



DÍOSPÓIREACHTAÍ PARLAIMINTE  
PARLIAMENTARY DEBATES

**SEANAD ÉIREANN**

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

Gnó an tSeanaid - Business of Seanad . . . . .	157
Nithe i dtosach suíonna - Commencement Matters. . . . .	158
Public Transport . . . . .	158
Coast Guard Service . . . . .	160
Wildlife Protection . . . . .	163
Shared Services . . . . .	166
Teachtairacht ón Dáil - Message from Dáil . . . . .	168
Gnó an tSeanaid - Business of Seanad . . . . .	169
An tOrd Gnó - Order of Business . . . . .	169
Address to Seanad Éireann by Ms Linda Ervine to Mark Seachtain na Gaeilge: Motion . . . . .	181
Report of Committee of Selection: Motion . . . . .	181
National Lottery (Amendment) Bill 2021: Committee Stage . . . . .	182
Mental Health and Child and Adolescent Mental Health Services: Statements . . . . .	191

## SEANAD ÉIREANN

*Déardaoin, 24 Feabhra 2022*

*Thursday, 24 February 2022*

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 Lorraine Clifford-Lee that, on the motion for the Commencement of the House today, she proposes to raise the following matter:

The need for the Minister for Justice to undertake a feasibility study on the establishment of a dedicated transport police service.

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

The need for the Minister for Transport to provide an update on the planned new Coast Guard station at Courtown Harbour, County Wexford.

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

The need for the Minister of State with responsibility for the Office of Public Works to make a statement on reports of disturbance of wildlife at Emo Court, County Laois.

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

The need for the Minister for Housing, Local Government and Heritage to outline his vision for HR shared services in local government.

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

The need for the Minister for Rural and Community Development to make a statement on the provision of funding for agricultural shows.

I have also received notice from Senators Aisling Dolan and Jerry Buttimer of the following matter:

The need for the Minister for Rural and Community Development to make a statement on after-hours access to school buildings for local community groups and youth organisa-

tions through the CLÁR programme.

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

The need for the Minister for the Environment, Climate and Communications to carry out an assessment on whether by-laws 806 and 809 of 2006, as they relate to inland fisheries, are compatible with the EU habitats directive.

Of the matter raised by the Senators suitable for discussion, I have selected those raised by Senators Clifford-Lee, Byrne, Boylan and Ahearn and they will be taken now. The other Senators may give notice on another day of the matters that they wish to raise.

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

### **Public Transport**

**An Cathaoirleach:** I welcome the Minister of State, Deputy James Browne, to the House and thank him for attending.

**Senator Lorraine Clifford-Lee:** Before I address the matter I planned to raise, I want to express solidarity with the people of Ukraine. We all woke up to the horrifying news that an invasion had occurred overnight. I send my solidarity to the Ukrainian ambassador, all Ukrainian nationals living in Ireland and everyone living in Ukraine, including Irish people who are still within the country's borders.

I thank the Minister of State for coming to the House to address my Commencement matter. I had directed it at the Department of Transport but I understand it was transferred to the Department of Justice for a response. A feasibility study on a dedicated transport police service needs to be carried out by the Department of Transport because it is an integral part of how we move forward with sustainable transport options. Intimidation and violence on our public transport services are widespread, in particular in Dublin, unfortunately. There have been various high-profile incidents. One in north Dublin springs to mind.

Unions representing transport workers have called for a dedicated transport police service for years because their workers feel intimidated while driving buses and trains. Over half of Irish women avoid public transport after dark and fear for their safety. The Travelling in a Woman's Shoes report found that women felt heavily responsible for their own safety while on public transport. These feelings are pushing women into cars and unsustainable transport modes or are keeping them away from travel and accessing health, education and social and cultural opportunities. That is highly regrettable. As we move forward, make Ireland a more sustainable place to live and provide sustainable transport options to all communities, a feasibility study needs to begin so that we can plan to ensure that all members of society feel safe and comfortable travelling on public transport.

Women in Dublin, in particular, feel very vulnerable to sexual harassment and assault while travelling on public transport. That is borne out by the findings of the Travelling in a Woman's

Shoes report. Women are particularly vulnerable to verbal harassment and they have witnessed violent behaviour while on public transport. This issue will only get bigger and bigger as our population grows.

As I said, trade unions are in favour of having a transport police service to ensure everybody, including workers and those travelling on public transport, are safe. We are building housing, including apartment dwellings, with limited car parking spaces. People will not have the option to use private transport. We need to examine this issue in a holistic way. I know the work the Department of Justice is undertaking to make this country safer for women, which includes examining every aspect of that. I would appreciate if the Minister of State could give thought to this matter and include it in his deliberations prior to putting together a safety plan for women. I also ask him to liaise with the Minister for Transport, Deputy Eamon Ryan, on the matter.

**Minister of State at the Department of Justice (Deputy James Browne):** I thank Senator Clifford-Lee for raising the important matter of the feasibility of the establishment of a dedicated transport police service. On behalf of the Minister for Justice, Deputy Helen McEntee, I express her thanks to the Senator for raising this important matter. Senator Clifford-Lee has raised this issue on numerous occasions in the House and behind the scenes with various Departments that have responsibility for this area.

Unfortunately, I cannot speak on behalf of the Department of Transport, but I will address the matter from the perspective of the Department of Justice. The Senator will appreciate that the Garda Commissioner is, by law, responsible for the management and control of An Garda Síochána and the effective and efficient use of Garda resources to combat crime and keep our communities safe. As the Senator is aware, the Minister for Justice is unable to intervene in these independent operational and policing matters. The Minister is assured by the Garda Commissioner that the management keeps the distribution of resources, including Garda members and units, under continual review in the context of policing priorities and crime trends, to ensure their optimum use. The Minister has been informed by the Garda Commissioner and Garda authorities that it is not proposed to establish a specialist or dedicated public transport policing unit at this time.

However, I can assure the Senator that gardaí employ a range of policing tools to respond to incidents involving antisocial behaviour on our public transport network. Most recently, in January of this year the assistant commissioner of the Dublin metropolitan region, DMR, launched Operation Saul to provide a safe environment for commuters utilising public transport services in the DMR, together with reassuring residents, visitors and the business community in Dublin that it is a safe place to visit, socialise, conduct business and enjoy amenities. Operation Saul currently operates in DMR south central, north central and south divisions, but plans are ongoing to extend this operation to all of the DMR region. The aim of Operation Saul is to co-ordinate and manage all working resources in each Garda division to deliver both an overt and covert policing presence around the environs of Luas, DART and bus services in Dublin on a regular and, where necessary, a daily basis.

As at 15 February more than 130 overt and covert patrols have been conducted on various public transport in the DMR since the inception of Operation Saul. These patrols have resulted in a number of detections and ongoing investigations under the Misuse of Drugs Act 1977, as amended, the Criminal Justice (Theft and Fraud Offences) Act 2001, the Non-Fatal Offences against the Person Act 1997, as amended, and under the Criminal Justice Public Order Act 1994, as amended.

Each chief superintendent in the DMR ensures regular collaboration under Operation Saul with partner agencies in order to ensure success and sustainability of the initiative. Operation Saul is also subject to a performance and assurance review by the assistant commissioner of the DMR and her senior management team to identify any trends or issues that may require effective correction as soon as possible. I am also informed that a range of regional and local operations are also in place to prevent and detect antisocial incidents arising. One such example is Operation Twin Track which was a community engagement and rail safety policing initiative conducted by gardaí in partnership with other public transportation stakeholders with the purpose of providing high visibility policing of rail and light rail transport within the DMR and nationwide, and to deliver crime prevention advice. A multiagency review was conducted to examine the effectiveness of this operation and it was agreed that An Garda Síochána will continue to proactively engage with public transportation stakeholders and providers to conduct further similar operations.

**Senator Lorraine Clifford-Lee:** That is positive to hear but I still believe a feasibility study should be undertaken in conjunction with the Minister of State's Department and the Department of Transport. It is not acceptable that workers and people using public transport are being attacked and feel vulnerable and that women are avoiding public transport. It needs to be a safe space for women. You are particularly vulnerable if you are on a bus or in a carriage on a DART and something kicks off, especially when you take into account that Irish Rail has unmanned railway stations throughout the country, including in Dublin. If something occurs, there is nobody in the station to raise the alarm with the gardaí. It is a very worrying situation but I hope the Minister of State will take this message and incorporate it into the plan that his Department is developing, and liaise with the Minister, Deputy Eamon Ryan.

**Deputy James Browne:** I again thank Senator Clifford-Lee for bringing up this important matter. I will, of course, bring her concerns to the attention of both the Minister for Transport, Deputy Ryan, and the Minister for Justice, Deputy McEntee, in my own Department. On behalf of the Minister, Deputy McEntee, I thank the Senator for raising this important issue.

I understand that Garda management engages extensively on an ongoing basis with the transport operators, including the National Transport Authority, Irish Rail and TransDev Ireland which operates Luas, and provides a high visibility presence through a co-ordinated approach. Of course budget 2022 reflects this commitment with an unprecedented allocation of more than €2 billion in Garda funding for the coming year. This funding will include provision for an additional 800 new garda recruits and 400 garda staff which will help continue the actions of An Garda Síochána towards the civilianisation of An Garda Síochána and moving gardaí from desk duty back onto front line services.

### **Coast Guard Service**

**Senator Malcolm Byrne:** I thank the Minister of State, Deputy Naughton, for coming to the House. As she comes from a coastal county, as I do, she is appreciative of the work of the Coast Guard right around the country. From seeing it in action, I know the work of the Courtown-Arklow Coast Guard. The Coast Guard group based in Courtown Harbour is unusual in that it actually covers parts of two counties. It covers the area from Brittas Bay in County Wicklow down as far as Cahore, so it is a large area of sea. There is a crew of about 22 who are male and female. They have given good service to our community over a long period of

time. The challenge is the Coast Guard building in which they are operating. It is a small rocket house type building that was constructed during the 1920s. It is a single room with no toilet or welfare facilities.

As I said it is a mixed, male and female, crew. They all have to change within the one facility. You will appreciate the difficulty, particularly if they have gone out on a mission at sea and have come back in wet, tired and, in many cases, they must bring some of their equipment and so on back home. They have no toilet so they have to use the public toilet facilities in Courtown Harbour which are a little bit away from where the rocket house is located.

This has been a long-running issue around trying to get new facilities for the Coast Guard. As I am sure the Minister of State is aware from her Department, efforts were made with Wexford County Council and potential county council sites were identified. Some of the sites were found to be unsuitable while in regard to other sites, the council decided to make use of them itself. Recently, a potential private site was identified by the Coast Guard to the Office of Public Works, OPW.

I am raising this as a Commencement matter today, and this reflects my frustration and that of the Coast Guard locally, because, in spite of several efforts to get answers around progress from the OPW as to where this is at, we have not been able to find out. We have much sea-based activity going on and the north Wexford area is rapidly growing in terms of population. Significant numbers of people come into our community for holiday purposes and, unfortunately, that means occasionally we see incidents at sea. The Coast Guard is essential in keeping all of us safe in our waters.

I ask that this be regarded as a matter of urgency. If the Minister of State has good news for me today, I will be very grateful but at the very least, we would appreciate an update.

**Minister of State at the Department of Transport (Deputy Hildegard Naughton):** I thank Senator Byrne for raising this issue. As he knows, the Department of Transport is responsible for the Irish Coast Guard building programme, essentially aimed at ensuring Coast Guard units along the coast are fit for purpose. The programme is managed through the Office of Public Works from planning and design to build and ongoing maintenance, with legal assistance as necessary from the Chief State Solicitor's Office. The programme is funded from the Department of Transport Vote. Medium-sized build projects of more than €750,000 are managed by OPW property management section and are overseen by an OPW senior architect. Smaller upgrading and renovation projects are managed by the OPW property management section. Day-to-day maintenance contracts are organised and managed by the OPW and funded by the Department. The Chief State Solicitor's Office guides and assists the IRCG with its building regularisation programme.

The capital envelope in Project 2040 includes increased funding for the IRCG towards the building and renovation costs of Coast Guard stations throughout the country, replacement and upgrade of search and rescue related equipment in the units and in the rescue centres, development of new IT systems to assist Coast Guard operations to deliver its service more effectively and efficiently, and the procurement of pollution prevention and other equipment relating to the Coast Guard remit. This capital envelope has gradually increased over recent years from €5 million in 2018 to €8 million in 2022 and should cater for additional one-off capital investments in coastguard stations around the country, commencing with Greystones and Westport.



Some of the existing buildings called rocket houses, as the Senator has alluded to, date back to the 19th century and do not provide the necessary accommodation to house 24-7 response units. The Senator has outlined that point clearly today. Therefore, the new builds are urgently required in terms of health and safety issues. Some of the factors that are taken into account include: the suitability of existing stations for modernisation and enlargement; the availability of suitable State-owned land for a new build; the legal and planning issues involved in developing brownfield or greenfield sites in high-visibility coastal amenity locations; the urgency of the works required in terms of health and safety or other issues; and the funds available to the Department each year. The OPW is currently working on building projects in Greystones and Westport, with both projects due to start construction this year. Planning permission has also been granted for Bonmahon, which will soon progress to construction phase. Other projects that have commenced include Castlerefke, which is in the planning phase, and Kilmore Quay and Cleggan, which are both at preplanning stage. Subject to planning permission, these projects could be advanced to construction stage. The reason the Senator is raising the matter today is the Courtown Coast Guard station, which is currently on the Irish Coast Guard building programme priority list. Wexford County Council had originally identified a suitable site for the proposed station in the Courtown Harbour area. Unfortunately, it is no longer in a position to offer this site to the Irish Coast Guard as it has a major economic stimulus project planned for the harbour area. It has offered to work with the Irish Coast Guard and the OPW to help identify alternative sites, some of which have been recently identified. Six possible sites have now been identified as suitable for a new station for Courtown Coast Guard. The OPW has commenced preliminary investigative work on these potential sites and will update us as these investigations progress. I am happy to come back to the Seanad to update the Senator in relation to the investigative works by the OPW.

**Acting Chairperson (Senator Eugene Murphy):** That is some good news for Senator Malcolm Byrne.

**Senator Malcolm Byrne:** It is but at the same time, this has been a really long process. For the crew that is operating there, it is about looking for basic facilities that the rest of us would take for granted. It is particularly the case because these people are going out and saving lives. I invite the Minister of State to visit Courtown Harbour and to inspect the facilities. The Minister of State said the station is on the priority list. However, there is always the question of how long the list is and how long it is going to take. I have been engaging with the Coast Guard for a decade in this campaign to get the update. We have not seen much progress. We will see progress when we see the site purchased or handed over and the OPW going in to work. There is only so much investigation that can be done over a decade. I ask that the matter is given priority this year and that we at least get a start date for construction on whatever site is finally agreed.

**Deputy Hildegard Naughton:** It has been prioritised as a coastguard station, and one of the stations that is in most need of new facilities. It is on the building programme priority list. The Irish Coast Guard and the OPW are fully committed to providing a unit with a fully functioning coastguard station in that area. The OPW has already commenced the preliminary investigative works in respect of the six possible sites that have been identified for the new coastguard station. As I said, I am happy to come back to the House and update the Senator. We will keep in touch in relation to progress because I am aware that the facilities are needed and required. It is on the priority list. Let us work together to ensure that adequate progress is made.

24 February 2022

## Wildlife Protection

**Senator Lynn Boylan:** Cuirim fáilte roimh an Aire Stáit. I am sure that at this point the Minister of State is aware of the existence of two separate reports outlining where the OPW has clearly breached wildlife protection laws, in both Emo Court, County Laois and Barryscourt Castle, County Cork, by disturbing bat roosts without the proper derogation licence. Before I get into the details of the Emo Court case in particular, which is a case I have been working on for a number of months now, I must say that the manner in which I have been treated by the Department in trying to get to the bottom of the issue has been a disgrace. It started off with flat denials from the Department in November 2021, when it stated: “The OPW has not been involved in the destruction of a bat roost at Emo Court House.” The Department stated that the works were being carried out under a derogation licence. When I sought that licence from the National Parks and Wildlife Service, first I found out that licences are not publically available and must be requested. When I requested the licences for the works that were being carried out on Emo Court, I was sent a licence dated for September 2020. I know that the works were carried out in December 2019. When I followed up and asked if I could have the derogation licence that covered the works of December 2019, I was met with radio silence. I am still waiting on a response. I then submitted a freedom of information request. I have to hand some of what I received, if the Minister of State wants to pay attention.

**Minister of State at the Department of Housing, Planning and Local Government (Deputy Peter Burke):** I am just taking notes.

**Senator Lynn Boylan:** This is what I received from the Department.

**Acting Chairperson (Senator Eugene Murphy):** The Minister of State was taking notes.

**Deputy Peter Burke:** I will not have anyone say that about me in the House. I am taking notes. I ask the Senator to have a bit of respect.

**Senator Lynn Boylan:** I have the respect to show the Minister of State what I received when I put in a freedom of information request.

**Acting Chairperson (Senator Eugene Murphy):** Sorry, Senator. It is very unfortunate that we are having this with a Commencement matter. It never happens. It is a very important procedure that we have open to us. I ask the Senator and the Minister of State to proceed with the Commencement matter. In fairness, I was watching the Minister of State and he was taking notes.

**Senator Lynn Boylan:** I will proceed.

However, as I said, the freedom of information request was heavily redacted. We know that the facts are that in 2019, an ecologist report was produced on the works that were requested to be done on Emo Court. The report stated that the works could not go ahead because the mitigation could not ensure the safety of the bat roost. Despite that report, the OPW carried on with the works. I have to hand a photograph that was taken by ecologists in November 2019, which clearly shows that there were bats present and that works were taking place where the bats were roosting. In January 2020, the National Parks and Wildlife Service sent a ranger to investigate what was going on in the basement of Emo Court. The ranger stated that the only evidence of bats found was bat droppings that had been swept up and a dead bat. We know that the National Parks and Wildlife Service produced a report. Will the report into the findings of what took



place in the basement of Emo Court, along with the recommendations, be released?

*11 o'clock*

Will the Minister of State confirm that a prosecution was not recommended in this case arising from what took place in Emo Court?

**Deputy Peter Burke:** I thank Senator Boylan for raising this matter and providing me with the opportunity to address it on behalf of the Minister of State with responsibility for the Office of Public Works, Deputy Patrick O'Donovan, who sends his apologies. I may not be able to answer some of the specific questions but I will refer them to the Minister of State. This is a very specific case.

Emo Court is a neoclassical mansion designed by architect James Gandon and is a protected structure under RPS 412 of County Laois. It is recognised as one of Ireland's finest historical houses. Emo Court is a rare example of a late 18th century Irish Palladian mansion, whose grand columns and imposing facades have absorbed the colour and vitality of the rich mid-19th century decoration and additions. The house sits in a picturesque landscape park setting which, to a great extent, reflects the late 18th century vision of the owners and their chosen designers, but retains elements of an earlier landscape design. As with the house, the 19th century additions to the landscape add richness, as does the presence of a number of exceptional specimen and veteran trees. A notable wealth of documentary evidence associated with the place adds further to the importance of Emo Court, where history and heritage can be experienced with recourse to a higher than common level of authenticity.

Arising from this combination of integrity and authenticity, Emo Court and Park are considered of exceptional significance. The site is hugely popular and is just off the M7 in the middle of the country. More than 500,000 visitors use the grounds and it is a haven of biodiversity. The Office of Public Works, OPW, leads on educating visitors on the flora and fauna of the estate. The OPW is committed to carefully conserving our native species and fighting biodiversity loss. The organisation works to the national biodiversity action plan and in 2021 developed an organisation-wide biodiversity strategy to ensure an all-of-organisation approach to meeting its obligations under the national plan. This action strategy will be launched in the coming weeks.

The OPW takes its responsibilities very seriously regarding the protection of wild flora and fauna. It has won awards for specific biodiversity initiatives, including the first ever all-Ireland pollinator award at the Victorian walled garden in the Phoenix Park and later at Castletown House for its pollinator meadow. The OPW is engaged in an initiative to support the population of native barn owls at 12 national monument sites nationwide with BirdWatch Ireland. The OPW has for years implemented a swift box initiative at some of Dublin's historical buildings in its care and in 2020, it undertook a year-long biodiversity study and audit at Áras an Uachtaráin.

At Emo Court, the OPW has cared for and continues to care for the significant bat roost there in line with wildlife and habitats legislation. The bat roost is fully intact and active. It was not disturbed or damaged in any way during recent works and the bat populations at Emo Court are stable.

Emo Court is in much need of investment to upgrade the roof, replace dangerous electrical installations and install new heating systems. In 2019, the OPW secured funding under the rural regeneration and development fund of €1.2 million to undertake refurbishment and conservation works in the house and gardens in order to expand the visitor experience at the property

and ensure this important heritage site delivers for the local tourism, employment, amenity and rural development agendas.

In 2019, the OPW carried out critical electrical and fire upgrades and a refurbishment of rooms for the Fr. Brown exhibition. This project provided access to visitors to the first floor of the house for the first time in 25 years. There was wonderful visitor feedback on the enhanced heritage on offer and the reputation and visibility of the house increased. Laois County Council is extremely happy with the increase in tourism potential.

In the autumn of last year, essential electrical works that were carried out constituted urgent immediate action, taken on foot of genuine escalating concerns for the safety of staff, external security and fire protection personnel and the main house at Emo Court. Urgent minimal electrical upgrading work took place in the electrical switch room and back west stairs area of the basement. This is not located near the bat roost room, which is in the round cellar under the central rotunda. The bat roost was not disturbed or impacted and the OPW understands that as emergency works, these did not require a derogation licence.

It should be noted that Bat Conservation Ireland undertook three separate surveys at Emo Court in 2021 and the surveying records indicate a stable population of bats in line with levels recorded in previous years in the period 2012-2020. In 2022, Bat Conservation Ireland will carry out three further systematic counts to monitor the continued health of the roost in Emo Court.

I reaffirm the OPW's commitment to conserving and enhancing our national biodiversity. The bat roost in Emo Court is active and is being managed proactively by the OPW. It is monitored regularly by an independent third party. Data collected by Bat Conservation Ireland since 2008 indicate that biannual counts have been taking place since 2012 and were increased to three counts per year in 2019. These counts over a period of more than a decade show that the number of bats at Emo is stable. I thank the Acting Chairman for showing me some discretion.

**Acting Chairperson (Senator Eugene Murphy):** I gave the Minister of State an extra two minutes because it was important to get the full response on the record of the House.

**Senator Lynn Boylan:** I thank the Minister of State for his lengthy response. I disagree with him. This is not specific to Emo Court. Barryscourt Castle is in the same position in that works were carried out there in 2016 but a bat expert was not hired until 2020. With all due respect to the Minister of State, the timelines do not add up. The works in 2019 were not emergency works. At the time the works were applied for, a bat expert said they could not go ahead because the mitigation was insufficient to protect the bats. The OPW then applied for a retrospective licence. The Minister of State can read a statement indicating the bat roosts are fine and stable or whatever but the reality is that works were carried out by the OPW without the necessary licence. Will he give a commitment that the report carried out by the National Parks and Wildlife Service in the first half of 2020 did not make a recommendation that the OPW be prosecuted under the habitats directive and the Wildlife Act?

**Deputy Peter Burke:** I again thank Senator Boylan for her remarks. The content of the information I was given from the OPW points clearly to the independent surveys that were carried out. I must revert to the Minister of State with responsibility for the OPW for the information sought by the Senator - I do not have it to hand - with regard to the recommendation regarding a prosecution. I will ask the Minister of State to revert to the Senator directly with that information.

*Seanad Éireann*  
**Shared Services**

**Senator Garret Ahearn:** I welcome the Minister of State to the Chamber and thank him for taking this Commencement matter. It is appreciated.

Many good people work in local authorities. They are very proud to work in them and they give great service to the State. When negative comments are made, either in these Houses or elsewhere, about local authorities and public servants and what they do, it tarnishes all those who work in the public service. I have spoken to a number of people working at different levels in local authorities across the country seeking their views on what the Government can do to support them. I will set out essentially what they came back to me with.

Difficult workers exist and that is as true in the private sector as it is in the public sector. The difficulty in local authorities is that it is extremely difficult to sanction an employee. The disciplinary procedure is so cumbersome and ineffective that it is only used in the most clear-cut cases such as those involving gross misconduct. What are much more common are the ongoing and more difficult-to-detect issues, such as those associated with bullying behaviour, disrupters, leaders who lead in a very negative way, manipulators and general underperformance. It is no secret that many of the most difficult employees in local authorities receive a great deal of support from their unions. Unions have their purposes but one of those should be to work with HR departments to tackle bullying, underperformance and other behaviours that undermine the efforts to deliver effective and efficient local authority services. Their role should not be to defend cases of bullying and underperformance because that affects those who make a complaint because they feel they have been bullied or that there has been underperformance.

These issues can continue generally unchecked. When other workers see the behaviours in question are allowed, it affects morale and performance across the board. It is the responsibility of the line managers, in the first instance, to address these issues, but most line managers now know that this is a waste of time, that they are unlikely to get any support from HR and that if they do manage to get a warning added to someone's record, it is removed within 12 months. Most of the really troublesome individuals are discreet in their actions and smart enough to navigate the disciplinary procedure.

I have many examples of where managers have not been able to do anything. The likely outcome of their actions is arrival of a mediator a few weeks later. They go through the motions and, a few months later, nothing has changed.

A simple thing that could be done but which the unions would probably be against and would not like would be to allow line managers to move staff within their organisation. This would give some control back. The very threat of being moved would be significantly effective.

HR departments have a very difficult job. I know of cases where they put in an awful lot of effort with intent to dismiss only for the employee's legal representatives to pick holes in some procedural inconsistencies between one local authority and another, the result being that the cases ultimately got dropped. This is exceedingly demoralising for HR departments.

I see merit in a central HR task force whose role would be to monitor the performance of HR departments nationwide and tackle, at national level, roadblocks to progress, such as unions supporting people who have been accused of bullying or of not performing well. It would also take the most difficult cases from local authority HR departments. Many of the staff in the HR

sections of local authorities know the individuals they are dealing with very well. It is extremely difficult for the HR staff to manage these cases at local level. Legal professionals could be part of the task force, their function being to offer HR-specific legal advice to local authorities.

These are requests from people in local authorities who are demoralised because they are being lumped in with people who are underperforming. It is very unfair. The Government needs to be able to support those who are performing so they can have a good profession in the service they like.

**Deputy Peter Burke:** I thank Senator Ahearn for raising this important issue and for his support for our local authorities. He rightly pointed out the great work they have done throughout the pandemic. It was a privilege to be in Tipperary County Council with the Senator to meet the management team and staff and note the vital work he is supporting in Tipperary to unlock the potential in many of its towns. Against the backdrop of the restart grants and outdoor spaces schemes to respond to the pandemic, in addition to the Community Call to protect the most vulnerable, the councils have done significant work. I thank the Senator for acknowledging and supporting it.

It is important to note that, under section 159 of the Local Government Act 2001, the chief executive is responsible for the staffing and organisational arrangements necessary for carrying out the functions of the local authority. Each local authority is an independent legal entity that acts as the legal employer of staff, and each will have its own HR department dealing with recruitment, performance, training, industrial relations and so on.

Under Building Momentum, the local authority sector has committed to moving continuously towards the greater use of shared and common services. This shared usage, to which the Senator was referring, is important. The local authorities already employ a shared services model to deliver payroll and superannuation payments for the local government sector. This shared service, known as MyPay, is located in Portlaoise and constitutes a business unit of Laois County Council, which acts as the lead authority on behalf of the sector. MyPay currently employs 84 persons to perform its shared services function. From its establishment to the end of 2021, it made payments totalling more than €5 billion.

While certain functions lend themselves to greater efficiencies, as the Senator has pointed out, it is clear that a local authority is best placed to manage its own staff and already has the necessary procedures and policies in place to do so in line with best practice across the public service. However, as the Senator also said, we must have a shared goal in this area.

In addition, local authorities have customer service charters outlining their commitment to providing high-quality customer services and customer-service action plans outlining standards for monitoring and improving customer service. A people strategy is also in place for the local authority sector. It aims to enable and empower a motivated, committed workforce to provide quality services to citizens.

Chief executives are responsible for staffing matters in local authorities and are supported in this role by the Local Government Management Agency, which provides expert advice on the full range of human resource issues. I thank the Senator for raising this important issue. There will always be scope for improvement in the provision of shared services and how we respond to the needs and demands of our citizens and community in delivering those services through our local authorities.

**Senator Garret Ahearn:** I thank the Minister of State for his response. He is correct that the work of the staff of Tipperary County Council during the pandemic has been phenomenal. They are very much to be credited for that.

The Minister of State made the good point that local authorities already have shared services. My argument is that what I propose should be part of these. If you ask chief executives privately, they will tell you they do not want to be dealing with the sorts of staffing issues in question. They are best placed to understand them but that does not necessarily mean they are best placed to solve them. What we need is a system whereby people who underperform do not take it for granted that just because they are in a local authority, they are certain to be working in it for 40 years. That is the problem we have. There is an assumption among the public that people who work for a local authority are there for life, no matter what they do. Ninety-nine percent of people who work for a local authority are doing so because they believe in what they do and want to serve the public, but a small percentage, who are not held to account and who do not live up to those standards, are affecting every good, decent local authority employee. It is not good enough that we have representatives in this House and elsewhere who just stand up and say local authorities are absolutely hopeless. We need a system in place so the brilliant people who work in local authorities are not held back by a small number who are not held to account. I recognise there is a system in place to deal with the latter but it is not really effective. The Minister of State has been in local government and politics long enough to know we all know of people who have not been dealt with.

**Deputy Peter Burke:** Again, I thank Senator Ahearn for his support for local authorities and for raising this important issue. A legacy of benchmarking was that every citizen who worked for a local authority or agency of the State got incremental rises that were not directly linked to productivity. That legacy has been tackled only in recent years, whereby the progressive social agreements with the Government have really built in productivity. On the Senator's general point, on dealing with disciplinary issues and ensuring everyone gets the opportunity and support to excel in delivering services to citizens, I absolutely see merit in his proposal. I will raise the matter again with the Department and revert to the Senator on it.

**Acting Chairperson (Senator Eugene Murphy):** I thank all the Senators and Ministers of State who have been with us this morning. I also thank the staff.

It is lovely to see young people here, during their mid-term break, to hear part of our debate this morning. They are very welcome. I believe I know who they are. I hope they enjoy the rest of their day.

*Cuireadh an Seanad ar fionraí ar 11.20 a.m. agus cuireadh tús leis arís ar 12 meán lae.*

*Sitting suspended at 11.20 a.m. and resumed at 12 noon.*

### **Teachtaireacht ón Dáil - Message from Dáil**

**An Cathaoirleach:** Dáil Éireann passed the Merchant Shipping (Investigation of Marine Casualties) (Amendment) Bill 2021 on 23 February 2022, to which the agreement of Seanad Éireann is desired.



24 February 2022

## Gnó an tSeanaid - Business of Seanad

**An Cathaoirleach:** Before I call on the Leader of the House to outline the Order of Business, I wish to say that we are all concerned about the events this morning in the Ukraine and our thoughts are with the people of Ukraine.

This is the national day of friends of Ireland, the Estonian people. I know their thoughts are also with the people of Ukraine. I would like to welcome H.E. Aino Lepik von Wirèn, the Estonian ambassador, to Seanad Éireann as we celebrate our 100th year. Estonia, like Ireland, is a small country which celebrates its independence day today. A year before Dáil Éireann sat for the first time, Estonia declared its independence, on 24 February 1918. Like Ireland, Estonia is a small country that struggled so long for independence and, as such, we share that common bond. We, of course, also share membership of the European Union and a love of language. Estonian is an exam subject in our school system and there are statues of Oscar Wilde and Eduard Vilde, the Estonian literary icon, in Galway city and in the university city of Tallinn in Estonia. During her visit, as President of Ireland, Mary McAleese said: “Estonia is a country with a rich cultural heritage and a huge appreciation of cultural values. Like us, you cherish your music and culture – a fact that I believe sustained both our countries in our sense of community and identity during more troubled times.”

Last year marked the 30th anniversary of the establishment of diplomatic relations between Estonia and Ireland. On its national day, I wish the ambassador and the 3,000 Estonian nationals living in Ireland a peaceful Estonia day. In my best Estonian *head Vabariigi aastapäeva*.

## An tOrd Gnó - Order of Business

**Senator Regina Doherty:** I join with the Cathaoirleach in extending a very warm welcome to the ambassador and I wish her a very happy Estonia day. Before I outline the Order of Business, I must say this is one of the most surreal of times, and I am half a century old. It is incredible that we are watching in real-time, potentially, the destruction of tens if not hundreds of thousands of people’s lives in an action which is very obvious to me but very difficult to understand. I put on record that our hearts and our thoughts are with the people of Ukraine today. I really hope that there is swift and demonstratively supportive action and response on behalf of the world leaders who have the opportunity to try to avert this to save people’s lives.

The Order of Business is No. 1, motion regarding the address to Seanad Éireann by Ms Linda Ervine, to be taken on the conclusion of the Order of Business, without debate; No. 2, report of the Seanad Committee of Selection to be taken on conclusion of No. 1, without debate; No. 3, National Lottery (Amendment) Bill 2021 - Committee Stage, to be taken at 1.15 p.m., to adjourn after 40 minutes, if not previously concluded; and No. 4, statements on mental health and CAMHS, to be taken at 2 p.m., to conclude at 4 p.m. if not previously concluded, with the time allocated to the opening remarks of the Minister not to exceed ten minutes, all Senators not to exceed six minutes, and the Minister be given no less than ten minutes to reply.

**Senator Malcolm Byrne:** Like my colleagues, I would like to welcome the ambassador, H.E. Aino Lepik von Wirèn, on this the Estonian national day and share with her our concerns around the unwarranted invasion of Ukraine by Russia and to make very clear from these Houses and this country that we stand in solidarity with the people of Ukraine. We have seen



troops and military vehicles from Belarus entering Ukraine and it is now very clear that the dictators that are Vladimir Putin and Alexander Lukashenko do not respect the rule of law or international agreements. We need to make clear that Ireland and Europe's quarrel is not with the ordinary people of Belarus and Russia but with their leaders. This is a battle for democracy, for human rights and, in many ways, as referred to by the Leader, it is Europe's defining moment.

Very strong action has to be taken at European Union level. I support cutting Russia off from the Society for Worldwide Interbank Financial Telecommunication, SWIFT. This is something the Baltic states have sought. I said yesterday that all oligarchs and their families with links to Vladimir Putin in the European Union should have their visas withdrawn.

I spoke yesterday about the food security implications of this conflict but today I raise the potential for cybersecurity attacks. Ireland and Europe need to be braced for cyberattacks. These will either be state-sponsored or state-tolerated by Russia. Ukraine is already experiencing distributed denial-of-service attacks and we know that Russia has used cyberattacks in the past.

This is Estonia's national day but Estonia knows that in 2007, when it had a dispute with Russia, that there were a series of co-ordinated cyberattacks emanating in Russia and directed against it. It is part of the Kremlin's playbook. It used it against Georgia in 2008, when it annexed Crimea in 2014, and we know about Russian interference in the American elections and in other areas. We should not forget that the largest attack ever on a health service anywhere in the world was on the HSE last year and that it emanated from Russia. I raised in this House before the question about our cyber capabilities and defence.

I refer to the National Cyber Security Centre. There are plans to upgrade and provide additional staff but it is not adequate to meet the potential of some of these attacks. I have also said Ireland should take part in the permanent structured co-operation, PESCO, groups and co-operate with European neighbours to deal with questions around cybersecurity and cyberterrorism. We should have no doubt that because European countries will stand in solidarity with our sisters and brothers in Ukraine, Russia will seek to deploy its playbook and engage in cyberattacks. We need a full and proper debate around cybersecurity.

**Senator Seán Kyne:** I also welcome the Estonian ambassador to the Chamber this morning in recognition of its national day. I spent some time in Tallinn a number of years ago and it is a beautiful city and part of the world. I concur absolutely with the comments of my colleagues and the Leader on what is currently is happening in Ukraine. We all study or read about history and we learned about the assassination of the archduke and the invasion of Poland, along with other events. This war is starting in Europe before our eyes and we are getting updates on social media. It is not just a small invasion and it is now a full-scale invasion of Ukraine. It is quite clear that Mr. Putin and some of his allies do not believe in diplomacy and strung along discussions or talks while making plans for an invasion. Up to very recently they were denying there were any plans for an invasion but it was to be expected that there would be a full-scale invasion. Our thoughts and prayers go out to all innocent people who will be caught up in the conflict, which will have an impact both in terms of loss of life and across the region and in other countries neighbouring Ukraine and which may be fearful for their sovereignty and their people's lives at the hands of a dictator.

Déanaim comhghairdeas le gach duine a bhí páirteach sa scannán "An Cailín Ciúin", funded by Screen Ireland, TG4 and the Broadcasting Authority of Ireland. The film, "An Cailín Ciúin",

recently won awards in Berlin at its international film festival and is proof of the talent that follows opportunities in the region. Atlantic Academy is a new training hub in Galway and it encourages the growth and development of film and television industry in the west. We have a proud tradition in this over the years and TG4 and the excellent work it does is testament to that. That an Irish language film has gained international awards is testament to that energy, innovation, determination and work ethic. We can do more.

I welcome the fact that Screen Ireland is supporting a number of training and development initiatives, including Atlantic Academy. As the chief executive of TG4, Mr. Alan Esslemont, has said, there is basically a regional imbalance now with infrastructure like this outside of Dublin and with the Irish language. This will create a stronger pipeline of film and television professionals with Irish language skills. There is a real shortage of people skilled in the area who are required to meet existing demand and a new course will be run by TG4 in the area of camera lighting, sound editing and other skills. It is certainly welcome because the talent is there and we need to nurture and grow it. I see the potential for Irish language and English language films based in Ireland. It is a very important industry.

**Senator Michael McDowell:** I welcome the Estonian ambassador and acknowledge the presence in the Chamber of a student from the Royal and Prior School in Raphoe, Ms Jennifer Holly, who has come to witness our democratic institution in operation.

I fully concur with what has been said about Ukraine. As far as I am concerned, the extent of sanctions that must be imposed must be massive and they will cause hurt in the West. We must accept that if we really mean that we stand in solidarity with the people of Ukraine, we will have to take the economic cost if we are not going to become involved militarily, which is clearly not going to happen at all.

Our democratic institutions remind me of the following. In July 2020 the Seanad Bill was published and Second Stage took place in this House in November. The Minister, Deputy Darragh O'Brien, sent his Minister of State, Deputy Malcolm Noonan, to this House to support an amendment that the Bill should not be read a Second Time until 31 December 2021. The Minister of State, Deputy Noonan, gave assurances to the House and said the Minister, Deputy O'Brien, was fully committed to engaging in this process and he would engage with Senators before that Christmas. That never happened. He said he would come back to the House in May 2021 with his proposals but that never happened. Before May 2021, I contacted the Minister, Deputy O'Brien, and was assured he was establishing a group among Government parties of Members of the Oireachtas to discuss evolving proposals. That never happened. Those three commitments have been broken and I am putting it on record in this House that they have been seriously broken.

When the Seanad reform implementation group was established by the Government, I was asked to chair it by the members of that committee, and that was against the wishes of the then Minister, former Deputy Shane Ross. It was an all-party group and we brought back our report, which I submitted to the Taoiseach. It was in accordance with the terms of reference that the Government made and it was to implement the Manning proposals because it was part of that Government's programme.

I will finish by saying this. I went to visit the Taoiseach in early 2019 and he told me he had no interest in implementing the recommendations of the Manning report because he did not agree with it. He reminded me he was an abolitionist when it came to the Seanad. I know the

Leader of the House played a role in that referendum as well and I am not making any points in that regard. The people of Ireland are not content to leave this House unreformed. The drum-beat of people saying we should be abolished is beginning to grow again.

I demand that the Government live up to its promises in this regard. The Green Party tried to get it into the programme for Government this time around but it was fobbed off with assurances. I am not going to be fobbed off with assurances and I make it very clear that from now on, co-operation in this House and the orderly transaction of its business will be seriously impeded if the Government does not take reform of the method of election to this House seriously. I have not gone away, you know. Reform has not gone away, you know. It will be raised daily in the House on the Order of Business until the Government lives up to the words and assurances it gave the Irish people, Members of this House and, most important, the members of the implementation group who worked for six months on the basis that they would not be betrayed by a Taoiseach who told them he had no interest in implementing the findings of the report.

**An Cathaoirleach:** As we all know, there was a referendum in 1979 and, to the best of my knowledge, it is the only referendum question put to and passed by the people that has not been implemented by successive Administrations. I thank everybody involved with the all-party group that worked on the report. It put much effort into the recommendations and drafted legislation. In our 100th year, the referendum question passed four decades ago should be implemented in whatever format the Government sees fit. People in a subsequent referendum voted on the Seanad not as it was but as it could be. I thank Senator McDowell for his hard work in that regard.

I also welcome Ms Jennifer Holly and Samantha to the Gallery and I hope they enjoy their visit to Seanad Éireann this morning.

**Senator Pauline O'Reilly:** As one of the two parties against the abolition of the Seanad, I am more than happy for Senator McDowell to bring up the matter of Seanad reform every day. I will certainly support him on it. We will do all that we can to make Seanad reform happen.

I welcome the Estonian ambassador to the Chamber. This should be a day of celebration for the people of Estonia, and it is, but I am very conscious the entire region is living in fear. We have already seen Lithuania looking to call a national state of emergency. What is happening in Ukraine is having a knock-on impact throughout the entire region. I think of all of those living in this country, citizens and not citizens, who have connections with the area and region who are very fearful. I am sure we have all seen the queues of people trying to get out of Ukraine at present. My heart goes out to them. I agree with all of the previous speakers that we have to have the strongest sanctions possible. I agree it will be difficult.

We have known for some time that this was coming. Despite what Mr. Putin said, we all knew it was lies and that nothing was happening or going to happen in subsequent days. We saw this today. It has been lie after lie and we should not expect any different. There has been a delay in action by the EU, the US and the UK. It is no longer acceptable. We have to see what we can do here. Certainly the Russian ambassador in this country has a lot to answer for. This is our closest link. We need to examine whether the ambassador continues to be welcome in this country. The ambassador of Estonia is very welcome. All of the links with diplomacy must mean something. There is no point in having people in our country unless it stands for something. Diplomacy has broken down as Senator Kyne has said. Was there even any effort by Russia? I do not believe there was. I had hoped to speak about a number of other issues but

this is the most important issue facing us today and that is what the Order of Business is about.

**Senator Niall Ó Donnghaile:** Cáineann Sinn Féin gníomhaíochtaí na Rúise agus iad ag sárú teorainn na hÚcráine. I express Sinn Féin's condemnation for the actions of Russia in violating the national territorial integrity of Ukraine. We all stand united in the House, and that is very important, in condemning the latest invasion we have seen in the past 24 hours. We call for all of the necessary diplomatic and political response the State can bring to bear. As other colleagues have said, we have already seen the real humanitarian impact that will play out before our eyes unless there is a step back from these actions. As I encouraged last week, it would be useful for the House to hear an update from the Minister for Foreign Affairs, or whoever the Government deems appropriate, on how the State will use its role on the UN Security Council to co-ordinate humanitarian responses to ensure there is support for those who will be fleeing and seeking refuge, and that the necessary aid and support is delivered to people who will, no doubt, suffer as a result of these actions. This has to be first and foremost in our minds. We need to lean into that international role. We need to lean into our own experience of peace building and conflict resolution. As other colleagues have said, such breaches of international law need to be met with sanction.

I want to reference steps we could take. The State has its own responsibility in this regard. Russia and Vladimir Putin's inner circle possess large amounts of offshore wealth. The IFSC is a major source of finance to the Russian economy, with €118 billion funnelled from the IFSC to Russia between 2005 and 2017, second only to Luxembourg. Often this has been through section 110 of the Taxes Consolidation Act, an issue my colleague, Deputy Mairéad Farrell, has raised in the other House a number of times. For example, VEB, a Russian state investment company whose supervisory board has been controlled by members of Vladimir Putin's Government, raised \$9.3 billion between 2010 and 2013 through a section 110 vehicle. We need to hear whether the Government will end the use of section 110 companies, many of which have charitable status, to funnel funds that could be connected to the Russian state apparatus and Vladimir Putin's inner circle. I would welcome the opportunity to have these statements. I join colleagues in sending our solidarity and support to the Ukrainian people at this time.

**Senator Rebecca Moynihan:** As are my colleagues I am quite frankly stunned by the actions of a brutal dictator and imperialist, Vladimir Putin, in Ukraine. This very much fits in with the regressive foreign policy Russia has adopted over recent years. For example, supporting the brutal dictator Assad in Syria. I hear a lot of people speaking about the biggest war on our doorstep since the Second World War. It is also important to remember Russia's role in the Balkans. It is not 30 years since we had a brutal civil war in the Balkans. It is on the verge of breaking out again. For example, there was Russia's role in not recognising Kosovo for a very long time and in supporting Syria. This is part of an aggressive foreign policy it has adopted on its eastern flank. It is alleged that in 2005, Russia poisoned the Ukrainian opposition leader, Viktor Yushchenko. This led to the October revolution. We also saw outbreaks in 2014.

This has not happened out of nowhere. Russia has pursued a very aggressive strategy, particularly since Vladimir Putin took over. It has worsened. I never thought I would see the day there would be boots on the ground going from Russia to a neighbour in Ukraine. I always thought it would use its playbook of cyberattacks, financial measures, funding opposition and Cold War tactics. It is a dark day for Europe and I urge the Irish Government to have a harsh response in terms of sanctions. What the Taoiseach said today is very important. What gives one man the ability to decide that other young men aged 18, 19 or 20 will have their lives taken from them? It is a failure of international diplomacy. It is also a long-planned attack by Vladi-

mir Putin and we have all been played.

I want to raise an issue that is raising disquiet among many people. This is the change in the tenant purchase scheme lowering the eligibility threshold to allow old age pensioners to be included. The timeline for individuals and couples has been extended from one year to ten years. Many people who were applying for the tenant purchase scheme and putting together their P60s have suddenly been told they are no longer eligible. The statutory instrument was signed off at the end of January. Will the Minister reconsider this for people in the process of the tenant purchase scheme so they are still able to apply and are not cut off suddenly?

**Senator Eugene Murphy:** As have many other Members, I want to express my horror and upset at what happened overnight. I got up early this morning to return from Roscommon and I switched on the news after 5 a.m. Having listened over recent days it was probably inevitable it would happen but I still had a belief that Putin would not push this way. The sad thing today is to hear about people being killed and injured. They are innocent people. I am really shocked by the arrogance of the attack. Most of us accepted that there might be some incursion into this alleged independent area, as Russia calls it, but we now see that Russia seems to be targeting a far greater number of areas.

I was one of the foolish people who said for many years that maybe Putin and Russia are different, but that is not the case. We are now dealing with a really dangerous individual. I have been in contact with some Russians I know in this country in recent days who do not approve of this, and we should remember that. They are quite successful young people who are in business and do not want this war. Maybe if he continues this aggressive action, which will result, sadly, in a lot of death for Russians as well as Ukrainians, he may fall on his own sword. It is to be hoped he will, because in a democratic world we cannot stand for this type of aggression from anybody. It is simply outrageous.

As the Taoiseach said last night, and as many others have said, we have just come out of two and a half or three years of Covid. We are not fully out of it, but we are now into a world crisis. As Senator McDowell said, there is going to be pain for this nation. We now have to look out for the vulnerable people who will be hit again by this because of sanctions or whatever. We have to do our best, as politicians, to look after those people.

**Senator Maria Byrne:** I stand in solidarity with the people of Ukraine, as has everybody else who has spoken. The war has started overnight and I think about what the people are going through at the moment.

This week, the Tánaiste announced the terms of reference for the Shannon Estuary economic group. It is seeking expressions of interest in Limerick, Clare and north Tipperary regarding what can be carried out on the estuary in terms of docklands and ports. Limerick has the second largest port in Ireland in terms of depth. There is huge potential there for job creation and industry locating right along the Shannon Estuary. The group's findings will be reported by October and this is a positive announcement for Limerick and the mid-west region, which I welcome.

I am alarmed by the number of burglaries, in particular burglaries on farms. Sergeant Leech from the crime prevention unit in Limerick has warned farmers to secure their farms and perhaps consider CCTV for buildings that they cannot see from their houses. He has also discussed securing properties in terms of proper fencing, gates and so on because there has been a



significant escalation in the number of robberies on farms. This is something farmers are going through. It is very sad that the number of burglaries on farms has escalated.

**Senator Victor Boyhan:** We are all talking about Ukraine and rightly so. This morning I woke up at about 3.10 a.m., which is unusual for me because I do not go on morning, noon and night. I went downstairs and had toast and tea, and thought I would go back to bed quickly in order to be back in here. I turned on the BBC and the first thing I saw was Geraldine Byrne Nason, a wonderful Irish public servant who is our permanent representative to the United Nations, live on television at the table for a meeting of the UN. This unfolding catastrophe was being broadcast live into our home. I was proud of Geraldine Byrne Nason, whom I know well. We in Ireland can be very proud of her representation at the UN.

At the same time, Tony Connolly from RTÉ was speaking live, and said, “We are in a fog of war”. What better way to describe the uncertainty. Before I slipped up to bed, I changed channel and saw Orla Guerin, another great journalist from Ireland, on the war front toggled out in protective clothing. It is important that we remember the journalists on the front line bringing back the story and, it is to be hoped, helping to tell the truth of the terrible travesty happening on part of mainland Europe. That is really important. Our thoughts, words and prayers have to be with the Ukrainian people.

I also want to be conscious of the Parliamentary Assembly of the Organization for Security and Co-operation in Europe, of which I am a former member. I know there are Members in these Houses that are members of it and know the important work it does. It is about shining a light of hope for others in a dark place. These are sad, but important, days as members of Europe. I also want to remember the journalists, in particular Orla Guerin and Tony Connolly, and also Geraldine Byrne Nason, who are on the line and, in some way, are the eyes and ears for people in Ireland and around the world.

**Senator Erin McGreehan:** I welcome the Estonian ambassador. We are all standing with Ukraine. When we woke up this morning there was a dark shadow over all of us. I listened to the Ukrainian ambassador who was in tears on “Morning Ireland”. Her voice was shaking because she was talking about her family. We are all standing strong for Ukraine today. We must remember how we got here. History will only reflect on how we got to this point. Have we sleepwalked into this situation just so we can be a little richer in the West? There are trade deals with questionable countries. Are we doing the right thing just to be a little bit richer? We need to re-evaluate what we are doing when we work with countries that have huge question marks over their human rights records.

Russia is invading an independent sovereign state and causing loss of life. We have to listen and think about the ripple effect of what has happened, not only in Ukraine and eastern Europe. We must think about the legacy this will leave for children and families, the families that will be displaced and the displacement of all of the normal rites of passage people could possibly miss out on. As a mother standing here, I am transferring myself to the position of being a mother in Ukraine. It must be a desperate sick feeling to hear the bombs going off. As I stand here, I think about our friends in Ukraine, all the families in Ukraine and the Ukrainian family across the world.

**Senator Micheál Carrigy:** Like my colleagues, I would like to echo the comments on Ukraine and support the Minister for Foreign Affairs, Deputy Coveney, who is acting on behalf of everyone in Ireland. Senator O’Reilly referred to diplomatic relationships, and our Young



Fine Gael branch passed a motion regarding diplomatic relations between the two countries. Russia has stepped across the line and it is something we should consider with regard to the ambassador for Russia in Ireland.

I would like to like to raise the issue of ophthalmologist services in my home county, Longford. We have not had one since July 2021. The position has not been filled. Parents were never informed. When this happened a number of years ago, files were transferred to Athlone and people were called for appointments but that has not happened this time. I ask the Leader to write to the Minister for Health and find out when the service will be returned to the county and let parents know it will be available.

Last Tuesday, the Minister for Justice, Deputy McEntee, was in Longford. We visited Longford Women's Link, a domestic violence group which is doing tremendous work. We also met Comhairle na nÓg, the youth council, to discuss the community safety partnership, of which Longford is one of three trial areas. We had an interesting discussion on the issues they experienced on the ground and on proposals they put forward for changes to be made. A proposal that came from several of the groups was to have lids for glasses in nightclubs or pubs. I know this issue has been raised previously. Lids are provided in every shop, coffee dock and so on for cups of coffee. Beer mats and so on are provided. Is it not possible for lids to be provided with alcohol purchased in a pub or nightclub? Many youngsters feel unsafe in the context of drinks being spiked with drugs, etc. This would be a simple thing to bring in and make available in every public house and nightclub.

**Senator Gerry Horkan:** Like the Cathaoirleach, I met the Estonian ambassador as she was leaving. I was in Estonia when it held the Presidency of the Council of the European Union a few years ago. I was struck by Estonians' fear of the regime next door and how vulnerable they felt. It was a kind of permanent cloud that at any time something could happen to them. I had not considered it before that, but I certainly came home from Estonia aware that they live in constant fear of something happening. Many of the former Soviet states, including Georgia and Ukraine, have a similar kind of foreboding that, at any point in time, something might happen. Funnily, I woke up at approximately 5 a.m. this morning and I did not know why. I looked at my phone and all of a sudden there was all this stuff happening on Twitter. People in hotel rooms in Ukraine were saying how the breakfast service had been cancelled and they were all being moved into air raid shelters or bomb shelters or whatever. I do not think many of us know an awful lot about Ukraine, historically. It is bigger than France in terms of geographic size. It has a population of 44 million and is rich in many natural resources, which may be another part of the reason Russia wants to do what it wants to do.

Ireland has more involvement than we may think. The single biggest operator of flights into and out of Ukraine last week, and almost every week, is Ryanair. It operates numerous flights from all over Europe into Ukraine and out again, far more than the Ukrainian national airline because it is far bigger. Ireland has a significant aviation leasing industry with Russian airlines. Maybe that should be considered in terms of sanctions. We are not going to be militarily involved in dealing with Russia but we have to exercise any and every power we have. We have a position on the UN Security Council at the moment that we do not have very often. Everything that can be done has to be done. Whatever about expelling the Russian ambassador and bringing another one in - if that needs to be done, it needs to be done - we definitely need to bring the ambassador in to talk to him. Only a week ago, he stated on "Prime Time" that Russia had no interest in going into Ukraine but now it is bombing civilian apartment blocks.

There is a group of Ukrainian nationals at the gates of Leinster House. I will go out to meet them and express my solidarity with them. I am sure many other Senators may wish to do likewise, now that they know they are there. I am going to go out to them, so I will watch the Leader's reply to Senators at a later stage. I want to express my solidarity with the people of Ukraine, as, I am sure, do all Senators. I ask not the Russian people, who, I am sure, are very honourable in many ways, but the Russian authorities to realise it is not too late to slow down and pull back. They may not think that way but we should all be saying they should pause and pull back because this is not okay. Nobody ever wins in a war.

**Senator Garret Ahearn:** I follow on from the comments of Senators regarding the shocking news of what is happening in Ukraine. I express my solidarity to the people of Ukraine on what they are going through. It has been a difficult number of weeks but today is different from the events of recent weeks because it is actually happening. People's lives have been drastically changed in the past 24 hours.

I have raised the issue of the N24 on numerous occasions in this House. The construction of a new road between Waterford and Limerick was removed from the Transport Infrastructure Ireland strategy. It is a section of road from Cahir to Waterford that has been taken off the list. It would cost €1.5 million to keep it going. It is an important strategic piece of infrastructure for the south-east region, connecting two major cities. It is a very dangerous road. It was agreed in the national development plan that it would continue. Only three months after the announcement of the national development plan, the Minister for Transport, Deputy Eamon Ryan, personally decided this project was not going to continue any further. Most of the road goes through Tipperary. There are 40 councillors on Tipperary County Council, all of whom are in support of the N24 road upgrade. All Oireachtas Members are in favour of the upgrade. All officials in Tipperary County Council are in favour of it. It is virtually impossible to get full agreement between public representatives on anything but we have full agreement on this. We have a Dublin Minister who has decided this is not good for the area. I am calling on him to make a decision quickly on this issue because if the funding does not continue, the company that is involved in delivering this project will finish at the end of the month. There are approximately ten days left for the Minister to reverse his decision. He needs to reverse that decision.

**Senator Michael McDowell:** Hear, hear.

**Senator Garret Ahearn:** This was committed to in the national development plan last October. One cannot just change one's mind overnight but tell no one about it, with Oireachtas Members finding out about it in an email a week before Christmas. That is not the way government performs and it is not the way the Green Party should be treating us in government. This is a really significant investment in the area and the decision needs to be reversed before the end of the month.

**Senator John McGahon:** Like colleagues, I recognise Ukraine is a country that wanted to develop closer ties to the European Union. It wanted to join the European Union and NATO. An attack on Ukraine, as initiated by Russia, is an attack on anyone who is a believer in democracy around the world. That is what is at stake here. Democracy and the way of life we all believe in and support are what is at stake.

Although I am not asking for a debate or calling for any particular action, I wish to make reference to a committee meeting I attended with Senator Carrigy yesterday. I attended the Oireachtas Joint Committee on Tourism, Culture, Arts, Sport and Media yesterday for the testi-

mony of Frances Haugen, the Facebook whistleblower. Senator Malcolm Byrne was there too. Last May, nobody knew who Frances was. No one in this world knew who she was. She saw practices going on within Facebook that she knew were deeply wrong. These practices related to how its algorithms work and everything else. She decided, at immense personal sacrifice, to lift the lid on that and let the world know about the shady practices in which Facebook engages when it comes to its algorithms. Now she is known right across the world. She is speaking to parliamentarians across the world to try to best inform us about the dangers posed by this company. As I did yesterday, I commend her on her moral fortitude. To have the ability, as one sole individual, to take on one of the largest companies in the world almost by herself and to lift the lid on these practices is so commendable and something of which we can all be proud. I wish to put on the record of this House that Frances Haugen has done a tremendous service not just to Ireland but right across the world in allowing us to know exactly what big tech companies are up to and how we can best tackle those practices in order to protect citizens.

**Senator Emer Currie:** We all woke to news from Ukraine that is not shocking, given the direction of travel in recent weeks, but is certainly sinister. I agree that we must do everything in our diplomatic, humanitarian and political power to support the people of Ukraine.

The draft Fingal development plan 2023-29 was launched today. It will be out for public consultation until 12 May. This is critical. In the past couple of years, there has been a real shift in terms of what is described in the development plan as healthy place-making, that is, people spending more time in their communities. That needs to be reflected in the development plan supporting communities. We see it in rural areas but we do not see it so much in suburban and urban villages that flourished during Covid. I will be making a strong case that those areas and communities, such as the likes of Clonsilla, Castleknock, Blanchardstown village and Ongar, among others, should be getting more supports, similar to the urban regeneration and development fund, the rural regeneration and development fund, town and village schemes and so forth.

This weekend, I will be going to Westminster for a meeting of the British-Irish Parliamentary Assembly. I am very much looking forward to that. This will be the first opportunity for us to meet in person. There will obviously be Irish Government representatives to the UK, as well as the leader of the Labour Party, the leader of the DUP and Sinn Féin.

It could not be coming at a better time. A survey was released this morning in the *Belfast Telegraph* on the issue of lack of trust. In terms of managing Northern Ireland's interest in respect of the protocol, 84% of people distrust London, 52% distrust Stormont, 45% distrust the EU, 46% distrust the Irish Government, 72% distrust the DUP and 55% distrust Sinn Féin. The political community needs to come together and work together. We have not seen opportunities to work together since Brexit and that should be, obviously, on the agenda.

**Senator Aisling Dolan:** Today, 24 February, war was declared by Russia on the Ukraine, a European country of over 40 million people. This is war and the worst conflict in Europe since the Second World War. How many survivors of that war are alive? How long do we have living memory of a war that changed the course of history? We brought the EU into being to prevent this type of aggression that is now happening in Europe.

I studied history and as part of my degree it was clear the importance of leadership at times of crisis. How will we, the EU, fight for democracy? A European country is now invaded. We look out here and we see sunshine. In Kyiv, Ukraine, they are looking out and seeing bombing.

Economic sanctions were threatened. Have they been effective? Have they stopped this aggression? I welcome the update by the Minister for Foreign Affairs, Deputy Coveney, in the Commencement matter that over €1.2 billion in macro-financial assistance has been offered by the EU. However, he also acknowledged that 14,000 people in Ukraine have lost their lives since 2014.

We have autocratic states and I ask for a discussion on the role of democracies. Under the World Population Review, Ireland is ranked as one of ten of the most democratic nations in the world. Our Oireachtas, what we have here, is one of the ten most democratic establishments in the world. However, it says under Bertelsmann Transformation Index, which is a German group, that there are now more autocratic states than democracies around the world. That is outside the OECD and within developing countries. There are more autocratic states and, in other words, democracy is losing. What will we do about that?

**Senator Paddy Burke:** I agree with the sentiments expressed by my colleagues on Ukraine and that we would stand in solidarity with it. It is unbelievable to think that after what has happened over the past 100 years, this is happening now at this stage, and in a world that is much smaller, from a communications point of view, and much better educated. It is unbelievable to think that people are leaving and fleeing their homes in Kyiv, Ukraine, at this stage. Imagine if we had to up and leave our houses here in this country at this stage. Can one imagine the impact that has on those people? This war, while we have had many wars in the past 40 or 50 years, is on a different scale and at a different level.

I would like to raise an issue that Senator McDowell and I raised last week on house construction and retrofitting houses and which one will take precedence, because there will be a lack of employees and employers to carry out those works. We called for a debate last week on this whole area and I am calling again for some sort of a rolling debate to be arranged on that issue. It covers the whole area of much-needed construction of houses at this time. It also covers the area of energy, the retrofitting of houses, the saving on fuel and so forth. We could have a very good and worthwhile debate here in the House. I would welcome if that was put in place.

**Senator Regina Doherty:** I actually had a request in with the Minister with regard to the employment opportunities and potentially, perhaps, the lack of supply of workers for the construction versus the retrofitting of houses. As soon as I have a date, I will come back to Senator Burke on that.

I acknowledge Senator Currie's discussion on the British-Irish Parliament Assembly. I wish all of our colleagues who are attending this weekend a good and constructive weekend. I have no doubt the events will be consumed by what is going on in the world at the moment.

Senator McGahon talked about Ms Frances Haugen and I completely agree with him. She is a remarkable lady to be able to take on not just the might of a very large international organisation, but we all are aware that it has the support of probably many governments around the world, so she is taking on the might of many important and strong people. I wish her well.

Senator Ahearn talked about the N24 and an acknowledgement that a response needs to come from the Minister in the next couple of days. I will send his message straight to the Minister's private secretary today, just to let him know it has gone through.

Senator Carrigy asked me to make inquiries with regard to vacancies for ophthalmologists in Longford. I will do that today and come back to him.

Senator Maria Byrne welcomed the Shannon Estuary economic taskforce and the terms of reference being announced this week. I look forward to that report coming back in the next couple of months.

Senator Moynihan talked about the tenant purchase scheme and the anomalies that obviously have changed since the statutory instrument was drafted in January. I will come back to her once I make inquiries with the Minister on that issue.

Senator Malcolm Byrne looked for a debate on cybersecurity which I will sort out.

The last remaining single-item issue was raised by Senator McDowell. My history probably belies the statement that I will make, but I was new and I was asked by the then Taoiseach to do what I did, and I dutifully did it. The one statement that I made at that time that I was completely derided for and had the legs cut off me and naively probably did not realise the game I was involved in, was that the Seanad did not want to be restored, repaired, renewed or changed. I was wrong in that statement because that probably gave a reflection that the Members of this House did not want to see renewal and reform, and they obviously very much do. Former Members and Members who have not even arrived here yet do. The mistake I made was to say that the political establishment did not want to reform. Senator McDowell's contribution this morning has borne that out to be true. We have power and the Senator certainly has a persuasion that is probably unlike our own. There are very much Members of the Government parties who absolutely concur and agree with him. Therefore, whatever we can do to him in his quest, we certainly will. I suggest that since the 12 months before the Second Reading can happen has now lapsed, we should perhaps have a Second Reading and force the political issue that is something that we all do genuinely care about. Democracy is important.

That brings me to the single issue that every other colleague has raised this morning without individually naming them. The world is in a very dangerous place. It is perhaps trite for us to say that diplomacy has failed because I am not sure how one can be diplomatic with a dictator whose sole and single intent is on invading to boost some sort of nationalist rhetoric in his own country. I do not even have the words or capacity to understand why somebody would be that way in today's day and age, when there are so many other opportunities to grow and to be nationalist and proud of one's country, other than having to demean and demolish somebody else's culture and heritage, and human life.

To that end, I have arranged for the Minister to come in on Tuesday evening. The schedule was already issued, but I made that request this morning. He will be in with us on Tuesday evening and we will have a third debate and hopefully an update as to what the EU, the Irish and the international response is to what is happening right in front of our eyes today.

**An Cathaoirleach:** Is the Order of Business agreed to?

**Senator Michael McDowell:** No, it is not agreed. I just want to simply say that I will not put it to a vote, but I am not agreeing it for the reasons that I mentioned earlier. I just wanted to put reform on the agenda. Arising out of what the Leader just said, I also want to say that truth is the first casualty in war. For Putin to say that President Zelenskyy is a Nazi, when President Zelenskyy is a Jew, is a pretext for removing him. He will probably try to kill him. That is how evil this is.

*1 o'clock*



24 February 2022

Question, “That the Order of Business be agreed to”, put and declared carried.

### **Address to Seanad Éireann by Ms Linda Ervine to Mark Seachtain na Gaeilge: Motion**

**Senator Regina Doherty:** I move:

That Seanad Éireann agrees with the recommendation of the Committee on Parliamentary Privileges and Oversight that, in accordance with Standing Order 57(2) of the Standing Orders relative to Public Business, Ms. Linda Ervine be invited to address Seanad Éireann on Thursday, 3rd March, 2022 and, unless otherwise ordered, the following arrangements shall apply.

The proceedings in respect of the address shall commence at 1.30 p.m., shall not exceed one hour, and shall consist of –

- (a) a speech of welcome by the Cathaoirleach,
- (b) an opening address not exceeding 15 minutes by Ms. Linda Ervine,
- (c) a contribution not exceeding four minutes by a spokesperson from each Group,
- (d) a contribution not exceeding three minutes by the Leas-Chathaoirleach,
- (e) a concluding response of not less than seven minutes by Ms. Linda Ervine,
- (f) a speech of thanks by the Leader of the House.

Question put and agreed to.

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

**Senator Regina Doherty:** I move:

That the Eleventh Report of the Committee of Selection be laid before Seanad Éireann.

Question put and agreed to.

*Cuireadh an Seanad ar fionraí ar 1.01 p.m. agus cuireadh tús leis arís ar 1.17 p.m.*

*Sitting suspended at 1.01 p.m. and resumed at 1.17 p.m.*

### **National Lottery (Amendment) Bill 2021: Committee Stage**

**Acting Chairperson (Senator Gerry Horkan):** I welcome back to the House once again the Minister of State, Deputy Ossian Smyth. I am looking around the Chamber at four Members, three of whom used to sit together on Dún Laoghaire-Rathdown County Council, so I apologise, Senator Carrigy, if you are feeling a bit left out, but you are also more than welcome.



Another couple of Senators are joining us now.

## SECTION 1

Question proposed: “That section 1 stand part of the Bill.”

**Minister of State at the Department of Public Expenditure and Reform (Deputy Osian Smyth):** I thank Senators Ward and Carrigy, who are here, and Senator Currie for raising this matter and for their concern about the national lottery. I have a few words to say on behalf of the Government about this Bill. The funding the national lottery raises is very important to community groups, clubs and organisations throughout Ireland. I very much appreciate the work of the Senators in raising important matters in this regard. I am taking this matter on behalf of the Minister for Public Expenditure and Reform. While the Minister, Deputy McGrath, cannot join us today, he has previously noted his concerns about lottery betting and the potential impact it may have on the national lottery and the generation of funding for good causes projects.

Before considering the detail of the Bill, I wish to speak for a moment about the good causes funding raised by lottery sales and its importance to Ireland. Senators will be aware that it is only a few weeks since the Minister spoke about the issue of good causes funding. While noting the moneys raised via lottery sales in 2021, the Minister welcomed the transfer of €289 million from the national lottery fund to the Exchequer in 2021. The transfer represents a significant 14% increase compared with 2020 and is a record and unprecedented figure under the licence commenced by Premier Lotteries Ireland, PLI, in 2014 as well as a commendable achievement in light of the challenging trading environment in 2021. The Minister also noted that €6 billion has been raised for good causes since the national lottery commenced operations in 1987. I know that the Minister also in the past fortnight attended the launch of the national lottery Good Causes Awards. The awards honour the inspiring work and achievements of thousands of projects, clubs and individuals all over Ireland. The Minister noted at that ceremony that the awards provide the perfect opportunity to recognise and highlight the amazing work carried out by groups all over the country. Too often the efforts of our local clubs and voluntary groups may go unnoticed and we may not be aware of the organisations working tirelessly to the benefit of our communities. My colleagues, the Minister for Tourism, Culture, Arts, Gaeltacht, Sport and Media, Deputy Catherine Martin, and the Minister of State in her Department, Deputy Chambers, recently announced a record-breaking allocation of €150 million for the sports capital programme. Funding raised by national lottery sales has for many years contributed to the development of sports facilities in our communities and regions, and it is truly inspiring to see such facilities continuing to develop, with all the consequent positive impacts for citizens. The Revised Estimates document published by the Department sets out where good-causes funding will be allocated in 2022. Appendix 1 to the document notes the funding will be distributed over five separate Departments: the Department of Tourism, Culture, Arts, Gaeltacht, Sport and Media; the Department of Housing, Local Government and Heritage; the Department of Health; the Department of Children, Equality, Disability, Integration and Youth; and the Department of Rural and Community Development. The total funding allocated in these areas is more than €450 million. It is evident, therefore, that the funding raised from lottery sales is supplemented by Exchequer funding.

I emphasise my support and that of the Minister for Public Expenditure and Reform for the tremendous work facilitated through national lottery sales and our desire to sustain this. In that context, the Minister has been actively considering measures, including the Bill proposed

today, that might serve to sustain lottery sales into the future. Three such lines of action are being considered by him, which I will address in sequence. The first, of course, is the proposed legislation before us. I understand the aim of the Bill is to prohibit licensed bookmakers from taking bets that use lottery products. The Minister has some concerns regarding the impact of the proposed Bill. One such concern was highlighted on Second Stage regarding the replacement section, section 46.1. The proposed version of section 46(1) applies to betting offers rather than lottery games, leaving lottery providers apparently free to make use of the national lottery and its name. However, the broader fundamental concerns relate to the compatibility of the proposed legislation with wider European law. The issues include proportionality in that justifying a complete ban on a previously legitimate business activity that has been in place for some 30 years is particularly challenging. Second, there is the matter of restricting the freedom to provide certain gambling services pursuant to Articles 49 and 56 of the Treaty on the Functioning of the European Union. Third, such restrictions would be incompatible with EU law unless there were overriding reasons that justified them as a non-discriminatory and proportionate means of achieving legitimate objectives in the public interest. We have had discussions with the Attorney General on those points.

I am very open to hearing the views of Senators on how these legal issues might be addressed. It would be desirable to have clarity on them before any legislation is enacted. We would all agree that legislation that leads to lengthy legal challenges or disputes would not be in anyone's interest, least of all that of the lottery, which might suffer associated reputational damage.

A secondary issue that also relates to the proposals is the capacity of bookmakers to adjust their lottery offerings to make use of alternative international lotteries. I do not know how likely that is, the take-up of such games and how many players might not opt for such games and instead revert to or commence playing national lottery games. There may be a case for more information in this regard. I am referring to the idea that people would switch to betting on the EuroMillions, the UK lottery or another lottery. In that context and given the concerns over legal actions to sustain lottery sales and good-causes funding, the Minister has been active in considering other options. One such option, which is perhaps the most sustainable in the long term, is to strengthen further the link in the public mind between purchasing lottery tickets and contributing to good causes. I have noted that the Revised Estimates set out the allocation of funding from lottery sales, but I am aware that the Minister is interested in examining options from this process to make them more transparent and robust, and, furthermore, to make more visible the impact of lottery funding in communities throughout the country.

The Minister is also interested in seeing how other jurisdictions manage this process. This is critical. We know that because of the contribution of lottery sales to good causes, playing lottery games will never offer the returns that might be available in more traditional forms of gambling. What lottery games can offer is the added benefit of knowing not only that the games themselves can be enjoyed but also that communities throughout the country can benefit from the good-causes funding raised. As such, it is essential that there be improved systems for deciding how the funding should be allocated and for making its impact visible locally and nationally. I note in this regard that the Minister, Deputy Michael McGrath, has appointed consultants to review current arrangements in respect of good-causes funding. Work has already commenced in respect of the current practices in the allocation of funding for good causes, and work has also commenced on systems and best practice in other jurisdictions and lessons learned.

The review will also set out the principles that will underpin any future framework to inform funding allocation along with the options for new approaches to the allocation of funds arising from the lottery to good causes. The report will also have regard to any issues that might arise in any transition to a new process and how these issues can best be managed. The review is scheduled to conclude in the second quarter of 2022.

Work is under way in the Department of Justice to introduce a significant suite of reforms concerning the models for licensing and regulating gambling in Ireland. It will be important to monitor the development of that legislation and the role of the proposed gambling regulatory authority. We discussed on Second Stage certain inconsistencies in promotional strategies that may be used by bookmakers and their activities that are not permitted under the national lottery licence. The gambling authority may have a role in this regard and, more generally, in regulating the activities of bookmakers. I believe the Department of Justice is introducing its gambling legislation for pre-legislative scrutiny in March. That is only weeks away.

**Senator Barry Ward:** In response to what the Minister of State said, I join him in acknowledging the considerable funding that has been made available this year in the form of sports capital grants. Every one of us sees the impact that this kind of funding can have on local organisations, clubs and associations in our areas. It is very plain to see. I am thinking of places in my area such as Kilbogget Park, where an enormous amount of work could be done on foot of the funding to provide floodlighting, drainage, etc. That is just one aspect of what comes out of good-causes funding. The Minister of State has highlighted the importance of the benefits of the national lottery. The impetus behind this Bill from the word go was the desire to be able to channel and sustain as much money as possible for the good-causes fund so the likes of sports capital grants can continue.

On Second Stage, the Minister raised several issues. I realise we are talking about section 1 and that the primary issue the Minister raised relates to section 3. I am more than happy to engage on that issue. A legitimate issue has been raised regarding the wording and the difference between the terms. We will be quite happy to engage. I look forward to engaging with the Minister of State's office on that.

There are a couple of general points I would like to make on the Bill, including section 1. On gambling legislation, this is a separate issue. The national lottery is regulated and comes under a different Department. As the Minister of State knows, it is under the Department of Public Expenditure and Reform whereas the gambling issues fall under the Department of Justice. Gambling is a different beast in many ways. We do not have to go into all the details, but important factors are the strictures on the national lottery, the fact that it is run under licence and already regulated and the fact, perhaps primarily, that it gives back a social dividend, a contribution of almost 30% of its funding, in the form of good-causes funding. That is tremendously important and not to be sneezed at.

I note what the Minister of State said about the approach of the Minister, Deputy Michael McGrath, and his desire to put in place a measure that will protect the national lottery. As laudable as it might be to strengthen the link in people's minds between the national lottery and the good-causes fund - I support any campaign to do that - it is not enough. It will not make people invest in the national lottery over other gambling products, many of which would be cheaper.

Although we have mentioned good causes, the social dividend and all the rest of it, we should note the national lottery provides good to the society and economy of Ireland at all levels

because shops we all know, including retail and grocery shops run by locals, including families, are also fed by the lottery. They operate as agents for the national lottery and get a payment if they sell a winning ticket. I am sure they all wish for that to happen, as do the potential winners. More than that, it drives footfall into small local businesses. We know we have a problem with online trading and with large multiples coming in to areas and sucking the life out of villages and towns. The national lottery is one of the vehicles we can use to ensure that people continue to frequent and spend money in local business and small shops. That is not to be ignored either.

There are myriad ways in which this is of benefit. I just do not think that a public information or marketing campaign to explain to people the good that comes from comes from spending money on a national lottery ticket is enough. We already know there is a specific element that is being diverted away from the national lottery and by extension from all the good causes and other benefits like driving footfall into local shops. We know that is being driven away. The only way to tackle that is with a legislative solution that is going to address this directly. That is what lies at the heart of the Bill.

I am aware of the issues the Minister of State raised in the context of proportionality. I do not agree with him. I am always slow to disagree with the Attorney General, who is a far greater lawyer than I ever will be, but I feel that it is a capitulation in many ways to suggest that somehow the bookmaking industry has a legitimate expectation - I know the Minister of State did not use that term - or has some kind of right to stop this from happening. I do not accept that.

The Minister of State said that any legislation that is going to end in protracted litigation is not a good thing. Sometimes that is exactly what is required. I would hope it would not happen and I would not desire it. It would be bad for everyone in this case. There are times when we need to take a stand, however. In the context of all the good that we can derive as a society, an economy and a country from the national lottery it seems that this is a proportionate measure.

I take on board the point the Minister of State makes about the capacity of bookmakers to switch and change. This is a party-political point but like some parties, they can change their colours to do what needs to be done at the time. I accept that is the case but we must do what we can without our sphere of influence. If commercial bookmakers decide to run a product with foreign lotteries, there is a limited extent to which we can influence that. The national lottery is our lottery and it provides funds for our good causes and sports clubs. It drives footfall into our shops and communities. We can control the effect on that. The Bill is proportionate and is an effective way to do that. However, I recognise that the Minister of State has identified drafting flaws in it. I am happy to engage on that matter.

**Senator Aidan Davitt:** I have a couple of queries about the proposed legislation. Given that legislation on the regulation of gambling is coming from the office of the Minister of State, Deputy James Browne, in the Department of Justice, as I said the last day to my colleague, I think this issue needs to be teased out with the regulator. We would be putting the cart before the horse otherwise. We hope to have a new regulator who will make changes to the regulations in place quite soon. For him to have something forced on him at this stage would be slightly rushed. I acknowledge the sentiments of my colleague, Deputy Ward, but my firm feeling is that we should wait until that time.

As the Minister of State knows, what the people on the ground think is very important. The lotto in Ireland is very expensive. It is far more expensive to do the Irish lotto, with a minimum

spend of €4, than it is to do EuroMillions. Lotto plus is €6. It is quite an expensive outlay from anyone's house at present, if they were to do it a couple of times a week. For the common man who is killing a bit of time and picking a ball for 50 cent for a chance of winning €100-odd euro, there is no comparison with the chance of winning millions in the lotto. It is chalk and cheese. The lotto was introduced in 1986. Since that time and nearly as soon as it had been formed this has been going on.

The good Senator started off talking about all the money that has been gathered over the years and all the money that has been spent on good projects through the lotto. We saw recently how any project that was in got 90% to 100% of the money they had looked for. That was the case for all the clubs recently. We never had as much money to give to clubs and schemes that have looked for it. This is in existence. The balls are being played for the last 30-odd years and we still have all this money to spend on good projects. Do we need more money?

I do not see the reason for the Bill, apart from the fact that the lottery is one of the few monopolies in this country. Are we really trying to strengthen its hand even more? I find it hard to understand what is driving this. That is my honest opinion. I know the guys here put the Bill together in good faith. For me, a lot of it does not add up. The small man on the ground is entitled to spend 50 cent on the Irish lotto. As the Minister of State said, the anomaly would be for him to have it on the British lotto balls or the EuroMillions balls or whatever else.

We cannot legislate for everything. We have legislated as strongly as we can to give the lotto a monopoly in this country. What more can we do for these guys unless they want to go around in Pampers or something? I do not know what else we can do for them. I feel very strongly about this. I am sure the Minister of State will engage with us before the end of the debate.

**Senator Micheál Carrigy:** I fully support the Bill. I must point out at the outset that I am a national lottery agent. It has been in the family since it came out first. We were a ticket agent and when I took over my present business in 2007 I took on the full lottery agent. I want to clarify that the national lottery has a separate regulator. It is not going to be regulated the same as gambling. It is regulated completely differently and far more stringently. Only last week I did the compliance which I have to do on a yearly basis.

**Senator Aidan Davitt:** It is the bookmakers the Senators are trying to stop, though. Senator Carrigy is referring to the point I made.

**Senator Micheál Carrigy:** I just feel that the national lottery is actually more stringently regulated with regard to its agents.

**Senator Aidan Davitt:** It is a monopoly.

**Senator Micheál Carrigy:** On a yearly basis, we do compliance and we are the subject of twice-yearly checks to ensure that we are compliant with selling to over-18s. I think our policy is to sell to over-21s. We have maximum amounts on the number of tickets we are allowed sell to people. We have referrals, too, if we see that people are purchasing in excess of what we feel might be within their means. That does not happen in a bookmakers. Anybody can go in and purchase anything.

The figure of 30% was mentioned. The national lottery was set up to create funds for good causes in this country. The use of the national lottery numbers by bookmakers does not provide



money for good causes. As an agent, and I am not giving away any secrets, my sales of the 5-4-3-2-1 would be less than 1% and 0% some weeks, because everyone is going through the bookmakers. Some 30% of those sales that would go to good causes for which the national lottery was set up are going to the profits of bookmakers instead. We need to get back to that core point. That is why the national lottery was set up.

I welcome the significant funds announced last week. This is the first occasion we have allocated 90% to 100% funding. In previous rounds we would have been down to 40% or 50% towards projects. The national lottery was set up to create a fund for good causes. The use of it by the bookmaking profession is not providing moneys into that fund. I am strongly in favour of this regulation and the change.

**Senator Ollie Crowe:** I welcome the Minister of State to the House. I want to raise a number of issues. First, I have been contacted by many local independent bookmakers in Galway and across the country and by the representative organisation. Overall, looking at the statistics, there are 800 betting shops across the county with more than 7,000 employees. They are advising that this legislation represents a significant risk to them, as sales of lottery products make up 4% to 5% of their turnover. As Senator Davitt said, it is hard to see where the connection is with the legislation. It notes that the revenue and profits of the private operator of the national lottery, Premier Lotteries Ireland, have increased steadily since the national lottery was privatised in 2014. As outlined by our colleagues, the returns to the good cause fund have grown year on year from €178 million in 2014 to €289 million in 2021. That is very welcome.

In fairness, the national lottery has had a fair run. According to the statistics on the lucky number bets, 95% of the players bet on four numbers or less. As Senator Davitt alluded to, the average stake is 85 cent. The reality is that working-class people and many of those who I represent want to make a small investment and they are entitled to do so. The national lottery can cost €6 or €4, whatever the case may be. In that context, it seems evident that this product does not pose any substantial risk to the good causes fund. It should also be noted that the lucky numbers product is not advertised. I fail to see the connection. At the end of the day, when the national lottery was privatised in 2014, bookmakers were offering these markets as they had done since 1986. I find it problematic that the State would now intervene and alter the landscape for private operators that both provide gambling products and in effect provide for a monopoly in favour of one operator. It is also worth noting that bookmakers support thousands of jobs across the country and they have provided in excess of €100 million in betting duty over the past 12 months. There needs to be a balance here. The legislation needs to be looked at. I will await the Minister of State's response.

**Senator Aidan Davitt:** I wish to make one brief point. I am certainly anything but a spokesperson for gambling. I have been very anti-gambling. I am not in favour of gambling on mobile phones and other devices. It goes back to the example of the guy who wants to make a small bet and cannot afford the €6 to do the lottery on a Saturday evening. A point that seems to be glossed over is the fact that but for bookmakers and their support, we would possibly not have dog racing or horse racing industries in Ireland. That is the reality. Looking at any of the major or weekend-long events, but for the sponsorship that the events receive from the industry, they would not be there. It is one of the biggest industries that we have in Ireland. That must be taken into account.

**Senator Micheál Carrigy:** I wish to make a quick point that I did not make previously. I know that there is a significant number of jobs in the bookmaking industry, but with regard to

agencies, there are over 4,000 lottery agencies throughout the country, which are small shops, supermarkets and businesses. The knock-on effect is that a significant number, or tens of thousands of people working in that industry, will be affected. With regard to purchasing a similar product that the national lottery has, such as the Lotto 5-4-3-2-1, customers do not have to spend €6; it can be purchased for a smaller amount. That bet is available within the national lottery game already but the sales of that are affected by the fact that there is a higher return through the bookmakers because they do not pay into the good causes fund.

**Senator Aidan Davitt:** What is the minimum bet?

**Senator Micheál Carrigy:** It is €4.

**Acting Chairperson (Senator Gerry Horkan):** I must say that it is quite unusual that the five Members who are in the Chamber, including me, all happen to be members of the Industrial and Commercial Panel. I am not sure that that has ever happened before. We are experts. It is like a mini club of our own. We are all here today. The Members are welcome, along with the Minister of State, Deputy Ossian Smyth. I note Senator Ward wants to come back in.

**Senator Barry Ward:** I wish to make a few points. Senator Carrigy has highlighted that there are other lottery products offered that cost less. I acknowledge that there are people who use this facility through bookmakers and book with much smaller stakes. I am not sure that they are such a massive proportion of the market that it is a significant disadvantage of this legislation, but it is a fair point. At the same time, there is a suggestion that somehow, bookmakers are going to be at a huge loss as a result of the legislation. I do not accept that. Even according to some of the big commercial bookmakers' own figures, this is not going to have a substantial impact. We cannot have it both ways. On the one hand, it has been said the industry is one of the biggest industries in Ireland and on the other, it has been suggested that it might suffer significantly because we are taking the 50 cent bets out of the bookmakers. I do not think anybody is directly saying that but it cannot be both ways. It has to be one or the other. The bookmaking industry in this country is doing well. I am not anti-bookmaking or anti-betting. I am not a regular bettor but I would not be opposed to putting one on. I certainly do not want to hit small independent bookmakers around the country, the kind of people that the two Senators have been talking about. I do not want to hit them any more than anyone else does.

At the same time, Senator Crowe stated that they paid €100 million in betting levies. What he means to say, of course, is that they have paid their due tax under the system. That is not altruistic, nor is the support for the racing industry. Bookmakers in Ireland are commercial entities that are designed to make money. I make no criticism of them for that. Sometimes in politics there is an underlying criticism of people who want to make money but if people do not make money in this country, the economy does not work and we cannot provide the services for people that we all want to. I have no problem with people who want to make money. We must distinguish them from the national lottery, however, which in a very tangible way plugs a lot of money, not in an altruistic fashion and as one might also say as their legal due is as well, into a system from which all of our communities benefit. We have mentioned them to a significant extent in respect of the good causes funding that gives rise to the sports capital grants. The other important distinction is that the national lottery is regulated. I know that Senator Davitt was talking specifically about the forthcoming gambling regulator that we anticipate will regulate the bookmaking industry. That is totally separate from the national lottery regulator that regulates the lottery. They are two separate things, as I said earlier. They are also distinguished because the national lottery puts in place lots of restrictions. For example, Senator Davitt men-

tioned his opposition to mobile phone betting. I agree with him. I think the publicity surrounding commercial bookmaking and online gambling, or gaming, as it is called, because I think that is seen as a slightly more nuanced or acceptable term, is enormous. If you watch any sports event on television, if you play a game online, if you are involved in anything in an app, often you will be bombarded with ads for online gambling. I agree that this is really problematic. You cannot do that with the national lottery. You cannot spend more than €90 per day with the national lottery. There are lots of restrictions in place. When I was much younger, I worked in a family shop in Connemara. There was a particular person in the village who would get her social welfare and spend it all on scratch cards. You cannot do that any more. Those restrictions are in place. At the moment, they do not apply to the gambling industry. I suspect something similar will apply in due course when the gambling regulation legislation comes to us and is passed. We all look forward to that. However, there is a really important distinction to be made between what the national lottery does and what the gaming or gambling industry does. It is quite right to point out that the national lottery has a monopoly in this country. It does, which is why, when it operates under that licence, it has to jump through certain hoops such as providing 27.5% of its income in funding that comes back to good causes and other things that funnel money back into the community, whether it is through the shops and the agents that work for them throughout the country or whatever else it might be, and the fact that it is regulated. Therefore, I would not say that the lottery has had a good run of it. That is not the way I would put it. The lottery has served us well. Senator Carrigy has gone through some of the hoops that he has to jump through as a lottery agent. It is strictly regulated and notwithstanding that regulation, it delivers a result tangibly for the community and the individual organisations within the community. The good-causes funding goes beyond the sports capital grants. There could perhaps be greater transparency around how it is spent but that is a matter for the Department of Public Expenditure and Reform. I am sure the Minister has views on that. The point is that we know money from every euro spent on a lottery ticket or on any of the national lottery products is going back into that social dividend we talked about. That is tremendously important because it means that it is not, and I do not say this in a pejorative way, going into the coffers of a commercial enterprise. I do not criticise commercial enterprises as they are vitally important, but we, as a Legislature, should not seek to protect their income streams or to funnel more money to them. What we are trying to do is to keep money currently being diverted from the national lottery within the public realm where it benefits public services and public grants around the country. That is the purpose of the Bill. It is an important distinction between the two streams in regard to lotteries and gambling.

**Senator Aidan Davitt:** Senator Ward made some good points and I agree with much of what he said. Something that struck me, and it was in the newspapers quite recently, is that €90 million of unclaimed lottery moneys was reinvested in advertising over the past six years. This is a frightening figure. All this money could be going back into sports facilities and everything else. You are knocked down with lottery advertisements if you turn on RTÉ 1, RTÉ 2 or TV3. The amount of advertising for the lottery is just ferocious.

I made the point here before that I find stopping what is a family event on a Saturday evening, namely, the family film on RTÉ 1, to broadcast the lottery draw is downright disgusting. The lottery has enough to answer for without encouraging kids watching the family film. It talks about what it is doing, about regulation and so forth, but to me a certain amount of that is puppy tears when one sees what it is at and the way it carries on its business. To stop a family film and to show a lottery draw is corrupt. That would not go on anywhere else.

If someone is at home watching racing during the day, it is very unlikely their kids are going to sit and watch it. If kids are watching a film and if there is a break in the middle of it for the lottery draw, seeing mammy and daddy checking their lotto numbers is totally wrong. The lottery has a lot to answer for. It also has a lot to answer for around how it is spending its money. That figure I quoted and all the money that has been spent and all the sports-----

**Senator Barry Ward:** It has been invested in Irish advertising firms.

**Senator Aidan Davitt:** Yes but all the talk is about all the money being invested in the clubs and so on, but there is nothing about the €90 million being spent on advertising. That is the reality of it. It is not a matter of this money going into Irish sports clubs. A wall of money is being spent on advertising and promoting the lottery. That is the point I would like to make. It is a monopoly, so it has some of the strongest powers in the State already.

**Senator Micheál Carrigy:** On Senator Davitt's point, it is a scheduling issue for RTÉ but I totally agree with what he said. It is something that should be looked at. RTÉ should take that on board and reschedule it. I have young kids and it frustrates me when it happens, but it is a scheduling issue. I agree with Senator Davitt that it needs to be changed.

**Acting Chairperson (Senator Gerry Horkan):** There is more that unites all the Members than divides them.

**Senator Barry Ward:** I do not want to make this into a back and forth all day and I have probably had more than my fair say. I do not want to interrupt the Minister of State if he has comments on what has been said.

**Deputy Ossian Smyth:** It is useful to have a debate like this and to exchange views. There is a difference of opinion here. The lottery is not shrinking. Revenues are growing. We had very strong growth from 2020 to 2021 of 14%. In 2020, €254 million of money was allocated for good causes, while €289 million was allocated in 2021. The question that arises is: what is the problem we are trying to solve? The problem is notional losses of money being bet on national lottery numbers, which is not resulting in increased funding for good causes. The question is: how do we remedy that? How can we take some of that money or what is the right approach?

With that in mind, we have commissioned an outside report. It is good to go outside of the Department, the Government and the political system and to ask what someone else thinks. The consultants will come back with their report in a couple of months and it will be interesting for us to read it. We have asked them what happens in other jurisdictions. There have been approaches in other jurisdictions. Senators Ward and Carrigy probably looked at this. How have other jurisdictions managed this and what is legally feasible? Different things may be feasible compared with our situation where this has operated for 30 years. What is the right way to do this? Is this the right approach to take on it? Is there another way to do this - for example, putting a levy on bookmakers? Is that feasible? We are happy to look at that as well.

Transparency matters because in any system where people do not know where the money goes and they are not clear where it is, that is not good. It could be suppressing lottery sales. One of the first things I did when I entered the Department of Public Expenditure and Reform was to ask: where is the lottery money going, how is it allocated and what is the scheme for that? At the time roughly €250 million was allocated for good causes. However, when I looked at the revised Estimates, it was more than €400 million. My understanding is that the revised

24 February 2022

Estimates were a combination of lottery funding plus other funds. In any system where there is aggregate funding on the line and the breakdown is not known, it is not clear enough.

There are very large amounts of money being allocated to five different Departments. When you are allocating sums of money that are now approaching €333 million, you need to know very transparently how those decisions are being made, what that allocation scheme is, what people can expect-----

**Acting Chairperson (Senator Gerry Horkan):** The time allocated for this debate was 40 minutes and we have reached that.

**Deputy Ossian Smyth:** I have said all I want to say. My office is open to anybody who wants to discuss this further.

Progress reported; Committee to sit again.

*Cuireadh an Seanad ar fionraí ar 1.57 p.m. agus cuireadh tús leis arís ar 2 p.m.*

*Sitting suspended at 1.57 p.m. and resumed at 2 p.m.*

### **Mental Health and Child and Adolescent Mental Health Services: Statements**

**An Cathaoirleach:** I welcome the Minister of State to the House and thank her for all her work on this important issue, which affects many people and families in my county, Kerry.

**Minister of State at the Department of Health (Deputy Mary Butler):** I welcome the opportunity today to restate the Government's commitment, as well as my own personal commitment, to the continued development of mental health services and supports. It is important that we have the opportunity to revisit and debate what happened in south Kerry child and adolescent mental health services, CAMHS, together with the broader reforms which are under way in the area of child and youth mental health. This includes the significant enhancement of specialist eating disorder services.

It is almost a month since the publication of the Maskey report into the care delivered by south Kerry CAMHS. Senators will be aware that the HSE has considered the report locally and nationally, has acknowledged the devastating and systemic failures which occurred over a sustained period, and has accepted all recommendations.

I have previously set out in detail the many contributory factors which led to this catalogue of failures, including an absence of clinical oversight and appropriate governance, organisational and management structures. Work is under way to implement the full suite of recommendations as a matter of priority. There are 35 in total. Of these, 6 have already been implemented with 13 having commenced implementation. I have sought fortnightly updates from the HSE on progress made to ensure momentum is sustained.

I have requested that the HSE commission the independent nationwide audit of compliance with existing CAMHS operational guidelines by all CAMHS teams immediately. I am in ongoing discussions on the independently-led prescribing audit for each of the CAMHS teams, which I sought as an additional action, beyond the recommendations set out in the Maskey report. It is important to me that this audit is comprehensive and robust. It will cover community



and inpatient teams and it will be independently led.

The HSE is finalising the details of the further independently-led audit of case files in north Kerry. Alongside these audits, a separate independent review will be carried out by the Mental Health Commission and is expected to commence over the coming weeks. In tandem, the HSE will commission qualitative research to identify the experiences of children, young people and their families using CAMHS nationwide. I have also requested that this research experience study commence immediately. This will be undertaken by an academic group. I continue to work with my colleagues in the Government and the HSE on the reinstatement of a national director for mental health to ensure vital strategic direction to the development and improvement of mental health services.

Importantly, the Government has committed to a non-adversarial scheme for compensation for these children, young people and families affected by the report. The HSE, the Department and the Attorney General are collaborating intensively to confirm the arrangements. A number of meetings have been held to date to discuss and finalise details of the scheme as quickly as possible. It is of critical importance to me and the Government that we minimise the stress and anxiety for families involved, acknowledging the significant distress and upset experienced by many families already. This is the aim behind the non-adversarial scheme. These families have been through enough and I do not want to put them through any more.

I am in regular contact with the HSE locally and nationally regarding supports for the children and young people involved. I will be meeting with a group representing the families next week when they travel from Kerry next Wednesday. The HSE has assured me that it is in ongoing direct communication with the families. This follows the HSE writing to all of the young people to let them know what the review found in their care; meetings between the families and the HSE to discuss the care deficits they received; and a verbal and written apology for any harm caused. Families and young people affected can still meet with the HSE, if they did not wish to previously.

Of note, there was clear evidence of significant harm caused to 46 children, with this number likely to change as new information becomes available from meetings with those affected. On Friday, 18 February, the HSE wrote to these 46 children and their families, to advise them of this and to offer face-to-face meetings to discuss this further. The HSE has provided families with key information and referral to appropriate services and supports. This includes counselling supports and appropriate services from within child and adult mental health services. An information line is open on 1800 742 800 and will be open from 8 a.m. to 8 p.m., seven days a week, for anyone affected by the report. Through this support line, the HSE can provide external counselling.

The HSE will have a clinical support team in Killarney to support families and it is anticipated that this will be up and running in a number of weeks. The HSE will be in direct contact with the families shortly with details of this team. The HSE is also working with two CAMHS consultants from outside the area to provide support and ongoing care. There is no doubt that the report is shocking and frightening and my thoughts are still very much with the children and young people affected. The systems we have in place must be fit for purpose, to support the good work that we know is going on, as much as to bring to light and address where harm is caused.

As we all know, the vast majority of people who work in our health system, including our

mental health services, are experienced, skilled and deeply committed to supporting and empowering people who need our services. The work that needs to be done as part of implementing the recommendations of the Maskey report is not a judgment on dedicated staff, but is about providing reassurance to children and families across the country that their confidence and trust in the services is not misplaced.

Broader developments in child and youth mental health will be supported through funding allocated under budget 2022. Specifically, it provides for two new CAMHS telehubs and €6 million is available to expand the capacity of community mental health teams nationally, with a particular emphasis on CAMHS. This includes 45 CAMHS staff, building on 53 clinical CAMHS posts recruited in 2021. This is in addition to more than 400 new posts between 2012 and 2019.

On consultant psychiatrists, 93% - 80 whole-time equivalents - of CAMHS posts are filled, and where there are recruitment gaps, which is currently six posts, community healthcare organisations, CHOs, look at every option to ensure the least impact on service provision. The Cathaoirleach will be interested to hear that the post in Kerry that had been vacant since 2016, was filled by a non-consultant hospital doctor. Unfortunately, we are here six years later and even though that post has been funded for six years, it was still not filled. We are acutely aware of that and are doing everything we can to try to recruit somebody in there.

Eating Disorders Awareness Week is beginning next week on 28 February and will provide an excellent opportunity for us to learn more about the impact of eating disorders and how we can best support those affected, and their families and friends. Sadly, many of those who present with eating disorders - this has especially been the case during the pandemic period - are young. In response to the growing demand for specialist services in this area, a total of €6.85 million has been allocated to the eating disorders national clinical programme, reflecting the Government's ongoing commitment to providing and expanding high-quality treatment and support for all of those affected.

I recognise that while significant progress has been made in the development of eating disorder services to date, further substantial improvements are necessary. In 2021 I secured the balance of €3.94 million for the development of specialist eating disorder services, including further investment in specialist posts. This allows for the completion of the three existing specialist eating disorder teams of which two are CAMHS, and the establishment of three new teams of which one is CAMHS. Among the three existing teams of CHO 7, CHO 4 and CHO 6, 25.2 new staff have been recruited, with additional posts in the recruitment process. All of these posts are funded. With regard to three new teams I announced last year, CHO 4 is adult, CHO 9 is adult, and CHO 2 is CAMHS, and 19 new staff have been recruited to date, with remaining posts being progressed. That is a total of 45 staff.

For the purposes of budget 2022, I ring-fenced €1.15 million in funding for the national clinical programme for eating disorders. This will enable further development of specialist eating disorder teams throughout this year, including another dedicated CAMHS team. More specifically, it will provide for three full-time additional eating disorder teams and two additional partial teams, bringing the total of nine full teams and two partial teams by the end of the year. This will mean that all nine CHOs in the State will each have one eating disorder team.

This year, we will also be investing in the development of online guided self-help resources to support people through early intervention for eating disorders. In addition, the Government

continues to provide annual funding for Bodywhys, the national eating disorder association, which allows them to run a helpline and support groups for adults and young people with eating disorders. The HSE has also developed a self-care app, which provides valuable information for those with, or the people who care for somebody with, an eating disorder.

I acknowledge that we have significant challenges in our mental health services. I am fully committed to driving the necessary reforms in line with Sharing the Vision, our national mental health policy, and the current overhaul of our mental health legislation.

**An Cathaoirleach:** I thank the Minister of State for her work on this very important issue.

**Senator Lorraine Clifford-Lee:** I welcome the Minister of State to the House to talk about this important issue. There is not one of us who was not shocked and horrified by the story of the many children who were failed by the CAMHS system in Kerry. It was absolutely shocking and heartbreaking to think that these children, in trouble with their health and needing support, not only did not get support but that further harm was actually done to them. That is shocking and horrifying. Parents from other parts of the country have contacted me worried that maybe something similar may be going on in their area. It is very important that what happened there does not happen any place else. There must also be a full audit of all the other areas to ensure it is not happening in order that people can have confidence when they go to get help that it will be the best high-quality help available for their children. I know that the Minister of State is committed to that, and that she is acting very promptly in dealing with it. I am also glad that a non-adversarial system of compensation has been established for the families. The last thing they need at this moment is to face into a court battle.

I was happy to hear the Minister of State indicate that a clinical support team will be established in Killarney. At the time, people had said, “Yes, a problem occurred but where do we go from here?” These children are still struggling and perhaps even more so than when they presented. This is very important. It is good that it will be resourced and that everything will be kept on top of it.

On the issue with recruitment and the position that has been open for a number of years, will the Minister of State address whether or not she has looked abroad? We have a lot of medical professionals abroad. Have we actively gone out to the places they are based in to try to get them to come back to their home country to provide CAMHS in places like Kerry? There are also other gaps in the system there.

Mental health has been to the forefront of our minds, alongside the normal Covid health issues over the past two years. Everybody has been aware of the deep impact of the pandemic on everybody’s mental health, but particularly on children and young people. The ongoing housing crisis is also impacting on children’s mental health with the isolation felt by them during the Covid crisis. There are also children from the LGBTQI+ communities who have particular issues in the normal scenarios but during the pandemic those issues were heightened even further. Traveller and Roma children face particular challenges in accessing healthcare and their mental health suffers a lot more than that of other children. We are aware that they have much poorer health outcomes. Extra supports should be directed in the direction. The waiting lists for diagnoses are very long and need to be shortened. I am aware that the Minister of State has made significant inroads on those waiting times since she had taken office, but a little bit more work needs to be done on it. I know the Minister of State is on top of that.

There is a particular issue when people reach the age of 18 and then transition into adult services. We are all aware that an 18 year old is still a young person. We should really look at keeping them within the youth health services until the age of 24 or 25, when it may be more suitable to transition into an adult service.

Children in care have a particular need for mental health supports. Every child in the care system should be given mental health supports as standard. Shockingly, it is awful to think that one quarter of the children who died in care died by suicide. That is a very stark figure. They should be given more supports because they are already dealing with a lot of challenges. It is not fair to put them into a system where they must prove that they are facing challenges.

The announcement of the 45 new staff recruited for the eating disorders health service is very welcome. Again, the pandemic meant that many more people were presenting with problems relating to eating disorders. It was very good to hear about this recruitment today because I was quite concerned looking at those figures that have been growing for the past two years. One bright light, other than the recruitment of 45 new staff, is that 81% of people presenting with an eating disorder actually get the treatment and support they need within four weeks. That is an excellent figure. Of course, there is always more that can be done. We must remember the 19% who do not receive the help within the timeframe, and we need to look at that. This is very good but there is a great deal of work that needs to be done in respect of eating disorders. There is still a great stigma there, and especially for young boys and men who present with eating disorders. We need a lot more public awareness about it and around what the rest of society can do to support people who are facing the challenges presented by eating disorders. That kind of education and public information campaign would be really welcome. It would help us because we all know family members, friends in our social circles and people in our communities who are struggling with eating disorders. We need to know how to spot them and support them as they are going through that. I am glad that there has been some progress and I know that more progress will be made. I hope the Cathaoirleach will facilitate the Minister of State to come back in a few months. I know she is meeting the families from Kerry next week. I look forward to hearing of progress coming from that meeting. I wish her the best of luck.

**Senator Sharon Keogan:** I thank the Minister of State for coming to the Seanad to discuss the very important issue of mental health and particularly the mental health of our young people. I could not even read the Maskey report. I regularly deal with the parents of children who are fighting for mental health support. It is scandalous that in 2022 the State has once again let down 46 children that we know of and there could be more.

There is not a town, village or parish that has not been touched by problems with mental health. Very often it is left to local leaders and individuals to scramble to try to heal what is going on in the area and we do not have the answer. Social workers do not have the answer. Very often people are nearly left counselling the social workers themselves to try to give them strength to carry on. Those social workers and people working in mental health services need to be looked after, otherwise they will leave and we will need to replace them.

The mental health area needs urgent attention. No one in Ireland is untouched by it through themselves, a family member or a friend. The impact on communities as a whole is keenly felt. The estimated prevalence of mental health disorders is relatively high in Ireland compared with other European countries and yet spending on mental health is relatively low, according to OECD figures for 2018. In 2021, Ireland's mental health budget was €1 billion or 5% of our overall health budget compared with 12% in New Zealand and the UK. The Mental

Health Commission reported in 2019 how change in our mental health service provision is unco-ordinated, *ad hoc* and slow. Issues highlighted included the need for best practice to be applied consistently across the country; for specialist inpatient approved centres to be up to the standard; and the need to continue moving the treatment and recovery model to specialised professional community care.

The professional body of psychiatrists has identified a deficit of approximately 100 permanent consultants in mental health services. According to the HSE's medical workforce planning for the specialty of psychiatry report published in March 2021, 526 consultants are delivering psychiatric care in the public mental health system with an additional 55 consultants working exclusively in private mental health care. It is projected that an estimated 276 consultants will leave the publicly funded workforce over the next ten years due to retirement. The review found that 825 consultants would be required by 2030 to meet demand. Where will the psychiatrists come from? If they are here in Ireland, what do we need to do to get them into the job? If they are not in Ireland and we need to recruit them from abroad, how do we get them into the country and working? We need answers to these questions.

I have been advocating for this for ten or 15 years, including two years as a Senator. We need a dedicated counsellor in every primary and secondary school. Our children are our future and they need us. None of us in this Chamber knows what it is like to grow up as a child in Ireland today. Our children do and they need someone to talk to about that who will help and guide them. A one- or two-year waiting list does not cut it. Teachers are the first people who will be able to tell us something is wrong with a child. Having a counsellor in-house in the school for a child to relate those fears to is very important. It may take 18 months to get an appointment with CAMHS. Having school counsellors is really important.

We need community crisis groups, trained teams that can move to a town or community that has experienced a suicide or is having a mental health epidemic, and offer concentrated and dedicated support to anyone who needs it. In my town, we had five in the space of one year. In my own parish there were four in one year. Those people are grappling to try to find solutions. We need some sort of NGO that is funded to get into those towns, do a health check there and give the town or parish the support it needs.

We need to do more on online safety for our children. They need to be taught in an age-appropriate manner about the dangers of the Internet, social media, how to engage in good online behaviour and things to avoid doing online. We need to build resilience in our young people. We need to give them scope and have them understand their place in the world and its history and how strong they really are. We need to empower them to take control in their lives. We need to let them know that school and social media are not the world and that there is so much richness and full life out there just waiting for them to experience. We just need to give them hope.

Having confidence and resilience classes available to our youth in our communities is really important. Money should be provided to youth clubs for confidence and resilience building.

Children in care are probably the most precious because they are the ones who have not experienced love from day one. The care system has been very good. When it comes to getting a child into CAMHS they do not have to wait very long to get into the services. Sometimes the auxiliary forces for the counselling that they need are not available on tap. They are very often given pills to medicate the issue, putting a plaster on it temporarily to get over that bump. That



is never the long-term solution. As any parent knows, giving a pill to a child does not fix the problem. It is all about talking and counselling.

If they are not in education or after-care when they turn 18, everything stops. Their access to mental health support is completely gone. That age threshold needs to be increased to 26 or 27. Those young people will continue to have mental health problems throughout their entire lives if they are not given the supports after the age of 18.

**An Cathaoirleach:** Before I call Senator Conway, I welcome the Minister of State, Senator Hackett, to the Visitors Gallery along with her daughter. She is a canvasser of great renown.

**Senator Martin Conway:** I also welcome Minister of State, Senator Hackett, and her daughter to the Chamber.

The Minister of State, Deputy Butler, who has become a regular visitor, is very welcome to the House. I know this particular issue is of great interest to you, a Chathaoirligh, given the locality involved. What happened should not have happened, but it did happen. It is not about what happened but about how it is dealt with. Once the system became aware of it, it put the necessary procedures in place to deal with it. We need stronger and more robust checks and balances in the system. There needs to be auditing and constant oversight, access and accountability. Proper auditing, oversight and accountability will not prevent it happening in its entirety because there will always be situations where something like this can happen, but when it happens it must be identified quickly and dealt with promptly. That is what we need to see happening because we have had too many examples with the Brandon report into what happened in Donegal along with what is happening in Kerry. I am sure there have been other pockets around the country. However, that cannot take from the good work done by the services when people access them and the many people who have been helped and supported by the services. The problem is there are not enough services and positions have been left vacant. There has to be a completely renewed commitment to dealing with this. The Minister of State is well able to fight her corner within Government in terms of getting resources. These and more resources are needed. The resources have to be wisely spent in such a way that delivers the results we all want.

I am on the Joint Sub-Committee on Mental Health, which is chaired by our colleague Senator Black. That committee has been engaging with stakeholders for the past year and a half. These are people who are very much at the coalface: people who use the services, people who provide the services, as well as people who work within the services, in the HSE, the voluntary groups and the different angles. In listening in detail to their presentations, some of the solutions are very straightforward and simple. I always ask all the groups that come before the committee if they know where there is international best practice. Where can we copy and look at building our system around that? There has never been a universal answer. It has always been that there is good and bad everywhere. It is hard to pull the good from everywhere to try to create a system here. The system here is good if it is properly resourced and built on properly. We need to start having conversations about mental health with young people in primary school - the early years. It was a taboo subject 20, 30 years ago but it is not anymore and it should not be. The more open we are in the conversations we have with young people, the better we will equip them in dealing with it going forward.

Senator Keogan made a strong point about the transitional period, where someone who is one month under 18 years old can access all the youth supports and services, but when he or

she is one day over 18 years, he or she cannot access these services. We need to look at a transitional approach where if someone who is over 18 years can benefit from the services offered to those under 18 years, we do not just shut that service off and expect that person to go into an adult service. Senator Ruane had an interesting group of people in the audiovisual room yesterday, and that was the common thread that came through their experiences, the issue around those turning 18. These were people who were in care, left it, and have been lucky enough to rebuild their lives and have fruitful and successful lives. Some work might need to be done on how best we can deal with that, because it is not like flicking a light switch. It does not and should not work like that. We have to ensure everything is gradual and phased.

In terms of resources, we can never spend enough money equipping this area of our health system. Whatever moneys you get, you will never have enough. We are building on a system that was underinvested for decades. When we are trying to do that in as quick a time as possible, it is not easy and it is certainly challenging. What happened in Kerry was terrible. I am glad the support structures are being put in place to deal with that, but I want to see lessons learned in terms of accountability, oversight, proper auditing, and ensuring we have the proper checks and balances in place to protect the most vulnerable in society, whom we all want to protect.

**Senator Róisín Garvey:** Cuirim fáilte roimh an Aire Stáit. She has done very well since taking up office. She was handed a poisoned chalice, as were many other Ministers, unfortunately, and especially during a time like Covid. As someone who has worked with many young people, I have always come across the mental health stresses young people have. We have never had enough supports for them but we need them now more than ever before.

I acknowledge the great work the Minister of State did in fighting for an allocation of €24 million to mental health in the budget for the development of new services, in addition to the €13 million to support existing services, which was welcome, as well as the funding especially for young people for two new child and adolescence mental health hubs. Of course, we need many more of them as well. More than 11,000 children and teenagers accessed this service last year by the end of November, which is 20% more than the demand the health service had expected. It just shows that, even with those figures, the demand is there.

I wish to focus specifically on two areas: family resources centres and eating disorders. Next week will be eating disorders awareness week. I know people personally who have been dealing with these issues with their own children. I welcome the news that the Minister of State, Deputy Butler, has ring-fenced €1.15 million in funding for the eating disorders programme this year. Some €6.8 million has been allocated to the eating disorders national clinical programme, which is also very good. However, I have concerns. We were supposed to be recruiting 47 specialist posts that were promised. I think the number is 20 so far. Perhaps the Minister of State might provide an update on the recruitment. What is the status of the 16 specialist hubs promised over five years ago in the national clinical programme for eating disorders, which was published by the HSE in 2018? I presume the Minister of State was landed with that problem two or three years later.

Caring About Recovery From Eating Disorders, Cared, Ireland is a group I have been meeting. It would like to come in to make a submission the Joint Committee on Health or to have a meeting with the Minister of State, Deputy Butler. Cared was set up by a group of voluntary parents. Like most issues, it is left to the carers and volunteers to create structures of solidarity for each other. I have had to send people to this voluntary organisation to get supports because

it can empathise and understand better than any of us because those involved are dealing with the issues themselves. It is a voluntary group of parents and carers of people with eating disorders, set up to provide support and share knowledge with each other, which has led to people being able to stay with their children and do what they need to do to help support them.

Research shows that most people can and do recover from eating disorders if they get effective evidence-based treatment from eating disorder trained staff. The trained staff in this regard are very important. Early intervention has also proved crucial to recovery. There are such sad stories about teenagers becoming three or four stone in weight, and it is so late in the day for intervention at that stage. Too many sufferers express feelings of being misunderstood, abandoned and lost while begging to be heard and taken seriously so they can recover and live normal lives. There are a total of three specialist beds available to treat adults with eating disorders in the country. They are located in St. Vincent's University Hospital Dublin and are only available to those living in the Dublin south east, Dublin south, and Wicklow areas. Cared Ireland is also calling on the Government to recognise eating disorders under the Mental Health Act 2001, because currently it is not, whereas it is in other jurisdictions. It would be important for this to be part of the Mental Health Act. Eating disorders are a mental health issue.

As somebody who lives in the country and has used counselling services in the past, I was able to get subsidised sessions when I did not have a lot of money. When I could afford it, I paid quite a lot of money. There is an affordability issue there as well. I see the family resource centres in rural areas often being the only place a person can go to to get counselling of any kind, especially for young people who do not want to ask their parents to drive them into the town or city for counselling.

I will give one example of a family resource centre with which I have been working and for which I have fundraised, the North West Clare Family Resource Centre. It would reflect the issues in all family resource centres. It has received no extra funding to deliver community affordable counselling for any adults or adolescents since Covid. The family resource centre spends approximately €30,000 a year, but only about €4,500 comes from Tusla. The rest of the amount is fundraised. That is too precarious a situation. The centre cannot be confident about the services it can provide. It has provided great services at affordable prices to people who would not have got counselling otherwise, which is amazing, but the centre is under stress to ensure it can provide that service.

The demand for mental health services is there but not the resources. In north Clare, they are trying to establish a play therapy service for children. This has become a significant issue due to increased anxiety among our children. They have a very limited budget of approximately €3,000 to deal with this issue. That is to set up the whole room and provide the services. There is a great need to fund and resource community counselling adequately to benefit all, particularly in rural areas where there are no other services. Teenagers ring me asking where they can go for counselling and say to me not to tell their parents. I want to be able to send them to the family resource centre with confidence and knowing that if they only get a fiver or tenner, they will still get the help they need. I currently do not have that confidence. Are there any plans to give family resource centres extra supports?

There are many issues and it will not be easy for the Minister of State to sort them all out. Everybody wants money for everything. It is deeply saddening that some secondary schools have up to two guidance counsellors but others have none. Some have six hours of counselling while others have 22 or full hours. It is not mandatory and funding is not ring-fenced. Schools

that are strapped for funding may often take the wages that might be best spent on counselling and put them into other areas of education. It is really sad.

In one case a school had a full-time guidance counsellor with 20 years of excellent experience who was really passionate about her job. Her contract was ended and the school perhaps used the money for special needs assistants and other resources; it had to make that tough decision. A lovely old nun in her 80s is now the only person in the school of nearly 1,000 girls who is available for counselling services. I have nothing against lovely old nuns but she is not qualified and does not have a clue about any of the matters that young teenagers might deal with. It is a major issue. If we could ring-fence funding for counsellors in schools, we would help the teenagers and we would not have to wait for them to ring and ask me to look for family resource funding and get that funded. It is really important we look at secondary schools and ensure we have the personnel to support our young people.

**Senator Fintan Warfield:** I welcome the Minister of State, Deputy Butler, to the House. I get the impression every time she attends the House that she is very passionate about this topic, which is quite refreshing. I wish her well. People speak about mental health and it may well be too black and white to say it is a generational issue; it is certainly not but people are now so open about whether they go to therapy. It is refreshing.

It has been clear for some time that mental health services in this country are over-stretched. The publication of the look-back review of the south Kerry child and adolescent mental health service, CAMHS, which uncovered significant malpractice, is an appropriate moment to examine the failings across CAMHS, as well as wider non-acute health services for children. I welcome the debate in the Chamber and again I thank the Minister of State for always making time to come here.

There are 71,000 children waiting for life-changing treatment across occupational therapy, physiotherapy, speech and language therapy, dietetics, psychology and mental health services. An agenda for change is required in children's mental health services focusing on the filling of vacancies, for example, which has been mentioned numerous times, and addressing the causes of vacancies, including those that led to the situation in south Kerry and which could lead to worse. They have already led to similar malpractice in other parts of the State.

Following the review of south Kerry CAMHS, it was found that 240 children received sub-standard care and were exposed to unnecessary risk of significant harm by their misdiagnosis or poor treatment. Of those, 46 suffered significant harm, 13 were across other doctors and 227 related to a single doctor. The review found unreliable diagnoses, inappropriate prescriptions and poor monitoring of treatment, as well as poor monitoring of treatment and potential adverse effects, which led to a recommendation of a fundamental review of services across the State. The Taoiseach confirmed there will be a full nationwide audit of compliance with CAMHS. Meanwhile, the initial whistleblower, Dr. Sharma, recently left the service, feeling pushed out after being reassigned to administrative duties following his complaints, which led to the review. He felt the review was too limited in scope.

We need to protect children's mental health and fix our mental health services. We need to immediately put in place supports for children and families affected in south Kerry and to broaden the CAMHS review across the State. Some of what the Minister of State indicated in her comments is news to me. I note she requested that the HSE would commission an independent nationwide audit of compliance with existing CAMHS operational guidelines by all

CAMHS teams immediately. She indicated there are ongoing discussions on the independently led prescribing audit for each of the CAMHS teams, which she sought as additional action beyond the recommendations set out in the report. I welcome that.

There are significant workforce challenges in psychology, as has been mentioned today, as there are insufficient numbers of graduates to fill the posts. My colleague, Deputy Mark Ward, called for a plan to address that major shortage of psychology staff in CAMHS. There are figures released from the Psychological Society of Ireland indicating a deficit of 98 psychologists in CAMHS, based on recommendations from Sharing the Vision from 2006. Representatives of psychologists have been warning successive Governments for years of the shortcomings in public psychologist numbers. A review into CAMHS is welcome but we need action to address these shortcomings and vacancies.

I also want to raise something that has not yet been brought up, which is the need for a review into the treatment of the south Kerry CAMHS whistleblower and the circumstances around his change in duties, which led to his resignation from the service. As soon as he was appointed, he saw the problems and he must be credited by this House for acting on them. His treatment as a whistleblower should be acknowledged and a review of that should be published. He resigned because he felt his position undermined and that must be examined.

I thank Mental Health Reform for the briefing document it shared with the Oireachtas. It is a reminder that on Mental Health Day 2018, I co-signed a Bill put forward by my former colleague, Ms Máire Devine, about the ability of 16-year-olds and 17-year-olds to consent or refuse treatment. I will not go into it but the Minister of State knows it well. As I am out of time I thank the Minister of State for coming here today. I appreciate the time she always gives to the Seanad.

**Senator Eileen Flynn:** I thank the Minister of State for coming to the House today to address this critical matter. My colleagues and I in the Civil Engagement Group are very passionate about mental health and the inequality that young people from disadvantaged communities experience in the mental health system. Yesterday my colleague, Senator Lynn Ruane, brought forward a motion on a drugs citizens' assembly but, unfortunately, it was voted down in this House. I am standing here even more disheartened as a result. Although we are hearing good and positive comments, we should not be very positive when speaking about mental health issues in Ireland. I have a strange feeling that what happened in Kerry is just the tip of the iceberg, unfortunately.

I have listened to many of my colleagues speaking today. I will not repeat what has been said but at the same time with many issues we have no choice only to repeat them and it is important we do. The key to CAMHS is young people and we must think of all our young people, including those who are marginalised, those in direct provision, migrant people and young people in care services. Yesterday, Senator Ruane spoke at a meeting in the audiovisual room, which I attended, of people working with young people in care. It struck me that she said if the State thinks it is better than a child's parent when putting a child into care, by God the State needs to be able to provide for that child. Especially when it comes to mental health services, when children reach the age of 18 they are in many cases still children, in my eyes, maybe because I am a mother now. They are still at a very vulnerable age and need those critical supports. As some of my colleagues have said, it is paramount that we, as a society, are more open about mental health. There should no longer be a stigma towards people with mental health issues. To me on the ground and to many a youth worker, in here everything seems to be doom



and gloom. We are doing so much, but that is not evident on the ground, to be fair and honest. I have worked for many years in youth services in Ballyfermot. A significant number of young people in Ballyfermot have mental health problems, and the supports are not there. I have dealt with many cases, including recently. A young person may go to an accident and emergency department to seek help but find that the supports are not there. A lot of the time we tell people to go get the supports. They are not 100% there.

I wish to make one very important point. The coalition Mental Health Reform has reported that Ireland has the third lowest number of inpatient psychiatric beds in the EU, so I do not know if we are doing a good job. We need to be totally honest. Society is more honest about mental health problems. As representatives of society, as leaders, we need to be more honest about it as well. From young people I have spoken to, I understand that age is a problem when accessing help and supports, as are one's background, membership of the Traveller community and status as a young migrant person. There is an intersectionality to it all. We need to listen to these young people. We are here making decisions for young people in their absence. That should not be the case. We should have young people around the table with us. We should provide good working conditions for healthcare professionals who work with young people with mental health problems.

As for implementation, in 2006 we had A Vision for Change, one of the recommendations of which was the delivery of culturally appropriate services. Those culturally appropriate services, in my opinion, from working on the ground, are nowhere to be seen. I met with the National Traveller Mental Health Network two days ago and Thomas McCann told me that what the network is looking for is a stand-alone plan that was in the Government plan for the Traveller community. There is a mental health crisis in our Traveller community. I hope that the Minister of State will come back to the House not next week but the week after if I table a Commencement matter on this issue to have a further discussion about Traveller mental health. I would really appreciate that. I thank her again for coming in today and for listening to our views.

**Deputy Mary Butler:** If the Cathaoirleach selects that Commencement matter, I will be here.

**Senator Eileen Flynn:** I know. I am just putting that on the record. I thank the Minister of State.

**An Cathaoirleach:** I am sure we will be able to accommodate the request-----

**Senator Eileen Flynn:** I understand that. I am still very new to all this.

**Deputy Mary Butler:** The Senator is doing fine.

**An Cathaoirleach:** You are doing a great job, Senator Flynn. Thank you for raising that important issue.

**Senator Eugene Murphy:** Senator Flynn is doing very well, just as well as any of us. It is no harm saying that.

It is great to be a part of this debate. I have great faith in Deputy Butler as a Minister of State. I do not think we could have a more hard-working Minister with responsibility for mental health. Apart from her everyday duties as part of a Government, she travels up and down the country to engage with people: the people who run the services, people who use them and

24 February 2022

people who want to use them. I wish to remember all the people who, day after day, sometimes at weekends, make sure that so many people get the services, whether paid for through the HSE or voluntary. I think we all know that in many respects those who provide the services take a lot of abuse. That is never referred to.

I recently dealt with a very unusual situation involving mental health. Parents contacted me about their daughter, who was being made a skit of because she was practising religion. She is a Catholic. That does not matter. It could have been any religion. This girl had got into an extremely agitated state, full of anxiety and heading for mental health difficulties because some of her female friends were telling her she had a screw loose to be practising religion. Such situations need to be taken into account as well.

There are many areas in society that we do not look at when it comes to mental health. We had Frances Haugen in the Houses yesterday to discuss social media. She is a very impressive lady. I did not get a chance to go down to the committee meeting but I have spoken about her. To me, Frances Haugen is a hero. She had a very lucrative job in a major company. I am sure that, financially and otherwise, she has lost a lot. It should be remembered that she is coming from the inside looking out. We talk a lot about social media but we never really seem to say they are having an extraordinary effect on mental health. I know families living in fear, not knowing how to handle children of 12, 13 or 14 being influenced by all sorts of unsavoury issues on social media. How do you handle that? Do you take their phones away? How do you talk to them? These people, families up and down this country and in other countries, are utterly frozen by social media. Therefore, when we talk about mental health, I want to hear people talk about social media and speak straight out about the damage social media have done. We all talk about the good sides of social media and we all use them, but we all have to realise there is a very significant downside to them. Until we all start speaking about the damage and the downside of social media in mental health debates, we will not be able to look after our people satisfactorily.

There are huge financial commitments. I am not going to turn this into a political debate. The figure allocated to mental health in 2022, €1.49 billion, is huge. We have issues with staffing. There is no doubt about that. In many respects we cannot get the staff. I do not know if this will be of any assistance to the Minister of State, but I believe we should target Irish people in health services abroad and go out of our way to entice them back to fill some of those positions. Some of them would say that when they apply for jobs they do not get satisfactory answers. Some of them, particularly in the NHS in England, are very experienced people who would come back to their roots here and work within the system. Maybe we should target them.

Those are all issues we need to deal with. We need to begin to fill those vacancies. In an awful lot of cases, however, the shortcomings in staff numbers are not down to money issues or to the Government.

As for CAMHS, I wish to speak about the e-mental health hub in Castlerea, which was announced in 2020 by the current Tánaiste. It is unique and the first of its kind in Ireland. I think two more will be set up now because of the Minister of State's good work. The one in Castlerea is on the site of the old Rosalie centre. We have discussed that centre many times in the past. It was a centre for people with mild mental health issues.

*3 o'clock*

It was their home and when it was to be closed down, a process that started in 2015 and 2016, there was a big ruaille buaille but it closed and people were transferred to other places. We got an e-mental health hub in Castlerea. It is developing but as with everywhere else, the story is that some staff positions cannot be filled. When politicians speak about mental health, I ask that they speak about the facts. I make that point specifically about Castlerea. I will finish on this point as quickly as I can. It is not true to say that the e-mental health centre in Castlerea is not operating, there are no staff in it and all we can see inside is a big television screen.

**Deputy Mary Butler:** Hear, hear.

**Senator Eugene Murphy:** I invited the Minister of State, Deputy Butler, to visit the centre. This is important. Every politician has the right to criticise and question, but we must all deal with the facts. There is no doubt there is a shortage of staff because the HSE cannot get the positions filled. That is the reality. There is a service, however, and children are being treated at the centre. There is also an outreach programme. I visited with the Minister of State, Deputy Butler, but I also went of my own accord, unannounced, and I saw the centre in operation. We need to be truthful and careful in what we say. We are dealing with families with children and we want to try to solve the problems, not exacerbate them.

**Senator Emer Currie:** I welcome the Minister of State. We meet again. I again express my gratitude to her for the commitment she is showing to change the existing mental health services. She has a significant challenge after years of underinvestment. I say that first, before I get into the negatives and positives.

What is positive is that there has been a reduction of 19% among under-18s waiting for more than 12 months in primary care psychology following an allocation of €4 million, which is easing pressure on acute services. Funding of €6 million has also been provided for the expansion of mental health teams, including CAMHS, with two new CAMHS telehubs and a Galway CAMHS connect hub. I am not familiar with the latter but people in the sector speak highly of it and encourage its roll-out. There has been an investment in national clinical mental health programmes in areas such as eating disorders. A sum of €4 million has been allocated for new specialist centres, in addition to the existing three centres, and there are 29 new mental health staff in CAMHS. Those are the positives.

What happened to children in Kerry is truly shocking. We felt for the parents. We could hear their anguish on the airwaves - the ones that knew in their gut that this was not right but trusted the professionals who let them down. That is one of the worst feelings in the world. Forty-six young children were severely impacted and suffered weight gain from sedation. There was also unreliable diagnosis, inappropriate prescribing, poor monitoring of treatment and potential adverse effects. That is truly shocking. I welcome the Minister of State's comments on the steps that are to be taken. We know CAMHS is overwhelmed. Referrals increased by 40% between 2011 and 2019 and there are more than 3,357 children on the waiting list. Of the 18,000 children referred to CAMHS in 2020, only 11,000 were seen. We all feel this in the pit of our stomach. The geographical inconsistency is just not good enough.

I visited Blanchardstown paediatric outpatient and urgent care centre, which is a fantastic facility in my area, where I had a heartfelt conversation with staff about how hard it is to have such numbers of children coming through whom they cannot help. The centre is for broken bones, infections and minor injuries and it has to send people away, which is truly heartbreaking.

I know the Minister of State is working on a budget, but she knows how I feel about resources and workforce planning. The shortage can be addressed but we must be aggressive about how we do that and how we ensure a pipeline of the right mental health supports and staff resources to deal with a need that is only growing. For example, the Psychological Society of Ireland, PSI, reported a shortfall of 118 psychologists in 2018. It speaks of the need to increase the number of psychologists by 110% by 2032, yet here we are again talking about the inequity in the system. People can dedicate their lives to becoming a clinical psychologist, paying money to do so that makes my eyes water. I would never be able to afford to have my children take on such a vocation. They must pay their way through college and then do a master's degree. It is only recently that they have started to be paid €27,000 as an assistant psychologist. If they choose to go into educational psychology or counselling, which we want them to do, they must do a doctorate and work for free for three years, while paying €10,000 to €15,000 a year. Clinical psychologists rightly get 60% towards their fees and they get paid. We need to make that equitable across the board. We have a shortage of educational psychologists, yet the people who are working for free are in educational placements for us and we are making them pay €45,000 for their doctorate. We need to address that issue. Workforce planning is needed. Let us increase the number of psychologists coming through. Currently, there are just 66 clinical psychologists coming through each year. We can do better than that. That obviously means engaging with the PSI on workforce planning.

The disability access route to education, DARE, scheme allows people who have mental health challenges to get into third level. A consultant psychiatrist is currently required to approve an application. We are moving away from the medical model so a chartered psychologist should be able to do that. Again, these are issues that I look at and I do not understand the barriers. When people who go abroad to gain international experience as psychologists come home after ten years their qualifications are not recognised. That is also an area where we can improve.

Tax relief has been extended in budget 2022, making counselling and psychotherapy a qualifying health expense. The new national eating disorder recovery centre is not yet approved by the VHI and we must move on that. I will talk to the Minister of State again about social anxiety. She is aware that I am on the board of Social Anxiety Ireland. That needs to be brought in as part of our national programme. We are ready and willing to talk to the Minister of State. The numbers are off the charts.

**Senator Erin McGreehan:** The Minister of State is very welcome to the House. I congratulate her on the great work she has done on a difficult system since her appointment. As Senator Currie has highlighted, there is a lot of positive work being done in the Department. The Minister of State succeeded in securing one of the biggest ever budgets for mental health. She is well aware of the “buts”, which are always a factor when a new Minister and a new Government are trying to fix everything. It is very difficult.

As a parent and citizen, I want to highlight how trust needs to be built back into the system after what happened in Kerry. We must ensure we trust all our medical services. Personally, I have a lingering mistrust in many of our services. This is based on personal experience. I had to fight for a diagnosis for myself and people did not believe me. I was not trusted. I have this innate mistrust myself. When I heard the desperate revelations in Kerry it instilled in me a sense of mistrust. I am here as a Government Senator who wants to trust and who wants to make sure the system is the best it can be. I wish the Minister of State luck with that. The work she has to do is very important.

The Minister of State said there is a massive budget and I very much welcome this. A lot of work is being done. I have a fear about how we are possibly putting a lot of money into a system that is broken. We cannot get enough answers. Even in disability services we see a system that needs to crank up and start listening to patients and look at local scenarios and what suits people. I agree with the previous speaker. There are staffing issues and issues with morale among staff. How do we as a government party support the Minister of State in her role to make sure we have trust in the system, morale and more staff? How do we make sure the system is reformed and people are accountable? We must have the ability to make people accountable for what they do wrong. In many situations this is how the citizen feels.

We need to make sure we fund State services. We have fantastic charitable organisations that do fantastic work. It is quicker to fund the charities because there is less rigmarole in putting people in place than there is in the HSE. We need to change this so it is easier to hire people in the HSE so we have them and the State controls the hours they work. They should work in the system and not outside of it. We really need them. This is not to downgrade what the charities do. We need people in the health services. We should not have to go to charities for critical care. I wish the Minister of State the very best of luck. I congratulate her on the hard work she is doing. She has a very big task. She has all of the support we can give.

**Senator Maria Byrne:** I welcome the Minister of State to discuss this very important issue. I have been working with a number of mental health organisations based in Limerick that do fantastic work, including the Limerick Mental Health Association. I thank the Minister of State for all she has done since taking over the role. I know her commitments and dedication to resolving the issues. When we look back at what happened in Cork and Kerry it is frightening. A total of 46 children came out damaged. That is 46 children too many. We are supposed to be there to help children and support them and their families.

In his contribution Senator Murphy referred to social media. In her speech the Minister of State referred to the fact that next week is eating disorder week. During the pandemic it was reported that young people were self-harming. It is all about being bullied by their peers. People say things to them that hurt their feelings. Because there was no social interaction children felt there were no supports. It is frightening to think about this. While there is a positive side to social media and a lot of interaction there is also a harmful side. We must address this balance.

I want to mention some of the statistics discussed at the meeting I had with some of the local mental health associations in Limerick. Ireland spends a comparatively low percentage of the overall budget on mental health. The recommended spend is approximately 12%. The UK spends 13%. In Ireland we spend 5.1%. This is quite low. We need to increase this to 10% of the health budget and invest in primary care and prevention. Prevention is the way to go. In the report that came out of Kerry, it was revealed that many people were prescribed drugs. This is not a solution. It is a stopgap or a hold but it is not an overall solution. Others have referred to the lack of counselling services. In the CHO 3 area the waiting lists are very long. Last March there were 2,700 children on waiting lists in our region. This is a huge number of children waiting to see a relevant person to have treatment or an assessment. I dealt with a family with three children waiting on services. One child had seen services. One of the children, who is aged 16, had been waiting a number of years but still had not been called for an assessment. There are children who fall through the system.

It was recommended in the budget for 2021 that the Government should allocate additional revenue funding of €50 million to mental health reform through resourcing the short-term rec-



ommendations of Ireland's new mental health policy, Sharing the Vision. Multiple sources show we are in the midst of a mental health crisis not only locally and nationally but also globally. Preventative care advocacy and community services represent good value for money, particularly if done by voluntary organisations. There are many voluntary organisations out there. Limerick Mental Health Association sought a budget of €69,000. It received €58,000, which was the same as the previous year. This pays for four staff. The numbers have doubled so the budget needs to increase. These organisations do fantastic work. We need to find a way to resource them. They have the experience of working with children. While budgets have increased we still need to look at smaller organisations, particularly voluntary groups. They have built up a relationship with many of these children and the children trust them. Much of it is about trust and relationships. I compliment the Minister of State and thank her for her commitment. I look forward to working with her.

**Senator Micheál Carrigy:** The Minister of State is very welcome. Ireland has one of the highest rates of mental health illness in Europe, with approximately 18.5% of the population suffering. A study carried out by Mental Health Ireland reveals that in general women have a lower well-being score than men and those who are younger score lower on the well-being scale than those who are older. In the past ten years, and in particular the past two years, things have changed dramatically for young people. There is still the added stress of the junior certificate and leaving certificate exams and now we have the added pressure of social media, Covid restrictions and cyberbullying. Young people are now more likely than ever to experience mental illness during junior cycle of secondary school.

To add to the comments of Senator Murphy, I am a member of the Oireachtas joint committee that met Frances Haugen. I concur with the Senator's comments. I said to Ms Haugen yesterday that millions of people around the world will benefit from what she has done. I do not know how to say this, but, as a result of her actions, many millions of children around the world will be in a safer place. It will make us reinforce our discussions and ensure that we have a tight Online Safety and Media Regulation Bill. We have spent nine months on pre-legislative scrutiny on this. We took it that seriously. In excess of 60 organisations made submissions or met with us in respect of it in order to ensure that we covered everything that we possibly could in the Bill. It is important that the individual complaint mechanism should be part of it. The mechanism is not really provided for in the Bill at the moment. I know that consultations are ongoing. It has to be part of the Bill. We met with the Australian commissioner as part of our discussions. Australia's commission has been set up and is working. That is what we need to aspire to; not just for Ireland, but for all of Europe. Millions of kids will benefit from it.

Guidance counsellors are unable to cope with the numbers of students who need support, given that some mental illnesses and issues are so severe. Social, personal and health education is a mandatory subject at junior and senior level in secondary school. The subject was reformed in 2021 to include LGBTQI groups. There is clear evidence that mindfulness has many benefits for teenagers and children. It can help them gain self-awareness and emotional maturity. It can also improve the overall mental health and decrease behavioural issues. St. Patrick's Mental Health Services offers free Walk in My Shoes mindfulness resources for teachers at primary level. Mindfulness needs to be taught to children in primary school and to be continued through junior and senior cycle. By helping children to become aware of their emotions at a young age, when they become teenagers they will be confident to speak openly about their feelings and get help when needed. The discussion around mental health can be encouraged in secondary schools through wellness, anti-bullying weeks or lunch clubs for those who might be struggling

to make friends.

In order to alleviate the pressure on guidance counsellors, each year group should have a designated teacher to discuss any mental health issues or worries with students. This person should have training in dealing with mental health issues. Mental health services in general are not strong enough to cope with the numbers of people who are in crisis. Therefore, we need to tackle this issue at a young age to ensure that children can identify their feelings and emotions and to communicate them with a trusted adult. The more open the discussion about mental health, the earlier we can intervene to help young people before the issue reaches a point of crisis.

Research that was carried out in 2017 showed that 32% of schoolboys are fitter than their female counterparts. Many girls quit sports in secondary school, leading to them missing out not only in the context of the physical benefits but also the emotional ones. There is clear link between exercise and better mental health. In that context, there needs to be a move away from secondary schools only having the traditional sports, such as camogie, hockey, football and soccer. Other forms of exercise should be offered. Yoga, Pilates and dance fitness classes should be created, particularly in all-female secondary schools. This would mean that girls who do not enjoy the pressure of team sports could keep fit, meet friends and improve their physical and mental health.

Early intervention is essential in tackling mental health issues in teenagers. Mindfulness classes at primary school level would encourage children to become more aware of their emotions and to discuss them, as I said, with a trusted adult. Moreover, it is an amazing skill for anyone, of any age, to have. If it is learned at a young age, it will continue to be used into adulthood. Secondary schools should have a designated teacher for each year group, as I say, to help students who are struggling. In addition, young girls need to be encouraged to continue playing sports and exercise in schools. A different variety of sports to cater for each student is essential to ensure that girls continue to keep fit, to socialise and to improve their mental health.

**An Cathaoirleach:** Before I call the next speaker, I welcome to the Gallery Deputy Pringle and his guests. I am delighted to have them in. It is great to have guests in here from the Lower House. They are more than welcome. I am sure they do not want to stay here permanently, but we like to have them here temporarily anyway. I now call Senator Dolan.

**Senator Aisling Dolan:** The Minister of State is very welcome to the House to speak with us about CAMHS. I am a member of the Joint Sub-committee on Mental Health. As many colleagues have said this evening, we have seen the impact of Covid-19 over the past two years. It has been shocking. We have heard from our experts. We have heard from psychiatrists. We have had communities come in to speak to us.

I know that the Minister of State is aware of this. I know that she has taken to this brief with commitment and with clear goals that she wishes to achieve. However, what has happened, particularly in the case of CAMHS in south Kerry, is just shocking. I know that the Minister of State commissioned reports and that there are recommendations that she is seeking to implement. However, to me, this comes down to the clear issues of recruitment oversight, recruitment protocols and, as the Minister of State mentioned, oversight of governance. One of the clear issues she pointed to is the fact that we need a national director for mental health. Can we have a timeline as to when one might be appointed?

24 February 2022

Directly afterwards, I spoke with CHO 2, which deals with Galway, Roscommon and Mayo. I spoke to some of the team there. They were in shock; they were so disheartened. They have struggled so much because they have been dealing with such a mental health crisis over the past two years. Everyone involved in healthcare is at the point of burnout and breakdown. People struggle sometimes to continue. We are seeing so many people moving away from healthcare. This is another matter of concern. How do we retain the excellent people we have in our health-care system, particularly those working in mental health? Burnout is a major issue. In many cases, GPs are very much on the front line in this regard.

I would very much welcome the Minister of State's support, and that of the Minister for Health, in respect of WestDoc and in ensuring that the region it serves has 24-7 support. This is because many of the GPs in the Ballinasloe and east Galway area do not have access to WestDoc. In other words, many of these GPs are working night shifts. They just do not have the wherewithal to continue doing that. As stated, burnout is a major issue. GPs are on the front line. They get families coming in and knocking on their doors. I ask for the Minister of State's support regarding access to WestDoc. Perhaps it could be considered in the context of the budget.

The other matter I want to note relates to the helpline number the Minister of State mentioned. That service was launched last year, and I want to acknowledge that. The number is 1800-742-800. The service is available from 8 a.m. to 8 p.m. Can the Minister of State confirm that that is still active? I believe it was set up last year for these families.

I highlight for the record what our community healthcare west services and CHOs around the country do. These are specialist mental health services. Their range of activities include acute inpatient services, day hospitals, outpatient clinics, community-based mental health teams, CAMHS, general adult and psychiatry of later life services, mental health and intellectual disability, community, residential and continuing care residential services and sub-specialties, including rehabilitation and recovery, eating disorders, liaison psychiatry and perinatal mental health. That is an incredible breadth of expertise and activities that are being done by our community healthcare organisations. Yet, they are in our primary care setting.

As the Minister of State will be aware, I always speak about technology and about how we will use it to connect with our hospitals. Our primary care areas have been left in the wilderness because we still do not have electronic patient records to connect people's healthcare when they end up in an acute setting to what they have been doing with their GPs and within the day hospitals in different regions. Technology is crucial.

The investment that has been made in eHealth within the Department of Health also has to benefit mental health. It has to come to the Department. We have to make a difference with this. That to which I refer is to do with early intervention and whether we look at more virtual consultations. Senator Murphy spoke about Castlerea and the wonderful CAMHS unit that has been set up there. This is absolutely fantastic. It is a change maker, but we need more investment in that. We need it to be seen that early intervention is something positive. If we can do that in a virtual way, it can be triaged, if further intervention is needed at senior and serious level that that would happen as soon as possible.

I mention also what I have noticed, as, I am sure, have my colleagues, over the past number of months regarding suicide and loss of life. It is rampant, shocking and scary. It devastates families' lives. It is happening in urban settings and, in particular, in rural areas. I know that

this is happening in many of our towns. There have been incidences in secondary schools. It is heartbreaking for those families. It is hard to know what to do, because when that happens, it is too late and when a family's life is destroyed forever in some ways. What can we do now? How can we engage, as Senator Carrigy and other colleagues asked, with schools at an earlier stage? How do we stamp this out? The Joint Committee on Education, Further and Higher Education, Research, Innovation and Science has seen that one in three children are impacted by bullying. How do we change the culture and attitude in that regard?

These are the key questions. I want progress on the recruitment of the national director for mental health. What is the timeline for that? On technology, we have online counselling supports, such as *MyMind.org*, and for anyone listening, its 24-7 anonymous text line number is 50808. Does the Minister of State have any further comment on investment in the technology within her Department? Of course, €1.149 billion has been allocated for mental health, which is a wonderful investment and an increase on previous years. However, I want to know about the recruitment and, in particular, how we are supporting our community mental health teams. What is the Minister of State's opinion on access to acute 24-7 psychiatric advanced nurse specialists or clinical nurse specialists for all of our acute hospitals that do not have psychiatric departments, so they would have access to a healthcare expert within the psychiatric area, who could be at a clinical nurse specialist level?

**Minister of State at the Department of Health (Deputy Mary Butler):** I thank all the Senators who contributed and all of those who have stayed to the very end, which is much appreciated. It is one of the most serious issues that we are all dealing with. There was a common denominator running through many of the presentations and I will try to deal with that.

I was struck by the point made by Senator Keogan, who said she was not able to read the report. I do not think I will ever forget that Sunday evening when I got the report. I had to drive to my office in Dungarvan, approximately 30 minutes from where I live, to print the report. I came home and I went into a room on my own, and I did not come out of it until 10 p.m. I will never forget the feeling of reading that report and learning that 240 young people had been identified as not receiving the standard of care they should have had from this service, that there were 46 children with significant harm and that a further 13 other children were found to have been unnecessarily exposed to a risk of harm from other doctors.

I want to say one thing that is important to put on the record of the House. The chief officer of CHO 4 in Cork and Kerry acted very swiftly when he became aware of this. He put in place a look-back scenario and Dr. Sean Maskey from Maudsley Hospital in London, who works for the National Health Service, NHS, and is independent, was brought in to do it. They did a random sample audit of 50 files and red flags were raised by that. They then looked at 1,500 files and found 500 children who were not medicated and 500 who were medicated to the correct degree, but they then discovered there were 240 young people who were challenged.

We can go back and look at 2016, when the consultant psychiatrist role could not be filled. It was funded and it was not an issue of funding. What was decided at the time was to put in a non-consultant hospital doctor. He had three years' experience dealing with adult mental health issues and he was put in there with the correct supports, apparently, for governance and oversight, but there was none there and it all fell apart. What pains me the most is that it was flagged in 2018 by a locum doctor who came in to try to reduce the waiting list. However, it was not acted on, and it was 2020 before it was acted on by another locum doctor who came in. It was finally acted on but it pains me the most that two years of overprescribing could have

been halted. He came in during 2016 and it was flagged in 2018, but it was not actually stopped until 2020.

Of those 46 children and their families, I have spoken to some of them and others are coming up next week from Kerry. No family or child heard about it on social media, they did not hear about it in the playground and they did not hear about it in the shop or on the street. It was handled correctly from the very start. There were 198 meetings with families. I spoke to one man and asked how long his meeting was, and it was three hours. A consultant psychiatrist was brought in to do the meetings, with social workers there just to support the families. I want to reassure people that, from that perspective, it was all handled correctly.

It is a difficult situation. What I have to do now is build confidence in the 73 CAMHS teams in the country. After reading that report on the Sunday night, and then reading it again and reading all of the ancillary supports that went with it, and having listened to parents, with the support of the team in the Department, we decided very quickly that we needed to do an audit. The audit I looked for initially was an independent random sample of all 73 CAMHS teams in the country, similar to what had been done, to see if there are any red flags in regard to prescribing. The other audit that has been agreed on is academic, which will be done in one of the universities, where we will look specifically at young people and their families who avail of CAMHS services all over the country to see how they got on with CAMHS, how they interacted and whether they got the support they needed, and we will have data from that. The third piece is looking at the composition of the multidisciplinary teams that make up a CAMHS team, in what areas they are challenged and whether they have the full composition of psychiatrists, psychologists, mental health nurses, dieticians, occupational therapists, social workers, mental health nurses and the whole way down.

We spent €125 million on CAMHS last year so it is very important to for me to have this real-time data to know where we are in regard to the composition of the teams, what governance is there, whether they are carrying out their standard operating procedures and so on. We hear about children who are referred to CAMHS who do not meet the criteria, but why is that? We hear about children who are caught between two CHOs and they are not part of this CHO or that CHO because of their address, but why is that? These are the questions. Believe it or not, I welcome that this research will be done. It is not going to be easy but I welcome it because a huge amount of good work is being done on the ground.

A week and a half ago, I met with the Mental Health Commission, which is the independent oversight body for mental health. It is doing a similar review and that is almost under way. In fairness to Dr. Susan Finnerty, who will be leading out on this, she has secured a consultant psychiatrist from Scotland already and another from Ireland who is not currently working in the HSE.

From that perspective, the most important thing I want to do is reassure parents that when a child is referred to a CAMHS team, they can have confidence. There is so much good work being done every day of the week, and I want to acknowledge that. It is only fair to acknowledge that during the Covid pandemic over the past two years, 85% to 90% of all mental health services were available and did not close. They were not like respite in that, initially, disability services were closed. Mental health services stayed there the whole way through. Many of them had to move online or move to a blended approach, but they stayed there, and I want to acknowledge that.



CAMHS currently has a waiting list of approximately 3,300 children. As Minister of State, I find that very difficult. Cases are very complex. It is not just about one visit to a consultant given a child might need six, eight or ten appointments, or more. It is important to know that we are acutely conscious of that. I travelled to many of the CAMHS teams and approved centres around the country, when I was able to do so to meet with the teams and to see what challenges they have on the ground because it is important for me to do that.

The issue of primary care psychology was raised. When I came into post a year and a half ago, there were 10,000 children under 18 waiting for primary care psychology and approximately 5,000 were waiting more than 18 months. I put in place a targeted approach. What I learned by putting in place that targeted approach is that it does work. I secured funding of €4 million from September to December last year. We got in touch with all of the CHOs and asked them to look at their primary care psychology list for those waiting more than 12 months and to try to buy capacity. Some of the consultants had late clinics on a Tuesday and Thursday night, others hired locums and we outsourced some of it privately. I just asked them to take the children off the list and we got 1,600 off it between September and December, many of them complex cases.

Since then, I secured just over €1 million for January and February and there is a memorandum going to Government next week looking for another €5 million. We want to keep the momentum going. However, as we take children off the list, more are coming onto it the whole time. I want to focus in particular on those waiting more than 12 months. I am a parent myself. If a child is waiting more than 12 months, the parents are devastated. Everybody said it here; early intervention is key. The earlier a person can get to those supports, the better. Oversight and accountability across all mental health supports is really important. As Senators will all know, the new legislation is currently being worked on and many changes will be made to the 2001 Act. I put it out to consultation again last year. There are 142 recommendations that have to be factored in but one of the areas, which I believe Senator Warfield mentioned, is with regard to capacity issues for 16-year-olds and 17-year-olds. That will be changed in the Bill, which I know will be very welcome because before they would have had to have parental consent.

One of the issues that was raised quite a lot was with regard to 18-year-olds and aging out. One of the recommendations in *Sharing the Vision* is that we should look at this area. An 18-year-old could be doing the leaving certificate examination, leaving home for the first time or going to college. It is a very difficult area. If that person has been in the care of CAMHS for three or four years with an eating disorder, the last thing he or she wants to have to do is change and go into an adult team, which Senator Flynn raised.

The national implementation and monitoring team, which has been put in place to look at the implementation of *Sharing the Vision*, has put in place three subcommittees, one of which is in relation to CAMHS. The team is specifically going to look at this area, however. A person might age out at 21, 23 or 25. I am actually open to all the ages; I am there to be persuaded. It is a much easier solution for outpatient services, however. It is not as easy for inpatient services.

As Senators will know, we have four CAMHS units throughout the country. We have one in Merlin Park University Hospital, one in Cork at Éist Linn and two in Dublin. I have visited them all. We have capacity there but the difference is that it would be very hard to put a 12-year-old with an eating disorder, who might be really challenged and be a slight little slim girl, with an 18-year-old or 19-year-old male or female, perhaps with psychosis. It would be an awful lot easier to deal with from an outpatient perspective than an inpatient one. Maybe

we would have to look at having services for those between the ages of ten and 16, and also for those between the ages of 16 and 23 or whatever. We are actively looking at that.

One of the issues raised was that we have 25% fewer beds than we should have or that we have fewer beds than other countries in Europe. That 25% of our capacity is bought from the private sector never gets factored into any of the correspondence that Members get. It is important to know that. We spend a huge amount of money every year buying private capacity.

One of the other things I want to mention, which was brought up a bit as well, is with regard to NGOs and whether we should be outsourcing to private hospitals or whatever. I look at organisations such as Jigsaw, which is absolutely fantastic and provides coverage to 66% of the country. It is moving very quickly now to provide online coverage everywhere. A person aged between 12 and 25 can self-refer to Jigsaw. It does absolutely phenomenal work. I am a really big fan of it.

As part of the €10 million I secured during the year, secondary schools and third level colleges will be doing a new initiative this year to provide support. I know an awful lot of people raised that issue. I will also discuss that with the Minister, Deputy Foley, and the Minister of State, Deputy Feighan, who has responsibility for well-being. Much of this comes into well-being and emotional distress as against mental health. This is the first step and then it might develop into mental health challenges.

I produced a mental health leaflet last year and this year that points out exactly the supports people need. It was sent to all 4,000 schools in the country. I decided it was better to send it in paper form. It is online as well. It is really important that a young person might bring this leaflet home and see what supports are available, whether it is support from Bodywhys in respect of body image or an eating disorder, LGBT+ support, support related to self-harm or suicidal tendencies, or some other form of support. I felt that perhaps if they put the leaflet into their schoolbag, they might look at it that evening.

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We are doing other work with regard to the national implementation and monitoring committee. We are looking an awful lot at lived experience, which is hugely important, and minority groups. When I was allocating the €10 million before Christmas, I allocated €1 million to MyMind, which is an organisation that provides counselling. It provided counselling for us all during the Covid-19 pandemic. I funded it for another 12 months. It provides free counselling in 15 different languages. A person can be referred through his or her GP to that organisation. It is really important that it is still there.

We have heard much about community groups. I have allocated another €1 million to this area. It is being dispersed now through the Mental Health Ireland website, and the closing date is next Monday, 28 February. There will be amounts of between €5,000 and €30,000. Applicants can go online to [mentalhealthireland.ie](http://mentalhealthireland.ie) to see whether their organisation is suitable and meets the criteria to get funding. This is for groups that would not normally get Government

funding. It is really important for this to be done by anybody who wants to do so.

I am conscious of how hard Senator Flynn works with regard to raising issues for minority groups. As I have said, we have three subcommittees that are looking at women's health, minority groups and CAMHS. I am acutely aware of the issues. When we were putting the national implementation and monitoring committee in place, it was important for me that we had every single category represented. We have a service user on it and Senator Flynn's organisations in respect of the Traveller group were included. It is not only that all minorities are included across the board, which I felt was really important; it is also that we have to move to lived experience and peer support, crisis cafes and day hospitals. If a person has a mental health difficulty, the most important place to try to avail of the supports is in his or her community first.

One of the issues I am worried about and which many people have spoken about is suicide. I have attended three funerals in the last two months; those of a 13-year-old, a 32-year-old and a 57-year-old. They were all male and all died by suicide. We see the devastation and effect it has on families and friends but the whole community is devastated. Thankfully, during Covid-19 over the last two years, and these are only preliminary figures, we did not see any rise in suicide levels, believe it or not. I am concerned about the last three to four months, however. Every single elected Member here, whether they are in the Dáil or Seanad, tells me they were at a funeral this week or last week. We have to be acutely aware and conscious of that. When I attended these funerals, on the way home I wondered if these people knew that help was out there but did not know where to get it. That is one of the areas about which I am really concerned.

Other than that, we are putting a huge emphasis on the clinical programmes, which I want to continue to fund. Money has been secured for those with eating disorders, mental health difficulties and intellectual disabilities and in respect of self-harm and suicide. All these areas are being fully funded. One of the areas into which I put much emphasis this year from a funding point of view, again, was community mental health teams. I really believe it all starts in the community. If a person can get the supports in the community, that can make the real difference.

I thank everyone for their time. My door is always open. It is so important. Every day is a learning day; when I hear about different things, I take them on board.

**An Cathaoirleach:** I thank the Minister of State for her very comprehensive reply to the issues raised. Members will note it was not scripted, which will tell them that the Minister of State knows her brief comprehensively and entirely when she is able to outline all the work that is being done within her Department. She is right across the whole breadth of what is being done within her Department and has a huge knowledge of the issues. Not only that but she is also implementing the solutions. I thank the Minister of State for being here today on this very important issue.

When is it proposed to sit again?

**Senator Eugene Murphy:** Next Tuesday at 2.30 p.m.

Cuireadh an Seanad ar athló ar 3.50 p.m. go dtí 2.30 p.m., Dé Máirt, an 1 Márta 2022.

The Seanad adjourned at 3.50 p.m. until 2.30 p.m. on Tuesday, 1 March 2022.