimh. 13.

Mhol na Seanadóirí Kyne, Clifford-Lee, Ó Donnghaile, Warfield, Boylan agus Gavan leasú Uimh. 14 ar Chéim an Choiste sa Seanad agus ba mhaith liom mo bhuíochas a ghabháil leis na Seanadóirí sin as ucht an leasaithe seo a mholadh don Teach. Dúirt mé ar Chéim an Choiste gur shíl mé go bhféadfadh fiúntas a bheith leis an leasú seo le chinntiú go mbeidh seirbhísí a ghintear taobh amuigh den Ghaeltacht san áireamh sna seirbhísí a chuirtear ar fáil do phobal

na Gaeltachta trí mheán na Gaeilge. Bainfear an aidhm seo amach leis an leasú atá curtha síos ag an Rialtas. Ba dheas an rud é dá mbeadh dáta i leith seo á shonrú faoin mBille. Mar atá ráite agam cheana, áfach, caithfidh an dáta sin a bheith bunaithe ar fhianaise, fianaise a bheidh á bailiú ag an gcoiste comhairleach sa tréimhse amach romhainn. Molaim leasú Uimh. 14 don Teach dá réir.

**Senator Lorraine Clifford-Lee:** Gabhaim buíochas leis an Aire Stáit as an méid a chuir sé in iúl dúinn. Nílím chun an leasú a bhrú mar táim sásta leis an méid a dúirt sé.

**Acting Chairperson (Senator Róisín Garvey):** An bhfuil an Seanadóir ag iarraidh é a tharraingt siar?

**Senator Lorraine Clifford-Lee:** Tá.

**Acting Chairperson (Senator Róisín Garvey):** An bhfuil sé sin aontaithe?

**Senator Niall Ó Donnghaile:** Níl sé aontaithe.

Cuireadh an cheist: “Go dtugtar cead leasú Uimh. 13 a tharraingt siar.”

Question put: “That leave be given to withdraw amendment No. 13.”

The Seanad divided: Tá, 26; Níl, 7.	
Tá	Níl
Ahearn, Garret.	Boylan, Lynn.
Ardagh, Catherine.	Gavan, Paul.
Blaney, Niall.	Moynihan, Rebecca.
Burke, Paddy.	Ó Donnghaile, Niall.
Buttimer, Jerry.	Sherlock, Marie.
Byrne, Maria.	Wall, Mark.
Casey, Pat.	Warfield, Fintan.
Cassells, Shane.	
Conway, Martin.	
Crowe, Ollie.	
Cummins, John.	
Currie, Emer.	
Daly, Paul.	
Davitt, Aidan.	
Dolan, Aisling.	
Dooley, Timmy.	
Gallagher, Robbie.	
Garvey, Róisín.	
Horkan, Gerry.	
Kyne, Seán.	
Lombard, Tim.	
McGahon, John.	
O'Reilly, Pauline.	

O'Sullivan, Ned.	
Ward, Barry.	
Wilson, Diarmuid.	

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

Question declared carried.

Faisnéiseadh go rabhthas tar éis glacadh leis an gceist.

Tá sé curtha in iúl ag an Seanadóir Lorraine Clifford-Lee don Chathaoirleach go bhfuil sí tar éis socrú péireála vótála a dhéanamh leis an Seanadóir Eileen Flynn fad is atá an Seanadóir Flynn ar saoire mháithreachais agus, dá réir sin, níl sí tar éis vóta a chaitheamh sa vótáil seo.

Tarraingíodh siar an leasú faoi chead.

Leasú an Rialtais Uimh. 14:

I leathanach 27, línte 35 agus 36, “i Limistéar Pleanála Teanga Gaeltachta” a scriosadh agus an méid seo a leanas a chur ina ionad:

“i Limistéar Pleanála Teanga Gaeltachta (lena n-áirítear seirbhísí den sórt sin arna soláthar ag comhlacht poiblí nó ag aicme comhlachtaí poiblí ó áit lasmuigh den Limistéar Pleanála Teanga Gaeltachta)”.

Aontaíodh an leasú.

Glacadh an Bille, mar a leasaíodh é, chun an bhreithniú deiridh a dhéanamh air.

**Acting Chairperson (Senator Róisín Garvey):** Cathain a mbeartaítear an Chéim Dheiridh a thógáil?

**Senator Lorraine Clifford-Lee:** Anois.

Tairgeadh an cheist: “Go rithfear an Bille anois.”

**Minister of State at the Department of Tourism, Culture, Arts, Gaeltacht, Sport and Media (Deputy Jack Chambers):** Ba mhaith liom mo bhuíochas a ghabháil le gach Seanadóir a labhair le linn na díospóireachta ar Bhille na dTeangacha Oifigiúla (Leasú), 2019 sa Teach seo. Is mian liom an deis a thapú chun buíochas speisialta a chur in iúl don Seanadóir Kyne, iar-Aire Stáit le freagrecht as an nGaeltacht, a d’fhoilsigh an Bille seo dhá bhliain ó shin. Tá a fhios agam gur chuir an Seanadóir go leor oibre isteach sa Bhille agus ba mhaith liom m’aitheantas a thabhairt don obair sin.

*3 o’clock*

Sular dréachtaíodh an Bille seo, cuireadh tréimhse chomhairliúcháin ar bun leis na páirtithe

leasmhara éagsúla. Leagadh na ceannteidil faoi bhráid Chomhchoiste na Gaeilge, na Gaeltachta agus na hOileáin agus foilsíodh tuarascáil an chomhchoiste ag eascairt as an bpróiseas sin roimh dheireadh 2018. Ba mhór an chabair í tuarascáil an chomhchoiste d'oifigigh mo Roinne agus an Bille á dhréachtú acu agus gabhaim buíochas leis an gcomhchoiste as an ionchur luachmhar sin sa phróiseas.

I mí na Nollag 2019, foilsíodh Bille na dTeangacha Oifigiúla (Leasú), 2019. Cuireadh tús leis an Dara Céim agus thug an Seanadóir Kyne léargas cuimsitheach ar an mBille do na Títhe ag an tráth sin. Rinneadh an-obair ar an mBille atá faoinár mbráid inniu agus ar na leasuithe a rinne mé chun é a neartú. Gheall mé go dtabharfaí an Bille is láidre chun cinn agus tá mé sásta go bhfuil an gealltanas sin comhlíonta agam anois. Bhí oifigigh mo Roinne an-choinsiasach ina leith agus cuireadh tréimhse chomhairliúcháin ar bun leis na páirtithe leasmhara agus ionchur faighte acu ó réimse leathan de gheallsealbhóirí, an Coimisinéir Teanga san áireamh. Táim muiníneach go n-aontóidh na Seanadóirí liom nuair a deirim go bhfuil an toradh seo ríthábhachtach do thodhchaí na Gaeilge agus go gcabhróidh an Bille seo leis an Ghaeilge a láidriú agus a neartú sa státchóras ionas go mbeidh seirbhísí Gaeilge d'ardchaighdeán ar fáil do phobal na Gaeilge agus na Gaeltachta.

Is lá suntasach é seo ach níl ann ach tús na hoibre. Caithfidh tosú le gníomh ceart agus forálacha an Bhille a chomhlíonadh. Ní mór dúinn an Bille a fhaomhadh go críochnaitheach sa Dáil roimh dó bheith sínithe ag an Uachtarán, ach beidh oibleagáidí orainn go léir maidir lena fhorfheidhmiú. Tá muid ag tosú ó áit mhaith mar gur oibríomar i gcomhar lena chéile ar an mBille seo le cúpla bliain anuas. In éineacht le hAcht na Gaeltachta, 2012 agus an próiseas pleanála teanga a eascraíonn as, leagann an Bille seo bunsraith síos dúinn, mar Stát, chun fíorcheannaireacht a léiriú i dtaobh na teanga a chaomhnú do na glúnta atá le teacht.

Gabhaim mo bhuíochas arís leis na Seanadóirí uilig as ucht a bheith rannpháirteach sa díospóireacht agus plé fiúntach a bheith againn ar an mBille sa Teach seo. Gabhaim buíochas le m'oifigigh sa Roinn as an tsárobair a rinne siad ar an mBille agus gabhaim buíochas leis an gCathaoirleach as ucht a chomhoibríthe ar an ábhar tábhachtach seo.

**Senator Lorraine Clifford-Lee:** Is céim chun tosaigh ollmhór í an reachtaíocht seo. Is lá mór é seo do phobal labhartha na Gaeilge agus don tír; tá sé sin cinnte. Molaim gach aon duine as an méid oibre a rinneadh chun an reachtaíocht a neartú, lucht an Fhreasúra san áireamh. Táim ag súil go mór le reachtaíocht cosúil le seo ó Thuaidh freisin chun na cearta céanna a thabhairt do dhaoine trasna na Teorann. Impím ar an Aire Stáit a dhícheall a dhéanamh ar an ábhar sin.

**Senator Seán Kyne:** Gabhaim buíochas agus comhghairdeas leis an Aire Stáit, stiúrthóir na Gaeilge sa Roinn, an Dr. Aodhán Mac Cormaic, agus feidhmeannaigh na Roinne as ucht na hoibre atá déanta acu le cúpla bliain anuas chun an Bille seo a thabhairt trí Thithe an Oireachtais. Bhí orthu é a ullmhú ar dtús báire agus ansin na leasuithe go léir a thógáil isteach agus na tuairimí a bhí ag Teachtaí agus Seanadóirí a thógáil san áireamh freisin. Is céim thábhachtach í seo don Bhille. Beidh ar an Aire Stáit dul ar ais chuig an Dáil leis chomh luath agus is féidir agus ansin beidh deis ag an Uachtarán é a shíniú. Is céim chun tosaigh agus céim chun críche í seo. Táimid ag súil le críoch an Bhille agus an rud is tábhachtaí ná go gcuirtear an Bille i bhfeidhm agus go mbeidh níos mó cearta curtha ar fáil do mhuintir na Gaeltachta agus pobal labhartha na Gaeilge.

**Senator Niall Ó Donnghaile:** Fáiltím roimh an chéim seo agus fáiltím go bhfuil an

reachtaíocht seo aontaithe againn. Tacaím leis an mBille. Aithním fosta go bhfuil an Bille mar atá sé anois i bhfad níos fearr ná mar a bhí nuair a tosaíodh an próiseas parlaiminte anseo san Oireachtas. Tá díomá orainn nach raibh muidne sa Seanad in ann cur leis an neartú agus an feabhsú sin ach aithním an obair atá déanta ag comhghleacaithe fud fad an Oireachtais, ag an Aire Stáit, agus ag na hoifigigh ina Roinn. Aithním cé chomh tábhachtach a bhí siad siúd amuigh ón institiúid seo, sna grúpaí stocaireachta ar nós Conradh na Gaeilge agus sa phobal Gaeilge taobh istigh agus taobh amuigh den Ghaeltacht. Mar atá ráite, is céim shuntasach chun tosaigh í seo. Tá mé sásta go bhfuil an chéim seo bainte amach againn ach, mar atá ráite agus aitheanta ag comhghleacaithe eile, an rud is tábhachtaí ná go gcuirtear an reachtaíocht seo i bhfeidhm go fiúntach, go héifeachtach agus go hiontach gasta.

**Acting Chairperson (Senator Róisín Garvey):** Tá súil ag gach duine sa Seomra seo go dtarlóidh sé sin. Gabhaim buíochas leis an Aire Stáit as ucht a chuid ama. Tháinig sé isteach sa Teach seo go minic agus táim an-bhuíoch dó. Is onóir mhór dom a bheith anseo agus rud a phlé go hiomlán trí Ghaeilge. Táim ag súil go mór le níos mó Gaeilge a chloisteáil sa Seanad seo, sa Dáil agus san Oireachtas ar fad. Lean oraibh.

Cuireadh agus aontaíodh an cheist.

*Chuaigh an suí ar fionraí ar 3.06 p.m. agus cuireadh tús leis arís ar 3.45 p.m.*

### **Houses of the Oireachtas Commission (Amendment) Bill 2021: Second Stage**

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

**Acting Chairperson (Senator Fiona O’Loughlin):** I welcome the Minister for Public Expenditure and Reform to the Chamber. I wish to advise him that he has ten minutes to address the House.

**Minister for Public Expenditure and Reform (Deputy Michael McGrath):** I am pleased to be here this afternoon and to have the opportunity to present the Houses of the Oireachtas Commission (Amendment) Bill 2021 to the House, which passed all Stages in the Dáil last week.

The Houses of the Oireachtas Commission came into existence on 1 January 2004 under the Houses of the Oireachtas Commission Act 2003. The founding commission legislation in 2003 led, in summary, to two consequences: (1) that the commission became the sanctioning authority for expenditure and for deciding on staff numbers up to the grade of principal officer, and the provision of services and related matters to the Oireachtas; and (2) that the system for the allocation of budgets to the Oireachtas changed from the annual Civil Service Estimates and Vote procedure to a different process involving a three-year budget drawn from the Central Fund. The new budget is set every three years following negotiations with the Department of Public Expenditure and Reform. The budget is approved at political level by the commission and the amending legislation then is passed by both Houses.

Under the terms of the inaugural commission Act, a three-year budget, covering the period 2004 to 2006, was provided for the commission. Further Acts were enacted in 2006, 2009, 2015 and 2018. A new Oireachtas commission Act is now required as a matter of priority, as

the financing provided under the 2018 Act expires on 31 December next.

As Senators will be aware, the Oireachtas commission oversees the provision of services to the Houses and their Members by the Houses Of the Oireachtas Service, the parliamentary administration, in accordance with the commission Acts. The primary functions of the commission are to provide for the running of the Houses of the Oireachtas, to act as governing body of the service, to consider and determine policy in respect of the service and to oversee the implementation of that policy by the Secretary General. The commission is not responsible for the management and day-to-day operations of the Houses. The Secretary General has overall responsibility for these functions in accordance with the commission Acts. Neither does the Commission set the level of remuneration payable to Members of the Houses. Salaries, pensions and allowances are determined by the Minister for Public Expenditure and Reform of the day. The commission is accountable to the Parliament and presents annual reports of its work to both Houses together with Estimates and accounts of its expenditure.

I would like to acknowledge at this point the hugely valuable role played by secretarial, parliamentary and administrative assistants in supporting Members and delivering a high quality service to the Oireachtas. As a Member of Dáil Éireann for more than 14 years, I am acutely conscious of the extraordinary work all our staff do day in, day out. I am also conscious the nature of the role of the secretarial assistant today is far more complex and much busier than it once was. The nature of the role has changed and developed over the years. Secretarial assistants, as we all know, face an ever increasing range of complex issues and engage with and assist people, often at very difficult times in their lives. I acknowledge the current demands on secretarial assistants are different and more challenging than those that were in place when the 2003 Act was passed.

The scheme for secretarial assistance is the mechanism under which secretarial assistants and others are engaged. Under the scheme, the Houses of the Oireachtas Commission has the power to regulate the provision of secretarial facilities to Members and qualifying parties. Secretarial assistants, administrative assistants, parliamentary assistants, administrators and *chefs de cabinet* are employed by Members and by qualifying parties but are paid by the Commission. The commission also regulates the number of staff employed under the scheme and has oversight of the operation of the scheme. Under the 2003 Act, the commission must obtain the consent of the Minister for Public Expenditure and Reform of the day before reaching an agreement with any person on rates of pay, conditions of employment or superannuation rights. In practice, this means the commission advises on matters relating to resourcing, grading and terms and conditions of employment, and submits proposals to myself for consideration and agreement.

In that regard, I am aware there is a process under way at the Workplace Relations Commission, WRC, dealing with various issues, including alignment with the current public service pay agreement, Building Momentum, between the Houses of the Oireachtas Commission and SIPTU. It is important to emphasise there is a process under way. My understanding is that both the commission and SIPTU have written to the WRC and are proposing a re-engagement at the WRC and that engagement will now take place in January 2022. I want a successful resolution of this matter and early presentation of proposals for my agreement. In that regard, I will work positively with my officials to ensure there is ongoing engagement with the Houses of the Oireachtas Commission in working towards a resolution to this issue as soon as we possibly can in the new year. I sent a pretty clear political signal on that front in the Dáil last week, as I did when I was here last week when Senator Craughwell tabled a Commencement matter



on this issue.

The Houses of the Oireachtas Service is the public service body which administers the Oireachtas on behalf of the commission as the governing authority. The functions of the service are set out in legislation. They can be broadly summarised as the provision of professional advice and support services to the commission, the Houses and their committees, and Members.

The sole purpose of this Bill is to make available the funding for the commission over the coming three years. The Bill proposes to make available to the commission a sum not exceeding €462.505 million to carry out its functions for the three-year period from 1 January 2022 to 31 December 2024. This sum has been agreed between the commission and my Department and takes into account foreseen expenditure over the three-year period. The figure of €462.505 million over three years comprises €160.7 million in 2022, €150.8 million in 2023 and €151 million in 2024 and represents a €40.2 million or 9.5% increase on the allocation for the 2019-2021 period.

Within the overall envelope it should be noted that pay and pensions comprise €323.4 million or 70% of the overall allocation. Members' allowances total €37.9 million or 8% of the overall budget allocation and non-pay expenditure totals €101.3 million or 22% of the total allocation.

Ireland, as we all know, has a very proud parliamentary tradition and a large portion of the extra funding that has been provided is for an ongoing programme of parliamentary reform. Chief among these reforms is the enhanced role for the Parliamentary Budget Office, PBO. Building on initiatives in other countries such as the Congressional Budget Office in the United States, the PBO has been put in place to provide independent and impartial budgetary and economic analysis for all parliamentarians in the Oireachtas.

Further Oireachtas reforms include the development of the Private Members' Bills Policy Unit within the Office of the Parliamentary Legal Adviser. Based on my experience, I acknowledge the crucial role the Office of the Parliamentary Legal Adviser plays in the running of the Oireachtas. Without such an office, it is hard to see how the Oireachtas would function on a day to day basis. Its main objective is to provide independent legal advice to members of the Oireachtas and of the committees. The office also assists Members in research, the development of policy proposals, the drafting of Bills and amendments, and in pre-Committee Stage scrutiny.

Extra funding is also being provided to cater for a larger number of Oireachtas committees and the associated staffing requirements that follow. Oireachtas committees provide a critical avenue for scrutiny of Government and Government policy and it is right and proper they should be funded to fulfil this important role. While these measures will result in increased staffing and administration costs, they represent a very welcome commitment to the further enhancement of our parliamentary democracy.

Other elements in the new funding envelope include the provision for financial emergency measures in the public interest, FEMPI, pay restoration measures. I am pleased the allocation for the period 2022-2024 will include provision for a significant investment in ICT infrastructure as part of the ongoing Oireachtas digital transformation programme. In total, €22.8 million has been set aside for this purpose over the next three years.

We have all experienced at first hand the importance of modern methods of communica-

tions during the past 21 months since the pandemic hit. It is to the credit of the Houses of the Oireachtas Commission that the ongoing work of Deputies and Senators was supported during the periods in which our physical presence was severely curtailed. In particular, the digital transformation programme will provide technology in the Chambers that will implement long-term solutions to facilitate collaboration and productive workflows; digitise existing processes and ways of working, as well as providing modern tools to support Members and staff when carrying our parliamentary activities; implement advanced technology to enhance the research and analysis capabilities within the Oireachtas; and improve transparency between the Oireachtas and the general public.

It should be noted that a once-off general election allocation of €10.5 million has also been provided in the overall envelope, although we are not expecting a general election within the timeframe of the budget set out here.

**Senator Jerry Buttimer:** Bring it on.

**Deputy Michael McGrath:** While funding is the sole purpose of the Bill, a number of amendments of a technical nature are required. I will briefly provide Senators with details of the amendments involved. Section 1 amends section 5 of the principal Act to provide funding for expenditure incurred by the commission during the period of three years from 1 January 2022. The amount of funding for that period is capped at €462.505 million. Section 2 is a standard form provision and sets out the Short Title, collective citation and commencement date for the Bill.

I commend this Bill to the House. I very much look forward to discussing it with my Seanad colleagues.

**Acting Chairperson (Senator Victor Boyhan):** I thank the Minister for that. I will call the group spokespersons leading off with Senator Wilson.

**Senator Diarmuid Wilson:** I welcome the Minister, Deputy McGrath, to the House. I thank him for his comprehensive address to us on this legislation. I am speaking to this Bill on behalf of my colleague, Senator Davitt, who intends to be here before the end of the debate. Therefore, I will be brief in my contribution.

I thank the Minister once again for outlining the details of the Bill. While at a first glance the overall budget allocation of €462.505 million appears to be a great deal of money, however, as the Minister outlined, it covers three years, namely, €160.7 million in 2022, €150.8 million in 2023 and €151 million in 2024 and represents a €40.2 million or 9.5% increase on the 2019-2021 allocation. The Minister outlined the various areas the budget deals with. The Houses of the Oireachtas Commission came into existence in 2004. That was a good day's work, namely, the fact that these Houses took responsibility for their own budget and its implementation.

*4 o'clock*

I welcome the fact that each House has representatives on that commission who do an excellent job in as far as they can. One issue I have regarding membership of that commission is that it tends to be confidential and, while in reality its members represent the Houses, the Members of both Houses are in the main not aware of what is actually happening on their behalf at the commission. I understand from Members past and present that when questioned about an issue that may or may not have been discussed - because we are never sure - we are told that members

must maintain confidentiality. That is an issue I have with the commission, therefore, which the Minister could perhaps address into the future.

I am glad the Minister mentioned the issue of secretarial assistants and parliamentary assistants, which has been raised in this House by many Members over many years. I am glad and confident that the Minister will deal with it in the manner in which he has dealt with a number of other contentious issues that have come before him over the years. I refer mainly to the Moorhead report and pay and conditions for councillors. That issue had been kicked around for more than 20 years and was certainly mentioned. We got to the top of the hill on many occasions in the past with various Ministers but it was not dealt with until it came to the desks of the Minister and, in fairness, the Minister of State, Deputy Burke. Therefore, I wish to pay tribute. This is the first public opportunity I have had to thank the Minister. I have thanked the Minister of State in the past and I would like to do so again. It is an issue that needs to be dealt with, however. As the Minister has outlined, the roles of secretarial assistants and parliamentary assistants have changed down through the years. I am confident that the issue will be addressed by the Minister because it definitely needs to be. I welcome the Bill and will be supporting it but I would like to see a little more transparency from the commission. I pay tribute to the Houses of the Oireachtas Service, which carries out its duties in a very professional manner. I thank the Minister and Acting Chairperson.

**Senator Victor Boyhan:** I welcome the Minister. As I always acknowledge, it is important and it makes a difference when the front-line Minister comes to the Seanad. Last week, the Minister got traction when he spoke in the Dáil with regard to secretarial allowances. People felt that he was positively disposed to resolving that issue. I welcome his comments and the fact that he raised that issue before we even raised it with him.

Conscious that this meeting was going to happen and we were going to discuss this Bill, however, Senators tabled some valid amendments. While I support the legislation, I also support the amendments. We could never anticipate what the Minister might have said here today. We will have another opportunity. We are only considering Second Stage of this Bill today. I will not, therefore, dwell too much on that only to say that I have spoken to a substantial number of secretarial assistants from all parties across the House and they seem to share the same view and concern. Their pay is nothing short of a disgrace, particularly and more importantly when one puts it up against the pensions. Politicians on all sides of both Houses have been criticised time and time again by the media and other people outside with regard to our pensions. I took the time today to look at the pension schemes and financial incentives and schemes for the elected Members of this House and then I looked at the five, ten and 15-year expectation for secretarial assistants. It is nothing short of a disgrace. It will be put in the public domain in the next day or two and rightly so. It should be scrutinised.

We cannot stand in this House and talk about certain Members of this House not getting the proper pay. We must see it in the context of our own pay and our own generous allowances and expenses. Let us call a spade a spade. We are here doing a job but we are part of a team doing a job in these Houses. The Minister knows it and so do I. I could not survive without my secretarial assistant. They are stretched and are working exceptionally hard. Many of them must travel. They put their hand in their pocket to pay for their meals, lunches and travel. They pay for their accommodation if they have to come from outside Dublin. Put all that into the mix and they are getting a bad and a raw deal and we cannot stand over it. I am happy to elaborate in more detail with the Minister outside this Chamber and also when we discuss the issue at the next Stage.

I have no problem in essence with regard to the legislation and the Bill before us. It costs €462 million to run the Houses. That is the reality of it; that is what it costs. I first wish to acknowledge the enormous work of the Clerk of the Dáil, Mr. Peter Finnegan, the Clerk of the Seanad, Mr. Martin Groves, all the other people who work on the commission and their staff and teams who keep the show on the road and keep the cogs in Leinster House oiled. They have worked through exceptionally difficult times with regard to Covid-19 in keeping the place open. That has not been easy. It has been challenging for them as it has been for us. That is really important. We could not have survived without their dedication and commitment that went way beyond the call of duty and way beyond the reasonable hours that anybody could be expected to run.

I sit on the Oireachtas audit committee so I tend to know a lot of the financial workings of the service. That is a really great insight and one sees things that, perhaps, other people never see. We audit all aspects and facets of this organisation and it is an eye-opener. I can tell you one thing as a member of the audit committee. The value for money is paramount and excellent and we are running an exceptionally good and professional show on a very well-managed and well-audited system. In terms of governance of all of that, it is exceptionally good. That is something I want to share with the House.

I support everything the Minister is doing but I am concerned about the pay, conditions and pensions. The Minister might wish to look at the figures in respect of pensions. It is just unbelievable and it is not good enough. Some Independents, members of Sinn Féin, the Labour Party and other groups have tabled and signed amendments. There is still room for more signatures. It is all very well talking here in solidarity but Members in this House can put their signatures on those amendments overnight and add to them. Let us stand in solidarity across this House and show no divide. Let us stand with our staff and support them on top of what the Minister is doing. I am not taking away from anything he is doing. I am confident from everything I have learned about him and everything that people have said that he will work on it. Let us also stand as Oireachtas Members, however, in solidarity with the staff here and those who are at their desks now working for the Minister and me, and for this country.

**Senator Paul Gavan:** Well said.

**Senator Seán Kyne:** I welcome the Minister. I thank him for bringing forward this important legislation. I also acknowledge the work done by all the staff of the Houses of the Oireachtas day in, day out; a lot of it unseen but much of it very visible both for Members and visitors to these Houses. It is important in terms of the running of the Houses of the Oireachtas that we acknowledge the work they do on our behalf in ensuring that the operation of the Parliament is carried on and also that visitors and people who come to our Parliament, whether they be dignitaries or members of the public, receive a fair and proper welcome as well.

I acknowledge their work in particular during the Covid period, which has resulted in increased challenges and workload. I must say that from the feedback we received at the Houses of the Oireachtas Commission meetings, in some cases, there has not always been adherence by all Members. I am not saying Senators, indeed, but by all Members. Reports have been given to us and to the party whips although not to Fine Gael, of course, because we did not do anything out of the way-----

**Senator Victor Boyhan:** Sure.

**Senator Seán Kyne:** -----as I questioned at that time. No members of Fine Gael were brought to the attention of the Houses of the Oireachtas Commission but there were members of other parties who were, or indeed are, Independents.

**Senator Victor Boyhan:** No; other parties, I can understand.

**Senator Seán Kyne:** That was on the record. Situations were brought to people's attention relating to masks not being worn and people not adhering to guidelines and treating staff in an inappropriate manner. That is wrong.

It was reported in the media that we sought sanction for additional staffing for the Houses of the Oireachtas for the coming years, some of it related to translation services and some related to additional committee work. I am not sure whether the Minister has approved those. I believe 111 extra staff were sought over a three-year period. It is a considerable increase in staffing, but we were putting an extra workload on the staff of the Houses of the Oireachtas Commission. All the time, we seek new committees or additional services. That was the request and I understand there was a business case put forward for each of those positions to the Minister. I am sure the funding of the positions was included in the request for funding over the three-year period.

I agree with everything the Minister said regarding the secretarial allowance positions. Senator Wall would have received updates from the commission as well regarding the status of talks with the Workplace Relations Commission, WRC. We had a discussion previously on the Order of Business and there was unanimous support for the important role played by secretarial assistants, SAs, the changed role they have and the fact that, for Senators, the SA is effectively our PA. They do the work of parliamentary assistants in the Dáil, everything that is expected of them and that is not reflected in the salary or pensions that they receive. As the Minister stated, the matter is back with the WRC and it is important an appropriate settlement is reached and that we value the role of our SAs and recognise the enhanced role of Seanad SAs that has not been reflected in the salary they receive.

**Senator Paul Gavan:** It is nice to see the Minister. He is very welcome. The Bill is an important one and Sinn Féin will be supporting it. Like other speakers, I acknowledge the amazing work done by all the Oireachtas staff here every day, much of which goes unheard and unseen. Staff put in tremendous hours and their dedication and patience with us is incredible at times. It is very important we secure funding to ensure the Oireachtas continues to run smoothly. That is especially the case when we consider the tremendously challenging times we have been through in recent years and the changes and challenges that have been met admirably by the Oireachtas staff.

I very much welcome that but, to be honest, I have a concern regarding our secretarial staff, because the process to which the Minister has referred has not been working. The reason it has not been working is because the HR department here was not given a mandate to negotiate a decent pay rise and a decent improvement in conditions for secretarial staff. We know that is a fact because we know the offer that was made under the Minister's watch earlier this year was nothing short of derisory. I am sorry to be blunt with him, but that is the fact of the matter. Offering 3% to staff who are paid €11.75 an hour was nothing less than an insult.

I have a little bit of insight into negotiations as I am a union official by trade. I know how these things work. I pay tribute to the Minister because he nails it in his speech. He makes it

very clear, “Salaries, pensions and allowances are determined by the Minister for Public Expenditure and Reform”. It is there in black and white. He goes on to say, “the commission must obtain the consent of the Minister for Public Expenditure and Reform of the day before reaching an agreement with any person on rates of pay, conditions of employment or superannuation rights”. In the words of the Minister, the buck stops with him.

I am nervous because, after we sign off on the Bill, my worry is that when my colleagues from my union, SIPTU, go back into those talks in January, they are going to be met again with the message that those involved do not have the means to negotiate more. In that regard, I will ask the Minister a simple question. Has he factored in a significant increase for our secretarial assistant staff into the figure of €462.505 million? Has he factored in the key requests they have made, not just in terms of pay but in terms of regrading the position of secretarial assistant? As I stated in the debate on the previous day, it is a complete misnomer. What an entirely inappropriate title for the amazing work these staff do. Has the Minister factored that money in? Otherwise, my concern is my union colleagues will be met with a message that the funding is not there. Let us be clear: we need to move dramatically beyond the derisory offer that was made earlier this year. That is not going to cut it.

I acknowledge the Minister has said some very positive things but my concern is there is an ideology within the Department of Public Expenditure and Reform, not personally on the part of the Minister, that I came across in my time as a union official, which is to give as little as possible almost all the time. My concern is for our secretarial assistants, who have been abandoned for years. Let us not forget that this process has been ongoing since 2018. In a process of three and a half years, what has been delivered so far is the most derisory of offers for the secretarial assistants.

**Senator Victor Boyhan:** Yes.

**Senator Paul Gavan:** I need to understand what the step change is going to be and I need to hear it from the Minister because he is the decision maker. He has the power to fix this. When he fixes it, he will be doing so not on Sinn Féin’s behalf but on behalf of all of the political parties here. I do not believe there is any difference on either side of this Chamber in terms of what needs to be done for these people.

I have a genuine fear that once we pass this Bill, when those negotiations resume, we will hear the same voices from the Department who will be talking about unintended consequences and if it does this there will be claims from X, Y, Z and all the rest of it. That will not do. We need to see a clear step change. We do not need to see these talks dragged out any further. Three and a half years is far too long. A mandate must be given to the HR department and to the Department of Public Expenditure and Reform to sanction a significant pay rise and deal with the other very reasonable issues that have been raised about converting overtime into an allowance. The grade must be changed for these people so they can see a substantial difference from next year. They have waited far too long as it is. My worry is that, so far, the reality is the people negotiating with my union, SIPTU, do not have a mandate to offer any more than the grim, insulting 3%.

It is a stain on all of us for as long as we have people in here being paid as little as €11.75. It is awful. I do not understand why we do not make this site a living wage site so that we could look everyone in the eye, whether employed directly by the Oireachtas or employed by contractors, and know that at least they get the living wage of €12.90 an hour.

**Senator Victor Boyhan:** Hear, hear.

**Senator Paul Gavan:** Why have we not done that? Why have we not ensured that for the contract cleaning staff, who do an amazing job in this Parliament, day in and day out, year in and year out? Their employer group has just abandoned them. It has said it will just not bother with the most recent pay rise they were due. We can fix this by declaring this a living wage site. Why do we not do that and set a great example for other employers throughout the country? It would not even cost much money.

Getting back to the key point, secretarial assistant staff have been let down tremendously in the past three and a half years. They have optimism because of the positive comments the Minister made last week, which I welcome, but I want to hear in his response a very clear re-assurance that he will give a clear mandate from his Department to the HR department in the Oireachtas to negotiate a significant pay rise for these staff without any further delays so that we see an offer on the table at the end of January that is worthwhile, recognises the skills and expertise of these people and, above all, gets rid of this ridiculous title of secretarial assistant. We need to be ambitious because if we do not get this done now, how many more years will they have to wait? Some of us naively thought it would be fixed because of the cross-party appeal that was made at the end of the previous Seanad. I have to put on record that it is extremely disappointing that the Minister has not agreed to meet with these workers. Putting that to one side, the Minister has said that he has the power to fix this. I am respectfully calling on him to just do that - to get it fixed and to give these people the respect, the income, the terms and conditions and the decency they deserve and have been denied for far too long.

**Senator Mark Wall:** I welcome the Minister to the House this evening. Importantly, I should first put on the record that for another short period I will be member of the current commission. Senator Kyne mentioned that in his contribution. I want to welcome some of the new contents of the Bill, particularly with regard to the PBO. I have seen some of what is involved there. It is a very positive step in relation to what we need to do here in the Oireachtas. Particularly as a new Member, I think it is positive for everybody on all sides of the House. I welcome that development.

Like previous speakers, I want to concentrate on the secretarial role here and the work that the secretarial assistants do for us all. Before my contribution on that topic, I want to acknowledge the work done by all the staff in running both Houses and the Leinster House campus. It is valued by us all. Again, I speak as a new Member who has come in here. I have valued the support of all staff in showing me around. I am sure I speak for all of those who have joined in the recent past.

The first topic I raised as a member of the commission when I attended my first meeting in August of last year was the problem surrounding the payment of those we engage as secretarial assistants in both Houses. As Senator Kyne said, following that intervention and following the continued raising of that issue by colleagues at our commission meetings, this important matter has become a standing item each month at our commission meeting. Each month, we are given an update by the HR unit on where things stand. Unfortunately, as other Members have outlined, it has been standing still since last August, despite what was promised in the recent past. I agree wholeheartedly with my colleague Senator Gavan that this campus should be a place where workers earn a living wage. We should show an example and the Government should take that on board. I am sure the Minister will mention that in his reply.

There can be little doubt that the work of our secretarial assistants has evolved and changed dramatically over the past 20 years. Our daily asks of our secretarial assistants are enormous and do not reflect the perceived job. Indeed, the Minister mentioned that in his contribution when he spoke about what we did in a bygone era. Gone are the days when secretarial assistants worked from 9 a.m. to 5 p.m. and simply looked after dictated letters or answered a phone. The job has developed into a much more comprehensive role. Put simply, none of us would be able to function without those who work for us.

I welcome the Minister's contribution and his positive words. Indeed, he said last week during a Commencement debate that he wants a successful resolution of the matter and an early presentation of proposals. Those words will resound with all of the secretarial assistants. It is important that the Minister puts those words on the record again tonight. In my own case, my secretarial assistant Aoife Breslin is often found digging through school and Department websites as she tries to the bottom of the lack of school places in the area of Kildare South where I live. She does this to try to assist me in my work, rather than doing what a secretarial assistant might normally be expected to do. The role of secretarial assistant is an extension of what we do and how we are viewed by those who contact our offices. This is because our assistants are more often than not the first point of contact for people who contact our offices. It is safe to say that the rates of pay bear little or no correlation to the real value of the work. More importantly, they bear no resemblance to the work that secretarial assistants carry out.

It is great to see that so many people want to get involved at the secretarial assistant rate and want to get involved at that level of politics. It is important to say that many of our secretarial assistants will replace us in these Houses over the coming years. It is also important to say that they are not getting paid a reasonable rate. There is no reason for low pay in this sector. There is certainly no reason for the starting level of pay. Many secretarial assistants would have to wait a considerable length of time - it has been estimated that it would take up to 18 years - to receive a level of remuneration that would reflect what we expect of them. Added to that is the job insecurity which is tied to a Member's performance in the general election or indeed a Seanad election. I am sure many people on the outside world would describe our valued assistants as being brave people for wanting to take on such a role.

I thank my Labour Party colleagues Chloe Manahan, Alan Murphy, Stuart Allen and Peter Horgan for their considerable work in highlighting this matter since 2018, and for continuing to push for resolution along with my union, SIPTU. As others have said, with only one person working for each of us in the Seanad there can be no doubt that the workload of those working for Senators is considerably more than the workload of those who work so hard in Deputies' offices. Having worked for ten years as a parliamentary assistant, I am more aware of that fact. I am more aware of the work that is being carried out by my own secretarial assistant.

In responding to the Minister's contribution today and his reply to last week's Commencement matter in the Seanad, I have written to the commission to seek its approval for the proposal that he has sought from the commission. I would like the Minister to outline the nature of that proposal. I am informed that it will be discussed at the next meeting, which I believe will take place next Monday. That is the core of the issue. The commission wants to know exactly what the position is. I take on board what Senator Wilson said on confidentiality. I am not going to say anything other than that. The commission wants to solve this as well as the Minister does. We are all in the same boat. We need the wording and we need it quickly. I look forward to that happening in the quickest possible time in the new year. It is an embarrassment that cannot continue to go on, as I said at a recent briefing we got from SIPTU. I look forward to playing



my part in this regard in the short time I have left on the commission. I also look forward to seeing the Minister play his part, as he has been asked to do.

**Senator Aidan Davitt:** I welcome the Minister to the House. It is a great pleasure to have him here. I thank Senator Wilson who started on my behalf. I was slightly delayed on the way in. As the Minister is aware, every three years this legislation has to come to the House to be passed. Without it, these Houses could not function. That is the primary reason this Bill is here today. I hear what some of our colleagues on the Opposition benches are saying, the concerns they have and the good points they make about secretarial allowances and PAs. They certainly are valid points. I am not going to repeat the good points that were made by my colleagues, Senators Wilson and Kyne. However, I ask the Minister to clarify if this is the appropriate forum at which to bring up this issue. I am sure it has its place and I have no doubt it has to be dealt with. There are concerns and issues, but I do not know if today's debate is the appropriate forum to bring up this issue. This cycle comes around every three years. It is important to keep these Houses flowing and moving and to make sure the work continues here. The Minister might reply to that when he gets a chance.

**Senator Jerry Buttimer:** I welcome the Minister to the House. This is an important Bill, but it is also a missed opportunity. We should not have taken this week and next week to do it, which are the last weeks in which it can be done. We should have done this in a rolling way. As I said on the Order of Business two weeks ago, our role as parliamentarians and the role of our staff have changed considerably over time. The Minister spoke about our proud parliamentary traditions. We have those traditions, but I remind all Members of the House that democracy is not cheap. In some cases, the words and actions of some people have demeaned and undermined the value of democracy, of parliament and of parliamentarians. We should reflect on that.

It is important in this debate that we pay tribute, and not in a patronising way, to the men and women who work in the Houses of the Oireachtas. I refer to those who work on all aspects and all phases of the work of the House, from those who work in the Oireachtas Library and Research Service to those who turn off the lights at night, and all points in between. I am not going to identify anybody.

We must all grasp an opportunity to talk about the context of our secretarial assistants. As Senator Gavan said, to paraphrase him, the name itself is wrong. It should be changed. The role should be transformed completely. It is an outmoded and outdated concept and the pay is insulting, if we are being honest. I am not being adversarial but it is absolutely appalling.

There is an opportunity now and it is one we must all grasp. This Bill is a missed opportunity. The Minister was correct when he mentioned the Parliamentary Budget Office, which we welcome. He was also correct about the issue of committees. I chaired a committee for five years where we brought in pre-legislative scrutiny on a lot of very contentious legislation. It was the right place to do it and the correct thing to do, but one of the critical things we have missed is the role of parliamentarians - Senator Boyhan was correct when he stated that we cannot talk about Senators unless we address the issue of the pay and conditions of staff - and the support given to Members of the Seanad. Let us not cod ourselves. Maybe the Minister will be here someday. I hope he will not be, but maybe he will.

**Senator Diarmuid Wilson:** He will be addressing us as Taoiseach.

*(Interruptions).*

**Senator Jerry Buttimer:** I made the point in the Chamber two weeks ago that our staff are parliamentary assistants, researchers, psychotherapists, sociologists and mental health experts. They are now social media gurus, journalists writing press releases and speeches, and deal with members of the public at their most vulnerable. Nobody is taking cognisance of that in officialdom. The role has changed, as has our role as parliamentarians. I will conclude on this. There are not too many coming behind me and it is an important debate.

**Acting Chairperson (Senator Mark Wall):** It surely is.

**Senator Jerry Buttimer:** There are not too many who are trying to ride both horses in being a Deputy and a Seanadóir. As Members of the Upper House, the research we have to do in the scrutiny of legislation means that we deserve to have parliamentary assistants and not just one member of staff. I thank the Acting Chairperson for his indulgence.

**Senator Eugene Murphy:** The Minister is very welcome to the House. Over the past number of difficult years he has been important on a number of fronts to the constituency I serve, and to the country in general, as we dealt with something nobody had seen happen before with the pandemic. Like many Members, I welcome the fact that the Minister has come to the Chamber himself to give this address and listen to what we have to say. I might not even use up my four minutes because Senator Wilson has adequately covered much of what I was going to say. Senator Davitt followed up on it as well.

Like most Members, I pay tribute to our secretarial staff. My own lady, Ashley, has to put up with me in making sure that everything is looked after, including all the representatives and meetings, and that I am on time for everything I am supposed to do. In my case, I have become known as the person who loses his keys more often than anybody else in the Houses of the Oireachtas. God help her and God help the ushers because it has happened too many times.

*(Interruptions).*

**Senator Eugene Murphy:** On a more serious note, our secretarial staff have done a wonderful job. Like everybody else, we would like to see their conditions changed and their jobs upgraded. It is very good to hear the Minister say so much about those assistants in his address. I picked out four paragraphs at an early stage. He also spoke recently in the Dáil about the important growth of pay, which is included in this address as well.

The public will ask, on an ongoing basis, why it takes so much money to run the Houses of the Oireachtas. It is a significant amount. I will pick out one or two factors that the public sometimes might not understand. I am looking at a figure of 48,735 for parliamentary questions processed. It takes a lot of work-----

**Senator Paul Gavan:** That is just the Healy-Raes.

**Senator Eugene Murphy:** -----to get the research on those. There were 37,941 questions with written answers and 977 with oral answers. Apart from secretarial staff, Oireachtas Library and Research staff do an outstanding job. We should be very appreciative of what they do. They are fantastic people and are all so helpful. The ushers look after us so well from morning until night. Many a time I have had to get my office reopened late at night. They never say “Boo”, but just go and do it. The cleaners have been very significant over the past two years, especially since the Covid pandemic. We should give a major “Thank you” to them for what they have done. At one stage they were looking for a small area where they could have a cup

of tea or relax. It is something we should look after for them because they are extraordinary people. We should acknowledge that here today.

I say well done to the Minister. We will of course support this Bill. I thank him for the open and frank debate we are having and I ask him to continue his good work.

**Senator John McGahon:** I did not get an opportunity to contribute a couple of weeks ago when the debate on the pay of secretarial assistants was going on. I was not going to contribute to today's debate but I saw my colleague, Senator Buttimer, and others discussing it and I wanted to put my experience on the record. I believe I can speak with authority on this because I was a secretarial assistant 18 months ago. I finished up as a secretarial assistant for the former Leas-Chathaoirleach, Paul Coghlan, who was a wonderful boss. I am sure we can all agree to send our warmest wishes at this present time to Mr. Coghlan, Peggy and their family.

I left my role with Mr. Coghlan in January 2020 and eight weeks later I was elected to the Oireachtas. It was only because Mr. Coghlan was such a good boss was I able to sustain the job because the pay is useless, to be blunt. It was only because I was lucky enough to be a member of a local authority at the same time that I could sustain myself on the two salaries. I have no idea how people living in Dublin, let alone those commuting to Dublin, are able to work in jobs as SAs on the salaries they have. As I look around the Seanad, this is our opportunity to stand up for people who may be forgotten about at times in this House. We see the work they do because they work directly for us. I look around at the 60 Members I am lucky to be in the Seanad with and, with no disrespect to them, not many were former SAs. Senator McGreehan worked for Senator Wilson many years ago and she has similar experiences in the role.

I am speaking from an area of experience. I worked as an SA for three to four years. It is a very tough job to do all by yourself. If a Senator is also trying to run for election to the Dáil, an SA is doing the work of two or three people. It is long overdue that we try to do something for people who are a very valuable part, not only of our offices, but of the fabric of the Oireachtas. It is wrong that in this day and age they continue to be paid at the rate they are. I want to put that on the record purely because I was there in the role. I did it for long enough and I am very lucky to be here. We have the opportunity to try to do something at some stage in the next year. I am glad to be able to say that directly to the Minister.

**Minister for Public Expenditure and Reform (Deputy Michael McGrath):** I thank all the Senators for their contributions to the debate. I will be back in the Chamber tomorrow on Committee Stage. I look forward to discussing the issues in some more detail then.

I have heard what everyone has had to say about staff generally in the Oireachtas. I fully concur with all those sentiments. We are very fortunate in the way we are looked after and served by all members of staff. I have heard, in particular, what has been said about SAs. My officials observed the proceedings last week during the Commencement matter on this issue and were very much of the proceedings in the Dáil last week when this Bill went through all Stages. Many Members of that House made similar points and officials are again observing the proceedings here today. What the Senators say matters and it is being heard. I have been a Member of the Oireachtas for more than 14 years and have seen first-hand the extraordinary work our staff do for us. While we have been here over the last hour or so, our phones have been ringing, emails have continued to come in and work has been continuing. Without that support, we simply could not do the job we do. I am glad that a date has now been set for re-engagement at the WRC. The WRC has invited both parties, the Houses of the Oireachtas Commission and

SIPTU, to come before it on 28 January 2022. The commitment I can give for my own part is that, as Minister, I am there to assist in any way I can, as are my officials. I have asked my officials to be as supportive and facilitative as they possibly can be of a resolution being arrived at here, which is what we all want to see. My role in this issue is clear; it is to consider a proposal that is made to me by the commission. Under section 4 of the Act, the commission makes a proposal to me on terms and conditions, grading and so on and I either give consent or I do not. That is my role and once a proposal is put to me, I will make a prompt decision. The political signal that I sent out last week, which I am happy to reiterate again today, is that I am anxious to see a resolution to this issue. I want to see proposals brought forward as quickly as possible to resolve this issue. That is an important signal and, as I said, my officials stand ready to assist the process in any way they can over the next number of weeks, both in the lead up to the WRC hearing and hopefully, a resolution of the matter at that time.

To add to all of the points that Senators made, another relevant factor is the lack of job security for all of our staff. Many of them will end up for working for one or two terms or, if they are very lucky, three terms. There is a lack of job security there. Democracy matters and we have to stand up for our democracy, fight for it and support it. We also have to support each other and support our staff. I have said as much as I can or should say on that issue. My role is to consider a proposal made by the commission and I look forward to discharging that responsibility in the coming weeks.

I wish to respond to a number of specific questions. Senator Kyne raised the issue of staffing. The current staffing level in the commission stands at 619 full-time equivalents. The increased allocation proposed under this Bill will provide for a phased staffing increase over the period of the envelope to provide for 696 full-time equivalents by 2024, representing an increase of 77, or 12%, over the three years. This is a significant increase but it is ultimately a matter for the commission as to how it allocates its resources over that period of time.

The question was also asked as to whether sufficient resources have been provided under this Bill to resolve the industrial relations issue. That is a very fair question and some context is important here. There has been an underspend for the last number of years. In 2019, there was an underspend of €21.4 million, while in 2020 there was an underspend of €14.8 million. The commission has indicated a further saving of €15 million in 2021 based on current projections. This will bring a forecasted return of some €51 million, or 12%, on the 2019 to 2021 envelope. Obviously, Covid-19 had an impact in some respects, particularly on travel and so on, but when one considers that we are providing an increase from that budget base of over €40 million, or almost 10%, it is clear that the capacity is there to improve even further the level of service that is provided by the commission to all of us and to make appropriate changes in respect of remuneration, terms and conditions, and so on. That is as much as I can say for now. I look forward to being back here tomorrow when we can discuss the issue further.

Question put and agreed to.

**Acting Chairperson (Senator Mark Wall):** When is it proposed to take Committee Stage?

**Senator Diarmuid Wilson:** Tomorrow.

**Acting Chairperson (Senator Mark Wall):** Is that agreed? Agreed.

Committee Stage ordered for Thursday, 9 December 2021.

## **Horse and Greyhound Racing Fund Regulations 2021: Motion**

**Senator Paul Daly:** I move:

That Seanad Éireann approves the following Regulations in draft:

Horse and Greyhound Racing Fund Regulations 2021,

copies of which were laid in draft form before Seanad Éireann on 20th October, 2021.”

**Minister for Agriculture, Food and the Marine (Deputy Charlie McConalogue):** I apologise for the delay but I had to attend a Cabinet sub-committee meeting.

An important pillar of Government policy is to ensure that the horse and greyhound racing industries achieve their maximum potential and in so doing, contribute to economic and social development over a wide geographic distribution. The horse and greyhound racing industries make a valuable contribution to a balanced regional economy. It is estimated that the thoroughbred industry has an annual economic impact of €1.84 billion, with direct and indirect employment of 29,000 people. The greyhound sector benefits an estimated 10,000 people. The thoroughbred industry in particular brings a high level of international investment into Ireland. Government funding, in addition to supporting these key industries, presents an excellent opportunity to yield a high return for its investment, leading to a flow of income right through the economy. Support for strategic industries is important for future economic growth and can provide widespread benefits for our society and our economy.

The Irish equine breeding and racing industry is extremely competitive at a global level and is a real beacon of excellence. We are the third biggest producer of thoroughbred foals in the world. Estimates place Ireland behind only the US as the biggest seller of bloodstock at public auction globally. The support provided by public funds through investment in these industries has enabled Ireland to develop a world class reputation for excellence in horse racing, greyhound racing and breeding.

The horse and greyhound racing industries receive financial support from the State through the Horse and Greyhound Racing Fund under section 12 of the Horse and Greyhound Racing Act 2001. My Department makes payments from the fund to Horse Racing Ireland, HRI, and to Rásaíocht Con Éireann. In the period 2001 to date, a total of €1.46 billion has been paid from the fund to the horse and greyhound racing industries in accordance with the provisions of the Act. The cumulative upper limit on payments from the fund provided for under the relevant regulation has been reached, as per the Estimates from my Department. Exchequer support for the fund is crucial to the survival and continued development of both industries. In order to give effect to the provisions of budget 2022, the cumulative upper limit must be increased by regulation. The Estimates from my Department, passed by both Houses of the Oireachtas as part of budget 2022, include an allocation of €88 million for the Horse and Greyhound Racing Fund. This will be distributed in accordance with section 12(6) of the 2001 Act, with 80%, or €70.4 million, going to HRI and the remaining 20%, or €17.6 million, going to Rásaíocht Con Éireann.

In order to allow my Department to provide the money allocated in budget 2022, it is necessary to comply with the technical requirement under section 12(13) of the Act to increase the cumulative upper limit on the amount payable from the Horse and Greyhound Racing Fund by €88 million to €1.54 billion. In essence, we propose to provide €88 million this year and under the regulations we must increase the overall ceiling of the fund by that amount to facilitate payment. That is what is being achieved by the regulation before the House. This regulation has already been discussed and passed in Dáil Éireann. The aggregate limit on the Horse and Greyhound Racing Fund has been increased in this manner in 2004 and 2009 to 2021, inclusive.

A 2017 Deloitte report on the economic impact of Irish breeding and racing commissioned by HRI indicates that the total direct and stimulated expenditure of the Irish breeding and racing industry is an estimated €1.4 billion, based on 2016 figures. In addition, there are 15,200 jobs at the core of the racing and breeding industry and directly related industries. The Covid pandemic has had a significant impact on all areas of the industry, especially racecourses and attendance. The number of horses in training, owners, runners, fixtures and races have all had strong growth this year compared with the corresponding pre-pandemic figures in 2019. The importance of a strong welfare and integrity foundation to this highly successful industry is crucial and well-recognised throughout the industry. My Department and I will continue to work with HRI, the Irish Horseracing Regulatory Board and other relevant stakeholders to ensure that the highest standards of integrity and welfare are maintained. The report of the Joint Committee on Agriculture, Food and the Marine on integrity in horse racing issued earlier this month. Senators Paul Daly and Boyhan played a significant role in developing it. I am examining that report in detail and fully considering its findings.

The EU-UK Brexit trade agreement reached in December last year, which included the Northern Ireland protocol, was a welcome development. It should be noted that challenges remain regarding certain movements of horses, with the global nature of major breeding operations. While Ireland arguably now holds a leadership position in Europe, its pre-eminence is not guaranteed.

I will touch on the greyhound racing industry. According to the 2021 Power report, the industry provides considerable employment, both directly and indirectly. It is estimated that, in 2019, it supported more than 4,000 full-time and part-time jobs in the economy, with 6,000 active greyhound owners. The funding provided to this sector through the fund helps to sustain a long-standing tradition, as the industry is part of the social fabric in the country. This funding underpins economic activity in rural areas in particular.

The industry is committed to continuing to strengthen welfare standards, which are important and have been central to the objectives and work of Rásaíocht Con Éireann. I support this continued pursuit of improvement. Future funding of the sector is contingent on welfare standards being upheld and it is reflected in the annual parameters set out by my officials in their liaison with Rásaíocht Con Éireann. The Greyhound Racing Act 2019 came into effect on 28 May 2019. It strengthened and made a difference in this regard.

**Acting Chairperson (Senator Eugene Murphy):** We are running late and have to get out of here by 6.30 p.m. I am conscious that many people want to speak. If it is okay with the Minister, he might leave the last part of his speech for when he sums up.

**Deputy Charlie McConalogue:** Certainly.

**Senator Paul Daly:** I am delighted to support the motion to extend the upper ceiling for the Horse and Greyhound Racing Fund. I welcome the Minister and his contribution. Four minutes is a short time to speak so I will not rehash the figures and the investment into the fund, and the great role that it plays in rural Ireland. Most, if not all, horse and greyhound trainers are based in rural areas. Having a horse or greyhound trainer can cause significant activity in the area's economy, due to requirements for food, transport, staff, and so on. This money filters down. Horse and greyhound racing are both industries. While they are sports, as I said at the committee, the sport lasts for five minutes in many cases. The preparation for those five minutes can involve three or four years of employment, nurturing and caring for a horse, which involves expenditure in the local community.

I welcome the Minister's acknowledgement of the report of the joint committee. I hope that he will act on it. There are many positives in the report and changes that could be made on the back of it. It is not a silver bullet but I ask him to consider it. Implementing some, if not all, of its recommendations would be a significant bonus, with a particular emphasis on horse and dog welfare. I welcome the Minister's commitment and that of HRI and Rásaíocht Con Éireann in this regard in recent years. There has been well-documented controversy in all elements of the media. There have been totally unacceptable cases, which need to be weeded out. There needs to be traceability, which was introduced in the Greyhound Racing Act 2019. Part of the joint committee's report relates to the greyhound tracing system. I would like to see that implemented for horse racing too.

There is an amendment to the motion, which I will not support. It asks the Minister to conduct a full review of the expenditure and investment by the fund. As the Minister mentioned in his report, in 2017, HRI, through the Deloitte report, and the greyhound racing industry, through the Power report, did that full review. Those reports were presented to the joint committee. Each year, this motion to approve the extension of the upper limit of the ceiling for expenditure is thoroughly examined by the Joint Committee on Agriculture, Food and the Marine. The CEOs and representatives of HRI and Rásaíocht Con Éireann appear annually before the committee. I feel that the review that has been requested is being carried out in a far more thorough and detailed manner than it might be in many other areas. I do not see the need for duplication.

The amendment questions the money going towards prizes. I am actively involved in racing and, up until last week, I was a chairperson of a racing committee. This is not all prize money. The HRI grants aid to race committees on a percentage basis for developments, stabling, catering facilities and facilities for the paying public. There will be more of a need for that in future. As we come out of Covid, with an emphasis on people enjoying a day at the greyhound races, they will want more open air facilities and to spend more time outside. We will probably need more investment in facilities for punters and it is important that the money filters down. As the Acting Chairperson and I mentioned at the Joint Committee on Agriculture, Food and the Marine, we have had much representation from the horse and pony fund, which is struggling to put together insurance money. Is there any way for money from this fund to filter to the fund? Our top jockeys have all come through the pony racing cycle.

On the prize money, many people and the amendment here state that too much money goes to prizes. The prize money attracts the horses. Looking closely at horse racing, because of our prize money in Ireland, many English owners have their horses stabled and trained in Ireland. That enhances our business, game and sport. If it was not for the quality of our prize money, that would not happen. There is an argument about the majority of the prize money going to

a certain few. Those few are the bigger stables. Considering the number of people that they employ in rural areas, it is probably an equal share *pro rata*.

**Acting Chairperson (Senator Eugene Murphy):** We are short on time. I will remove my own four-minute slot. I ask everyone to try to accommodate all their colleagues.

**Senator Victor Boyhan:** I am conscious that four Members present are members of the Joint Committee on Agriculture, Food and the Marine. The man that may have more to say than anyone is the man from that wonderful horse country, Kildare. He is the Senator slightly behind me here. I thank the Minister for being here. We all know that horse racing and horse breeding are an integral part of agricultural, rural life, rural communities, and the rural economy. They are connected both directly and indirectly to rural employment and the rural economy. They play a significant role, in some counties more than others. Senator Daly has spoken about the amendment. The substantive issues addressed in the amendment are valid.

I have raised this matter with the Minister at the committee and he and his officials acknowledged it. We have the reports from Indecon Economic Consultants and Deloitte. I suggested at the committee that they be dusted off and looked at because they were detailed reports and some aspects of them may need to be revisited. That is not a bad thing. We have commissioned these reports. Let us look at them again because they are important. In his contribution, the Minister referred to the joint committee's substantial report on the industry.

*6 o'clock*

Within days of that being published, we had an incident in Kildare which I will not go into for various reasons. Revenue and An Garda Síochána are involved and there are serious questions and an ongoing investigation. The Minister and all of us know about it. There is an element of speculation so it is not appropriate to comment other than to say it raises suspicion and concern about the integrity of the business. We want to protect this valuable industry and business. In principle, the Minister is asking for the approval of more than €70 million for the horse racing sector alone, and that is a huge amount of money so it is right we have proper probity and governance regarding the issues in the industry.

As I said at the Joint Committee on Agriculture, Food and the Marine, animal welfare has to be a critical part of this. A percentage of this funding is ring-fenced for animal welfare but that issue is of serious concern. I ask if the Minister's officials could circulate Working Together for Animal Welfare: Ireland's Animal Welfare Strategy 2021-2025 to every Member of the Oireachtas. It is an important document, particularly the reference to the establishment of the chair of animal welfare and veterinary ethics at University College Dublin school of veterinary medicine. It is a positive move and one I welcome, especially the mainstreaming of animal welfare across all Teagasc education, knowledge transfer and training activities. In a Seanad debate in the next quarter, we might focus on this important document. The introduction of the new scheme for improvement of greyhound traceability is also referenced in the report.

I am supportive. There is a very valid aspect to the amendments and I am interested in the Minister's response to them. I ask that he circulate the working together on animal welfare document because there are some critical issues. He might also reference the tagging and reference of bloodstock, on which he had a national audit. It is a welcome initiative.

**Acting Chairperson (Senator Eugene Murphy):** For newly arrived Members, the Minister unfortunately got held up at an important meeting. We are running late so I have asked



Members to co-operate with me. I came down hard on Senator Paul Daly and cut the Minister's speech down a bit.

**Senator Tim Lombard:** The Acting Chair was hard on Senator Daly so I will be polite. I second the motion Senator Daly proposed. It is an important motion. We need to talk about what this fund is worth to rural Ireland. It is significant because, whether in the dog industry or the horse racing industry, all parishes in rural Ireland have somebody involved in it at some stage. The general feeling in rural communities is that this is one of our core industries and it has been involved in many things throughout society. All of us know people who work and are involved in this. My parish has had two Laurels winners in the past four years, so when it comes to dog racing, in particular, we have seen the benefits of that locally.

We are trying to sustain rural Ireland and rural jobs and to give the feeling we are not big Dublin continually attacking rural Ireland. That feeling is out there in rural Ireland and this fund goes a long way to protecting rural Ireland. It protects core industries and the people who work hard in those industries.

It is important to note that a body of work has been done, particularly in the Committee on Agricultural, Food and the Marine, regarding both of these industries. We have produced reports in the past three or four years and highlighted issues that need to be addressed. That has been a step forward. Particularly regarding the greyhound industry, we brought forward proposals, which have been acted upon, relating to the care and welfare of dogs. These issues are important to society. The report that was published by the committee, of which I think the Minister was a member, has been acted upon by Bord na gCon, which is positive. In recent weeks, we published another report on the equine industry. Those recommendations need to be taken on board as well. That demonstrates the body of work the committee has done to work with both industries to make sure they are appropriate for modern-day Ireland.

The core of the argument is these two industries are a vital part of our society and rural economy. We must do what we can to support our rural economy. We have seen Covid attack it on many levels, and we have seen major issues regarding marketing and people turning up at dog and horse racing tracks. They have been badly affected over the past 21 months. If ever we needed to support those industries it is now. The need for support is there. It has a knock-on benefit for our entire society.

**Senator Pauline O'Reilly:** The Minister is welcome. I have spoken on this issue before. I will specifically talk about the greyhound industry. To be fair to Senator Daly, he has acknowledged this is a difficult issue for me and a difficulty with being in government. There are certain things we did not get in the programme for Government. We as a party are not supportive of the greyhound industry. It is in our manifesto that we believe in the phasing out of public funding. There are serious question marks over how the dogs are treated, apart from the aspect of whether it should be funded. The fact we are the only party in this Chamber that has that as a core policy area should be pointed out. Others may talk about the issues of the dog racing industry, but very few are vocal about the fact they support the greyhound industry fundamentally. That is what parliamentary questions show for the Dáil. We are the only party in this Chamber that does not support it but we are in government. We abide by our programme for Government commitments and we got a huge amount in there on animal welfare. It is the programme for Government that has the most in relation to animal welfare anywhere ever. I recognise the Minister's work in that area.

The programme for Government says the future funding of the greyhound industry is contingent on a guarantee of welfare standards being upheld. The fact that traceability is being questioned even by Government colleagues shows there are question marks over that which have to be addressed. I ask the Minister to take that on board very seriously. I have been contacted by those in animal welfare circles who are concerned that the traceability system only kicks in when dogs turn 12 to 14 months. There are question marks over dogs that cannot race and were born never being able to race. Where is the traceability for those animals?

Given where we are and the question marks over traceability, it is a good time to talk about whether these industries should be decoupled. There are many question marks, which is not good to see. There are question marks over the gambling industry and how these two interact. I do not agree with Senator Lombard that this is a fundamental industry for rural Ireland, coming as I do from Galway. Claims are made that there are 5,000 jobs in the greyhound industry, but there are others saying there are 125 jobs with 700 casual jobs. The latter makes a lot more sense. The industry is not with us all the time. Many of those I know do it after college in the evening because it does not go on throughout the day. That is in Galway.

I think there would be significant public support for decoupling. It is a challenge for us if we want to support the equine industry but the two are brought together. It does not allow us to ensure traceability is happening because all the time we are almost blackmailed into it. We have to do it because of the equine industry and the two are lumped together. Only 16% said in a survey they agreed with this industry being funded by the State. It is a win-win all round and would ensure greater traceability if there was more accountability.

**Senator Lynn Boylan:** I move amendment No. 1:

To insert the following after “20th October, 2021”:

“; that the Minister for Agriculture, Food and the Marine shall:

-conduct a full review of the Exchequer funding to the Horse and Greyhound Racing Fund with a view to examining the social and economic impact of the fund, including the efficacy of the fund in supporting the development of both sectors, the broadest cohort of those involved in both sectors and rural communities; also examine whether the use of the fund to subsidise prize funds represents best value for money; and the efficacy of the fund in ensuring the highest levels of animal welfare standards; and

-report to Seanad Éireann within six months of these Regulations being adopted on the findings of the review.”

I welcome this debate on the greyhound and horse racing fund as it gives me an opportunity to raise the concerns I continue to have regarding animal welfare issues in the greyhound racing industry. We have tabled a sensible amendment calling for a review of the funding and of its efficacy in securing the highest level of animal welfare standards.

That is appropriate, given that a lot of the welfare standards kicked in in January and November of this year. The review would, therefore, be timely.

I will focus my available time on animal welfare issues, particularly in the greyhound industry. I make no apologies for being upfront about my views on greyhound racing. I do not

like it. I fail to see the appeal. However, I know that many Members in these Houses do like it. There are even elected representatives who own racing greyhounds and I hope, when they are speaking, those Members are open about their involvement in the industry. I would like to dedicate this time to highlighting specific concerns, the first of which regards the lack of veterinarians at both official and unofficial trials. That was confirmed to me by Greyhound Racing Ireland only recently and I raised it with the Minister directly at a meeting of the Joint Committee on Agriculture, Food and the Marine. His response was to compare the access to medical care at race events and trials with the access to medical care at county and parish games. That was concerning. According to the greyhound code of practice, which came into effect recently, freedom from pain, injury or disease by prevention or rapid diagnosis and treatment is listed as one of the five principles for best welfare practice. Tell me how a dog fracturing its hock during a trial and having to be brought off-site to receive veterinary care is in compliance with that code. We can compare the situation to that which pertains in our nearest neighbour. In Britain, it is mandatory for a veterinarian to be present at all trials.

I also raise the lack of transparency in the industry regarding injuries and fatalities. Surely the public, who are funding this industry to the tune of €17 million, are entitled to have a publicly accessible database of injuries that are sustained not just at races but at trials and unofficial trials. While 10% of public funding is mandated to be spent on greyhound welfare, there is little transparency in that regard. GRI's annual report claims that €1.76 million was spent on welfare, laboratory integrity and governance, but there is no detailed breakdown on exactly what that money is being spent on and, therefore, the public cannot be confident their money is being spent for welfare purposes.

That brings me to the traceability system, which came into effect in January. Why is this information not publicly accessible? Why is it being funded from a welfare funding stream rather than operational costs? For years, animal welfare organisations have pointed to the thousands of greyhounds that are unaccounted for every year and the introduction of the traceability system was supposed to provide all-of-life information on a greyhound. If that information is not publicly available, how can the public trust that the information is accurate and verifiable? It is only through full transparency that we will be able to see the level of overbreeding that is taking place in the greyhound industry. That transparency would allow us to learn that the majority of greyhounds never make the cut and end up having to be rehomed, if they are lucky enough to be rehomed. It is long overdue that consideration is given to putting a cap on the number of greyhounds that are bred, yet instead we have a situation whereby permission can be sought for a breeding bitch to have a seventh and eighth litter when best practice is for a bitch to whelp four litters over the course of her breeding life. The greyhound industry is already an outlier with six litters. In fact, there are elected representatives in the Dáil who owned a bitch that bred eight times.

I hope the Minister will consider accepting our amendment but, as I said, the concerns on welfare are not going to go away. For those people who are genuinely interested in seeing the greyhound industry survive, the more that is done to ensure welfare, the more chance there is of the industry surviving.

**Acting Chairperson (Senator Eugene Murphy):** I thank the Senator for her co-operation on time. Kildare is one of the greatest counties for the horse racing industry and with that in mind, I call Senator Wall.

**Senator Mark Wall:** I thank the Acting Chairperson for the build-up. Being from Kildare,

I am acutely aware of the importance of the horse racing industry to the county. It is not known as the Thoroughbred County for nothing. A 2019 Deloitte report on the economic benefit of breeding and racing in Kildare found that almost 5,000 people were employed in the county in direct and secondary employment and the industry was worth in the region of €421 million to the county, with €79 million in bloodstock sales by vendors there. One can quickly get a picture of the importance of horse racing to County Kildare. Almost 230,000 people attended the 55 race meetings in the county that year. The potential for tourism and the current benefit that the three tracks in the county bring are obviously worth noting. The investments in the three tracks - The Curragh, Punchestown and Naas - have brought further economic benefit to the county.

In the past three months, I attended two very positive tourism gatherings intended to build on and promote the potential of this industry in the county where I live. Most recently, I joined the Minister for Tourism, Culture, Arts, Gaeltacht, Sport and Media, Deputy Catherine Martin, at the beautiful Kilkea Castle, near Castledermot, where the potential of developing those numbers coming to Kildare for the sport were discussed and advanced. A couple of weeks prior to that, I attended the magnificent Irish National Stud in Kildare town, which, in itself, attracts almost 150,000 people each year, for the launch of the Thoroughbred Country Destination Development Plan, a five-year plan between Tipperary and Kildare county councils and a number of other agencies. The overarching objective of this new plan is to increase the benefit of tourism to the area. Kildare has new and established tourist experiences that horse racing, from the training yards to the three racetracks I previously mentioned, can and will complement. Horse racing can also create further employment.

Of course, in an area of smaller rural towns, villages and parishes, such as south Kildare, many people are involved in the greyhound racing industry and care passionately about the care of their animals. In many families, this is a tradition handed down through generations. It is, however, important to acknowledge that both industries involved in this fund have had serious welfare issues and it is critical that the 10% ring-fenced in 2021 for welfare initiatives gets to those on the ground who are doing so much. Indeed, I believe a higher percentage should be allocated in future from the fund. We are all aware of the support groups and charities that struggle each year with funding. That should not be the case and it is an area on which I would like to further debate. We should do more work in the Houses of the Oireachtas to address that issue.

In my remaining time, I will raise an issue that myself and others have raised on numerous occasions, that is, problem gambling. I again put on record my support for the Minister of State, Deputy James Browne, for his work in publishing the gambling regulation Bill. It is an important step forward and one that must be acted upon. There are many who enjoy a day at the races or a night at the dogs, but there are also, unfortunately, an estimated 40,000 to 50,000 people in this country who cannot enjoy those experiences because they cannot control their habit. Of course, I say “estimated” because we really do not know what the true public health figure in this country is for those who have a problem. I have tabled a Bill to eliminate gambling advertising. I am sure we can all agree that the proliferation of advertisements on our TV screens and media is totally and utterly unacceptable. To paraphrase the words of those who advertise on behalf of the gambling industry, those who cannot stop when the fun stops are the people who need our urgent help. The cost of not addressing this problem is often, for many, the loss of a job, the break-up of a relationship and a family, or even, in some desperate and sad cases, the ending of a life. We must use the opportunity of this gambling Bill and the creation of a gambling regulator to address the uncontrolled use of ads to begin to address and solve the

problem. The Minister needs to work with his colleagues throughout the House and ensure we get the gambling Bill enacted as early as possible in the new year. It must not remain on the shelf, as the previous Bill did. The Government surely cannot allow that to happen. I, for one, will be doing everything in my power to ensure this is addressed for the sake of those 40,000 or 50,000 people in this country.

**Acting Chairperson (Senator Eugene Murphy):** I thank the Senator for his co-operation. By order of the House, I must call the Minister at 6.24 p.m. There are four speakers remaining. I have given way and given up my four minutes. I am asking the four remaining speakers to share their time. Will Senator Kyne share his time with Senator Buttimer? Will Senator Higgins share her time with Senator Ahearn? We do not have the time. The Minister may also give up one minute.

**Senator Alice-Mary Higgins:** If the Minister wants to keep that one minute, I will give one minute to Senator Ahearn and I will take three minutes.

**Acting Chairperson (Senator Eugene Murphy):** I presume Senator Higgins is replacing Senator Ruane.

**Senator Alice-Mary Higgins:** I am. I will take three minutes.

**Acting Chairperson (Senator Eugene Murphy):** That is fine.

**Senator Alice-Mary Higgins:** I am, unfortunately, going to have to oppose the motion. My concerns relate to greyhound racing. The Minister will be aware that I aired those concerns when the greyhound legislation went through the previous Oireachtas. That was an opportunity for a root-and-branch overhaul of the industry and I regret that it was not fully taken. It is regrettable, for example, that the amendments we tabled to limit the exports of greyhounds and to provide for the proper tracing of the export of greyhounds were not taken at that time. The traceability issues, which have been highlighted, still remain.

I am proud of the fact that Senator Ruane and I won two important amendments in respect of that legislation. One was an amendment relating to the rehoming of greyhounds. When we hear a lot of talk from GRI, let us bear in mind that it was forced to bring forward initiatives in respect of rehoming dogs because of the changes made in that legislation. Rehoming is one thing, but the curtailment of excessive breeding and the proper tracing of puppies from birth, not just from the age of 12 months, are also still concerns. We are aware of the number of deaths of dogs that have taken place because the standards that are set are not met. Dogs should never be treated as a crop. There are concerns about the lack of traceability or proper measures around exports and welfare.

Another amendment we won was adding a vet to the greyhound board yet we see vets are still not present at those meetings or trials. We hear about employment but there is ambiguity around where it is if vets are not attending meetings. It is not there in the welfare of greyhounds which takes only 10% of the proposed €17.6 million going to Greyhound Racing Ireland. The contrast is notable compared with the €1.5 million to animal welfare organisations of every kind across the country. I have no doubt that were we to invest even €5 million or €10 million of what we put into greyhounds into animal welfare organisations, that would generate employment and be a contribution and something of value to Irish society.

Greyhound racing is a sport which needs reform and ultimately needs to be ended. This is

an exit process that needs to be looked at. Only 16% of respondents in a RedC poll felt the State should be funding this industry. The tracks have lost €30 million since 2019. Attendance fell by 55% between 2008 and 2018, previous to Covid. I am sure the State has also been supplementing income through schemes such as the PUP. Who is the State funding and supporting? Ultimately, through this we are funding the gambling industry. We have heard the figures on problem gambling of 40,000. To put this into perspective, Flutter Entertainment, of which Paddy Power is part, trebled its profits in the first six months of this year. It does not need our support for prize money.

**Senator Garret Ahearn:** How long do I have?

**Acting Chairperson (Senator Eugene Murphy):** We will try to give the Senator one minute. It is all I can do.

**Senator Alice-Mary Higgins:** Time could be taken from the Minister.

**Acting Chairperson (Senator Eugene Murphy):** The Minister has taken time off his allocation already and he was unavoidably caught up.

**Senator Seán Kyne:** Could we extend the time by ten minutes to allow contributions because the debate started late?

**Acting Chairperson (Senator Eugene Murphy):** I am told that we must get an order of the House. The Order of Business was agreed today. We are wasting time now, actually.

**Senator Seán Kyne:** Can I propose that, notwithstanding anything in the order of the House, we add an additional ten minutes to this debate?

**Acting Chairperson (Senator Eugene Murphy):** We will check that out. Is that agreed?

**Senator Alice-Mary Higgins:** Yes.

**Senator Seán Kyne:** Agreed.

**Acting Chairperson (Senator Eugene Murphy):** The Senator has two minutes.

**Senator Garret Ahearn:** That is perfect. I would love to have more time to speak on this but I will get straight to the point. I fully support this motion and I thank the Minister for his input and support to the sector. The horse and greyhound industries are a huge sector where I am from in Tipperary. I thank the Minister for his work in supporting Clonmel greyhound track and securing its future for the next number of years.

Horse racing creates 10,000 jobs directly and loads more indirectly. It contributes about €1 billion in generated funding. Jim Power did a report on the greyhound industry. It makes a net contribution of €132 million and 4,150 people working full time or part time in the industry. These are people who love animals and love what they do. It is important that we continue to support them.

Colleagues including Councillors Eileen Lynch and David McManus do their very best to support the industry too. I want to acknowledge their work. I will give an insight into what this industry can do and how it can change lives and encourage people. Just this week Rachael Blackmore was nominated for the BBC world sports star award. It is the first time since the 1960s that the racing industry was nominated for this award. The last time was a jockey from

Australia, George Moore. She is up against Tom Brady who won the Super Bowl last year, Max Verstappen, the Formula 1 driver, and Novak Djokovic. She will win it, in my view, because of her contribution to the racing industry over the last year both on the horse and, most importantly, off the horse as an individual and an inspiration to people right across the country here, and particularly women. We in Tipperary are hugely proud of the contribution she makes for herself, the county and for the racing industry as a whole.

**Acting Chairperson (Senator Eugene Murphy):** I thank the Senator for his co-operation. Senator Kyne may not move the amendment but we are trying to get a few extra minutes. Perhaps for now he can take three minutes and Senator Buttimer two and we will try to fit in Senator Cummins.

**Senator Seán Kyne:** I can take two minutes. I welcome the Minister. My father, Lord have mercy on him, used to own a few horses in his time. It was more of a hobby than anything, although he had a small bit of success. He loved those horses. He treated them with respect. He got the vets in and talked to them, God knows, and was very much supportive of animal welfare. The majority of horse owners are the same. I support all these sports such as horse and greyhound racing but I want to ensure that everything is done to support animal welfare.

**Acting Chairperson (Senator Eugene Murphy):** We have been told that the Senator can move an extension for ten minutes. Will he propose that?

**Senator Seán Kyne:** I propose: “That notwithstanding anything in Standing Orders, the time allocated to item 3 is extended to finish at 6.40 p.m.”

**Acting Chairperson (Senator Eugene Murphy):** Is that agreed? Agreed. We can get everyone in now, including the Minister. I can work miracles.

**Senator Seán Kyne:** Animal welfare has to be important. There has been a lot of work done. In fairness, Members of both Houses and across the political spectrum have supported changes that have enhanced welfare.

I come from Galway where the Galway Races are synonymous. There is the seven-day festival in the summer and the September and October meetings. The world renowned Galway Plate and Galway Hurdle are a huge boost. It is thriving. The city closes down for productivity to a degree, or rather I should say that it opens up to everyone else, because it is a festival. It is the racing festival. It is hugely important to the local economy and there is also the Galway Racing Track as well as part of the sports ground in association with Connaught Rugby. The boost to the economy of the funding together with the prize moneys that are provided and the investment are huge. We should also highlight the opportunities it gives to Irish jockeys.

The greyhound industry supports 4,150 jobs and contributes €132 million to the economy as well as the further investment by the greyhound owners themselves. It is an industry that still has a positive role to play. However, I emphasise that the measures around welfare must be adhered to. There must be no doubt around inspection levels and adherence to guidelines that have been put in place by the Oireachtas. It is the Minister’s job to ensure that happens for the good of the industry.

**Acting Chairperson (Senator Eugene Murphy):** I thank Senator Kyne and apologise for the interruption. I suggest that Senators Buttimer and Cummins have two and a half minutes each.

**Senator Jerry Buttimer:** I will take two minutes and leave the rest to Senator Cummins. I welcome the Minister to this important debate. I wish we had more time. Our horse and greyhound industry is very important to our country, economically and internationally. Ireland is known for how we treat our animals. It is a bit disingenuous of some to come in here and criticise the industry unfairly when they do not understand what has been done in terms of the changes to the greyhound industry, around rehoming and care. The Senators can shake their heads all they want -----

**Acting Chairperson (Senator Eugene Murphy):** Senator Buttimer, please, address the Chair.

**Senator Jerry Buttimer:** The Senator will be going out in the general election, telling people one thing and then doing another thing.

**Senator Lynn Boylan:** There are no vets at trials. That is the bare minimum.

**Acting Chairperson (Senator Eugene Murphy):** Senator Buttimer to speak without interruption.

**Senator Jerry Buttimer:** I have a lot more experience in the greyhound industry than the Senator.

**Senator Lynn Boylan:** I would not boast about that.

**Senator Paul Gavan:** The Senator is hardly very objective then.

**Senator Lynn Boylan:** Yes. Declare an interest.

**Senator Jerry Buttimer:** Senator Ahearn mentioned Councillors McManus and Lynch. Councillor Lynch's father and family are from Cork which has been the home of a number of Irish greyhound champions. I come from a family that supports and has had greyhounds. I know the work that is done and the care given to our greyhounds in the industry by those involved on the ground. I can vouch for those men and women.

The industry has changed, but our horse racing, our breeding, our thoroughbreds, our jockeys, our owners, our trainers and our horses are notable around the world. Senator Ahearn mentioned it in relation to Rachael Blackmore. Look at the success last weekend of Aidan Coleman in Aintree. Look at the success of our horses around the world and the value people around the world put on our thoroughbreds. The industry amounts to €1.84 billion and generates more than 29,000 jobs. This is a good motion. It is about supporting local economies. It is about supporting local people. More importantly, it is about ensuring there is welfare and accountability. That is what we are all about. None of us want to see the industry tarnished, damaged or sullied. That is why I am supporting this motion and I commend it to the House.

**Senator John Cummins:** I welcome the Minister to the House and I fully support the horse and greyhound fund. Both industries are exceptionally important to my own county of Waterford. I grew up next to Kilcohan Park greyhound track. It provides many jobs to those involved in the industry and it indirectly employs at race meets every single week young people who go to school and live in the locality. The same can be said for the Tramore races and the many fantastic trainers we have in Waterford, not least Henry de Bromhead who has been honoured on numerous occasions due to his exploits last season.



More than that, it is important to acknowledge the welfare issue. Universally, you will not find anybody who disagrees on the importance of animal welfare. I have seen first hand the people who are involved in both the greyhound industry and the horse racing industry and the care and love for the animals that are entrusted to their care. They take those responsibilities exceptionally seriously. Any suggestion to the contrary is disingenuous. These are two very valuable industries to this country. It is important we continue, as a Government and as a country, to support these industries. If people are going to come into this Chamber and elsewhere and talk down the industries and attempt to do a disservice to them, they need to be honest with the people who are employed in those industries and not talk out of both sides of their mouth on this issue.

**Acting Chairperson (Senator Eugene Murphy):** Certainly, when I came to chair this debate over an hour ago, I did not think would be so exciting with all that has gone on. Before I call the Minister, I appreciate all Senators for their co-operation. The Minister rang me when we were five minutes late. I knew that he was caught up in a meeting and he was trying to get here. I appreciate the Senators cut their time to accommodate that. I particularly appreciate my colleague Senator Daly, who I slapped down strongly at the start and he will never forgive me, and the officials for their support. I call the Minister to make his concluding remarks.

**Minister for Agriculture, Food and the Marine (Deputy Charlie McConalogue):** I thank the Cathaoirleach and Members for the various contributions this evening, for the passion with which everyone spoke to the motion, and for the tremendous interest there has been in it. I apologise again for the disruption at the start when I was delayed in leaving the Cabinet subcommittee meeting.

We have discussed this topic in great detail in the Dáil. I know many Senators also directly contributed to the debate at the Oireachtas committee on this issue. The one clear message from every speaker here this evening is that everyone in this House is determined and consistent on the importance of welfare standards and care for both horses and greyhounds. Indeed that is a priority that is shared, as we know and has been outlined by speakers here this evening, by owners of horses and greyhounds throughout the country. It is crucial that is the case. I have a strong message for anyone who would in any way move away from those high standards that owners expect of other owners and we expect of everyone involved as well. We will come down like a tonne of bricks on anyone who disrespects the principle of the importance of caring for both horses and greyhounds. When we look across both sectors there is great care. No one spoke to that better than Senator Kyne, when he spoke about his own experience of his own father and the care and attention that was brought. That is representative of horse owners and dog owners throughout the country.

Overall, these are two important sectors, not just for the enjoyment they bring to those who participate in them and those who attend them but also because of their economic output for the economy. Greyhound racing is a smaller sector but it is important throughout the country. It is especially important in rural Ireland, but it also has an important heritage in urban centres, such as in urban Dublin. Our horse racing sector is a beacon across the world, considering what we have built up and developed over the years. The horse and greyhound funding we give is very important as a generator for that sector by keeping it moving and pushing it on and providing leadership to a sector that is envied across the world and which we all intend to build on in the time ahead.

I recognise the role of Horse Racing Ireland and of Rásaíocht Con Éireann in providing

stewardship and leadership to both those sectors. They recognise the widespread support across both Houses of the Oireachtas and across the vast majority of Members continuing with the State funding of both sectors to keep them at the centre of society so that they can be a key stimulant that underpins both of those sectors.

I thank the Acting Chair for his discretion and co-operation here this evening. I thank all Members for their participation here and at the Oireachtas committee. I know the Oireachtas committee in particular will continue to work with Rásaíocht Con Éireann and Horse Racing Ireland on this as the year progresses. Certainly, I look forward to doing that and to seeing both these industries strengthen in the time ahead and continuing to be important parts of Irish rural life as well as the Irish economy with, importantly, the highest of welfare standards at the centre of both.

Amendment put:

The Seanad divided: Tá, 7; Níl, 34.	
Tá	Níl
Boyhan, Victor.	Ahearn, Garret.
Boylan, Lynn.	Ardagh, Catherine.
Gavan, Paul.	Blaney, Niall.
Higgins, Alice-Mary.	Burke, Paddy.
Ó Donnghaile, Niall.	Buttimer, Jerry.
Wall, Mark.	Byrne, Malcolm.
Warfield, Fintan.	Byrne, Maria.
	Casey, Pat.
	Cassells, Shane.
	Chambers, Lisa.
	Conway, Martin.
	Crowe, Ollie.
	Cummins, John.
	Currie, Emer.
	Daly, Paul.
	Davitt, Aidan.
	Doherty, Regina.
	Dolan, Aisling.
	Dooley, Timmy.
	Gallagher, Robbie.
	Garvey, Róisín.
	Horkan, Gerry.
	Kyne, Seán.
	Lombard, Tim.
	Martin, Vincent P.
	McGahon, John.
	Murphy, Eugene.
	O'Donovan, Denis.

*Seanad Éireann*

	O'Loughlin, Fiona.
	O'Reilly, Joe.
	O'Reilly, Pauline.
	O'Sullivan, Ned.
	Ward, Barry.
	Wilson, Diarmuid.

Tellers: Tá, Senators Lynn Boylan and Paul Gavan; Níl, Senators Robbie Gallagher and Seán Kyne..

Amendment declared lost.

Senator Lorraine Clifford-Lee has advised the Cathaoirleach that she has entered into a voting pairing arrangement with Senator Eileen Flynn for the duration of Senator Flynn's maternity leave and accordingly has not voted in this division.

Question put: "That the motion be agreed to."

The Seanad divided: Tá, 35; Níl, 5.	
Tá	Níl
Ahearn, Garret.	Boylan, Lynn.
Ardagh, Catherine.	Gavan, Paul.
Blaney, Niall.	Higgins, Alice-Mary.
Boyhan, Victor.	Ó Donnghaile, Niall.
Burke, Paddy.	Warfield, Fintan.
Buttimer, Jerry.	
Byrne, Malcolm.	
Byrne, Maria.	
Casey, Pat.	
Cassells, Shane.	
Chambers, Lisa.	
Conway, Martin.	
Crowe, Ollie.	
Cummins, John.	
Currie, Emer.	
Daly, Paul.	
Davitt, Aidan.	
Doherty, Regina.	
Dolan, Aisling.	
Dooley, Timmy.	

Gallagher, Robbie.	
Garvey, Róisín.	
Horkan, Gerry.	
Kyne, Seán.	
Lombard, Tim.	
McGahon, John.	
Murphy, Eugene.	
O'Donovan, Denis.	
O'Loughlin, Fiona.	
O'Reilly, Joe.	
O'Reilly, Pauline.	
O'Sullivan, Ned.	
Wall, Mark.	
Ward, Barry.	
Wilson, Diarmuid.	

Tellers: Tá, Senators Robbie Gallagher and Seán Kyne; Níl, Senators Lynn Boylan and Paul Gavan.

Question declared carried.

Senator Lorraine Clifford-Lee has advised the Cathaoirleach that she has entered into a voting pairing arrangement with Senator Eileen Flynn for the duration of Senator Flynn's maternity leave and accordingly has not voted in this division.

### **Antarctic Treaty: Motion**

**Senator Vincent P. Martin:** I move:

“That Seanad Éireann:

acknowledges:

- the time and effort committed by the officials of the Irish Government in the consideration of Ireland's accession to the Antarctic Treaty;

- that there has been governmental interest in the accession of Ireland to the Antarctic Treaty and that this continues;

- the long association of Ireland with the exploration of the polar regions, especially the Irish contributions to the Heroic Age of exploration of the Antarctic, through people

such as Shackleton, Bransfield, Crean, McCarthy, Forde, Keohane and others;

- the modern contributions made by Irish scientists, explorers and others who are involved in Antarctic activities, and that such involvement continues;

is aware that:

- the Antarctic Treaty System dedicates the continent for peaceful purpose, for the benefit of humanity and for the free exchange of scientific research;

- national conflicts have remained in abeyance under the Antarctic Treaty for more than half a century, including periods of extreme tension during which cooperation continued on the Antarctic continent and that a Pax Antarctica has prevailed;

- every national territory in the Antarctic has one or more stations of other countries operating within its boundaries and that no discord results;

- Irish scientists participated in the recent International Polar Years (2007-2009) whose programmes are concentrated in the Arctic and Antarctic and have ongoing involvement in programmes in these regions. It is noted that the International Geophysical Year (1957-1958) was a major motivation in the foundation of the Antarctic Treaty;

- the Antarctic Treaty is central to a progressive system which has succeeded in protecting Antarctica's intrinsic geography, climate, wildlife and ecosystems from damaging practices while highlighting the globally detrimental consequences of external activities on the continent's environment;

- the Irish Government recently applied for membership of the Arctic Council as an observer, based on Ireland's position of neutrality, a consistent belief in global cooperation, concerns regarding climate change, strengths in scientific and technological research and a maritime influenced culture, heritage and identity. These arguments equally apply to the Antarctic Treaty;

considers:

- that the Antarctic Treaty, made in 1959 by twelve countries then directly involved in Antarctic research, now has 53 adherents whose governments represent some 80% of the population of the Earth;

- communication regarding Ireland's accession to the Antarctic Treaty dated 4th October, 2010, from the Minister of the Department of Foreign Affairs to the Shackleton Autumn School, Athy, in particular that: 'all Departments involved are aware of the importance of making progress on this issue before the end of the current Programme for Government in 2012';

- Ireland's expression of interest in our role in Antarctic heritage, through the donation made during President McAleese's visit to New Zealand in 2007, to the New Zealand Antarctic Heritage Trust towards the conservation of historic huts on Ross Island, the sites of expeditions during the 'heroic age' led by Ernest Shackleton and others;

observes that:

- in Europe: Austria, Belgium, Britain, Bulgaria, Czech Republic, Denmark, Estonia,

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Finland, France, Germany, Greece, Hungary, Iceland, Italy, Netherlands, Norway, Poland, Romania, Slovakia, Slovenia, Spain, Sweden, Switzerland, Turkey and Ukraine, are adherents to the Antarctic Treaty and there are 22 other countries involved;

- recent membership in the Scientific Committee on Antarctic Research has been by Denmark and Portugal and that this committee is a basic part of the Antarctic treaty System;

- Malaysia on 31st October, 2011, Pakistan on 1st March, 2012, Kazakhstan on 27th January, 2015, Mongolia on 23rd March, 2015, Iceland on 13th October, 2015 and Slovenia on 22nd April, 2019 are the most recent adherents to the Treaty;

- that the paucity of Antarctic history of any of these states, especially compared to that of Ireland, is conspicuous;

is cognisant:

- of Dáil Éireann's declaration of a climate and biodiversity emergency on 9th May, 2019 and that the Antarctic Treaty System offers a route for direct involvement in the future of Antarctica, one of the most important mediators of global climate and environment;

- that the benefits of adherence to the Antarctic Treaty may be secured without incurring major expenditure and that such membership will be an advantage to Irish scientific research and related Antarctic activity;

- that as a key active and passive actor in global climate, Antarctica concerns all global citizens and accession to the Antarctic Treaty is the principal vehicle for participation with all aspects of the Antarctic;

- that the Antarctic Treaty and its sub-arrangements are templates for apolitical, science driven agreements towards peaceful, globally beneficial objectives. The experience of their implementation along with international partners opens opportunities for application of their operating principles to other similar settings outside of Antarctica;

- that 2022 marks the centenary of the death of Ernest Shackleton in the Antarctic island of South Georgia where he is also buried. Shackleton was Ireland's pre-eminent Antarctic persona and a leading global ambassador. Shackleton's international comrades decreed that he was 'from the crown of his head to the sole of his foot, an Irishman....He has all the best characteristics of the Irish race';

- of the opportunity for Ireland to mark the centenary of Shackleton's death by making a commitment to advance our accession to the Antarctic Treaty;

- of the work that needs to be undertaken in order for Ireland to accede to the Treaty;

- of the commitment given by the Minister for Foreign Affairs in September 2021, that his Department would undertake an assessment to establish the nature and extent of the administrative, policy and legislative commitments that would be necessary for accession to the Treaty, involving a number of Government Departments;

requests:

- an update from the Minister for Foreign Affairs on progress made by his Department in the assessment of the commitments necessary for accession to the Antarctic Treaty;

urges the Government to:

- promptly complete its assessment of necessary commitments for accession to the Antarctic Treaty; and

- commit to taking all necessary steps to accede to the Antarctic Treaty as soon as possible.”

**Senator Róisín Garvey:** I second the motion.

**Senator Vincent P. Martin:** I welcome the Minister for Foreign Affairs to the Chamber. The motion is a detailed one. The last couple of lines urge the Government to commit to taking all necessary steps to accede to the Antarctic Treaty as soon as possible.

The ongoing pandemic has reminded us of the primacy of science in providing solutions to potentially overwhelming problems. Science, be it identifying and analysing the facts or conceiving novel solutions, rises above opinion and behaviours to develop a meaningful way forward. The International Geophysical Year 1957-1958 was a significant event that saw the application of postwar technology, such as radar, rockets and computers to assisting in the understanding of complex workings of Earth systems. One of the most important locations for pursuing the objectives of the International Geophysical Year, IGY, was Antarctica. The scientists involved saw the need to share research and findings to prevent this unique and pristine continent’s involvement in the Cold War, to ensure it was not used for strategic or weapons-testing purposes and to negate future territorial claims. Out of these noble ambitions grew the Antarctic Treaty of 1959.

It is a short treaty. I will mention a few of its articles that frame its philosophy. Article I states, “Antarctica shall be used for peaceful purposes only”. Article II states, “Freedom of scientific investigation in Antarctica and cooperation toward that end ... shall continue”. Article III(c) states “scientific observations and results from Antarctica shall be exchanged and made freely available”. The treaty promotes Antarctica for the betterment of humankind through its use for scientific research and co-operation in preserving and conserving living resources in Antarctica. We have a situation on that continent where countries that might otherwise be adversaries co-operate. They share knowledge, science, research and information and they make all parts of the continent fully accessible. Since its inception, spanning the Cold War and other superpower hostilities, it has proven itself to be robust and effective, thus ensuring Antarctica remains an uncontaminated theatre for leading-edge environmental and geophysical research.

Antarctica is the newest continent. Its first human footprint is as recent as 1895. We only now learning the crucial role it plays in mediating our global environment. A simple statistic that makes it very clear how important it is that 70% of the world’s freshwater is held in the form of ice in Antarctica. Countries comprising 80% of the world’s population have already signed up to this treaty or adherence to it.

As with many other regions across the globe, our diaspora has ensured Irish connections with Antarctica are very strong. The first confirmed sighting on the Antarctic island was by an Irishman, Edward Bransfield of Ballinacurra, County Cork. The heroic era of polar explora-

tion at the beginning of the 20th century saw characters such as Ferrar, the McCarthy brothers, Crean, Forde and Keohane participate in various expeditions. The colossus among them was Kildare's Ernest Shackleton, who pioneered the route to the South Pole and for whom Antarctica became a theatre for his instinctive, inspirational leadership and supreme courage in the face of such difficult adversity. Shackleton very much considered himself Irish and so did his contemporaries and one, Professor Edgeworth David, summed him up by saying: "[he is] from the crown of his head to the sole of his foot, an Irishman ... He has all the best characteristics of the Irish race". Shackleton stated his interest in the furtherance of knowledge and in doing so laid the groundwork for the continued involvement of Irish scientists in scientific research in Antarctica, and Ireland has a very proud tradition in science.

By acceding to the international Antarctic Treaty, Ireland will establish a right to participate in scientific research and share findings of other members' work, it will have a voice in the future of Antarctica and have an opportunity to partner with others and devise policies and procedures that have a profound impact on the welfare of our globe. In joining this treaty, as is proposed in this motion submitted by the Green Party-An Comhaontas Glas under Private Members' business, Ireland will become part of an agreement which already comprises countries representing 80% of the world's population.

Shackleton, born in Kilkea, County Kildare in 1874, led four expeditions to the Antarctic and died on the final one. All his expeditions had exploration, scientific and climate objectives. Shackleton has become a hallmark for his leadership methods. His decision-making and genuine interest in his crew, irrespective of where they came from or their class, are now regarded as key elements of effective management and leadership. In 1903 Captain Scott sent him back from the Antarctic as unfit for work in cold climates but undeterred, he organised his own expedition that in 1909 came within 100 miles of the South Pole. Short of supplies, he prioritised his and his team's welfare. Not preoccupied with overachieving he put their safety first and turned back, explaining to his wife Emily he would prefer to be a live donkey than a dead lion. His final expedition saw him die of a heart attack at the Antarctic island of South Georgia where, at his wife's direction, he remains buried so his heart can lie in the Antarctic he so loved. Shackleton was and is internationally very highly regarded. New Zealand's Prime Minister, Jacinda Ardern, is on record regarding him as an important inspiration in her role. The famous Norwegian explorer, Roald Amundsen, declared Shackleton's name would be written in letters of fire on the Antarctic.

The Shackleton Museum, Athy, is a leading institution. We are so proud to have this museum in County Kildare. It is dedicated to preserving, promoting and making relevant Ireland's legacy in global exploration and, in particular, that of Ernest Shackleton. I put on record the current committee members of this voluntary organisation, which is a beacon of tourism in Kildare. Committee members include Senator Mark Wall, Councillor Aoife Breslin, Councillor Ivan Keatley, Councillor Brian Dooley, Annette Aspell, Bridget Loughlin, Kevin Kenny, Seamus Taaffe, Joe O'Farrell, Clem Roche, Marc Guernon, Ger Kelly and many other great friends, including renowned artist, Vincent Sheridan, who joined us for the press conference earlier today to express his delight that this motion has now reached the Upper House of the Oireachtas.

I must make a special mention of Naas councillor, Colm Kenny, who was pivotal in getting us to where we are today, and the Kildare Green Party members, including Sean English who was in the Antarctic, and many others. I recently attended a conference organised by Into Kildare in the beautiful Kilkee Castle. Its chairperson, David Mongey, singled out our obvious strengths in Kildare. We are internationally renowned for horse racing but he mentioned two



other potential growth areas. St. Brigid is one of the patron saints of Ireland, and if her feast day became a bank holiday we could see spring schools.

**An Cathaoirleach:** I do not wish to interrupt Senator Martin's speech, but we must stick to the motion.

**Senator Vincent P. Martin:** Yes. To return to the motion, Shackleton is the second thing. Horse racing, St. Brigid and-----

**An Cathaoirleach:** It was when Senator Martin mentioned St. Brigid that I realised we were slightly off the motion, just off course.

**Senator Vincent P. Martin:** We are spoiled for choice in Kildare. St. Brigid, horse racing and Shackleton have huge untapped tourism potential for our county.

**Senator Mark Wall:** And the bank holiday.

**Senator Vincent P. Martin:** Ernest Shackleton's name and reputation go before him. I will hand over soon to my Green Party colleague. Ernest Shackleton died in January 1922. He is buried in the whalers' cemetery on the Antarctic island of South Georgia. It would be most appropriate that we mark the centenary of his death by building on his pioneering Antarctic work by acceding to the Antarctic Treaty. If the Government were to do this, there are strict guidelines on where the treaties are deposited, but we could have a ceremonial signing of this international treaty beside his beautiful statue in Athy, which is outside the museum.

**Senator Mark Wall:** Hear, hear.

**Senator Vincent P. Martin:** The big question for the Minister is if he is up for this. Will he give us a signal today because there is a lot of goodwill in the room, as there has been for decades? We have now formally tabled it as a motion. I look forward to the Minister's contribution and to his assessment of where we stand and exactly what he can do as Minister for Foreign Affairs to get this over the line, which is the bottom line. We want to take our place among the great nations of the world. Ireland is a leader. This is all good. It is good to have a country with such a rich legacy. It does not make sense to be outside the room when we should be at the top table in Antarctica of all places. I appreciate the Minister's attendance in the Chamber this evening. I will listen attentively to what he has to say in response to the motion. I will now hand over to my Green Party colleague, Senator Garvey.

**Senator Róisín Garvey:** I second the motion. I feel that this is a Lilywhites PR campaign.

**Senator Mark Wall:** Senator Garvey has not seen anything yet.

**Senator Róisín Garvey:** *Carpe diem*. I thank my colleague, Senator Martin, for bringing forward this motion. I acknowledge the work of the Minister of State, Deputy Noonan, who committed to trying to get this done a year ago when he visited Kildare.

The Antarctic Treaty was signed in 1959 by 12 countries. There are now 42 signatories of the treaty, covering 80% of the world's population. It is great timing because we had an historic maritime Bill passed by this House and embraced by the coalition Government and today we have this great motion which will ensure we are at the table and signing up to the treaty to protect Antarctica. We have been accused of being climate laggards in the past and we must show that we are not like that any longer. Yesterday's Bill and today's motion are fitting to show that

we are pulling up our socks and treating this as a real climate emergency. Without going into too much detail, everybody knows how important Antarctica is with regard to carbon sequestration and biodiversity. So many of the great whales and sharks come from that area and the krill that are hugely important for carbon sequestration as well. It is great that the Minister has come to the House today. I thank him for coming in and taking the issue seriously.

I will speak briefly on the need to protect this almost pristine environment. The Antarctic Treaty is unique in this world. The land is not owned by any one country and in a fast growing world of greed and globalisation, it is amazing to think we have this one space that we have not found a way to buy and sell and take all the minerals out of it. I am pleased to see that we are up for taking on this motion. The land is not owned by any one country and its management is agreed in this special treaty. This has ensured peace is maintained on this continent, which sadly has not happened anywhere else in the world. The level of environmental protection is also unique, as it explicitly protects against human interference – God knows we play our part everywhere else; the environment and natural world are protected as a result of its inherent and recognised intrinsic value. Its protection is sacred and explicit in limiting human interactions and preventing human extraction of resources, as has happened in almost every other corner of the Earth.

To agree with the Antarctic Treaty and the protections offered therein, allows us to demonstrate that we believe in the intrinsic value of protecting and conserving the natural world. We have so much more to do with regard to the significant challenge we face with the biodiversity and climate emergencies that we see wreaking havoc all over the world and coming closer to home every day. It is important that, as my colleague said, we are at the table for this treaty. It would be madness not to support it. I look forward to hearing the Minister's response on how we can manifest the motion into action so that Ireland is part of the treaty. I value the presence of the Minister and his giving his time. I thank my colleague, Senator Martin, for his work on the motion. Great people from all over Ireland went to Antarctic, not just Kildare people. The Kerry people would kill me if I did not mention Tom Crean as well. It is an important treaty and it is great that the Minister is here today to give us guidance on what he is going to do to get Ireland to the table.

**Senator Victor Boyhan:** I thank the Minister for coming to the House. I will be brief. I support this excellent motion. I do not intend listing all the county councillors from Kildare. I am originally from Kildare, a little place just outside Athy called Narraghmore. Therefore, I know a lot about Ernest Shackleton. I salute the people of Athy in County Kildare for the interpretative centre and museum and also their connection with the nearby town of Ballitore, which many know due to the Leadbeaters and the Quaker history and tradition associated with it. I have spent most of the remaining part of my life in Dún Laoghaire, another great place, which also tried to put in place an interpretation centre on Shackleton and the Antarctic. It has not as yet been successful, yet has had loads of money pumped into it in the wonderful harbour in Dún Laoghaire. That is something that relates to Athy.

**An Cathaoirleach:** I ask Senator Boyhan to stick to the motion.

**Senator Victor Boyhan:** If we park all of that, I want to make the point-----

**Senator Mark Wall:** Keep going.

**Senator Victor Boyhan:** -----that there is a commitment and history. I support the motion.

The Antarctic is unique. It is an isolated land mass with no permanent human settlements, surrounded by a wild, cold and stormy ocean. Few can perceive the benefits of the Antarctic. Few of us have clear opinions based on personal experience, for many of us will never visit or have the opportunity to visit that continent. The whole of mankind benefits from its isolation, which is part of its uniqueness. Few will ever have an opportunity to visit its unique ecosystems. The treaty is about the ecosystems that are there. It is a global resource, both practically and spiritually and it must be managed, conserved and supported for the benefit of all.

I acknowledge the enormous work done by a former Senator, now MEP, Grace O'Sullivan. She is the Green Party marine spokesperson. She has been so much involved in the sea and ahead of the ball regarding the Antarctic. She is an environmentalist and was personally involved in Greenpeace out on the high seas. She brought all of that skill, passion and love for the environment here. When she left, she went to the European Parliament, where she continues to be a wonderful advocate for this area. It would be right and proper that we acknowledge her work.

I thank the Minister and I thank the Green Party. I will be supporting this motion.

**Senator Joe O'Reilly:** I welcome the Minister, Deputy Coveney, and acknowledge that his presence is an indication of how seriously he is taking this issue. I congratulate my colleagues in the Green Party for bringing forward the motion. It is a worthy motion and a worthy debate that we should have.

The Antarctic Treaty System effectively allows for peaceful co-operation between countries. It provides that no specific country precisely owns the Antarctic. Countries have stations there, are involved in research there, such as nuclear testing and scientific research, and preserve its biodiversity. The research and work there will improve humankind. There is an interest in accession to the Antarctic Treaty System. I would be interested to hear in the Minister's response where precisely we are at and how he views the future in regard to that.

Irish scientists participated in the International Polar Year experimentation in 2007 and 2009. That was a positive Irish involvement and that is good.

It is a wonderful treaty to the extent that national conflicts have remained in abeyance under the Antarctic Treaty. Every national territory, as I stated earlier, has stations but, importantly, they are not in an ownership situation. The treaty allows for the protection of the intrinsic geography, climate, wildlife and ecosystems in Antarctic and that is important.

I gather that Ireland has sought to join the Arctic Council, in observer status because of our neutrality position. The Minister might elaborate and make us aware of what is happening there. Initially, the treaty was made by 12 countries and it is extremely important that we would be part of it.

Much reference has been made to, and my distinguished colleague Senator Vincent P. Martin gave a learned exposition on, the entire question of explorers there, and specifically on Ernest Shackleton. I had the privilege of meeting the Shackleton family on one occasion. They have interests close to my home area. Senator Martin is probably aware of that. They have family interests in the north Meath area as well. There is a family tradition there. Of course, there are some of the Crean family still around too, and Tom Crean is obviously a celebrated explorer too. Ireland has an interesting tradition of exploration.

Next year will mark the centenary of the death of Ernest Shackleton on the Antarctic island of South Georgia, where he is buried. He was Ireland's pre-eminent Antarctic person and a leading global ambassador. Shackleton's international comrades decreed that he was an Irishman "from the crown of his head to the soles of his feet" and that he had "all the best characteristics of the Irish race".

It is an interesting and worthwhile motion. It is important that we preserve Antarctica, its biodiversity and its ecosystems, that we preserve it in its unspoilt condition and that we make sure it is not a victim of global warming. There have been some alarming reports from there, and alarming evidence on our television screens. We do not welcome that. We are certainly committed in Ireland to the climate change agenda and to making sure we preserve Antarctica and we preserve our planet to the largest possible degree. That is our job. While Ireland cannot do it alone, we will have a moral leadership role. We will by our actions be fit to make the case strongly.

I personally believe that we should go on seeking observer status at the Arctic Council. I believe we should look at accession to the treaty. I am interested in the Minister's response in that regard. The Green Party has done a good day's work. It does not merit further elaboration. I note the time is up.

**Senator Malcolm Byrne:** I thank the Minister for coming in to take this important issue. When I arrived in, I thought we would be debating the White Continent. I started off thinking that it was the Lilywhites that we were debating but there is a long Irish association with Antarctica. I would even say that part of why this is important is that it speaks to the importance of our foreign policy, to which I will refer.

The Antarctic Treaty was unique in that it came about at the time of the Cold War. It came about at a time when many nations were not trusting each other. In a way, it was phenomenal that 12 countries, including the United States and the Soviet Union, came together and realised the importance of every area south of 60°.

For Ireland, and this is why I think this is important and why I support Senator Joe O'Reilly's point on the Arctic Council, it is about the core of our foreign policy and our foreign policy values. We, by our nature, support multilateralism. We believe that Ireland's role involves taking our part in global organisations, such as the European Union and the United Nations, and playing an active role. That should include being part of the Antarctic Treaty System because the Antarctic is crucial to every nation in the world and to all lands from a climate change perspective, from a research perspective and from the perspective of understanding our planet.

I believe we should sign up. I believe we should go further than observer status. I favour joining the Arctic Council. I also believe we should join CERN. We should be engaged in any form of participation at a global level in any organisation that supports research that leads to a better understanding of our planet. Ireland's foreign policy, which has always been based on multilateralism, means that there is no reason we should not be at this table, not only for historical reasons but also in terms of what we should do there when we join the Antarctic Treaty System. It is not simply a case of signing up to a piece of paper.

We have an important role in protecting the fisheries and minerals and talking about ensuring we guard against climate change. There will be fears into the future about bioprospecting happening in the Antarctic. It is important that Ireland's voice, along with the voices of other

countries, ensures the Antarctic remains as a pristine continent.

One of the problems I see with the Antarctic Treaty System is that essentially there has to be agreement by unanimity. We almost need to end that veto system. We have got to ensure that if the majority of nations on this planet want to stand up and prevent mining and bioprospecting and want to ensure the protection of the great White Continent, Ireland stands with those other nations to ensure that happens because it speaks to our values in terms of foreign policy. I encourage us to sign up as soon as possible and to resist any geopolitical pressures to look at mining, prospecting or changing the fisheries rules when there are challenges on precious resources in the rest of the planet. It ties into the important debate that we have about multilateralism as the core of our foreign policy. We had a good debate on China last week. I would link it to the debate here. In the last 48 hours, the United States, United Kingdom, Australia, New Zealand and several European countries, as part of strong values related to multilateralism and commitment to human rights, indicated that there would be a diplomatic boycott of the Beijing Winter Olympics. I would like the Minister to indicate, whether on the floor of this House or otherwise as soon as possible, that there will be a diplomatic boycott on Ireland's part and that he will encourage the European Union will take similar action. It would send a strong message that our foreign policy remains committed to human rights.

I commend my Green Party colleagues on this motion. It is important not just for the Antarctic, but it speaks to what Irish foreign policy is all about. Robert Emmet talked about Ireland taking its place among the nations of the world. We have done that. In many ways, the European Union was the agency that allowed us to be able to do that. We stepped out from Britain's shadow. We are punching above our weight. The Minister plays his part in that. Our role on the UN Security Council is crucial. We also have to do that in many other areas, whether climate change, human rights, or membership of multilateral organisations such as this, the Arctic Council, or CERN. We have to play our role.

I am happy that the Government is moving ahead with this. I look forward to hearing the Minister's answer. I hope I will also hear an answer about the Beijing Winter Olympics. This is about a statement of Irish foreign policy and I urge that we move ahead.

**Acting Chairperson (Senator Victor Boyhan):** The Senator got plenty of value for his time.

**Senator Lynn Boylan:** As someone who lives close to Newlands Cross, which is almost in Kildare, I think that qualifies me to speak on this motion. I would like to express Sinn Féin's support for the motion. I commend the Green Party on tabling it. It would be welcome if Ireland joined the treaty. Not only would it be of great benefit to our research community, but I believe Ireland could play an important role in shaping the future of Antarctica and preserving it as a wilderness for future generations. I commend the arguments put forward in the motion about the positive role Ireland could play through its position of neutrality. In my contribution this evening, I would like to build on that and emphasise the positive role, which Ireland, with its own colonial history, understands.

To articulate our position, it is worth taking a critical look at the history of Antarctica through an anti-colonial lens. Antarctic exploration might not have the hallmarks of typical colonial projects because there were no indigenous people to subjugated and dominate, but make no mistake, if colonialism is reduced to its bare-bones definition of a struggle for control over territory and resources, the conquest of Antarctica fits the bill. The fact that states active in

Antarctica are not currently plundering its resources does not erase the fact that the bulk of the continent is claimed by a handful of states based on a primitive process of discovering, claiming, and occupying. It is not as if there are no resources there to plunder. The continent likely has vast reserves of oil, particularly in the Ross and Weddell seas, with potential for mineral exploration under the ice sheet.

I will use my remaining time to challenge some themes of the narrative around Antarctic exploration and the treaty. A dominant narrative about the Antarctic Treaty is that it is responsible for “*Pax Antarctica*”, as something that caused the imperial powers to set aside their self-interests for peaceful scientific purposes to the benefit of humanity. It is encapsulated in the motion being debated today, which calls the treaty “a progressive system”. It is important to remember that the original flag-planting territorial claims have not gone away but are baked into the Antarctic Treaty, as evidenced by Article IV, which states “Nothing contained in the present treaty shall be interpreted as ... a renunciation ... of previously asserted rights of or claims to territorial sovereignty in Antarctica”. In other words, the Antarctic is being held for science by the countries with territorial claims but they still reserve their right to exploit those reserves if or when the treaty falls apart. The probable reason why the Antarctic is still set aside for science has less to do with the treaty and more to do with the continent being locked under ice, with its resources still being too peripheral to the powers which could exploit them.

The second narrative is that Antarctica is a *Terra Scientifica*, set aside for the pursuit of knowledge, and that the scientific activity in Antarctica is, as the motion claims, apolitical. The reality is, as political ecologist Manon Burbidge has argued, that science is being used for naked political gain. Science serves to legitimise footholds in strategic locations across the continent. Most recently, we saw the siting of research centres by China, but the British, the Americans and others are equally complicit. The focus on science privileges wealthy countries in the governance of Antarctica to the exclusion of developing and former colonies. The colonial past and present are things that Ireland has a deep understanding of. We should reflect on them if we join this treaty.

I will conclude by looking to the future of the treaty in Antarctica. Unfortunately, the prospect of Antarctica remaining a preserve for science and conservation, free from military and mining activities, is bleak. Thanks to climate change, as the ice melts and technology advances, the barriers to resource exploitation will disintegrate. That is when the strength of this treaty will really be tested. Call me a cynic but it is more likely that we will then see national economic interests prevail, much as they have in the Arctic north. The question should be answered before too long, when the Protocol on Environmental Protection to the Antarctic Treaty, or the Madrid Protocol, and the ban on mining come up for review in the 2040s. Antarctica’s future is not yet written. If Ireland succeeds in joining, which I sincerely hope we do, we cannot just join; we have to be active. We must be a voice for a renewed internationalism that will speak up for former colonies and developing nations and protect the vast continent from the next phase of capitalism to materialise in Antarctica.

**Senator Mark Wall:** I welcome the Minister. I put on record my thanks and the thanks of the Shackleton Museum, Athy, and its board of directors to the Green Party for tabling this important motion. I especially thank the Green Party Senators here, particularly Senator Martin. I also acknowledge Councillor Colm Kenny, who played a crucial role in bringing this forward, along with Senator Martin. I acknowledge the Minister of State, Deputy Noonan, who recently visited the centre in Athy, and the part that he has played in bringing the motion to us tonight.

It may come as no surprise to Members that I will concentrate on the benefits to Athy and Kildare of having the Shackleton Museum in the town. As Senator Martin said in his introduction, I am a proud director of the Athy Heritage Museum and I have been for over ten years. It is important to the town and its future. The Acting Chairperson mentioned in his contribution the magnificent statue of Ernest Shackleton in the centre of the town, which has attracted much interest internationally. As a previous cathaoirleach of the town council, I recall that we had a yearly event to coincide with the autumn school. On one occasion, people of 12 nationalities, coming from every corner of the world, came to be at the autumn school, such was the interest in Shackleton and in polar exploration. The benefit of that was seen throughout the town of Athy. That has continued every year. Unfortunately, it has been virtual for the past few years, given everything that Covid has brought. I encourage all Members of the House to attend. The autumn Shackleton school is a great weekend and a corner of events in Athy.

I second Senator Martin's invitation to the Minister to come to Athy to sign the treaty. We look forward to the Minister's reply. That will hopefully be an event that we can celebrate in Athy, given its association with Ernest Shackleton. He was born in Kilkea, just outside Athy and near to the town of Castledermot, in 1874. We recently visited his house. Senator O'Loughlin and I took part in the Kildare Sports Partnership Shackleton challenge recently. Senator O'Loughlin is displaying the medal that we both got. Almost 50 people attended that event, from a number of sports clubs. It shows again the interest in promoting Shackleton and what he has done for the tourism potential of the town of Athy. That is to be celebrated at every opportunity and I thank my Green Party colleagues for giving me the opportunity to state that.

It is important to acknowledge the Government investment in the museum. We will have an iceberg outside the museum in the future. The drawings are on display. I acknowledge Government investment over recent years but we need a few bob more to complete the job. I am sure the Minister and Government will not be found wanting on that because we will have a world centre for Shackleton and polar exploration once the museum is completed. The Minister has been to Athy a couple of times and it is hoped he will be back again when we sign the treaty in the town. He is welcome to come down any time to see the museum and the great work that is going on there.

On the importance of Shackleton to Athy, the chairperson of the local group, Frank Taaffe, referenced in a recent article two important visitors who came to the centre, again showing its tremendous potential. Colin Teague, who is from the US and running a Reach the World initiative for an educational organisation using a virtual platform, recently visited the museum. He is involved with a worldwide educational programme and brought it to Athy. An important recent visitor was Mensun Bound, the person who will look for Endurance in 2022. He has a short window, I am informed, but we look forward to that discovery. He was impressed with what was on show in our museum. I encourage everybody to take part.

The essential reason we are here is the Antarctic Treaty. As has been said by Senator Martin and others, it is important to say that, for many decades and through occasions of conflict and uncertainty, the treaty has stood to protect Antarctica for the betterment of humankind. More than this, the treaty has enabled the science-based co-operation that underpins it to progress our understanding of the world we live in. Today scientists from countries, as has been said by colleagues, representing 80% of the world's population work co-operatively to understand the systems that have formed and control our planet.

I mentioned Ernest Shackleton was born outside Kilkea, Castledermot in 1874. Senator

Martin has outlined why this treaty is important to Ireland. As he said, Antarctica is the newest continent and the first human footprint is as recent as 1895. We are only now learning the crucial role it plays in mediating our global environment. A simple statistic makes that role startlingly clear: 70% of the world's fresh water is held in the form of ice in the Antarctic. That is why it is important for Ireland to be there as a global player and, as part of our foreign policy, we need to be at the table. I hope the Minister will be positive in his reply that we will be there.

**Senator Alice-Mary Higgins:** I welcome the motion and the spirit in which it is put forward. I will support it. There are parts of it I would ask the Minister to embrace and move further on. The tradition identified in terms of Shackleton and others is important. It is also important to note there is now credible evidence of the Maori people visiting the Antarctic more than 1,000 years ago. In the celebration of the spirit of those such as Shackleton, we should not overly glorify some of the era of exploration which has had a mixed record. Senator Boylan made the point there is no *terra nullius* that is purely for the exploration and the taking. The Antarctic must be protected as being something of global multilateralism and a global good. While the treaty is positive in many senses, it is a document from 1959 that could be somewhat updated and strengthened in some aspects. I will come to that in a moment.

I welcome the fact the Government applied for membership of the Arctic Council. That sets a useful tone for this. I echo the point that Ireland has a particular contribution to make in terms of our history of neutrality. The Pax Antarctica is something we cannot be complacent about. As we see the erosion of the ice floes and resources are potentially uncovered, it is important the principles of an apolitical Antarctic are maintained and that the science conducted there is for the global public good and not for the profit of the few. Much global trust has been lost due to the failure to have a trade-related intellectual property rights, TRIPS, waiver.

I commend a new generation of scientists from Ireland who have travelled. Susanna Gaynor is one I have spoken to and there are many other examples I could give of scientists who have engaged. It is important we do that in the spirit of neutrality. The protection of the principle of peace is important. We cannot be complacent about multilateralism because there is a push in the world at the moment towards a politics of big powers and client states. It is back to that model and away from a politics of principle and multilateralism. We all recall when a certain world leader flew over Greenland and decided he would like to buy some of it. We need to protect against that and that is why things like the Antarctic Treaty are important. We need to strengthen those protections further.

Antarctic marine protected areas are crucial. I commend former Senator Grace O'Sullivan who successfully passed a resolution on Antarctic marine protected areas in the European Parliament. I urge the Minister, as well as supporting the asks in this motion, to ensure Ireland plays an active role in driving forward progress in the negotiations within the framework of the Commission on the Conservation of Antarctic Marine Living Resources to ensure we have two marine protected areas in the Arctic and Antarctic. A marine protected area framework is a more modern framework in tune with the biodiversity crisis we have acknowledged in Ireland and globally. It is also in tune with issues such as the protection of biodiversity resources and that of fresh water and the role of waters. Oceans, being among the largest carbon sinks, marine biodiversity areas and areas of rich resources for survival on this planet, are crucial. As well as the Antarctic Treaty, we need to copper-fasten marine protection on a global level.

The United Nations Convention on the Law of the Sea has also made attempts to achieve an agreement to protect marine biological diversity. It is an area where I worry we could lose time



and opportunity because, in the context of global warming and the discovery and exploration of minerals and resources in the Arctic, there are those who would find old subclauses and claims or new opportunities and points of leverage or pressure and seek to apply those to exploit such resources for national or commercial gain, to the detriment of our global common good.

This is not just a nice thing to do or an appropriate connection for Ireland. The word “paucity” is used to describe others’ connections. However, given everyone has a connection with the Arctic and the Antarctic since we share the same globe, I suggest it is not the best word in the resolution. It is also important in a geopolitical sense to place a marker down in terms of our perspective of the Antarctic, how we value it, and our commitment to multilateral co-operation for the public good, science and our common future.

*8 o’clock*

**Senator Fiona O’Loughlin:** The Minister is very welcome to the Seanad. Our party certainly welcomes and supports this debate. I compliment my Kildare colleague, Senator Martin, and the Green Party on tabling this motion. It is very important that it is supported in the interests of maintaining international peace and security and promoting international co-operation for the benefit of mankind as a whole. The three Government parties are committed to collective climate action, including through engagement in multilateral forums and as a focus of our international development programme. In that context, we have to recognise the value of the Antarctic Treaty System’s objective to provide comprehensive protection of the Antarctic environment, its dependents and its associated ecosystems. There is no doubt that the objectives and achievements of the Antarctic Treaty System are of considerable importance. The commitment of all the signatories is very commendable.

I share the earlier comments of my colleague Senator Wall, in particular, in respect of the greatest Antarctic explorer there has ever been, Ernest Shackleton, who led three expeditions to the Antarctic. On Sunday, 19 September, I was one of 28 people, including Senator Wall, who walked from Shackleton’s home in Kilkea to the Shackleton Museum in Athy. Those 28 people were chosen because that is the number of people Shackleton had on his great ship, *Endurance*, which we have all learned so much about in the intervening years. I am very proud to wear the medal I was presented with that day early on a Sunday morning. It was a very emotive and emotional walk. The reason behind it was to celebrate the 100th anniversary of Shackleton’s final expedition and all the leadership qualities he showed.

The Shackleton family were very much immersed in the business, farming and educational life of south Kildare. In fact, his father started a multi-denominational school in Ballitore, just outside Athy. They were immersed in and proud of their Irish roots and connections. Shackleton was an incredible leader. His men said that he was the best leader in all mankind. He was a cautious leader and was very good at improvisation. He would never ask his men to do anything he would not do himself. It is just incredible to think of that particular voyage on the *Endurance*, which was a two-year attempt to traverse the Antarctic that took place from 1914 to 1916. It was a story of remarkable perseverance and survival. Many books have been written about it. Not one man lost his life. It was all men in those days although there are women on some of the expeditions now.

Shackleton was certainly one of the principal figures of the period known as the heroic age of Antarctic exploration. An invitation has already been issued to the Minister, and I recommend that he takes it up, to come to Athy to see the museum, which is a very important asset to

Athy and south Kildare. It will only grow in size and development. The highlights include an original sleigh from one of the expeditions, a fabulous model of the ship, *Endurance*, and many photographs of the families, etc. The hut Shackleton died in is being restored at present and will be returned to the museum.

As Senator Wall said, the excellent annual Ernest Shackleton Autumn School has taken place remotely in the last couple of years, unfortunately. It focuses on the Antarctic and on other aspects of Shackleton's life. About three or four years ago, I took part in a project a local school did on Shackleton's leadership and what pupils could learn from it. It was amazing to participate and the young people took a lot from it. The five elements of Shackleton's leadership are inspiring optimism; developing a clear, shared purpose; building unity and commitment; creating a plan and an alternative plan, and being flexible about both; and making tough decisions. We can all learn a lot from the courage and commitment that Shackleton showed to his team and his immense contribution to exploration and geographic discovery.

I also give accolades to those involved with the museum, Frank Taaffe, Judith O'Brien and Margaret Walsh. Anybody who goes to the museum, and wants to have a tour and to learn, can learn a lot from Margaret and the team there. It is wonderful to talk about Shackleton and what he represents. We are looking forward to the new museum. I endorse this motion.

**Minister for Foreign Affairs (Deputy Simon Coveney):** I thank colleagues for their initiative in tabling this motion on the Antarctic Treaty System in the Seanad. I assure them we are taking it very seriously; that is why I am here.

The wide-ranging provisions of the Antarctic Treaty System are intended to facilitate access to Antarctica for peaceful purposes, to promote scientific co-operation and to govern the relationship among states involved in the Antarctic region. The Antarctic Treaty System comprises the Antarctic Treaty 1959, the Convention for the Conservation of Antarctic Marine Living Resources, the Convention for the Conservation of Antarctic Seals 1972 and the Madrid Protocol on Environmental Protection to the Antarctic Treaty 1991. The treaty and conventions deal with issues relating to, among other things, nuclear testing, scientific research, criminal jurisdiction, environmental protection and conservation, waste disposal, territorial claims and military activity. At the time of its conclusion, the treaty was regarded as making an extremely important contribution to international peace and security, as was mentioned by some speakers, because it preserved Antarctica for exclusively peaceful purposes. Territorial claims to Antarctica were, in essence, put in abeyance, new ones were effectively discouraged and nuclear testing there was prohibited. In addition, the treaty provides for freedom of scientific investigation throughout Antarctica and encourages co-operation to that end.

It is fitting that the motion recalls the modern contributions made by Irish scientists and explorers in Antarctica. We recall the diverse Irish connections with this region, not least through the impressive achievements, mentioned by many Senators, especially those from Kildare, of Ernest Shackleton. The Irish have a long history of Antarctic exploration, including men such as Edward Bransfield, Francis Crozier, Tom Crean, Patrick Keohane, Robert Forde, the McCarthy brothers, Mortimer and Timothy, and Ernest Shackleton from Kildare. All are Irishmen associated with Antarctic exploration. The courage and determination shown by Shackleton, particularly during the infamous *Endurance* expedition, has been an inspiration to many over the years.

Members of this House will be aware that the first article of the Antarctic Treaty relates

to the peaceful use of Antarctica. Ireland recognises that multilateral co-operation must be at the heart of how we seek to deal with global challenges, not least with threats to international peace and security. For Ireland, multilateralism is at the core of how we approach international peace and security. This is expressed in our commitment to UN peacekeeping and to promoting disarmament, which is part of Ireland's foreign policy. It has been demonstrated most recently through our membership of the UN Security Council, which is ongoing until the end of next year. Indeed, we have prioritised climate and security since our election to the UN Security Council and have played a leadership role as co-chair of the informal expert group on climate and security. As we speak, we are currently working on trying to get agreement on the first-ever resolution in the Security Council on climate and security, which may well be voted on next week. We will have to wait and see.

During our presidency in September, Ireland hosted a high-level open debate at the Security Council on climate on security, which was chaired by An Taoiseach. We have since brought forward work on a draft thematic resolution on the matter, to which I have just referred. This builds on an issue that is now firmly embedded in the UN Security Council's work through the inclusion of climate language in several country and regional resolutions and presidential statements. It underlines the link between climate change and the maintenance of international peace and security.

The motion before us also recalls the commitment of the Antarctic Treaty System to protect the climate, wildlife and ecosystems of Antarctica. As I mentioned earlier, Ireland has been actively involved in important global issues such as climate change and acting as an advocate for biodiversity in international forums. Members of this House will be aware that Ireland has signed and ratified a number of international conventions, treaties, protocols and other agreements that seek to provide a global response and approach to protecting biodiversity in ecosystems services, including: the UN Convention on Biological Diversity; the UN Convention on International Trade and Endangered Species of Wild Fauna and Flora; the Bonn Convention; the Global Strategy on Plan Conservation; the OSPAR Convention; and the International Convention for the Regulation of Whaling. Ireland is also a member of the Intergovernmental Platform on Biodiversity and Ecosystem Services and a party to the UN Framework Convention on Climate Change and it also adopted the sustainable development goals. We did more than adopt them; we were central to getting agreement on them, working closely with Kenya.

In December 2020, Ireland applied for observer status to the Arctic Council. While this application has not yet been considered by the Arctic Council Ministerial, we remain interested in Arctic issues and will seek to engage on these issues in the period ahead. Although Ireland was not an original signatory to the Antarctic Treaty and has not since acceded, we support UN General Assembly Resolutions 57/51/2002 and 60/47/2005, which reaffirmed that the management and use of Antarctica should be conducted in accordance with the purposes and principles of the UN Charter in the interests of maintaining international peace and security, and of promoting international co-operation.

I take note of the call within this motion for the Government to complete its assessment of the necessary commitment for accession to the Antarctic Treaty and to commit to taking all necessary steps to accede as soon as possible. The Government does not oppose this motion; it is positive on it. The Antarctic Treaty was signed in Washington on 1 December 1959 by the 12 countries whose scientists had been active in and around Antarctic during the International Geophysical Year of 1957-58. It entered into force in 1961. Some 53 states have acceded to the Antarctic Treaty, as either consultative or non-consultative parties. The motion provides

an outline of some of the countries involved. Senators will be aware that not all states support the Antarctic Treaty and that for many years after its conclusion, there was a campaign to have Antarctica treated as the heritage of all mankind, regulated by an agreement within the framework of the United Nations. Given the passage of time and the enduring and developing arrangements within the Antarctic Treaty System, this idea has waned and the Antarctic Treaty is likely to remain the only practical framework for the regulation of human activity in Antarctica.

Consultative parties conduct scientific research in the Arctic and have decision-making authority. Non-consultative parties do not participate in decision-making processes but are bound to carry out the provisions of the treaty and decisions taken within its framework. Accession, as either a consultative or non-consultative party, entails a range of commitments on states. The question of accession by Ireland to the Antarctic Treaty System was last examined over ten years ago and relevant Departments were consulted at that time. That exercise established that accession by Ireland to the Antarctic Treaty and other instruments would require enactment of complex legislation. For example, for Ireland to become a party to the Antarctic Treaty, we would have to enact legislation making it a criminal offence for any citizen of Ireland to commit in Antarctica any act or omission, which if committed in Ireland, would be a criminal offence in the State. It was also considered that accession to the Antarctic Treaty System would likely entail significant commitments by a number of Departments.

Given the passage of time since then, in June 2021 my Department undertook to carry out an assessment to establish the administrative and policy commitments, in addition to the previously identified legislative requirements that would be necessary for accession to the Antarctic Treaty. This initial assessment will form the basis for subsequent discussions with a number of other Departments, including to explore the relative responsibilities of accession. In recent months, my Department has, therefore, been consulting with a number of countries of comparable size to gain further information about their experience of accession and membership of the Antarctic Treaty System. Our embassies have been in contact with the foreign ministries in their countries of accreditation with a view to obtaining this information for relevant Ministers, which include those responsible for the environment, science, public health, education and food safety. This element of the assessment is ongoing.

The Department of Foreign Affairs also intends to examine the measures taken to implement the Antarctic Treaty System in common law countries, such as the UK, New Zealand and Australia. In addition, my Department has prepared terms of reference for an assessment to be carried out in Ireland of the range of legislative policy and administrative requirements of accession. It is expected that this assessment will be completed early next year. On conclusion of the assessment, further consultations regarding commitments will be required with relevant Departments. The precise legislative requirements for acceding to the Antarctic Treaty System are among the issues which are subject to more detailed assessment now. Any specific legislative proposals arising from the assessment will be submitted for the approval of Government in the ordinary way prior to accession.

I am pleased to have an opportunity to provide Members of the House with this update on the Antarctic Treaty System and the assessment and consultations that are in progress regarding the commitments and measures required for accession. We need to be credible. If we are going to do this, we need to do it properly. The Government takes note of the provisions of this motion and welcomes them, including the overview of interests of Ireland more generally in Antarctica. I expect this will be the subject of further engagement with relevant Departments, including in regard to legislative and policy requirements, prior to its return to Cabinet.

On a personal level, I am very committed to trying to get this done. I have set myself and my Department a target of trying to make some definitive progress on this by the end of the first quarter of next year. I would be more than happy to come back to the Seanad at that stage to outline where we are at before we, I hope, can bring recommendations to Government in terms of moving this process forward. There are serious commitments that we need to assess to ensure that we have the capacity to do this properly if we are going to do it. Those who have spoken about Shackleton and others would expect nothing less. This is a very good example of multilateralism working and not only protecting an environment but also managing relationships in terms of competing interests on a very important part of our planet. I would like Ireland to be involved in those efforts in the future. I welcome the opportunity to outline the Government's position on this issue and I look forward to returning to the House with an update.

**Acting Chairperson (Senator Victor Boyhan):** I thank the Minister for his detailed response to the motion. I invite Senator Martin to respond.

**Senator Vincent P. Martin:** I again thank the Minister for his attendance. It is testament to how seriously he takes this matter. I would like to comment favourably on some of the Minister's comments. The Minister said that he welcomes this motion, that he is positively disposed to it and personally committed. Credit where credit is due, he has also put a timeframe on matters and said that he is happy and willing to return to the Upper House. On behalf of the many Senators involved in this cross-party initiative, I thank the Minister. It is about as much progress as we have ever made in a tangible way. It is not over until it is over. Given that it has been such a long wait, we are not going to get carried away tonight but significant progress has been made. Indeed, we have seen the most progress to date from an Irish Government and we have heard it directly from the Minister for Foreign Affairs. I thank him for his very proactive response and his ongoing consultation and assessment. He seems to be going very much in the right direction and I thank him for that. I also want to thank, once again, the Shackleton Museum. I hope I have put the names of all of its members on the record, including Mr. Frank Taaffe, the brilliant chairperson who has published more than 1,000 articles in the local journal. I am also grateful for the cross-party support and the goodwill from all sides of the House. That was epitomised today by the contributions of Senators from the neighbouring Kildare South constituency, Senators Wall and O'Loughlin. While we are national parliamentarians, we all stood together and that is the way forward. This is a community initiative, best epitomised by the Shackleton Museum's voluntary committee. My two friends from south of the border in Kildare South are certainly not letting the side down. They are so dedicated to this and I hope we will have a breakthrough in the not too distant future. That would be so appropriate on the centenary of the death of Ernest Shackleton next year.

This is a leading example of a global, science-driven approach to a global issue. We could have done with more of that in our response to the pandemic and ongoing climate change challenges. If we could replicate some of the co-operation in the Antarctic Treaty, it would be great. Comments were made about the science. The science visitors, projects and personnel are declared in advance, all results are shared and unannounced inspections are permitted. The future is global and we have seen that tonight. This House has a tradition of being less adversarial and less partisan than other assemblies and chambers around the world and I have seen that tradition in action tonight. We also saw an avoidance of parochialism. We have explorers from all over Ireland, the most famous of them being the colossus, Shackleton but Ireland is conspicuous by its absence from the table. That said, the future is bright.

I will conclude by quoting my friend and colleague, Grace O'Sullivan, MEP, whom other

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Senators, including Senators Higgins and Boyhan, generously mentioned:

I first set foot on Antarctic ice in 1986 as an activist with Greenpeace where we campaigned for the protection of Antarctica, one of the last true wildernesses on earth, as a natural reserve devoted to peace and science. As an MEP, I have been able to continue that activism and support EU efforts to protect the delicate biodiversity of the Antarctic which plays such an important role in climate regulation.

This is our time and the Minister for Foreign Affairs will lead on it. I have full faith that he will get this over the line, following his expression of clear intent this evening. I look forward to returning to this Chamber when Ireland, not just Kildare, can celebrate taking its rightful place at the table from which it is conspicuously absent at the moment.

Question put and agreed to.

**Acting Chairperson (Senator Victor Boyhan):** When is it proposed to sit again?

**Senator Joe O'Reilly:** At 10.30 a.m. tomorrow.

The Seanad adjourned at 8.25 p.m. until 10.30 a.m. on Thursday, 9 December 2021.