



DÍOSPÓIREACHTAÍ PARLAIMINTE
PARLIAMENTARY DEBATES

DÁIL ÉIREANN

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Insert Date Here

Déardaoin, 1 Aibreán 2021	736
Vaccination Programme and Covid-19: Statements	736
Ceisteanna ó Cheannairí - Leaders' Questions.	766
Ceisteanna ar Reachtaíocht a Gealladh - Questions on Promised Legislation	775
Gnó na Dála - Business of Dáil	785
Labour Exploitation and Trafficking (Audit of Supply Chains) Bill 2021: First Stage.	786
Employment Permits (Miscellaneous Provisions) Bill 2021: First Stage	787
Children (Amendment) Bill 2020 [Seanad]: Committee and Remaining Stages.	788
Gnó na Dála - Business of Dáil	794
Prime Time Investigates Programme on Department of Health: Statements	798
Ábhair Shaincheisteanna Tráthúla - Topical Issue Matters	820
Project Ireland 2040: Motion [Private Members]	821
Covid-19 Pandemic Supports	851
Dental Services	854
Banking Sector	857
Poultry Industry	860

DÁIL ÉIREANN

Déardaoin, 1 Aibreán 2021

Thursday, 1 April 2021

Chuaigh an Leas-Cheann Comhairle i gceannas ar 10 a.m.

Paidir.

Prayer.

Vaccination Programme and Covid-19: Statements

Minister for Health (Deputy Stephen Donnelly): I thank the Leas-Cheann Comhairle and colleagues for the opportunity to update the House on the Government's response to the roll-out of the national vaccination programme and to the ongoing Covid-19 pandemic.

On Tuesday, the Government announced a plan that we all hope will be a permanent path out of this pandemic. Because people to date have backed the level 5 measures advised by the National Public Health Emergency Team, NPHET, the public health doctors, Ireland now has one of the lowest Covid rates in Europe. While other countries, sadly, are imposing new lockdowns, in Ireland we are having a national conversation about a cautious, but steady, path out of the pandemic. The progress made in fighting Covid has been hard won by every person and household across the nation playing their part. We need to protect that progress and to protect the prospect of having what could be a really a good summer. For that to happen, the advice from NPHET is clear; as a nation, we need to keep the virus down for that bit longer. The analysis from NPHET shows that every week we can do this makes a difference. Every week we do this makes it possible to consider more and better options for the summer. Every week we do this gives time for enough people, particularly those most vulnerable to Covid, to be vaccinated. As the acting chief medical officer said this week, the next six to eight weeks are vital.

To that end, I thank colleagues across the House for their broad support of the measures announced this week. Many of our neighbours in Europe are suffering brutal resurgences of Covid-19. Some are experiencing a very real shortage of hospital beds, including critical care beds. I take this opportunity to ask colleagues across the political spectrum for their help in engaging with people to reinforce this important message. While the end may be in sight - we hope it is in sight - the Covid situation in Ireland is still highly volatile. It would take very little for another surge to happen here and so it is as important as ever, possibly even more important than ever, that we stick with the measures in place for that bit longer.

On a positive note, I was glad to note on Tuesday evening that the total number of confirmed Covid-19 cases in hospitals had dropped below 300, for the first time this year, to 290. Our national vaccination programme is a huge achievement. It represents our best line of defence

1 April 2021

within our ongoing comprehensive public health programme. Our national vaccination programme will not replace our existing public health guidance in the short term, but it will allow us all to resume a sense of normality in the future.

Deputy Alan Kelly: Are copies of the Minister's speech available?

Deputy Stephen Donnelly: They are outside.

An Leas-Cheann Comhairle: They are usually outside.

Deputy Alan Kelly: They were not there before I came in here. There is no point in them being put outside after the Minister has started.

Deputy Stephen Donnelly: They were put outside before I started. They were there before the session started.

To date, nearly one in six adults in Ireland have been vaccinated and we are prioritising the most vulnerable. Covid-19 infections in long-term care facilities, among healthcare workers and those aged 85 and over have fallen dramatically. We could not begin to fathom being in this position 12 months ago. Vaccination has prioritised those with underlying medical conditions that place them at very high or high risk of negative medical consequences, severe illness or death should they contract Covid-19.

On Tuesday, the Government approved an update to the Covid-19 vaccination allocation strategy. This strategy sets out the groups to be prioritised for vaccination to best achieve the vaccination programme objectives of preventing serious illness, hospitalisation and death. It is based on clinical, scientific and ethical frameworks and evidence produced by the national immunisation advisory committee, NIAC, and my Department. The evidence is unequivocal that risk of hospitalisation and death increases with age. A review conducted by NIAC found that the only occupation or sector showing a significant increase in risk from Covid is healthcare. The evidence from NIAC about the risk of severe outcomes based on age is clear and stark. Comparing someone aged 20-34 to someone aged 50-54, the 50-54-year-old is three times more likely to be hospitalised, ten times more likely to end up in intensive care and 15 times more likely to die from Covid. If we compare someone aged 20-34 to someone aged 60-64, which will be part of the first new age cohort, the 60-64-year-old is five times more likely to be hospitalised, more than 20 times more likely to end up in intensive care and more than 70 times more likely to die. Given the huge extra risk associated with age, the Government decided to accept NIAC and NPHEP's recommendations. This approach will maximise the benefit of the vaccination programme, minimise serious illness and death, reduce Ireland's risk to Covid as quickly as possible and in so doing allow Ireland to open up as quickly as possible.

The vaccination programme has already had a big impact on reducing the high levels of hospitalisations due to Covid. The data show clearly the impact vaccinations are having. It is hugely encouraging. The available epidemiological data show a spectacular fall in the number of cases among those aged over 85, with experts expecting that downward trend to continue as we proceed with the vaccination of those aged 70 and over. As the volume of vaccinated people increases, the incidence of disease in our communities will fall.

One of the greatest successes of the programme to date is for those living in nursing homes. Our nursing homes were among the most vulnerable settings to this virus. In January, we averaged 38 outbreaks per week in nursing homes; in the last four weeks we averaged two per week.

That is a huge drop. Nursing home residents and staff were the among the first to be vaccinated. Serial testing for Covid in nursing homes is now showing a positivity rate of less than 0.2%. Healthcare workers and people in long-term residential now make up 3% and 1%, respectively, of all confirmed cases. This compares with 16% and 15%, respectively, of all cases at the end of January. We have started to see the benefits of the vaccines for our family and friends. In making nursing homes safe again, visits resumed in many facilities from 22 March.

The new advice for those that are fully vaccinated will also provide additional relief to those who in many ways have been impacted most by this pandemic. Four safe and effective vaccines have now been approved for use in Ireland. Ireland has secured allocations for approximately 18 million doses of vaccines. The single-dose Janssen vaccine, recently approved by the European Medicines Agency, EMA, will be the fourth vaccine available for use in Ireland, making up 15% of total vaccine doses in April, May and June if, as always, deliveries arrive as scheduled. There will be further progress in the vaccine roll-out. Over the next three months, between April and the end of June we expect to receive over three times the number of vaccines we received over the first three months of the year. We expect to receive an average of 1 million vaccines per month during this quarter, dependent, as always, on the ability of manufacturers to deliver consistent, ongoing supplies. We have a plan and we are making rapid progress towards the finish line. As we proceed, we will continue to pursue our core priorities, which are to protect our most vulnerable, enable the safe return to education and childcare and protect our health and social care services. The next few months can be transformative in our response to Covid-19.

Minister of State at the Department of Health (Deputy Frankie Feighan): I welcome this opportunity to update the House on the impact of Covid-19 on socially excluded groups and to outline the plans for administering the vaccine to those groups. Not everyone faces the same risk from Covid-19. From the outset of the pandemic, the Department of Health identified socially excluded groups living in congregated settings as having a heightened risk due to underlying health and social factors. The Health Protection Surveillance Centre, HPSC, provides weekly updates on outbreaks among socially excluded groups in congregated settings. Since the start of the third wave, there have been 355 such outbreaks, which represents less than 3% of all outbreaks in that period. There were 3,863 cases associated with the 355 outbreaks. The largest share of the outbreaks is among the Traveller community, members of which account for three quarters of all outbreaks, four fifths of all cases and nine out of ten hospitalisations. Regrettably, there have been eight deaths among Travellers associated with these outbreaks. This trend is reflected in the data for the past week, with 21 outbreaks and 112 associated cases among the Traveller population.

The incidence among other socially excluded groups is much less. In addiction services, there have been ten outbreaks involving 60 cases. In homeless services, there have been 24 outbreaks involving 163 cases. Among the Roma community, there have been 11 outbreaks and 72 cases. It is clear from the data that the impact of Covid-19 on homeless services and addiction services has been less than expected. This low incidence has been achieved by the actions of health and social care services in shielding the medically vulnerable homeless population. These services are saving lives, perhaps not in hospitals but by ensuring that people with underlying health conditions do not end up in intensive care in the first place.

The long-term strategy for protecting socially excluded groups, as well as other vulnerable people, is through vaccination. The Government has agreed a vaccination allocation strategy that provides the provisional sequencing for groups to be vaccinated based on clinical priorities

1 April 2021

and ethical values. Importantly, disadvantaged socio-demographic groups that are more likely to experience a higher burden of infection, and include individuals at highest risk of Covid-19 due to medical conditions, are prioritised in group 9. There are others within the socially excluded groups who will get a higher priority due to underlying health conditions and on the basis of living in long-term care facilities, such as long-term homeless accommodation. The numbers in these categories are small. For the homeless population, the total is approximately 700 individuals. It is critical that they are prioritised along with other high-risk groups.

There has been a lot of focus on age as a risk factor for Covid-19. We need to be cautious in how we apply this criterion to socially excluded groups, for the simple reason that they experience premature onset of illness - up to 20 years earlier - compared with the rest of the population. Furthermore, many of the people in these groups do not live to 60 or 65 years. We cannot be complacent about the on-paper prioritisation of socially excluded groups, because there may be unintended barriers to equal access to the vaccine. These barriers could include difficulties in attending designated vaccination centres, lack of contact with, and trust in, the health services, vaccine hesitancy due to a lack of information, and low levels of literacy or language barriers.

I am advocating a targeted campaign to reach vulnerable groups who otherwise may not have equal access to the Covid-19 vaccine. Advance preparation before vaccine roll-out is the key. Listening to, and engaging with, vulnerable groups is critical to building confidence in the vaccination programme. The HSE has already commenced its communications campaign with a series of webinars for service providers working with specific groups, namely, Travellers, members of the Roma community, migrants and residents in direct provision. The purpose of the webinars is threefold. They will provide information and guidance on the Covid-19 vaccination programme, including where to access trusted vaccine information, answer queries about the programme, and answer questions about the different vaccines that are available. While considering the vaccination allocation strategy for vulnerable groups, we must be aware that roll-out is contingent on the supply of vaccines into the country.

The Covid-19 crisis has brought into focus the health inequalities faced by socially excluded groups. It has demanded an intense and targeted public health response. Fortunately, there have been many secondary benefits from these measures in terms of easier access to services and the adoption of an inclusion health approach based on individual care plans, inter-agency working and an emphasis on long-term solutions, such as Housing First. I am determined that these benefits are captured within the health system and, to this end, the Department of Health has provided very significant additional resources to the HSE through its winter plan and service plan. I look forward to hearing the contributions of Deputies on these matters.

Deputy David Cullinane: I am sharing time with Deputy Quinlivan. The Minister stated that he is looking for help from all Members of this House. He has got that help. We have come in here, week in and week out, offering solutions and putting forward ideas. We have asked people time and again to abide by the public health advice. We have discouraged unsafe activity and will do so again. People need help from the Minister and they need him and the Government to get it right. I have said repeatedly that when it comes to issues like test and trace, checks and controls at ports and airports, and the vaccination programme, people do not believe that the Minister and the Government are getting it right.

On the vaccine roll-out, we have discussed over the past number of weeks the problems on the supply side and the problem of some GPs not getting their vaccine allocations on time.

Since we last discussed these issues, we have seen the disgraceful behaviour at the Beacon Hospital, where teachers in private schools got vaccinated and members of senior management in the VHI were offered vaccines. We saw what happened earlier at the Coombe hospital. In recent days, we have heard of problems with the IT system, with reports this morning of potential widespread abuse whereby people posing as front-line healthcare workers were able to get vaccinated. How in God's name is that being allowed to happen?

We have had a fundamental shift in the policy on vaccinations, without any consultation with people working on the front line. Those people include teachers, special needs assistants, SNAs, gardaí, and people working in the food sector, retail and many other sectors. Without any consultation whatsoever, they are now being told that the allocation groups they were in have been abandoned. It is shocking that there was no consultation with any of those groups. The message it screams at people is that this is a very shambolic and chaotic process. All of these problems are undermining confidence in the vaccination programme.

The Minister had the opportunity to set out his stall in his opening statement and I have set out my analysis of the situation. I have a number of questions and I ask that he answer them directly if he can. First, what is the number of doses expected to arrive in the State in the month of April? The Minister might answer that question now.

Deputy Stephen Donnelly: I acknowledge the support of Deputies. We all have a job to do and there is a very important role for Deputy Cullinane and others in holding the Government to account. I wanted to make the point in my opening statement that, across the board, there has been a largely supportive response and important work done by Deputies, both in opposition and in government. I wanted to acknowledge that.

I know the test and trace issue is not the question but the Deputy raised the matter. He has raised it most weeks that we have come in here and I have heard this party leader be critical of the test and trace system as well. I would be happy to meet the Deputy and his party leader because we have looked into this and compared our testing and tracing capacity and genome sequencing capacity-----

Deputy David Cullinane: I will take the Minister up on that offer, but I ask him to stick to answering the questions. I have limited time and the clock is ticking. People want answers to the questions I am putting. The question I put was how many doses of the vaccines are due to arrive in the month of April. It is a straight question and I am looking for a simple answer to it. I will take the Minister up on the offer of meeting him with my party leader to discuss the test and trace system.

Deputy Stephen Donnelly: It is important for people to understand that Ireland compares favourably on testing and tracing. I will be delighted to sit down with the Deputy and listen to any specific concerns he has.

The question of forecasts is a debate or discussion we have every week. For April, May and June, according to expected deliveries, we expect in excess of an average of 1 million vaccines to arrive per month, ramping up from April through to June. As I have said before, I am reluctant to give specific forecasts on figures that we all know will change because when they change, as we know they do regularly, they cause anxiety.

Deputy David Cullinane: My question is for the month of April. This is the third time I have asked. For the month of April, what is the anticipated delivery?

1 April 2021

Deputy Stephen Donnelly: It is the same answer. Giving specific amounts that we know are going to change has caused much anxiety. We are expecting approximately 1 million doses in April. The expected supply is slightly less than 1 million doses to be received in April.

Deputy David Cullinane: Unfortunately, we all get a front row seat at the Fianna Fáil and Fine Gael Party Parliamentary meetings. That is the nature of those parties' meetings. It was reported that the Minister and Taoiseach stated the figure would be 860,000. The Minister is now saying it will be 1 million. This is what confuses people. He then says the figures cannot be 100% accurate. People need to know exactly what the figure is or at least what the estimated figure is. If it changes, it changes and if it is down to pharmaceutical companies, it is down to pharmaceutical companies but people have a right to know the actual figure. Now we have different figures. The Minister just referred to a figure 1 million. It has been reported from Fianna Fáil Parliamentary Party meetings that the figure is 860,000. I will ask my question for a fourth time. What is the actual target figure that the Minister has been given by the HSE in respect of the anticipated number of vaccines that will arrive for the month of April?

Deputy Stephen Donnelly: With respect, I did answer the question. The answer is that slightly less than 1 million vaccines are expected in the country. The contribution the Deputy has just made, like the contribution one of his colleagues made on television last night, is exactly why giving forecast figures that we know are going to change causes anxiety. Last night on television, the Deputy's party colleague was outraged and gave all sorts of negative commentary about the national vaccine programme. This was because - as we could have guessed - the figure had changed. We are saying repeatedly that the figures we are being given by the pharmaceutical companies are changing. This happens sometimes daily and sometimes weekly. The debate the Deputy and I are having right now is exactly the issue. When we give accurate figures that we know will change and they then change, people jump up and down and say it is an outrage and undermines the programme.

Deputy David Cullinane: With respect, it is not about jumping up and down. We accept that they are estimated figures and if they change, they change. However, when they are changing overnight and different figures are being given at different meetings in different settings for different reasons, it does not inspire confidence.

There is another question I want to put to the Minister now and he can answer it quickly. Was the Cabinet briefed in advance of the national immunisation advisory committee coming out with its changes in prioritisation and categorisation? Was the Cabinet briefed on that?

An Leas-Cheann Comhairle: There are two and a half minutes left for Deputy Cullinane's colleague.

Deputy David Cullinane: The Minister might answer that first.

Deputy Stephen Donnelly: A memorandum was brought to Cabinet. There was a discussion on the proposed approach at the Covid-19 Cabinet meeting the night before. There was a discussion the previous week at official level as well. However, the memorandum was brought on Tuesday and it was discussed in detail by the Cabinet. That was when members of Cabinet saw the memorandum and when it was discussed.

Deputy Maurice Quinlivan: I will raise a number of questions in the short time I have. In answering my colleague's question on the 1 million doses for April or lack thereof, the Minister said the figure would be slightly less than that. Slightly less in this case means 140,000 fewer

vaccines, a number that would probably vaccinate the whole of County Limerick. It is not, therefore, a minor reduction.

There is concern about the slow roll-out of the vaccination and the different figures being given out. The Minister has to accept some responsibility for that. According to the *Irish Examiner*, last night's Fianna Fáil Parliamentary Party meeting heard the figure for April would be 860,000. The Minister is now saying this morning - I hope he is correct - that 1 million plus vaccines will be given out.

I have specific questions on vaccination centres for my constituency. Is the Minister considering additional vaccination centres for Limerick city and county? The one we have is in County Clare, not in the city, and is quite difficult to get to for people who live in the county area.

I met the HSE on Friday and this is why I am asking the question. Is the Minister confident there will be a smooth implementation of the vaccines? Do we have enough qualified staff trained and ready to deliver the vaccine in increased numbers to ensure that when supplies arrive into the country they are administered to those who are waiting to receive them?

Deputy Stephen Donnelly: On the question with regard to the vaccination centre, while I take the Deputy's point on the geography, it was located there to try to facilitate the population of County Limerick. If there is a requirement for another centre, the Deputy may rest assured that we will put one in place. The HSE can keep that under review. This does not have to be the final set of where the vaccination centres go. It is also worth pointing out that the vast majority of general practitioners will continue to vaccinate in their clinics. Many of the pharmacies will also do so as we ramp up.

An Leas-Cheann Comhairle: Leaders' Questions starts at 12 noon so I will have to stick to the rules on time. The Labour Party is next with Deputy Alan Kelly.

Deputy Alan Kelly: Last week, I asked the Minister how many vaccines would arrive in the last week in March and the first week of April. The Minister stated:

I am more than happy to get the Deputy a note on that. What I can tell him is that by the end of March, which is in the next five days, we expect to have received in excess of 1.1 million doses.

I never received any note. What is the point in the Minister even coming to the Dáil? I wrote to the Minister that evening and reminded him to supply me with the note. I wrote to him again yesterday to remind him and, because of today, to give him another chance. That was ignored.

The Minister for Health reports to the Dáil. It is absolutely irrelevant and this whole charade is a waste of time if the Minister is not going to answer questions. What is the point in him saying he will be more than happy to give me a note when he never gives notes, despite being reminded? What the Minister said to the Deputy who spoke previously in respect of figures is rubbish. Transparency is the Minister's friend here. Giving out estimates is what he should be doing. Coming into the Dáil saying he does not want to give out figures is not acceptable.

The Taoiseach went further than the Minister yesterday. By the way, the Taoiseach is also writing me a note today in respect of the figures the previous speaker asked for. The Taoiseach

1 April 2021

can give the details to me but the Minister cannot give them to the Dáil. What the hell is going on here? The Minister is responsible to Dáil Éireann and the people of Ireland but he is refusing to give out estimated figures for vaccines for the next three months. The whole country is dependent on them. It is not acceptable.

This is not about having confidence in the Minister. This is about incompetence. This is not fair or right for the people working with the Minister who are watching this. The people are being let down. This is incompetence. It goes beyond politics. The Minister has to be accountable to the House. When he is asked questions about figures, he should give them as he knows them at this moment in time. I will not blame him if the figures change. We all know at this stage that the figures change.

I have three other points. The first is the change to the prioritisation. NIAC made the recommendation and this is fair. I want to know what parameters changed that now say that age is the best way of doing this? What has changed from day one because the parameters do not seem to have changed but the recommendation has? That was my second question.

My third question relates to NPHEAT, which gave fairly startling figures yesterday on what would happen if our social contacts increase. I accept their figures and their maths. Have we any projections from NPHEAT based on the vaccines having come in over the next number of months? Are the figures it is giving us based upon the increase of the virus plus vaccines or minus vaccines? This is a critical question. Is NPHEAT taking into account the volume of people the Taoiseach has told us will be vaccinated, that is 80% of the people will have some vaccination by the end of June? Are these projections incorporating this information?

My final question relates to the Pfizer vaccine and the syringes that are being used. Many pharmacists have said that Zeringe syringes are being used in other jurisdictions which create a zero residual value. In other words, one can get more doses out of them. Why are we not using these syringes? Is the Minister aware of this? For instance, in Holland, the authorities are getting an extra dose, which would mean that hundreds of thousands more doses would be available. Has this been checked out and factored in and if so, why are we not using it? I thank the Leas-Cheann Comhairle.

An Leas-Cheann Comhairle: The Minister has been left with 25 seconds to reply.

Deputy Stephen Donnelly: I thank the Deputy who has asked some very important questions and has made some accusations which obviously are his right to make-----

Deputy Alan Kelly: The Minister said that he-----

Deputy Stephen Donnelly: -----but he has only left me with ten seconds to respond. I can respond to all of these and in fact I have to hand the most detailed figures I can give him. I brought them in because I thought he might be looking for the figures but he has not, however, left me with any time to give them to him.

Deputy Alan Kelly: I asked him-----

Deputy Stephen Donnelly: With respect, Deputy, I brought the figures into give to the Deputy but he has not left me any time to give them to him. I will revert to him on that.

Deputy David Cullinane: I gave the Minister plenty of time.

An Leas-Cheann Comhairle: I need to keep to time. We are going to move on within what I have and Deputy Kelly is now taking time from other speakers. He can take any issues up later. I ask for co-operation as the Deputy is now eating into his colleagues' time and I move now to the Government speakers, of whom there are three and I will be sticking to the time allotted. I call Deputy Brendan Smith to speak, who has three minutes.

Deputy David Cullinane: The Minister is taking us for fools here.

Deputy Brendan Smith: I thank the Leas-Cheann Comhairle. As we all know a swift, effective and fair vaccination programme is essential to deal with the pandemic which has unfortunately been with this for more than 12 months. It continues to cause untold hardship in so many ways right throughout this country and indeed the world. People I have spoken to over 80 years of age and other health front-line healthcare workers who have had the vaccine say that it has been transformative. It is heartening to speak to older people to see again the confidence that they have regained in themselves where they hope to get out and get back to a more normal type of life. We are all very glad to know of the very effective results of vaccines. That is clearly demonstrated by the dramatic reduction in infection rates in those groups which have had the vaccine. This is a clear proof of the value, efficacy and complete importance of getting the programme rolled out as soon as possible to all persons who are entitled to the vaccine.

The recent changes announced by the Government on Tuesday night to the vaccination allocation strategy is causing concern to many personnel providing front-line services. On different occasions in the Dáil and in representations to the Minister, Deputy Stephen Donnelly, I have raised the need to prioritise certain front-line workers within the vaccine programme. In those instances I have made representations on behalf of members of the Garda, teachers, special needs assistants and carers. The change to an age-based approach must be fully explained to the representative organisations of these front-line workers. Many of the people to whom I have spoken over the past 24 to 36 hours have put forward legitimate cases for prioritisation and they need answers. These personnel had expectations of getting the vaccine based on their prioritisation pertaining to their work being essential and oftentimes being based in crowded settings. I appeal to the Minister to outline why there has been a change in strategy. I know that it came from the national immunisation advisory committee but it needs to be clearly outlined why this is seen to be a more effective and fairer approach and one that will deal with the concerns of the community at large. I thank the Leas-Cheann Comhairle.

An Leas-Cheann Comhairle: The Minister has 40 seconds to reply.

Deputy Stephen Donnelly: I thank the Leas-Cheann Comhairle and the Deputy for his question and statement. The answer is that NIAC looked very carefully at all of the evidence to date, including new information which it did not have when it came up with the original provisional prioritisation. As the Deputy will be aware, for example, NIAC have shown that if one compares the risk of death from Covid-19 for someone between the ages of 20 to 35 and between 60 to 64, the 60 to 64-year-old is more than 70 times more likely to die from Covid-19. Age is the single biggest predictor and the prioritisation from NIAC and NPHET has come to Government on the basis that this is how we minimise the damage of Covid-19 in the quickest time possible, saving as many lives as possible and allowing us to open the country as quickly as possible.

An Leas-Cheann Comhairle: I call now Deputy Durkan.

1 April 2021

Deputy Bernard J. Durkan: How many minutes do I have, a Leas-Cheann Comhairle?

An Leas-Cheann Comhairle: As the third speaker does not appear to be in the Chamber, there are five and a half minutes left.

Deputy Bernard J. Durkan: I thank the Leas-Cheann Comhairle. I first acknowledge the work done by the front-line workers at all levels throughout the country in this long difficult battle. They have given everything and still have to give more because there is still time to travel with this virus and it is a challenging time. It appears to me that the crucial issue at this stage is the availability of vaccines, together with the practising of isolation, social distancing, hand hygiene etc. to the maximum extent possible. There are a couple of worrying factors. We all have people who have been in touch with us who can point out breaches in social distancing, in the meeting of groups and congregations, which are unnecessary other than for recreational purposes. I ask that instead of pointing fingers at one another that we encourage one another to observe the social distancing and everything that is deemed to be helpful in the fight against the virus and to, at the same time, ensure that the country can avail of extra doses of vaccine at short notice if it is needed. One thing that would be unhelpful at this stage is if it should transpire that a glitch in the system might cause further delay in the availability of vaccines.

Can the Minister have regard to the concerns of gardaí and teachers who have direct dealings with the public in different ways and to bear their concerns in mind with a view to taking specific steps, in the event of that being needed, in the shortest possible time? They have to do their jobs in any event and they will be called upon in various emergencies that will expose them to possible infection.

My last point is on the predictions. I am somewhat concerned about predictions as it can be both beneficial and negative. We have to give hope to people and the more that the Minister can say to generate that hope the better at this particular stage.

An Leas-Cheann Comhairle: I call now Deputy Griffin.

Deputy Brendan Griffin: I thank the Leas-Cheann Comhairle. While I was in the Chamber, for whatever reason her information had not been updated. Can I put to the Minister first and foremost-----

An Leas-Cheann Comhairle: I did not have the Deputy's name on any list but that is fine and I am allowing him in to speak now.

Deputy Brendan Griffin: I am sure that the Leas-Cheann Comhairle did not have the name but it had been given in by the Whip's office. I will try to put the questions and answers here to the Minister within the three minutes that I have.

What measures are in place to ensure that what happened at the Beacon Hospital does not happen again and can he give assurances that there will be protocols in place to ensure that anybody who is contacted at short notice is assured that everything is kosher? As a result of what happened at the Beacon Hospital, we could have a situation where people are afraid to take up offers because they are afraid that everything might not be legitimate?

Deputy Stephen Donnelly: Can I ask the Leas-Cheann Comhairle is the time that has been mentioned for the Deputy who has just spoken?

An Leas-Cheann Comhairle: The time allocated is shown on the clock.

Deputy Brendan Griffin: I have two further questions, so I ask the Minister to-----

Deputy Stephen Donnelly: That is no problem. What happened at the Beacon Hospital was completely unacceptable. These vaccines do not belong to the Beacon Hospital or, indeed, to any hospital; they belong to the Irish people. Very clear guidelines and protocols were and are in place and had been communicated and understood. I have written to the Beacon Hospital on the issue and asked for a full review, including any responses from the board. I have appointed a senior official from the HSE to go in immediately and assess the situation. As the Deputy will be aware, I have suspended vaccine operations at the Beacon. I share the sentiment that what happened was completely unacceptable and should not be happening anywhere.

Deputy Brendan Griffin: As regards vaccinations at home for people who are housebound, I am finding it extremely difficult to get information on the roll-out of home vaccinations for people with serious medical conditions. I ask the Minister to update the House on that situation and to provide information to Deputies on it, even if that has to be done privately. There is a significant amount of concern on the issue.

Deputy Stephen Donnelly: I am more than happy to speak to the Deputy privately on the issue. The National Ambulance Service, NAS, has started providing this service. It is moving regionally through the country. In many cases, general practitioners, GPs, have identified their patients who cannot make it in to the GP clinics and the NAS is moving as quickly as possible to get to the homes of those people, support them and give them the vaccinations.

Deputy Brendan Griffin: I refer to the change announced this week in terms of the roll-out. I too have been contacted by a significant number of people, particularly teachers and gardaí, who have serious concerns about the change. Rather than going the full hog and moving to the system that is now proposed, would it not be more advisable to first look at those high-risk categories and the older cohorts of individuals within those categories? If they cannot all be vaccinated now, will the Minister not look at the older and more vulnerable members of An Garda Síochána, teachers, etc.?

An Leas-Cheann Comhairle: I thank the Deputy. Unfortunately, we must move on as the time is up. Each slot is for questions and answers. Deputies may choose how to use their time.

Deputy Brian Stanley: I welcome this opportunity to raise the issue of the vaccine roll-out. If we are to emerge from the pandemic in any sort of efficient or timely manner, we need to significantly increase the supply of vaccines. Sinn Féin has called on the Minister to raise the matter with the European Commission and to put pressure on it to be more proactive around approving other effective vaccines. Other countries are doing side deals while the Government sits on its hands. Germany has done a deal with Pfizer, as has Denmark. Austria has followed suit. Slovakia and Czechia have signed up for Sputnik V, the Russian vaccine. What actions is the Government taking to speed up the European Commission and the European Medicines Agency, EMA, in terms of the approval of other effective vaccines?

I wish to specifically raise the situation in respect of the elderly. All those over the age of 80 are supposed to have been vaccinated. I know of a 97-year-old woman in my constituency who has not yet been vaccinated. Another constituent of mine, a 95-year-old man, has not yet been vaccinated. We cannot get information as to when they will be vaccinated. This issue was raised by a previous speaker. Both of the constituents to whom I referred are housebound. My office telephoned the HSE helpline on this issue but we cannot obtain information on when

1 April 2021

these elderly people will be vaccinated. I cannot get an answer regarding the mobile vaccination service and the mobile vaccination unit in Laois-Offaly. Is there such a unit? All Deputies will agree there is no shortage of managers in the HSE. In fact, there are legions of them. Can one person be put in charge of the vaccine roll-out in each county or perhaps pairs of counties to try to deal with these problems? These are real issues. They were also raised by a Government Deputy. It is a real problem on the ground. I am telling the Minister sincerely that this must be dealt with. It is not acceptable that people who are approaching 100 years of age have not yet been vaccinated.

I refer to the announcement this week of changes to the vaccine roll-out. It shows that the Government has abandoned the plan it was pursuing as it has come to the conclusion that the plan is not fit for purpose. Key workers such as teachers, gardaí and taxi drivers have been downgraded. Taxi drivers who provide services for the HSE, whose situation I raised in the House several months ago, as well as special needs assistants, SNAs, who work in close proximity to others, childcare workers and essential retail workers, have not been vaccinated. In my constituency, there has been an outbreak at the Midlands Prison in Portlaoise. Prison officers need protection. They have to deal with conflict in the prison daily. They work in close quarters with no room to socially distance and they are in a very difficult situation. Some of them have raised this issue with me.

I refer to family carers and those who work in day services for the intellectually challenged and physically disabled. I have visited such services through the years and I am sure the Minister has too. We need to try to do something to get these services working and ensure they are safe.

In short, what I am saying is that we need a fair roll-out of the vaccine. I know the Minister does not have time to come back to me on the issue of the mobile unit and those aged over 90, but I ask that his office revert to my office with an email in that regard, today if possible, because it is a really important issue. It is a life-and-death issue. I know the Minister is aware of that. I ask that his office revert to me on it.

Deputy Róisín Shortall: I agree that the vaccination programme has the potential to be transformative, but only if it operates properly. I do not have confidence that it will operate properly. For probably the sixth week in a row, I ask the Minister to publish a plan for the roll-out of the vaccines. I agree with the points made earlier by Deputies. One sometimes wonders what the point is of coming in here on a Thursday morning. I have lost track of the number of notes that have been promised. It is not possible for Opposition spokespersons to get answers to questions. The Minister does not provide the answers and there is no other way of getting them. The HSE does not provide such a service. The whole thing is very unsatisfactory.

My concern is that we do not have a published plan for how the vaccines will be rolled out at scale. The memory of the promises made in respect of testing and tracing is clear. That plan did not work out and there were many problems with it. The current seven-day average number of vaccines being administered daily is 18,000. When we get to the point in a few days' time of receiving nearly 1 million doses in April, we will have to increase the daily number of vaccines to 33,000 per day. That is nearly double the maximum that has been done up to now, on an average basis. If what the Taoiseach stated about the expected number of vaccines to be delivered is correct, when we get to June and July we will need the capacity to deliver and administer 50,000 vaccines per day. Today is 1 April and there is no plan. Pharmacists, for example, have no idea where they fit into the plan.

We know that CPL Healthcare had to extend the recruitment date because it has not recruited enough people. There are several problems relating to the long and convoluted application process that has been put in place. Why have they not been sorted out? Why are we still asking well-qualified doctors to produce their leaving certificate results? This is just ridiculous. The Minister has to cut through the red tape. Those with a medical qualification are registered with their professional body, so there should be no question of going back years to check out various aspects of their qualifications. Can the Minister cut through the red tape? I do not have confidence that we will have the capacity to deliver at scale in the coming months. The Minister needs to assure the House that we can have that confidence but he has provided no evidence whatsoever in that regard.

I refer to allegations of queue-skipping in terms of access to vaccines. We have already had stand-out examples of that at the Coombe hospital, the Beacon Hospital and with the VHI. These occurrences are so dispiriting for people. There are allegations about many healthcare workers within the HSE who are not front-facing, have clerical jobs and are working from home but are getting ahead of other people who should be getting the vaccine. Can we have an audit of who has received the vaccine within the health sector? I am not satisfied about that at all.

I refer to those with a serious underlying health condition, that is, those who are at high risk or very high risk. There are 160,000 people in the very high-risk category. Only 30,000 of them have received the vaccination to date. How is the Minister going to identify the others? When is he going to develop a database that will ensure the roll-out will take place quickly over the next few weeks? The same questions apply, of course, in respect of people with underlying conditions who are at high risk.

My final point relates to the recategorisation and reprioritisation for the vaccination programme. I fully accept the evidence around these matters and decisions should be based on evidence. The evidence we have so far is that age is the single biggest predictor when it comes to severe outcomes but not when it comes to risk from exposure. That is the key difference. Has any study been done relating to exposure as opposed to severe outcomes to support the reprioritisation? I would appreciate it if the Minister would send me replies to those questions.

Deputy Pádraig O'Sullivan: I have three or four brief questions to which I would appreciate responses. Given the alleged difficulties with the vaccination portal up to now, can the Minister clarify details about the veracity of the new portal? Will personal public service, PPS, numbers be used as identifiers? What legislation or statutory instrument will be required to address the problem with children's shoes? Will the Minister clarify when the change will be brought in? Will the Minister outline what contact he and his Department have had with community pharmacists to inform them of their upcoming role in the roll-out of the vaccine?

I also wish to inquire about people with underlying conditions who are aged 16 and under, including those with Down's syndrome. Has any consideration been given to those people and their parents, who are their primary carers, given that those parents are likely to be young enough? Has any consideration been given to them in terms of the roll-out of the vaccine?

Deputy Stephen Donnelly: I thank the Deputy for his questions. On children and vaccinations, there is ongoing work and clinical trials are being carried out. As Professor Butler said yesterday, the vaccines are not currently authorised for children but the clinical trials go on. If the EMA looks at the data and authorises the vaccines for children, NIAC and other agencies will consider whether it can be implemented here.

1 April 2021

Pharmacists are going to play a key role in the vaccination programme, particularly in the coming months as we scale up. There is a deal in place with the Irish Pharmacy Union in terms of pharmacists vaccinating on their own premises and working in the vaccination centres. I would envisage pharmacists coming online more and more as capacity is ramped up as we move through the age cohorts. The sense is that on the underlying condition cohorts, that is, cohorts 4 and-----

An Leas-Cheann Comhairle: Thank you, Minister. I know it is unsatisfactory, but the time is up.

Deputy Alan Dillon: The new vaccine allocation strategy announced on Tuesday evening has not been welcomed by many in our public sector. Those working in the education sector, An Garda Síochána and the Defence Forces were not expecting the news on Tuesday evening about the new strategy. I am not alone in finding it difficult to go from discussing workers in occupations essential to the functioning of society last week to a completely different allocation strategy. We debated the issue only seven days ago. There is anger among occupations working in high-risk situations and this needs to be sorted and addressed.

I am seeking information on what key performance indicators, KPIs, will be used to monitor our vaccination centres over the coming weeks and months. The Mayo centre is now up and running but updates will be needed, in time. I want to avoid using crude metrics which would result in counties being compared to neighbouring counties and discussions about who got the most vaccines. Some thought need to be given to KPIs and associated metrics that do not feed an us-versus-them approach to the roll-out of the vaccines. I will keep my contribution to those two points, the vaccine allocation and the KPIs for the vaccination centres.

Deputy Stephen Donnelly: How long have I got to reply? I have only 14 seconds. Perhaps I should revert to the Deputy in writing. He asked important questions and I cannot address them in 14 seconds.

Deputy James O'Connor: I thank the Minister for being here. I will stress the case for Ireland to start looking seriously at the possibility of implementing a vaccination green certificate. It has been successfully trialled in other countries which are considering its use. In two months' time, we will be in a situation where a large percentage of our population will be inoculated for the Covid-19 virus and we should give serious thought to whether the green certificate system could be implemented in Ireland given that we are a leading country in the technology sector. The system has many benefits for the reopening of society and the economy.

I have listened with interest to discussions of the new vaccination portal. Will the PPS system be linked to the new portal? As I understand it, there has been much abuse of vaccines and people have been able to secure them when they should not have been. I would appreciate it if the Minister could answer that question for me.

Deputy Stephen Donnelly: How long do I have?

An Leas-Cheann Comhairle: The Minister has just under a minute.

Deputy Stephen Donnelly: I thank the Deputy for his questions. The green certificate is an interesting idea and, as the Deputy will be aware, it is being formally progressed by the European Union. It might provide a pathway for travel between EU member states that do not have the various biosecurity measures in place for EU citizens who have a green certificate to verify

their vaccination or, potentially, to verify a recent infection with Covid. We will be looking at that with interest. As the Deputy has raised previously, there are some potentially interesting options. Israel is exploring a few interesting domestic policies for those who are vaccinated. I will revert in writing and respond to the Deputy's question about the portal.

Deputy Fergus O'Dowd: There is some good news to report on an issue I raised with the Minister in the recent past. The HSE has decided to have a vaccination centre in Drogheda, the largest town in the country, where I live. That is welcome and any support the Minister can give through his office to ensure the centre is staffed with enough vaccinators to vaccinate the population as the vaccines come through would be very welcome. Four premises have been looked at and a decision is imminent. It is important to say that to the Minister.

It is also important for the Minister to understand that the people to whom I speak understand he is not hiding vaccines from the public in his office or Department. As I understand it, every vaccine the Department gets is delivered as soon as possible. However, we are at the mercy of the European Union with regard to vaccine availability. Notwithstanding that, there is professional integrity to what the HSE is doing but there was no integrity in the actions of private hospitals and private schools. I get a stink from their actions. They are looking after each other in the old-fashioned way of 200 years ago. It is not acceptable. The Minister should come down on that hospital and the Minister for Education should come down on that school like a ton of bricks. It goes to the heart of our society. There was no equality or fairness in what happened.

There are two people in my constituency with serious illnesses and who are in the very high-risk category. One has an obesity of 45% and the other has type 1 diabetes and suffers from Addison's disease. Their doctor cannot get them a vaccination timetable because they do not have a hospital consultant. Will the Minister address that issues in his reply to me?

Deputy Donnchadh Ó Laoghaire: Since last summer, one of the things that has been repeated time and again has been that education is a priority for this Government. It is a priority for the Opposition as well. We have supported many of the measures that the Government has brought forward in the educational sector, albeit we would have liked to have seen an awful lot of them go further. At times, we listen to what the Government says and believe that there is priority for education.

11 o'clock

There was a request for greater prioritisation to ensure that schools remain open. The decision to remove prioritisation for SNAs and teachers leads one to despair of whether, in truth, there is any real prioritisation. I do not know how the Minister can say that with a straight face. The decision that has been taken in recent days on the vaccination prioritisation has pulled the rug from under so many front-line workers. They are angry and frustrated. Commitments were made to front-line workers, not only teachers and SNAs but bus drivers, childcare workers and others who work in settings of high risk, who were at least acknowledged in the original prioritisation. It is profoundly wrong and it undermines the commitment that was given to them. That was the basis on which they agreed to re-enter service in schools and childcare facilities, despite the fact that they were more risky than other scenarios. While age is clearly an enormous determinant of risk, there is a significant difference in the risk between an accountant or clerical worker working from home in their 40s and an SNA, teacher, childcare worker or special education teacher who is working face-to-face with children and young people in a

1 April 2021

crowded setting. Relatively speaking, whether they are 22 or 42 the latter groups are clearly at a higher risk. It is profoundly wrong.

Much has been said about what is needed to get schools open and to keep them open because it is not just about getting them open. It is welcome that schools are back, as education is vitally important. I heard reports of what the Minister for Education, Deputy Foley, said and I hope that is not just for show. I hope it leads to pressure within the Government and that the Minister listens to his backbenchers who are asking for change. Let age be the primary consideration, but priority should be given to front-line workers in key categories to ensure that services remain in place. I hope the Minister will listen to us, those workers and anyone who is arguing for them. I also hope the Government is having a real discussion on this.

The final point I want to make is about confidence. We all want vaccination to succeed as we all want to get to a time when we can resume some kind of normality, but this business of people jumping queues, a lack of checks, and private schools connected to private hospitals being given priority is profoundly undermining confidence in the equality of everyone's entitlement on the basis of risk and the other considerations to get access to a vaccine and to healthcare, which is fundamentally what this is about. This is important. I do not want to see confidence in the process being undermined; I want to see it restored. These anomalies and people jumping queues and failing to ensure fair priority must be addressed if confidence is to be restored.

Deputy Gino Kenny: I am sharing time with Deputy Barry, with three minutes for me and three minutes for him.

Acting Chairman (Deputy John Lahart): Is that agreed? Agreed.

Deputy Gino Kenny: I wish to touch on the positive aspects of the Minister's statement because we are all anxious for the programme to succeed and that is the imperative. The positive aspect to the vaccination programmes in nursing homes in particular is very important as there is a sense that we are getting on top of this.

My main question to the Minister relates to the recruitment of vaccinators. There are credible reports of doctors being asked for their junior certificate results to prove that they meet the criteria. To say the least, that is most disconcerting. The Minister said many times that in the second quarter there will be a mass roll-out of vaccines and vaccinators will be the foot soldiers in the process. It is very important to note that the criteria for vaccinators that are being recruited by CPL Healthcare, which I presume is well paid for its service, are quite ridiculous. In one case a trained midwife was asked to provide evidence of her BCG shot. That seems very bureaucratic and arduous. Does the Minister consider the criteria are fit for purpose? Does he have confidence in the recruitment process for vaccinators by CPL Healthcare? This is a critical juncture in regard to what will happen in the coming months.

Deputy Stephen Donnelly: There is no question but that the recruitment process needed to be streamlined. The HSE has looked at it and it has streamlined it. Issues are being raised which to all of us might seem very strange and superfluous to hiring vaccinators. I have looked into those issues for the very reasons the Deputy raises. Retired doctors are being asked for their leaving certificate results. That might seem utterly superfluous to us. How anyone did in their question on Shakespeare really does not matter in terms of vaccinating against Covid. The reason is that when we are hiring healthcare workers to perform tasks like this, criteria are

set out in law that have to be met and one of those criteria is previous qualifications. Do the leaving certificate results matter? Obviously not. It is a requirement in law, so what we could do is look at changing the law, but as we would both agree, speed really matters here, so that is the reason for some of these things which do not make sense to any of us.

I do not know, but on the BCG shot, for example, I would imagine again that there are clear protocols that have to be gone through, in particular when one is hiring healthcare professionals to vaccinate people who could be quite vulnerable.

Deputy Mick Barry: I have a question for the Minister about level 5, following the events last night in Blanchardstown. Four trucks arrived at the Blanchardstown shopping centre just after midnight. Debenhams workers had a tip-off that they were going to come to remove stock and they had to go there from their beds. There was a stand-off for five hours between the drivers of the trucks and the workers, who were women, shop stewards and some supporters. Twenty five gardaí arrived on the scene and after a five-hour stand-off they physically lifted people who were sitting on the ground and carried them to a place that was more than 100 m away from where the trucks were. I was one of the people that was physically removed. That paved the way for the trucks to move the disputed stock and the strike-breaking was carried out.

There are 11 such stores around the country and there is stock in the majority of the stores. There may be attempts to move the stock from those stores tonight, tomorrow, over the weekend or next week. This situation should not be happening. This should not be allowed in level 5: that strike-breakers are allowed to come in, hired by KPMG, to remove stock in an industrial dispute. I have asked the Taoiseach to make it very clear that this should not and cannot happen in level 5, but he has waffled and refused to answer the question. Therefore, I am asking the Minister for Health to answer the question and say that this is ruled out and that they should not be allowed to do this.

Deputy Jennifer Murnane O'Connor: Vaccination should have been done on age, with healthcare workers, those with underlying conditions and those living in residential care being vaccinated at the same time. We should continue with the plan to do this on age and at the same time prioritise those on the front line. We all got letters from teachers about their concerns. Schools have been a priority for us and that is great to see, but I ask that we consider a priority list for gardaí, SNAs, childcare workers and those in essential retail. They are a priority. We told them they were a priority to us. That is so important. Communication is key, whether it is talking to the unions or to the various sectors. We must improve communications.

I also wish to ask the Minister about the database. Are there concerns or issues concerning the database? He might respond to me on that.

I wish again to raise family carers. The Minister is aware that is an issue I have been working on with carers. My mother is receiving her second vaccine today, which is brilliant. As a family, it is great for us to see that. All families love to know when family members are getting their vaccines, and that is certainly the case for me with my mother. However, my sister, who is her full-time carer, does not know when she will get her vaccination. These are issues we need to work on and I urge the Minister to consider it.

Could the Minister clarify the change to category 9 in the revised plan? Under the old plan, this category referred to people living and working in crowded accommodation. Now the line reads, "People 16 to 64 living or working in crowded settings". Maybe the Minister could come

back to me on that.

On 6 April, everyone in New York aged 16 or over will become eligible for a vaccine, something that will be repeated across the US. It has priority groups but is also going by age. Can we categorise by age and priority? That is essential.

Deputy Marc MacSharry: I want to make a few points. I thank the Minister. The plan announced the other evening is not ambitious and lacks strategy. It is a case of live horse and get grass, things will be better and in about two years' time, we can all look forward to eating al fresco with two people per acre while it is raining.

On the vaccination side, there is still nobody in charge. Once there is plausible deniability, everybody gets blamed - NPHET, NIAC, the HSE and everybody else. There is not an ounce of common sense when one considers that front-line retail workers and gardaí have worked for the entirety of lockdown without a mention and some teachers are dealing with children who are not in a position to wear masks for health reasons. We have not even thought about them.

It is governance by optics and the view of NPHET. We have not had the ambition to look for a balance in operating society. I have said to the Taoiseach, and put in writing to the Minister, that we should examine and analyse hospitalisations at the moment. Senior consultants who are naturally afraid, in the colosseum that Ireland has become, to speak publicly for fear of being thrown under the bus for dissenting have pointed out to me that up to 60% of hospitalisations do not require high-flow oxygen in high-dependency units or ventilation in ICUs and could be dealt with in settings such as the facility at Citywest. That could be replicated in five or six locations throughout the country and ensure that our acute hospitals are not in danger.

The Cabinet is responsible to all the people of Ireland. We are responsible for a functioning society. We are not remotely showing any ambition to achieve that. I appeal to the Minister to consider some of the points I have continually made to him and the Taoiseach in writing and otherwise since last March.

Deputy Kieran O'Donnell: I have a couple of points regarding Limerick. Will partners be able to be present at the birth of their children in maternity hospitals? This is a major issue. Staff in the hospital have been vaccinated. At this point it is a human rights issue. Another issue that is coming up repeatedly is students who require vaccines for their placements in the health and other sectors. What is happening there? What is being done to ramp up ambulance services to provide vaccines at home for people who are in a vulnerable category and are unable to go to their GPs?

One success story is that 95% of vaccines delivered are administered within seven days. What can the Minister do to give an assurance within the time available for a response that that will be maintained when we ramp up the number of vaccines we administer? Do we have the capacity for that?

Can the Minister outline his view on the concerns expressed by the Attorney General and businesses in respect of the introduction of quarantine for people travelling here from other EU countries? I know of a lady who is based in New Zealand and wants to come home. Her mother has passed away. She wants to come through Frankfurt. If the new quarantine rules are introduced, she will have to quarantine for 14 days on arrival in Ireland. That does not make sense when she is coming from a country like New Zealand.

Deputy Colm Burke: Last week, I raised the issue of long Covid and did not receive a written response. Could I have a written response on the plan the Department and HSE intend to put in place to deal with this issue?

I refer to the Sláintecare report on elective hospitals for Cork, Galway and Dublin. The plan has been totally and utterly watered down. Covid has clearly illustrated that there are not adequate facilities to deal with a pandemic. A report was produced in Cork in 2015 which clearly set out the need for a new hospital. According to Sláintecare, a day care facility will be open six days a week 50 weeks a year from, I presume, 8 a.m. to 8 p.m. That is not good enough. It is not acceptable. I am looking for a detailed answer on the proposal for an elective hospital in Cork. The proposal from Sláintecare will not be accepted.

Deputy Stephen Donnelly: It will be difficult to get through all of the questions. Deputy MacSharry, who was screaming for zero Covid about five or six days ago is now screaming that we are not opening up quickly enough.

Deputy Marc MacSharry: I was not, actually. Clearly, they do not speak common sense in Harvard, MIT-----

Deputy Stephen Donnelly: With regard to long Covid, it is something I can revert to Deputy Colm Burke on.

Deputy Marc MacSharry: Read the emails-----

Deputy Stephen Donnelly: I am more than happy to engage with Deputy Colm Burke on that matter. The short answer is that I agree with his position that we need some resources for this. We need to work here and internationally to make sure that we have the best possible treatments in place.

Deputy Marc MacSharry: Why not bring in NPHET-----

Deputy Stephen Donnelly: With regard to elective hospitals, I am more than happy to revert to Deputy Colm Burke and meet him to discuss the position. This is a crucial issue and I assure the Deputy that no decisions have been made in terms of the type of operations he has talked about at this point.

Deputy Kieran O'Donnell: On a point of order, I did not speak for my entire two minutes.

Acting Chairman (Deputy John Lahart): No, the Deputy did not.

Deputy Kieran O'Donnell: I looked for time for the Minister to answer me within the two minutes. My questions have not been answered. I am entitled, as a parliamentarian, to use the time as allocated. The Acting Chairman should have allowed the Minister to answer my questions. My questions have not been answered. That is unfair.

Acting Chairman (Deputy John Lahart): It is only unfair if I do not ask the Minister to answer the questions.

Deputy Kieran O'Donnell: I used my two minutes to enable the Minister to respond, but he has not done so.

Acting Chairman (Deputy John Lahart): It is only unfair if the Minister is not asked to respond. I am asking him to respond. Deputy Colm Burke asked the same question.

1 April 2021

Deputy Kieran O'Donnell: I was allocated two minutes and I am entitled to have my questions answered.

Acting Chairman (Deputy John Lahart): I am actually agreeing with the Deputy. Deputies O'Donnell and Colm Burke asked questions.

Deputy Stephen Donnelly: I thank the Acting Chair. I tried to address Deputy Colm Burke's questions. He may not have heard that over the wailing of Deputy MacSharry.

With regard to Deputy O'Donnell's questions, I fully agree that as soon as it is deemed safe by local clinical leads, we must have as much visitation in maternity hospitals as possible. I fully support his view that the phenomenal reduction in cases we have seen in healthcare settings should allow for that. I hope he agrees that we have to respect and back local clinical advice on that.

Acting Chairman (Deputy John Lahart): Deputy Colm Burke's questions-----

Deputy Stephen Donnelly: Will I keep going with Deputy O'Donnell's questions?

Acting Chairman (Deputy John Lahart): Deputy O'Donnell had two minutes. Deputy Colm Burke-----

Deputy Stephen Donnelly: I think I have addressed Deputy Colm Burke's questions.

Deputy Kieran O'Donnell: I have two other quick questions to which I would like the Minister to respond.

Deputy Sorca Clarke: The Government's decision to dramatically alter the vaccine roll-out overnight has caused an unforgivable amount of concern and anxiety for workers who last week were classed as essential or front line. I have spoken to teachers, gardaí, prison officers, retail workers and other essential front-line staff who are beyond angry over these changes. Has the Minister at least arranged to meet and speak with their representative bodies?

Members of our Defence Forces also need assurances and the Minister needs to be explicitly clear. Will all members of the Defence Forces due for deployment be vaccinated before they leave for overseas service? Assurance were given by the Minister for Defence a few short weeks ago that this would happen. Is that assurance now defunct or will it be honoured?

Some vaccination centres in my constituency, Longford-Westmeath, are a considerable distance outside town centres. I ask that an agreement be reached with all transport providers to ensure that those with mobility issues or who do not have access to transport can be facilitated. I have been told that a range of transport options are being examined. What are those options? When will a decision be made?

On the move to age-based qualifying criteria for vaccination, under this new approach, at what age group can we expect to see further easing of restrictions and reopening of services? Will it be when all those over 70 years are vaccinated, or all those over 60 or 50 are vaccinated? Who will make that decision and when?

Deputy Stephen Donnelly: It has been agreed that any of the Defence Forces being deployed overseas are being vaccinated. That has been and remains the case.

I share the Deputy's view on those who are homebound. The national ambulance service

is working very hard to ensure those who cannot make it to their GP, hospital or vaccination centre will be visited in their house. Our approach is that no one will be left behind. I share the Deputy's view on ensuring that.

Deputy Sorca Clarke: It is not just those who are housebound but those with no transport.

Deputy Stephen Donnelly: If they are incapable of getting to a vaccination centre we will find ways of ensuring that everybody gets vaccinated.

On progress, the detail of the plan announced two days ago shows the various measures that open up from 12 April, 19 April and 26 April and the things that will be considered for May. I take the Deputy's point, and some European countries have said that certain things will be possible after specific age groups are vaccinated, but we are keeping the situation under close review particularly in light of the B.1.1.7 variant and the surges that are happening all over Europe now. The road map is broadly in line with vaccination down through the age groups and as we significantly reduce the risk profile more and more options become available to open up.

Acting Chairman (Deputy John Lahart): Deputy Shanahan is next. Is he looking for answers?

Deputy Matt Shanahan: Yes, a couple. First, I thank the Government for following through on the proposition to build a second cath lab at University Hospital Waterford which was announced in recent days. I addressed this with the Taoiseach yesterday. I look forward to engaging with the Minister in coming months to ensure the recruitment of staff and to get the lab operational as soon as it is commissioned.

The vaccine roll-out is the most topical issue at the moment. The Minister mentioned Israel. We could also look at Denmark and Estonia as best in class for the vaccine roll-out. A key component has been the support of ICT systems in place in those countries. I do not think that anyone would argue with the fact that it is very deficient in this country in the area of integrated health ICT systems. This arose at the Covid committee in relation to test, trace and isolate. Once there were over 1,000 cases daily, we did not have the ICT back up. What is the Department doing to address this? Significant funds have been spent on private contracts but can the Minister update the House on what is being done? Many GP systems are not integrated with the HSE dashboards. This will cause problems as numbers of vaccinations ramp up.

The number of vaccinators was recently given as 8,500. Maybe more are registered now. How many hours dedicated time will they be able to give? Other Deputies have highlighted some of the interviewing requirements which are frankly laughable but there are public dentists who have not worked in the system for almost a year. Are they on the list? It should be mandatory to allow retired GPs on. I do not understand why they must be interviewed and similarly with pharmacists. We need to get them into the vaccination centres if we are going to roll out a million vaccinations a month.

Deputies have raised issues already with the vaccine portal. There are about 20% more PPS numbers in the country than the population. Surely, this allows fraudulent applications through the portal. Will the Minister comment on that?

The responsibility for vaccination is huge. The Minister's portfolio is wide, I think too wide for any one Minister. Has there been any consideration for appointing a single Minister to oversee the vaccination process, such as the Minister of State, Deputy Feighan, to allow the

1 April 2021

Minister to look at the other significant issues, not least the burgeoning waiting lists and access to services which are vast. Covid has over-taken everything but many patient cohorts face significant hardships.

I raised industry engagement with the Minister by NIAC and NPHEt. I brought antigen testing to NPHEt last May, the technology and the company that could do it, yet nearly a year later we are still talking about starting to roll it out. Other best in class countries are way ahead on this. I ask the Minister to look at it again.

Vitamin D has been spoken about in terms of antigen testing. It has been used throughout the world and is recommended yet we have made no attempt whatever to see about giving vitamin D as a prophylactic.

I wrote to the Construction Federation of Ireland on the use of antigen testing to open the sector. It says it has used it. Can we not implement it for schools, construction, tourism and hospitality? What have we learned from Covid-19 and how are we defending against Covid-20? It is only a matter of time before there is a repeat of this, in the view of the WHO, or there is a significant variant in the country which erodes vaccine efficacy. What are we putting in place? Will we put health surveillance on a firmer footing here?

I applaud what the Government has done around mandatory quarantine. I have sought this for some time, although it is problematic. What is the Government's plan regarding new variants?

Communications are key. This comes up time and again. The Government can keep the public on side as we roll it out but the road map must be clearly highlighted and communicated and weekly updates on all aspects of the vaccine roll-out protocol would help immeasurably.

Deputy Stephen Donnelly: I share the Deputy's enthusiasm and happiness at the progress on the second cath lab. The Minister of State, Deputy Butler, has worked very hard on that and I also recognise Deputy Shanahan's efforts. We had spoken during the last Dáil with local cardiologists. It has been a core focus and is in the programme for Government. It is very welcome for the people of Waterford.

It is clear we need a comprehensive ICT system for issues like this. The teams are using various different systems. They have linked them together as best they can. I met analysts and IT experts only yesterday to discuss putting a proposal together for a new system. That will probably not be used for our current response but we need to ensure we have something solid in place for the future. We will make progress on that.

I have appointed an expert group to examine rapid testing. I will launch its report later today. It will not surprise the Deputy that the report is supportive of more widespread rapid testing, as am I. We are putting those plans together now.

Acting Chairman (Deputy John Lahart): The next four speakers are sharing time. In about 12 minutes the Minister will have a little extra time, so if they do not get an answer to their questions they may wish to wait in the Chamber.

Deputy Niamh Smyth: In no way do I underestimate the overwhelming task of the Minister and the challenge of rolling out our vaccine programme across the country. I appreciate that it is a difficult challenge and he is doing his utmost. My concern is for the vulnerable house-

bound and I am thinking of elderly people in my constituency. I am thinking of vulnerable people in their 90s who have not received their vaccine. They are housebound and need call-outs from the ambulance service in order to get vaccinated. This has not been done in the cases I am talking about. I have contacted the individuals' GPs and they have made the referrals. I just want the Minister to give me a little feedback on the roadmap for the people in question who are waiting on their vaccine.

Deputy Stephen Donnelly: I thank the Deputy for the question. Those who are housebound are an absolute priority for us. We are talking about people who are very vulnerable and who, as the Deputy says, are often elderly. It is essential that they be protected as quickly as possible. The National Ambulance Service is working very hard to this end. It is moving through the country. The people the Deputy is talking about are being identified by their GPs and the data are being fed to the National Ambulance Service, which is contacting the relevant households, making arrangements and going to see the individuals in question.

I was talking to one of the National Ambulance Service managers the other day on this exact issue. I commend the service. One of the things the manager said to me in passing was that while the ambulance service staff go to the houses in question primarily to deliver the vaccines, they also spot issues and identify opportunities to make things a little better and connect the individuals with local health and social care services. I share the Deputy's view. It is essential that we vaccinate the cohort as quickly as possible. The National Ambulance Service is engaging as quickly as it can with the cohort.

Deputy Richard Bruton: I support the prioritisation of older people and those at higher risk. The CSO data have been showing for weeks that the risk to people with underlying health conditions is 44 times higher than it is for those in younger categories. For those in their 60s, the risk is 18 times higher. Therefore, the prioritisation is absolutely justified, but the arrangement should not have been sprung upon the people in the way it was. The evidence has been available for a long time and the way it was dealt with is unacceptable.

I would like to see more information. I ask the Minister to provide more on the additional risk associated with variant B117. Earlier, we heard on the radio from an individual in the UK that the hospitalisation rate is 50% higher and that the ICU admission rate is 100% higher but I have not seen these data come from Irish sources. If they did, they would help to explain some of the decisions being made. Can the Minister provide accurate numbers in respect of each of the categories now provided for? People crave a date but if they could see the accurate numbers, including the numbers for each week, they would get some idea of the progress. I refer, in particular, to the numbers in the very high-risk category and the next category of risk. Can the Minister illustrate how, in respect of those over 65 and those with underlying health conditions who have been vaccinated, our elimination of 92% of fatalities and 100% of the ICU risk has been factored into the decisions? I do not see any explanation of how the lower-risk profile is changing the way we will make decisions.

Deputy Aindrias Moynihan: I propose to ask a few questions and also to use my two minutes to get some answers. While the proposed changes in the restrictions, such as the removal of the 5 km radius and the opening of construction, were widely discussed and in the public domain for some time, and while people recognise the arguments in each case, the idea of re-prioritisation on an age basis did not feature. It appears to have come out of the blue for so many people, such as teachers and gardaí, who were not expecting the kind of change in question. How much background discussion went into the proposed change? What research informed

1 April 2021

the decision? It appears to have emerged late in the day. Why would that be? If the goalposts have moved, people want to be assured they will not be moving again. What is the possibility of that?

Antigen testing can offer an easing of restrictions in so many areas. It can show that people are Covid clear and it is fast. I had the opportunity to try it out myself yesterday. Many people, including opticians and staff in meat factories, are using it. To what extent is it proposed to roll it out? It really offers an opportunity to people to try to get back to some semblance of what was normal. How quickly could it be done, and how much research is being conducted?

Deputy Stephen Donnelly: I thank the Deputy for his questions. Antigen testing is a matter the Deputy and I have been discussing for some time. I am of the view that there is a greater role for it than we have seen to date. I appointed an expert group, led by Professor Mark Ferguson, to examine this issue. The group has reported back and I am publishing the report today. It is important to note that there are highly credible experts on both sides of the argument, some of whom are very strong supporters of rapid testing and others of whom have valid concerns about some of the risks associated with it. Nonetheless, having heard the various views, my view is that there is a greater role for it. I am launching the report today and I will be working with various Departments to support the ramping up of rapid testing.

With regard to the research on vaccinating according to age, NIAC conducted extensive research on both domestic and international evidence. We have seen a very strong link between the risk of Covid and age. It is also important to note there is a strong link with occupation. NIAC examined the data on clusters and outbreaks in Ireland and on the various sectors. The only sector found to have a significantly higher risk of severe illness or death from Covid was the healthcare sector. That really underlined the recommendations made, which NPHE brought to me earlier this week.

Deputy Christopher O’Sullivan: I thank the Minister. I want to speak up for and ask questions on behalf of the hundreds of teachers who have contacted my office over the past couple of days. They are looking for a greater explanation for the reasoning behind the change to the vaccine roll-out programme and their removal from the cohort of key workers. They have some very fair requests. Their main request is simple, namely that after all those with underlying health conditions are dealt with, they be included among the category 9 cohort of those working in crowded workplaces. It is quite clear that teachers right across Ireland are working in crowded workplaces. Their class sizes are among the highest in Europe. They are working in circumstances where social distancing is quite difficult. I refer in particular to special needs assistants who, because of the nature of their work and how they assist their students, will always require an element of close contact. All those who have contacted me are asking for — it is quite a fair request — is that they be considered to be in the bracket containing those working in crowded workplaces. They are looking for an explanation and answers. Can they be considered to be in the bracket? If not, why?

Deputy Stephen Donnelly: I thank the Deputy for his questions. The reason NIAC made its proposal, the reason NPHE endorsed it and the reason I brought it to the Cabinet and the Cabinet agreed to it was the very strong evidence that the single biggest predictor in terms of risk is age, particularly when, as we are aware, those with underlying conditions are already prioritised in cohorts 4 and 7, for example. The group we are now talking about comprises people who do not have underlying conditions. Let me give the Deputy and other colleagues a sense of how strong the link is. A person in his or her early 50s is three times more likely to

be hospitalised, ten times more likely to end up in intensive care and 15 times more likely to die than someone in his or her 20s or 30s. A person in his or her early 60s, who will be part of the first group in terms of prioritisation, is five times more likely to be hospitalised, more than 20 times more likely to end up in intensive care and more than 70 times more likely to die than someone in his or her 20s or 30s. As I am sure all colleagues have been doing, I have been talking to essential workers and front-line workers, including teachers. I hear from every teacher and front-line worker I talk to about these figures that if I am telling them the people I am prioritising are 20, 40 or 70 times more likely to die than they are, they should be vaccinated first. In many cases, they note that age cohort includes their mum or dad or aunt or uncle and then they ask us to vaccinate them first.

The final issue, which was raised by many Deputies, relates to the fact that classrooms are crowded, which we accept. NIAC looked at outbreaks in all sectors in Ireland to date. The only sector it found where there was a significantly higher risk of illness, hospitalisation or death for workers was healthcare and, therefore, that sector was prioritised.

If I could make one final point-----

Acting Chairman (Deputy John Lahart): Not at this point. I will give the Minister plenty of latitude at the end.

Deputy Michael Collins: I am sharing time with Deputy Danny Healy-Rae.

I have raised numerous concerns in respect of health and Covid-19 and my questions over recent months, week in, week out, are never answered. To co-operate, I email the questions to the Department straight after raising them in the House in the expectation of an answer but, as of yet, I have never had an answer from the Minister. He might think it is fine to ignore the concerns of the people of west Cork but his party's candidates will suffer at the doorstep in the next election campaign due to his failure to respond to simple questions week after week.

Today I raise the concerns of members of the Garda, as I have done over recent weeks. They have been dropped down the list for vaccines. They have been working on the front line throughout the pandemic but are left at the back of the pack when it comes to vaccines. Will the Minister give a straight answer? When will members of the Garda who want to be vaccinated get their vaccines? In light of the changes to the roll-out that were announced earlier this week, when will teachers, SNAs and school secretaries, who work with large numbers of pupils in west Cork and throughout the country, be vaccinated? They cannot be dropped down the pecking order. They have to be prioritised.

I have raised grave concerns for housebound elderly people in Cork and Kerry, who number up to 2,000 in their 80s and 90s. Only 5% of these people have been vaccinated to date. The National Ambulance Service has been designated to roll out their vaccines but it is overstretched. Surely the local GP or even pharmacist should be allowed to call to their houses and administer vaccines. These people need to be respected and not forgotten. Will the Minister change the guidance regarding who can administer vaccines to these elderly people?

I would appreciate if the Minister could answer last week's question. Why did GP clinics in Clonakilty and Bantry that contacted me each get up to 200 fewer vaccine doses than it should have got? This was a cause for serious upset for the people of Clonakilty, Timoleague, Courtmacsherry, Barryroe, Rosscarbery, Ballinascarty, Kealkill, Durrus, Glengarriff and other such areas that were expecting to get vaccines. What I cannot understand is that Beacon Hospital in

1 April 2021

Dublin had 200 vaccine doses left over but in west Cork our GPs are getting 200 too few. What is wrong here? What is wrong with the roll-out? We have a very serious situation. Our tourism and hospitality sector is suffering severely because the roll-out of vaccines is not getting to the places it should.

There is one other issue I keep raising, on which the Minister keeps failing to give me an answer, relates to the endoscopy and physiotherapy units that were promised to the people of Bantry. Why has the Minister not delivered on that? Where are we in that regard?

I would appreciate a written reply to all my questions.

Deputy Danny Healy-Rae: I will ask two questions and if I have time left over, I might follow up with a further contribution. When will vaccines be rolled out to elderly and vulnerable people living at home, such as a man in his late 70s in east Kerry who has had a leg amputated, as well as a stroke and several other health complications during his life? Carers are in and out of his home daily to try to keep him alive and at home. He needs the vaccine. When will vaccines be delivered to the people of Kerry who are confined to their homes?

Nurses and other people are coming back to work to administer vaccines but they cannot get clarity as to how much they will be paid. We need to pay them properly and look after them. They need clarity as to what they will get. Otherwise, we will be in trouble in regard to rolling out the vaccine.

Deputy Stephen Donnelly: I might make one point in response to the previous Deputy. This is a question and answer session. He asked really important questions and I really want to engage with him and answer them but he has never once, in any week, given me time to answer him. If he makes statements in the House, I cannot answer him. If he wants written statements-----

Deputy Michael McNamara: Answer his questions, for God's sake.

Deputy Stephen Donnelly: -----there is the system we all use, which is parliamentary questions.

Deputy Danny Healy-Rae: I have asked questions.

Deputy Stephen Donnelly: Can I take a bit more time to respond to Deputy Healy-Rae? What I am saying to him is-----

Acting Chairman (Deputy John Lahart): I did not ask the Minister.

Deputy Stephen Donnelly: -----I want to engage with him but he must leave time for me to respond to his questions.

Acting Chairman (Deputy John Lahart): The Minister may respond to Deputy Healy-Rae but I will take time from the Minister's final contribution. I have been quite generous in the time he has been given and we are up against the clock because of Leaders' Questions. I ask him to be conscious of that.

Deputy Stephen Donnelly: Thank you, Chairman. With regard to those who are home-bound, it is an absolute priority. We are acutely aware of exactly the kinds of cases that Deputy Healy-Rae talked about. In many cases, people who are very vulnerable have not left their

homes in a year. The National Ambulance Service is working very hard. It is moving through this cohort and GPs are identifying patients who were not able to make it to either the GP clinic or the vaccination centre, and the National Ambulance Service is going to their houses-----

Deputy Danny Healy-Rae: When will it come to Kerry?

Deputy Stephen Donnelly: I will get the Deputy a note on the timing but the process is as I have outlined.

With regard to people being trained as vaccinators, if there are issues such as people not being able to get the information, the Deputy might let me know and I will act on it straight away. It is certainly the case that the hiring process appears to have been more burdensome initially. The HSE has moved to streamline it as much as possible but if there are specific issues, the Deputy might contact me directly.

Deputy Danny Healy-Rae: May I ask a further question?

Acting Chairman (Deputy John Lahart): The Deputy may ask a question but the answer will not come until the very end.

Deputy Danny Healy-Rae: The Minister made a promise to teachers and other front-line workers such as members of the Garda that they would get the vaccine in order that we could keep schools open and gardaí on the road. Will he follow up on that and ensure he adheres to the promises he made?

Deputy Michael McNamara: I am sharing time with Deputy Joan Collins.

I would like to establish the parameters of this question and answer session. What does it mean when the Minister says something in this House? If a Minister says something in a parliamentary democracy, we assume it to be true if words have meaning. To borrow a quote, it is a beautiful thing, the destruction of words. What does the Minister mean when he says that 80% of people will be offered a vaccine by the end of June? I ask because the Minister previously stated:

I assure the Deputy and other colleagues that with regard to penalties, religious services are non-penal in that there is no penalty attached to them ... I signed the regulations last night and I assure Deputies that it is a non-penal provision and it will remain thus.

What did that mean? If it means that somebody can be fined, what does what the Minister says in the House mean? Of course, we all make mistakes and we have the opportunity to correct the record of the House. If we say something untrue, we have the opportunity to correct if it we choose to, but if it is not untrue, what does what the Minister says mean? Doublethink is the power of holding two contradictory beliefs in one mind simultaneously and believing both of them to be true, for example, freedom is slavery, war is peace or the healthy are sick. I will allow the Minister to respond.

Deputy Stephen Donnelly: I am not entirely sure what the question is. If there is a specific question, I would very much like to answer it but at this point-----

Deputy Michael McNamara: The question is what words mean in this House. If they do not mean the truth, are they doublethink? If what the Minister says is untrue and he does not correct the record, we assume it is true and truth becomes untruth. How do we understand when

1 April 2021

he says, for example, that we will have vaccinated 80% of people by the end of June? How are we to understand if he says that no penal provisions are attaching to religious services, but fines are handed out for religious services and the State adopts a position in the High Court asserting that religious services are covered by penal provisions? What do the Minister's words mean?

Deputy Joan Collins has to speak now but the Minister can respond to me in his closing remarks.

Deputy Joan Collins: I will raise two points and I hope the Minister will have time to come back to me on them. With regard to the changes to the cohorts under the vaccination programme, I have listened to what the Minister has to say but I would like him to put that information, both the study and the scientific background from the national immunisation advisory committee, NIAC, on the website so that people can see it. That is crucial.

My second point relates to something that I believe will become an issue over the next two weeks or so. Hundreds of students are doing Erasmus courses in Italy, France, Germany and all over Europe. The Minister made a statement the other day to the effect that France and other countries may be added to the list, although that has not been done yet. This has created absolutely tremendous anxiety among the students involved because they are supposed to remain in their host countries until 30 April to finish their courses. If they do not, their course may not be recognised. We are talking about something that is only three weeks away. I ask the Minister to give clarity to these students today or over the coming days and to tell them that, if mandatory hotel quarantine is brought in for arrivals from those countries, the State or their colleges will pay for it. These students cannot afford to pay €1,800 for hotel quarantine. Will the Minister do that over the coming days?

Deputy Stephen Donnelly: The NIAC report was published yesterday and is online now. If the Deputy goes to the national immunisation advisory committee's website, she can look at it. It issued quite a detail report with a lot of references. It is well worth taking a look. It goes through many of the issues we have discussed here today. With regard to Erasmus students, the issue is much broader. The reality is that mandatory hotel quarantine is very serious. The epidemiological situation right across Europe is very concerning. The Deputy will be aware that France has just introduced significant lockdown measures. Other countries are doing the same. Mandatory hotel quarantining is one of the measures being taken to protect against variants coming in.

Deputy Joan Collins: Will the Minister give clarity to the students?

Deputy Stephen Donnelly: With regard to ability to pay specifically, Irish citizens or other Irish residents who find themselves in, or having to travel through, a category 2 country within that 14-day period, will be liable to mandatory hotel quarantine. If there is real and significant issue with regard to their ability to pay, they should contact the relevant Irish embassy in the first instance.

Acting Chairman (Deputy John Lahart): We have eight minutes remaining rather than ten. In the interests of impartiality, I was generous with regard to ministerial responses. Deputy McAuliffe has three minutes and the Minister has the remainder of the time available. I ask that this be reflected on the clock.

Deputy Paul McAuliffe: I have listened carefully to what the Minister has said. Unfortunately, I missed the beginning of the debate because I have come directly from one of the new

walk-in test centres in Finglas. Before it opened at 11 a.m., there was already a queue of people waiting. Yesterday, we received briefings from suppliers of antigen tests as to the availability of such tests. With regard to both walk-in test centres and antigen testing, I believe that frequent testing will be a key part of how we move forward in a vaccinated world. Of the 11,500 people who did not have symptoms who were tested last week, nearly 350 tested positive for Covid. We therefore know that, while frequent testing and rapid testing are not silver bullets, they are extra tools in the process.

On vaccination prioritisation, I listened to people yesterday and they are really frustrated and disappointed. They thought they would get vaccinated at a certain time but they will not. There is a report on the NIAC website but it takes a lot for one to get one's head around such scientific reports. If the science has changed, I ask that the Minister seek a recorded briefing from NPHET, NIAC and the HSE that key workers would be able to watch. I seek a five, ten or 15-minute briefing online which would explain this decision to them.

I spoke to one teacher in his 20s yesterday whose father is a bus driver in his 50s. He told me that he would far rather that his father get the vaccination. There has been a lot of talk about different categories, but it must not be forgotten that public transport workers and food supply workers were in the category above that of those working in education. They are even more disappointed and yet I have not heard the same level of discussion about them. Bus drivers are at real risk. We saw how they suffered in London. We need to explain to these groups why the vaccination programme has changed. The Minister himself has admitted that this decision came quickly. We need to give people the information in a way that allows them to digest it in their own time.

On the issue of vaccines, I know the Minister is reluctant to give deadlines but will he outline to us when the Janssen vaccine might arrive? That will be a key tool in the vaccination process. I hope more people get vaccines. The vaccination programme will be the real test for this Government over the next two or three months. We have promised that, once vaccines are delivered, they will be administered. We need to do everything in our power to make that happen.

Deputy Stephen Donnelly: I thank the Deputy for his questions. The walk-in PCR testing centres we recently opened have proven to be very successful. As the Deputy has quite rightly said, these centres are for people who do not show symptoms of Covid. People who do have symptoms should call their GP for a referral for testing. These centres have picked up hundreds and hundreds of cases. The feedback has been very strong. We are hearing from people who say they just went down to check but who did not, for a moment, think they were positive for the disease. They just wanted to double-check because there are people vulnerable to Covid in their lives. Some of these people have tested positive and are now going to follow the protocols and stay away from people, thereby protecting their friends and family. As the Deputy will be aware, we are opening such a centre in his own constituency. I pay tribute to the National Ambulance Service for moving so quickly in this regard. I want to see more and more of these centres. We want to deploy them in areas in which Covid rates are very high. The response has been very good so far.

I share the Deputy's passion for rapid testing. There are highly credible and respected people on both sides of this debate. Some are very worried about the potential negative effects of rapid testing. These tests are nowhere near as accurate as PCR tests in identifying positive cases. There is a real concern that some people might get a negative test result and, despite be-

1 April 2021

ing told that such a result may not mean that they do not have Covid because the test is not as accurate as a PCR test, they may take it that they do not have the virus and engage in higher risk activity, having misunderstood the test result. There are highly credible people who are genuinely concerned about that. We have to be very clear and appropriate in our communications and we have to ensure that people understand the limitations of rapid testing.

However, as the Deputy will be aware, I appointed an expert group, led by Professor Mark Ferguson, to look at the issue. The group's report is more positive about rapid testing and makes some recommendations. I will be launching that report later today. I will also be working with my Cabinet colleagues to look at rolling out rapid testing in various sectors. For example, the Minister, Deputy McConalogue, and I are already involved in a large-scale pilot in meat processing plants. Tens of thousands of rapid tests are being deployed in that sector. We will be looking at doing more of that.

The Deputy's suggestion of a video briefing on the rationale behind moving to prioritisation based on age is excellent and I will take it back to the Department today. I have had conversations with people in the education sector, who were of course feeling disappointed, but when they hear about the NIAC analysis or that people in their early 60s - to the Deputy's point, such a person may be someone's mum or dad - are 70 times more likely to die from Covid than they are, they have all responded that, if that is the case and the risk is so much higher for older age groups, these older groups should be vaccinated first. Such a person may be one's work colleague, parent, friend or family member and the people I have spoken to want these people protected first.

It is also worth saying that NIAC looked at any potential link between the risk of severe illness or death and the sector in which a person works. It looked at the education, construction and healthcare sectors and others but the only sector in which it found a significantly higher risk of harm from Covid was the healthcare sector, which has been prioritised.

With regard to the Deputy's question about the Janssen vaccine, I authorised the use of this vaccine yesterday by way of a regulation. We expect Janssen vaccines to arrive in late April. It is a very interesting vaccine and will be our fourth. Clinical trials show really high levels of effectiveness and protection, which is very encouraging.

12 o'clock

Janssen is the only vaccine that we have or that we have advanced purchase agreements in place for which is a single dose shot. That makes it particularly useful if we are trying to engage with harder to reach communities, for example. As the Deputy will be aware, one of the groups that NIAC has pointed to as being harder to reach is those who are homeless. Many people who are homeless are leading difficult and sometimes chaotic lives, and although we will have to wait for the clinical advice from NIAC and the HPRA, the Janssen vaccine is an interesting one to be able to use for people who are in more vulnerable situations and who might find it harder to be able to come back to a vaccination centre or a GP clinic in exactly four, six or 12 weeks. I thank the Deputy for his comments and suggestions.

Ceisteanna ó Cheannairí - Leaders' Questions

Deputy Pearse Doherty: An tseachtain seo caite, d'ardaigh mé an scannal maidir le cáipéisí agus sonraí a bhailigh an Roinn Sláinte agus Feidhmeannacht na Seirbhíse Sláinte ar pháistí a bhí ag troid ar son a gcuid cearta sna cúirteanna. D'inis an Tánaiste dom nach raibh na fíricí uilig aige ag an am sin agus go raibh deis uaidh é a scrúdú agus an clár á fheiceáil. An raibh deis ag an Tánaiste seo a scrúdú ó shin? An bhfuil an cleachtadh seo ag dul ar aghaidh go fóill? Ar cuireadh na teaghlaigh ar an eolas faoi seo go fóill? Tá ceisteanna móra dlíthiúla anseo fosta agus caithfidh an Rialtas na ceisteanna sin a fhreagairt.

I raised the revelations of the whistle-blower in the Department of Health last week on Leader's Questions. This was first reported by the "RTÉ Investigates" programme last Thursday. As the Tánaiste knows, these revelations were on the gathering of information about children who have autism and about their families, who had taken the State to court to vindicate the right of their children to access services that they should have been entitled to in the first place. The Tánaiste said last Thursday that it would be inappropriate for him to comment because he did not have all of the facts in his possession at the time but he agreed that it was a serious matter and that he would watch the programme. I presume that at this point the Tánaiste has had an opportunity to establish some of the facts, that he has watched the programme and that some of the facts are known on the issue. I am sure the Tánaiste will still agree that this is a serious issue. None of the explanations offered so far by Ministers, including the Taoiseach, dilute the seriousness of this issue. The dishonesty of this practice of gathering information about children in this way is self-evident. At the very least, it is extremely unethical and there remain legal uncertainties on this practice. I welcome the fact that the Data Protection Commissioner has instigated its own statutory inquiry into this matter.

"RTÉ Investigates" is reporting this morning that the senior counsel who authored the report in the wake of the protected disclosure being made by the whistle-blower last year is saying he did not see the legal advice on whether the HSE could provide this information to the Department without the consent of the parents. If this is true, this raises a serious red flag. We know this practice of gathering information was happening until at least 2019 and the question we need an answer to is as follows. Is it still happening today? Is this practice happening as we stand here and as I speak? The Taoiseach did not answer this question yesterday and I am asking the Tánaiste for a straightforward answer to a straightforward question.

Another question the Taoiseach did not answer yesterday is as follows. Have families been informed? I understand why he dodged that question because we have learned this morning that no families, nor their legal representatives, have been contacted by the Department to inform it that their personal information is being stored by the Department of Health in this way, as revealed by the "RTÉ Investigates" programme. Why has that not happened? One week on, why are families still in the dark on whether it is they who the Department has a dossier on in relation to some of this extremely sensitive and personal information? When will they be informed? It is important that the Tánaiste does not dance on the head of a pin in his response as to whether this is legal or not. Those questions will be answered in due course.

Does the Tánaiste remember when we were dealing with the CervicalCheck scandal? At the start, senior people told us there was no legal requirement at that time to disclose the information to the patients. Everybody accepts that it was the wrong thing to do to hide and deny that information and that it was unethical to do so. The same applies to this. Sensitive information

1 April 2021

on what we believe are 400 families has been stored by the Department of Health in this way and not one of those families has been told what information is stored and why.

The Tánaiste: I thank the Deputy for raising this issue. Understandably, the “RTÉ Investigates” programme last week and the allegations contained within it have been distressing for many people. Parents and families will go to any length they can to protect their children’s rights. Since last Thursday’s broadcast, families have been wondering whether they are affected. Work is under way in the Department of Health to assess all the files and to see what contact may be needed so that families can be informed. I cannot say today when they will be informed but it will be as soon as possible, once the assessment is done.

The Department of Health, at the instigation of the Taoiseach, has set up a team to examine the facts in respect of the specific allegations made in the “RTÉ Investigates” programme and I look forward to it reporting back as soon as possible and any resulting actions being taken without delay. The team will investigate the matters further and following the broadcast, the Minister of State at the Department of Health with responsibility for disability, Deputy Rabbitte, met senior officials in her Department. I understand that 110 minutes are being set aside later in the day in the House for further discussion and debate on this matter.

The allegations, which were subject to the “RTÉ Investigates” programme on 25 March, were brought to the Department’s attention last year. The Department took the matters raised seriously and commissioned an independent expert review by an external senior counsel. This review was completed in November 2020. The review found that information contained on the relevant files managed by the Department is consistent with and typical of the sort of information which arises in such litigation but I have not yet seen the report myself.

The reality is that the Minister for Health, the Minister for Education and the HSE are often named as defendants in cases taken against the State. The role of the Office of the Chief State Solicitor is to provide litigation services to Government Departments under the direction of the Attorney General, and it regularly jointly represents the State as defendants in litigation. I am assured by the Department that the legal approach has always been to settle cases on the best terms possible and on the issues and outcome of the proceedings. I reassure the House that the Department of Health and the Department of Education are also clear that regardless of any litigation, the primary duty of them, the HSE and the education system is to children and families, in order to provide the required care and supports, in line with available resources, policy and legislation.

Deputy Pearse Doherty: The Tánaiste has rightly acknowledged that this is distressing for many families. The key thing they want to know is if there is a dossier on their families stored in the Department of Health containing sensitive information that they provided to therapists and counsellors on what their families were going through at difficult times? Are these dossiers still accessible to people within that Department, as was revealed in the “RTÉ Investigates” report? When will they be contacted? The Tánaiste said the Department is assessing the files. Can he confirm that every single person on whom information has been stored in this manner will be contacted and told what information is held in the Department? Can the Tánaiste confirm that this practice has stopped and that this information that was gathered is no longer accessible in the manner that it was to numerous people within the Department?

While we understand there are 400 cases in relation to children with autism, can the Tánaiste confirm that this practice, which the Department of Health believes is standard practice, also

applies to families who took other cases, such as other health-related cases, against the State? Is the Department of Health also gathering information on them? Will the report that was commissioned this day last year and that has been requested by the Committee on Health be published? Does the Tánaiste have any comment on the fact that this report did not see the legal advice on the legality of asking for this information without the consent of families or parents?

The Tánaiste: Those are all valid and reasonable questions but the answers are not in the briefing I have been given from the Department of Health and I am not able to give the Deputy the answers this morning. However, the Minister will be here this afternoon and I understand that nearly two hours have been set aside later in the day so that the line Ministers can answer any relevant questions and make statements on the matter. In the first instance health agencies always endeavour to provide appropriate services and supports to people with disabilities. However, from time to time a person or his or her representative may initiate litigation where it is felt the services or supports do not fully meet the person's needs. It is typical practice for defendants in this type of litigation to gather and maintain appropriate information in order to obtain legal advice or defend proceedings. That is necessary to defend the public interest and is standard practice in the management of litigation. Litigation of this nature is often difficult and can contain sensitive information that can be typical of these cases which may be distressing when it involves very difficult situations and vulnerable people, especially children.

Deputy Catherine Murphy: Since the Beacon story broke last week, as I am sure other people have done, I have spoken to people with significant underlying conditions who would qualify for vaccination under cohort 4. Every one of them has said that if they were on a backup list and got a call at short notice, they would drop everything and go. They want the vaccines that were designated for cohort 4 to be given to people in cohort 4. I have spoken to people in their 30s and 40s with advanced cancers. In most cases they have children. Many told me that they literally have not been outside the house for the past year because of the risk of contracting Covid. People with conditions like cystic fibrosis, CF, or serious cardiac conditions have described just how afraid they are, often trying to hold back the tears when they talk to me.

It is not fully appreciated how damaging the scandal has been and how it undermines social solidarity. None of us likes the restrictions and we all feel like the last year has been a stolen year. However, for somebody with a life-limiting condition, the importance of the precious moments they spend with their children is beyond calculation. The vaccine was not stolen from the Tánaiste and me; it was stolen from those in cohort 4. That is the reality of it. There must be consequences or otherwise we will see this happen again.

It is also clear that there is a major deficit in information. I have spoken to people who were told they might get the vaccination within six weeks, which is early in May. We need clarity and better communication.

This morning I read an article by Craig Hughes who told us that the online booking system for vaccine appointments intended for front-line healthcare workers was widely abused. The Tánaiste said the system would be used for the changed plan. Is it fit for purpose and if not, what needs to change?

Daniel McConnell reporting on the Fianna Fáil Parliamentary Party meeting told us that the Minister, Deputy Foley, appreciates this is a very significant change in the vaccine roll-out and that this was not what had originally been proposed. There was a strong expectation that those working in the education sector would be vaccinated early. She called on the national

1 April 2021

immunisation advisory committee, NIAC, to clarify why it had changed. She is one of the decision makers and she requires clarification from NIAC for a decision she, herself, took. Who is in charge?

The Minister, Deputy Stephen Donnelly, told the parliamentary party meeting that 860,000 vaccines would be given in April, which is a change from the 250,000 per week or 1 million in April. How many people will be vaccinated in April? That number was reiterated by the Taoiseach.

Richard Chambers, who was reporting from a briefing and helpfully provided a table, told us that 950,000 vaccines were in the country last Friday, but 800,000 would be administered by the weekend. I know some need to be held back, but what is happening with the extra 150,000?

An Leas-Cheann Comhairle: We are way over time.

Deputy Catherine Murphy: I ask the Tánaiste to tell us about the 150,000 doses and about the number of vaccines for April. Will he commit to a backup list for people in cohort 4?

The Tánaiste: It is important to emphasise that the decision the Government made to revise the priority groups for vaccination was made based on public health advice and the advice of doctors and scientists, both in the national immunisation advisory committee, NIAC, and the National Public Health Emergency Team, NPHE. I often hear in this House, Government and Opposition Members saying that we should follow public health advice and that they always follow public health advice. I appeal to those in the Opposition who say that they follow public health advice to do so on this occasion and come behind this decision that Government has made on the advice of NIAC.

The decision is made for the very good reason that people in their 50s and 60s are at much higher risk of getting severely ill or dying from Covid than people in their 20s and 30s. Someone in their 30s has a 0.2% chance of dying from Covid whereas for somebody in their 50s it is 1.3%, which is six times higher. For somebody in their 40s it is 0.4%, whereas for somebody in their 60s it is 3.6%, which is nine times higher. No group, other than healthcare professionals, when taken in the round has a higher risk of getting severely ill or dying from Covid than the average person in their 60s. That is why it makes sense to prioritise people in their 60s and 50s.

The Government is vaccinating first the front-line healthcare workers and nursing home residents and staff, which is largely done. Next comes people over 70 and those with underlying medical conditions who are under 70, and then everyone else according to age. I believe that is the right approach.

What happened in the Beacon was wrong. The Government's and the HSE's rules and regulations were not followed which was wrong. The Deputy is right in saying that that undermines people's confidence in the vaccine roll-out and is terribly unfair on people who have been cocooning or have been stuck in their homes for the best part of the year. That is why there were consequences and the contract with the Beacon was suspended. Further investigations are being carried out on that.

One advantage of moving towards an age-based system is that it is simple; all that is required is proof of date of birth. When it is done by profession, it can get very complicated. Every profession contains people who frequently deal with the public and people who are largely based in an office. Trying to distinguish between them in the health sector did not prove to be

possible on all occasions. I do not think it would be possible on all occasions with any other profession. Within any group of people, there are those who deal with the public 20, 30 or 40 hours per week and there are those who are largely based in an office and might only deal with the public for a few hours a day. At least with an age-based cohort system, it will be simple and quicker. It is to the advantage of all of us because if we vaccinate the most vulnerable people first, which means people in their 50s and 60s ahead of people in their 30s and 40s, we can open up the country quicker.

Deputy Catherine Murphy: The last time I looked, the Minister for Education was a member of Cabinet. There is no point in throwing it back on the Opposition. Certainly, the evidence is incredibly important, and I do not diminish that. We are getting mixed messages here. Who is in charge?

The Tánaiste did not answer my question about 1 million doses in April. Is it 860,000 doses or 1 million doses? Are we capable of rolling out all the vaccines? Why do we have 950,000 doses available with only 800,000 being given, up to last weekend? Are the logistics in place? For example, are the pharmacists being approached? Is the online system that the Tánaiste talked about fit for purpose if it was widely abused? If not, what needs to happen to bring that system into place?

An Leas-Cheann Comhairle: I thank the Deputy.

Deputy Catherine Murphy: In giving information, I am quoting media outlets because we do not get briefings. It would be very helpful if we did rather than relying on a variety of sources.

The Tánaiste: The Deputy should get briefings on this. I will try to make arrangements with the Minister for Health and the Taoiseach's office to ensure that happens.

On vaccines, 112,000 vaccines arrived last night which meant that we reached the target estimate of receiving 1.187 million vaccines in the first quarter. Supplies are now firming up. More than 800,000 vaccines have already been given and we expect that to hit about 1 million doses given by 7 April. We can never be 100% sure about supplies; things can always go wrong. However, they are coming in and supply is firming up, which is very encouraging.

We expect to get about 1 million a month through April, May and June, but it will be less than 1 million in April and more than 1 million in May and June. We expect to have most adults vaccinated by the end of May and the vast majority of adults offered their first dose no later than the end of June. The good news is the data keeps coming in and it shows that the vaccines work. They work on the variants too in terms of preventing serious illness and death. As the head of Centres for Disease Control and Prevention in the US said yesterday, it appears that the vaccines prevent transmission as well. That is really encouraging.

Deputy Richard Boyd Barrett: Next Friday, it will be precisely 365 days since almost 2,000 Debenhams workers received the shocking news, via email from the company, that they were being dumped after decades of loyal service. Those workers were soon to discover that despite having a collective agreement for two plus two weeks of redundancy per year of service, they would get nothing from this company that continues to generate tens of millions in online sales, including in this country. I take this opportunity to pay tribute to those Debenhams workers who continue to fight on. They are an inspiring exemplar of the decency, dignity and determination of working people, particularly women, fighting for their rights and decent treatment.

1 April 2021

The Government failed to protect the Debenhams workers. Following on from what happened with Clerys, successive Governments have failed to introduce the legislation necessary to prevent this sort of this despicable treatment of workers. In the past week or so, 460 workers were reluctantly forced to accept statutory redundancy by Arcadia, another company that had committed in an agreement to pay them two plus two weeks. These workers are also being failed by the Government. As already stated, that is because successive Governments have failed, following what happened in respect of Clerys, to act and introduce the necessary legislative protection for workers.

The despicable treatment of the Debenhams workers reached new lows last night in Blanchardstown, which is in the Tánaiste's constituency, where, in the midst of level 5 restrictions, agents acting for the liquidator, KPMG, sent strike-breakers into the store there to pack up boxes and load up trucks with stock. Workers, shop stewards, mothers and grandmothers who were there peacefully protesting, socially distanced, were lifted off the ground by gardaí and dragged away. Meanwhile, strike-breakers were allowed to remove stock from the store and move away unhindered. Since when is strike-breaking an essential category of work during level 5? Is that acceptable? Since when are workers who have been treated in a despicable way denied the right to protest in a socially distanced, responsible and peaceful way against their despicable treatment? When will legislation to ensure that the despicable treatment of the workers of Debenhams and Arcadia will never happen again be introduced?

The Tánaiste: I thank the Deputy. I only heard about those events in the past hour or so. Without knowing all the facts, I do not want to comment any further. However, I am of the view that the former Debenhams workers were very badly treated by their employer in the way they were laid off over a year ago. The Government has done all that it can to ensure that their legal rights and entitlements were upheld. Over €10 million has already been paid in statutory redundancy payments from the Social Insurance Fund to former Debenhams workers. Another €3 million has been offered on an *ex gratia* basis in terms of a retraining fund for workers. Discussions about how that might be deployed are taking place with the unions today. The Taoiseach, a number of Ministers and I have met the workers, the unions and Debenhams UK. We also made contact with the liquidators involved, the Workplace Relations Commission, WRC, an office under my remit, and the chairman of the Labour Court. Major efforts have been made to resolve these issues in a way that is fair but also that is legal and does not create other unfair precedents.

The Debenhams workers have not been treated very fairly in other ways in the sense that they have not always been told the full truth regarding this dispute. The comparison the Deputy makes with Clerys is a bogus one. In that dispute, there was a very large and valuable property asset, a large building on O'Connell Street, and as a result of that it was possible for additional payments to be made to the former Clerys workers. In this case, the only assets are some fixtures and stock. Those assets are declining in value every day and have a total value that does not exceed the moneys owed by Debenhams to others. It is not the same as Clerys, it is very different. While we can and will make changes to company law and employment law, those changes that might have resulted in a different outcome to the matter relating to Clerys would not have resulted, I believe, in a different outcome in the case of Debenhams. Deputy Brid Smith has acknowledged that in comments she has made in the Chamber.

In terms of the collective agreement and the two plus two mentioned by the Deputy, when this was examined by the chairman of the Labour Court he questioned whether it was valid in the event of an insolvency. That was a collective agreement reached in 2016 when voluntary

redundancies were being made. It is highly questionable as to whether such an agreement applied in the event of an insolvency. It certainly did not apply in law, whatever about in contract. Examples have been raised in respect of the Irish Bank Resolution Corporation and it has been suggested that public money from the Exchequer was used to pay termination payments in that case. We know now that that was not the case. There are many sad aspects to this whole affair, both the way in which Debenhams workers were treated by their employer and also the way in which they have been misinformed by certain people all along. That is wrong too.

Deputy Richard Boyd Barrett: I would not patronise the Debenhams workers by suggesting that they do not know precisely how they have been treated and what the facts of their dispute are. Is it not funny, as the shop stewards from Debenhams and Arcadia asked me before I came here, how the law and the system always favours the big corporations over, as the workers describe themselves, “the little people”? KPMG, a massively wealthy accountancy firm, sent its agents in to break a strike during level 5 restrictions which prevent non-essential retail outlets from opening. KPMG was allowed to do that but workers who protest peacefully, wear masks and are socially distanced are removed. That is the reality. How is it that the law never protects the workers? It is always too complicated to protect the workers. One of the Arcadia workers just told me that this is the third occasion in her lifetime she has not been paid her redundancy entitlements in situations of retail insolvency because successive Governments have failed to act to protect workers. There is always emergency legislation for the big people. There are always excuses for them, but action is never taken to protect workers who are treated in this despicable way.

The Tánaiste: The Deputy knows full well that the legal entitlement to redundancy in Ireland is two weeks per year of service. That is statutory redundancy. If the House or the Government decides to increase that to three or four weeks, so be it. That cannot be applied retrospectively, however. The legal entitlement is two weeks per year of service. Sometimes people have collective agreements that entitle them to more in certain circumstances but, as is almost always the case - if not always the case - such agreements for additional redundancy payments apply in a structured redundancy scheme, not in the event of a liquidation or an insolvency. That is an important point that people have chosen not to recognise in this instance.

The Deputy mentioned how the law works. Debenhams was a big corporation and it failed. The owners of the company - the shareholders - lost all their money. In insolvency, the first people to be wiped out are the owners, the shareholders in a company. Where there is money left over, there are creditors to be paid. Those highest up on the list of creditors are often the public, for example, through the Revenue Commissioners and local authorities, and also workers in the context of unpaid wages and statutory redundancy considerations. Collective agreements for additional redundancy occur and apply when a voluntary redundancy scheme or an agreed redundancy scheme is happening. They do not apply in the event of a liquidation.

Deputy Peter Fitzpatrick: I again wish to raise the issue of the Covid-19 vaccination programme. I do so because, like so many colleagues in this House, I have been inundated with calls from constituents who are deeply concerned about the roll-out programme. The vast majority of correspondence to my constituency office relates to the vaccination programme. As the Tánaiste will be aware, my constituency office is located near the Border. As things stand, the North will, in effect, be leaving lockdown at some stage in June, just like other parts of the UK.

I have very real concerns that the North has raced ahead of us in the fight against Covid. I stated from the start that we should have taken an all-island approach to this pandemic. If the

1 April 2021

North continues at its current pace and reopens fully in June, we in the South will face some very difficult times. One can imagine the chaos if all retail is fully reopened in Newry while we in Dundalk remain in lockdown. This will cause a lot of businesses along the Border to close. Those business owners have sacrificed a great deal in fighting the coronavirus and they must be fully supported. We simply cannot allow a situation whereby one part of the island is open and another part is, in effect, closed.

I am sure the Tánaiste is aware of the situation in Northern Ireland but I will remind him of it. As of 31 March, total vaccinations administered in the North numbered 887,598. Everyone over the age of 45 in that jurisdiction can enrol for vaccination. A new vaccination centre was opened in the SSE Arena in the past week and more than 350 community pharmacies have joined the vaccination programme. There is even a vaccination date calculation system available online where citizens can get an estimated date for their vaccination. The death rate from Covid in the North is at its lowest in six months. Almost half of the adult population has had at least one vaccination and the plan is that society will be reopened there before the end of June.

If we compare the situation in the South, it is clear that we are nowhere near opening our society in June. Statistics do not lie. The latest figures show that 806,541 vaccinations have been administered in the South. We have a population that is approximately three and a half times that of Northern Ireland. At this stage, if we had kept in line with the North, we should have administered at least 3.1 million vaccines. Looking at it in those terms, we are behind the North by just under 2.3 million vaccinations. That is a staggering statistic. There is no doubt that the Tánaiste will blame the supply chain and say that the vaccines have simply not been delivered by the manufacturers.

The question I would like answered is why the North did not have the same problem with supply that we have. Nor does it seem to be an issue in the rest of the UK. Questions need to be answered as to why the Government has failed miserably so far in securing more vaccines. The message from the Government continues to be vague and, at best, confusing. We are told now that the vaccination programme is to be changed to an age-based system. What is the rationale for that? Has the advice been changed and who took the decision to change the roll-out programme? What is the situation with teachers, SNAs and members of the Garda? Are they no longer considered a priority?

The North will be fully open before the end of June. What plans has the Government in place to ensure the South can keep up with the North in terms of the reopening of society? Can the Tánaiste confirm that teachers, SNAs and members of the Garda are no longer deemed to be priority groups for receiving vaccination? Can he also confirm that changes to the vaccination roll-out programme are the result of new advice and, if so, why has the advice changed and what was the basis for this change in approach?

The Tánaiste: I answered some of those questions earlier but I am happy to expand further on them. First of all, the vaccine roll-out is going really well in Northern Ireland. I want to congratulate the authorities in Northern Ireland, and in Britain, on the fabulous job they have done in securing vaccines and getting them to people very quickly. That is happening because the UK had a different set of contracts from the EU. Northern Ireland is part of the UK and benefited from that on this occasion. We do not know the exact reasons but it appears that the United Kingdom got preference for the AstraZeneca vaccine over the European Union because of research grants that were given to the University of Oxford by the UK, whereas the EU did not seek such a concession in regard to the grants we gave Pfizer-BioNTech to develop the vac-

cine in Germany.

However, we will catch up and we are catching up. As I mentioned earlier, we are now much more confident about supplies, and supplies are firming up. More than 1.1 million doses have already arrived in the country. Once they get here, most are in people's arms within three days and almost all within seven days. Over 800,000 vaccines have been given already and 112,000 arrived last night alone. We expect to have up to 1 million doses given by 7 April and to be giving an average of 1 million doses per month in April, May and June. We anticipate that the vast majority of adults, or certainly a clear majority of adults, will have had their first dose or both doses by the end of May, and more than 80% of adults will have been offered their first dose by the end of June. We are on track to achieve that.

Northern Ireland is following the UK approach, as I said, and that approach is based on age-based cohorts. Why were age-based cohorts chosen in Northern Ireland and the UK? It is because it is the fairest way to do it, the quickest way to do it and the best way to do it in terms of vaccinating those most vulnerable first. We are taking this approach in order that we can open the country more quickly, not as quickly as Northern Ireland but more quickly than would be the case if we followed a much more complicated and slower approach.

Deputy Peter Fitzpatrick: I thank the Tánaiste. The bottom line is that the North is way ahead of us in its vaccination roll-out programme and, as a result, will open its society much earlier than us. As I said, this will cause untold damage to the economy in the South, particularly to businesses along the Border, in areas like Dundalk.

I asked the Tánaiste about members of the Garda, teachers and SNAs. The Government made promises to those groups and it has failed miserably to deliver them. In June, when the North opens up, we will depend on the Garda to help patrol the Border. More than 1 million students are going back to school on 12 April. In fairness to teachers and SNAs, they have done a fantastic job over the past number of months under a false promise from the Government. Why did the Government make those false promises? I agree that there are a lot of people who particularly need the vaccine. However, the Government makes promise after promise and then reneges on them and blames someone else. That is not fair and it is about time the Government stood by its actions instead of blaming somebody else. Gardaí are breaking up house parties and stopping people from crossing the Border. Teachers and SNAs have done a fantastic job. Why did the Government make false promises to those people? I ask the Tánaiste, please, to answer that question.

The Tánaiste: I think it is the case that Britain and Northern Ireland are going to open up faster than here, largely as a consequence of the fact that the vaccine roll-out is happening faster there. However, the difference is going to be a couple of weeks. If one goes to Northern Ireland or England now, one is not going to find restaurants or non-essential retail open. None of those services are open there yet. They are a few weeks ahead of us but not as much as people may think. The Deputy should bear in mind that we are far ahead of other EU countries and most of the world in terms of our vaccine roll-out. There are 200 countries in the world, 27 in the EU and we are in the top tier when it comes to all of these things.

In regard to vaccine priority, nobody doubts the essential work and the quality of work that is done by teachers, retail workers, SNAs, carers and the ten or 20 professions I could mention whom we all respect and whose work has been essential during this pandemic. The reason we have gone to an age-based cohort is that it is the fastest way of doing it. It is also the fairest way

1 April 2021

of doing it because people in their 50s and 60s are at much higher risk of getting very sick or dying from this virus than people in their 30s and 40s, regardless of their profession. It is based on scientific advice. If the Deputy wants to make a submission to NIAC, if he is sincere about this, he should do so. He should set down which people he thinks should be prioritised, in which order, and then present the evidence that they are more at risk than people in their 50s and 60s.

Deputy Peter Fitzpatrick: I did not make a promise to gardaí and teachers. The Tánaiste made that promise.

An Leas-Cheann Comhairle: That completes Leaders' Questions. Táimid ag bogadh ar aghaidh. I understand that, at the request of Members, Questions on Promised Legislation have been cancelled for today because Deputies wanted a break. It seems I am wrong. It must have had to do with Lá na nAmadán.

Ceisteanna ar Reachtaíocht a Gealladh - Questions on Promised Legislation

Deputy Pearse Doherty: There are so many problems with the vaccine roll-out that it is hard to know where to start. We learned from a meeting of a certain parliamentary party that despite the assurances that we would have 1 million vaccines rolled out in April, the number will, in fact, be just over 800,000. We were told that mandatory hotel quarantine is to be extended. Now, we understand there is no such agreement at Cabinet and, indeed, there are legal difficulties in that regard. This morning, it is reported that the Tánaiste told the Fine Gael Parliamentary Party that the list of workers who would receive priority vaccination was never defined. I am sure he is not sticking with that story because I have to hand a press release issued by the Minister for Health, which clearly defines who was supposed to get the vaccine. It refers to key workers in essential jobs who cannot avoid high risk of exposure, including workers in the food supply system, public and commercial transport and other vital services. It goes on to mention "those who are essential to education and who face disease exposure - primary and second level school staff, special needs assistants, childcare workers, maintenance workers, school bus drivers etc."

An Leas-Cheann Comhairle: We are over time. The Tánaiste to respond.

Deputy Pearse Doherty: Those groups were all defined. Does the Tánaiste understand that there is anger now because people look at what has happened as a breach of a commitment? Does he acknowledge that the Government has broken its commitment to those employees at this point in time?

An Leas-Cheann Comhairle: I ask Deputies to co-operate with the time restrictions to allow as many people as possible to speak.

The Tánaiste: I absolutely acknowledge that there are many people who are annoyed or disappointed because they felt they were going to be prioritised for vaccination. Whether it was an assumption or an assurance they were given, many people believed they were going to be prioritised. It did not only apply to gardaí or teachers. The list mentioned by the Deputy could probably extend to hundreds of thousands of people who believed they would be prioritised. However, we have to do what is best for society as a whole. The advice from the national im-

munisation advisory committee, NIAC, the National Public Health Emergency Team, NPHEt, doctors, experts and scientists is clear. It is that a profession-based approach would be slower, would mean opening up society more slowly, would be more complicated to implement and, crucially, would be wrong in terms of medical ethics. This is because people in their 50s and 60s, regardless of their profession, are at more risk than people in their 30s and 40s. That is why we have to prioritise people in their 50s and 60s using an aged-based cohort, just like what is being done in Northern Ireland.

An Leas-Cheann Comhairle: I am going to stick to the time so that Members get in.

Deputy Alan Kelly: At the NPHEt briefing yesterday, we learned that modelling showed that if there was a moderate increase in close contacts from 5 April to 30 September, we would have 578,000 cases or 9,500 cases per day. This is a mathematical equation and I understand that NPHEt is simply doing its job. However, the Tánaiste is saying that 3.8 million people will have some form of vaccination by the end of June and that everyone will be vaccinated by September. Did the predictions modelled yesterday include anything about the fact that the Government is saying people will be vaccinated? Why is that not part of the modelling? Should the modelling not factor in vaccinations? If this is not modelled under the equation I have outlined, why not? Will the Tánaiste ask NPHEt to do so? The public are wondering how these figures could be projected if such numbers of vaccinations are to be administered.

The Tánaiste: My understanding is that the modelling done by NPHEt and Professor Nolan does factor in our projections in respect of vaccination. The difficulty we have at the moment is that not enough people are vaccinated. Whereas vaccinating all those over 70 years reduces the number of deaths dramatically, it does not reduce the number of ICU admissions dramatically. That is why we need to vaccinate people in their 50s and 60s as well.

Deputy Alan Kelly: The modelling is out to September not May. How could NPHEt not have factored that in? Many more people will be vaccinated by then.

The Tánaiste: We anticipate that everyone who wants to be vaccinated will be fully vaccinated by the end of September.

Deputy Alan Kelly: How will there be more than 15,000 cases a day?

An Leas-Cheann Comhairle: Please speak through the Chair, Deputy Kelly.

The Tánaiste: These are probably questions for Professor Nolan rather than me. Vaccinations will not be 100% effective. There will still be cases.

Deputy Holly Cairns: The most recent guidelines relating to the ongoing restrictions in maternity hospitals date back to September. Since then there have been significant changes, including that front-line healthcare workers have been vaccinated. The Taoiseach told me back in September that there needs to be and should be a national approach to this. Of course, it should never have been a geographical lottery. In early December, the HSE reclassified partners as an essential accompanying person for the 20-week scan. Incredibly, partners have somehow become unessential for the later scans and most of labour. Earlier today, the Minister for Health said that it was now up to each individual hospital. What exactly is the policy on this? It seems the policy is simply for the Government to wash its hands of it. Over three months ago, the UK changed its policy to allow expectant mothers to have someone with them at all stages of their maternity journey. It is unfathomable that this was not addressed this week along with other is-

1 April 2021

sues such as sports. It seems much like the importance of children's shoes. Despite the number of times I have raised the matter, it has been ignored.

The Tánaiste: It is a little strange for a spokesperson from a party that had been advocating very low Covid or zero Covid to then start lining up calls this week, last week and the week before for restrictions to be eased.

Deputy Holly Cairns: I am not calling for restrictions to be eased. I am talking about where front-line healthcare workers are vaccinated.

An Leas-Cheann Comhairle: Deputy, you are now using-----

Deputy Holly Cairns: Zero Covid is-----

An Leas-Cheann Comhairle: There are Members waiting to ask a question. I have a list of more than 27 names. Perhaps the Tánaiste could respond.

The Tánaiste: I may have misunderstood the Deputy's question. If I did, I apologise. I thought she was referring to unvaccinated visitors.

Deputy Holly Cairns: A man is not a visitor at the birth of his child.

An Leas-Cheann Comhairle: I am sorry. With the interaction-----

The Tánaiste: We all want to see these restrictions eased. We all want people who are having a baby to have someone there to support them. We want fathers to be able to be there for appointments - of course we do. However, bringing unvaccinated people into a hospital is a risk and there have been miscarriages as a result of Covid.

(Interruptions).

An Leas-Cheann Comhairle: There is no point in continuing because other Members will not get in if the Deputy does not comply. I know each issue is very important.

Deputy Paul Murphy: Two days ago, public health officials requested that the USA, Germany and 41 other countries be added to the list for mandatory hotel quarantine. This is in order to prevent dangerous Covid variants from entering the country. We still have not heard if or when this is going to happen. Instead, we have the corporate lobbyists, IBEC, out pushing for this public health advice to be ignored because of its impact from a "business and investment reputational perspective". It seems those in IBEC believe the desire of billionaire chief executives to jet in and out without quarantining should outweigh the public health advice.

We know that quarantine works. Even with the tiny amount of quarantining now being implemented, we have found positive cases that otherwise would have come in. However, it should not be a measure that is limited to a small minority of travellers coming from Africa or South America. We need to stop all non-essential travel into the country and ensure proper quarantining for those who arrive.

The Tánaiste: I do not think this is about billionaires flying in on private jets. That is just a conspiracy theory. This is about hundreds of thousands of Irish citizens who live in the US and France and hundreds of thousands of EU citizens who live here but call places like Poland

home.

The situation is that consultations are now under way, as is required under the legislation, about extending mandatory hotel quarantine to more countries. It will be extended to more countries. I cannot tell the Deputy now exactly when or exactly which ones but consultation is now under way about that.

Part of the advice is not only about keeping variants out. It is about extending mandatory quarantine to countries where we are not concerned about the variants but where there is a high incidence of Covid. Certain things have to be worked out. Do we have the hotels to do this properly? What is the legal position in respect of the common travel area and the rights of European citizens to free movement? What is the exit strategy? Covid will exist in the world forever. There will be variants, probably forever. Will we have mandatory hotel quarantine forever? There are many things that need to be considered on foot of this advice.

Deputy Seán Canney: To go back to the issue of Covid and the roll-out of vaccines, there is a cohort of 3,000 people who are housebound. The National Ambulance Service is rolling out the vaccine to them. However, there is a complete lack of communication on what counties will be done and when. Many people have contacted me, including those from families of affected older people. A woman in my town is 105 years old. The family is worried about when she will get her vaccine. Can the Tánaiste communicate to general practitioners so they can indicate to their patients in what week, indicatively even, each of the counties will be done? In that way, these 3,000 people will know when they will be done. It is causing extreme concern, frustration and anxiety for the families and the people in question. They deserve better.

The Tánaiste: The vast majority of people aged over 80 have already been vaccinated. We are moving on to those in their 70s at the moment. Indeed, that is well under way in some parts of the country. This can be complicated. Some people are housebound and others are in isolated areas where it is difficult to get to. Arrangements are being put in place using general practitioners and the National Ambulance Service to get to people who are housebound or isolated. I will follow up the matter the Deputy has raised because it is an important point. If he wishes to give me a particular example, I would be happy to follow it up with the HSE.

Deputy Mattie McGrath: In a reply to my parliamentary question this morning I was told that 36,820 people were waiting for a colonoscopy. There has been a 59% increase in the number of people waiting for scopes since the start of the pandemic. These are shocking figures. The Tánaiste talks in reams about vaccines and everything else but this is a cancer growing inside people. Many people will die. Probably more will die from it than will die from Covid. It is shocking. I have asked for figures on the number of people who have become seriously ill. It is truly shocking. No effort is being made to deal with it. The hospitals are closed to people. Covid has consumed everything. It is shocking that this is left to carry on. Our health service was bad before but it is shocking now that people have to wait for such basic tests. People are dying and will die as a result of it.

The Tánaiste: I thank the Deputy. As a consequence Covid-19 and the need to pare back non-Covid-19 health services in order to keep people out of hospitals where they might pick up the virus, we have seen a very significant increase in waiting lists for colonoscopies and oesophago-gastro-duodenoscopy procedures. It is important to say that when somebody has the frank symptoms of cancer they are, of course, prioritised. As is often the case with cancer, however, sometimes people's symptoms are not frank and obvious and that can result in de-

1 April 2021

layed diagnosis. Only last week, the HSE published a very detailed plan as to how it is going to restore non-Covid-19 services and do so in a step-wise fashion over the course of the next few months. That is why it is so important that we keep the virus under control and keep driving the numbers down because if we have a fourth wave, that will further impact on other services.

An Leas-Cheann Comhairle: Táimid ag bogadh ar aghaidh to the Independent Group. I call Deputy Joan Collins.

Deputy Joan Collins: I wish to raise the serious issue of Ballyfermot Sports Complex Limited on Gurteen Road and of thousands of other complexes like it. The complex is accessed by myriad groups, schools, youth clubs and many local City of Dublin Education and Training Board, CDETB, projects. It has always been a busy hub in the context of serving the community, with 73,000 visits per year pre Covid-19. It is now at a loss of over €80,000 of earned income because of the shutdown due to public health measures. The complex is excluded from the Covid restrictions support scheme, CRSS, because it does not pay commercial rates or VAT. Sport Ireland also does not have funding to allocate to it. The only funding available to leisure centres is through the Department of Tourism, Culture, Arts, Gaeltacht, Sport and Media is for those centres with swimming pools. The complex on Gurteen Road does not have a swimming pool. Like other businesses of similar character, it will go under if it does not get financial support. Can the Government look at these facilities and either bring in a CRSS-type system under which they would be excluded from paying VAT and necessary commercial rates or a special funding scheme for them?

The Tánaiste: I will be happy to take a look at that matter. If the Deputy can pass me on the details later in the day, I will do so. A leisure centre closed by Government order should be in receipt of the weekly CRSS payment but perhaps because the centre mentioned by the Deputy is not a commercial entity in the normal sense, it does not. That would be unfair. We are trying to mop up some of these issues through different schemes or amendments to the CRSS. If the Deputy passes me the details, I will definitely follow up on it.

Deputy Brendan Griffin: On the Government's remote working strategy, I commend the Tánaiste's initiative in signing the new code of practice today to give all employees the right to disconnect from work. Remote working has transformative potential, particularly for rural constituencies like mine and many other rural locations. It is crucially important that as we make the transition in this regard, we protect the rights of workers. That is why today's initiative on the right to disconnect is very important. Can the Tánaiste outline his further plans in this area and how we sees matters playing out in the coming months?

An Leas-Cheann Comhairle: I call Deputy McHugh now on the same issue.

Deputy Joe McHugh: On the same issue, I also acknowledge and welcome this initiative. It is a very important public consultation. The world of work has changed and is changing. That change has been fast-tracked over the past 12 to 13 months. Much work has been done prior to this also in my county where many hotspots and digital hubs have been or are in the process of being built. Like Deputy Griffin, I ask the Tánaiste to expand on his plans and indicate how we can hold companies responsible in this area. I refer, in this regard, to Google, Facebook, LinkedIn and many other companies based in Dublin. We do not just want them to get workers to live in their houses, we want them come to remote places such as Carndonagh, Gweedore, Carrigart, Letterkenny, Finn Valley, Donegal town, Kilcar, Buncrana, Milford, Ramelton and Falcarragh. The buildings are there, so how do we exert pressure to ensure that

these locations-----

(Interruptions).

An Leas-Cheann Comhairle: Does Deputy McHugh want to use up the full 20 minutes?

Deputy Joe McHugh: There is no shortage of buildings in these places. How do we put pressure on companies to allow their workers to come back to their counties?

An Leas-Cheann Comhairle: Tá a fhios agam gur Lá na nAmadán atá i gceist ach más é cead an Teachta, gabh mo leithscéal, lena thoil, iarraim ar bheagáinín tacaíochta uaidh-----

Deputy Joe McHugh: Not necessarily all people can work in their homes or sitting rooms but they could work in remote village hubs. Let us rebuild our towns and villages again. Gabhaim buíochas, a Leas-Cheann Comhairle.

Deputy Duncan Smith: I want to raise a point of order. This is happening yet again.

An Leas-Cheann Comhairle: That is not a point of order and I ask the Deputy to resume a seat. I call Deputy Cannon. I have a series of lists here and we are going to run out of time, it is as simple as that. If deputies can co-operate we will get through them.

Deputy Duncan Smith: People are taking the mickey.

Deputy Ciarán Cannon: I also congratulate the Tánaiste on seizing the initiative and ensuring that as people enter into the world of remote work, there is a strong legislative structure underpinning that process and protecting workers' rights in how we move forward. Grow Remote, an entity which has essentially welled-up from within rural communities across Ireland, has identified that there are thousands remote working jobs available to people living across the country. Aligning with the Tánaiste's ambitions, is there any way of fast-tracking the roll-out of our rural fibre broadband to ensure that these jobs will become available within the shortest possible timeframe to those living in rural Ireland?

Deputy Emer Higgins: I thank the Tánaiste for publishing the code of practice on the right to disconnect. Working people are under more pressure than ever before. Advances in technology have robbed us all of our freedoms. Those advances mean that we are always accessible, always plugged in and always on. Many people have been working from home for a full year now - working from their kitchen tables, living rooms or bedrooms. For them, the distinction between work and home life has blurred beyond recognition. However, they have also seen the benefits of what life without a commute looks like.

An Leas-Cheann Comhairle: This is a questions session-----

Deputy Emer Higgins: There is no doubt that flexible working-----

An Leas-Cheann Comhairle: Does the Deputy have a question on this issue? We are running out of time.

Deputy Emer Higgins: Yes, I have a question. How will this right to disconnect initiative be integrated with the rural plan announced earlier this week?

1 April 2021

An Leas-Cheann Comhairle: Members will have to give me a moment. I was writing very quickly when I took down the names of those offering. As a result, there are some names I cannot read. I call Deputy Michael Collins now. I have the other names down and I am doing my best.

Deputy Michael Collins: I welcome the national remote work strategy announced this week. I certainly welcome anything that will help boost the number of people coming back into rural Ireland. There is a planning issue in this regard that needs to be addressed. People come to, work in and build homes in rural communities. When they apply for planning permission, it is refused. Grounds are being dezoned in Clonakilty, which will be a disaster for the town and the rural area surrounding it.

There is also the issue of broadband. Is the Tánaiste not going to support the set-up of wireless broadband? He told me in an answer to my question approximately three weeks ago that it would take five to seven years to roll out broadband in rural towns and villages. We need a wireless operating system that can be rolled out immediately and we need the Tánaiste's support on this for this plan to work.

An Leas-Cheann Comhairle: I apologise to Deputy Danny Healy-Rae for not calling him earlier. I could not read my own writing. I call the Deputy now.

Deputy Danny Healy-Rae: I thank the Leas-Cheann Comhairle. There has been much talk about remote working and of people working from home. What about people who do not have homes or broadband? What about the towns and villages in Kerry? I remind the Government Chief Whip, who orchestrated this event today in order that Fine Gael Deputies could praise the Government, of that fact. What is he going to do about the towns and villages which have either no sewerage schemes or ones that are inadequate and where people cannot build houses as a result? There are about 20 villages and towns, in case Deputy Griffin does not know of them, without sewerage schemes. I am asking the Government to provide the money in this regard. There was a great deal of hullabaloo about the rural work initiative during the week but there is no fear of money being made available for any scheme, town or village in Kerry. I ask him to come out now to tell us where the money is.

An Leas-Cheann Comhairle: This is Questions on Promised Legislation and I ask Members that we might go through it quickly. I call Deputy Carroll MacNeill. She should be brief..

Deputy Jennifer Carroll MacNeill: I thank the Leas-Cheann Comhairle. How do we ensure that a gendered lens will not apply in respect of the remote working plan and the right to disconnect that has been introduced, which is fantastic? I refer to circumstances where we have seen women and men having different opportunities to work three- or four-day weeks at an early day stage in family life. The cultures of various organisations, particularly those in the commercial sphere, means that this is applied in different ways. Can the Tánaiste ensure that, in the context of his new initiatives, we can take steps to ensure that those cultural pressures do not become part of this process as well?

Deputy Neale Richmond: I have a concern regarding the new right to disconnect strategy launch this morning. This is something that is very welcome and many people have understandably mentioned the very real concerns of those in rural areas.

1 o'clock

Deputy Michael McNamara: The Deputy should ask his question and get on with it.

Deputy Neale Richmond: For the past 12 months, I have been the only person living on my suburban street who has consistently left home to go to work. How can people who are in the workplace and seeking to advance their careers ensure their rights under this plan are respected by employers? What enforcement powers, if any, will be made available?

Deputy Niamh Smyth: I too welcome this new piece of work on the right to disconnect. I have listened to the debate since the code of practice was announced. I have a question regarding the consideration that has been given to the parents of young children in particular in terms of flexible working hours. Many companies are very flexible and allow parents to leave their job to do school runs or pick children up for sports, music and so on, for example. Has that been considered in the context of this piece of work? Will those flexible working hours continue to be available? That is very important, particularly for working mums and dads.

Deputy Michael Moynihan: In light of the fact that the Dáil is going into recess this week, is it possible to extend the time allocated for questions on promised legislation?

An Leas-Cheann Comhairle: The Deputy should ask his question on this issue.

Deputy Michael Moynihan: On the issue, there are post offices in every community. In the context of the digital hubs and the remote working that is envisaged by the Government, has the post office network been factored in as a focal point around which to build digital hubs?

Deputy Richard O'Donoghue: It is ironic that Fine Gael has raised this issue today. It was under the previous Government and the current Government that broadband was not rolled out in the first place. Listening to the Fine Gael Deputies, the doors are open now and things are all wrong. It was under their regime that broadband was not rolled out properly in the first place. Rural areas have suffered under the previous Government and the current Government. When will the Government give equality to rural areas and stop taking all the funding and putting it into highly populated areas? There are people working from home in rural areas. Some 37% of the population live in rural Ireland. Deputy Griffin should grow up a small bit.

(Interruptions).

An Leas-Cheann Comhairle: Tá a fhios agam gurb é inniu Lá na nAmadán ach ní hí seo an chaoi chun déileáil le cúrsaí sa Teach. Más é do thoil é, bíodh meas agat ar an gCathaoirleach agus beagán níos mó measa agat ar an rud atá ag tarlú anseo. I call Deputy Ó Cathasaigh.

Deputy Marc Ó Cathasaigh: I thank the Leas-Cheann Comhairle.

Deputy Danny Healy-Rae: The Government Chief Whip-----

(Interruptions).

Deputy Marc Ó Cathasaigh: Does the remote working strategy offer an opportunity to fulfil the recruitment targets that will be set out in Bille na dTeangacha Oifigiúla (Leasú) 2019 in terms of 20% of recruits to the Civil Service being competent in Gaeilge? Is there an opportunity within the remote working strategy to relocate some of that work to Gaeltacht areas? I

1 April 2021

refer to Gaeltacht na Rinne in my constituency, which would benefit enormously from this kind of remote working strategy, particularly if some of those civil servant jobs are decentralised into the area.

An Leas-Cheann Comhairle: The final speaker on this issue is Teachta Gould.

Deputy Thomas Gould: There were so many Fine Gael speakers that I did not know if we would get a chance to contribute.

An Leas-Cheann Comhairle: The Deputy should ask his question.

Deputy Thomas Gould: I welcome the extension of remote working, the right to turn off and the provision of rights for people who work remotely. However, it is unbelievable for one Fine Gael Deputy after another to stand up and talk about the great work they are doing on workers' rights. What about the Debenhams workers who were lifted off the streets today while they were trying to stop stock being removed? Tomorrow will mark one year since the Debenhams workers were sacked and put out on the road. This happened on the Tánaiste's watch and that of Fine Gael. They abandoned ordinary working people, yet Fine Gael Deputies are singing his praises. What about the rights of all the workers?

(Interruptions).

Deputy Patricia Ryan: The Tánaiste is aware that the Debenhams issue affects its workers in Newbridge. He may not be aware that KPMG recently went in and emptied the lockers of the workers. That is an invasion of their privacy and I want to know what will be done about it. The workers have emailed KPMG to assert their rights and get back their possessions from their lockers but that has not happened. I need an explanation.

An Ceann Comhairle: I call Deputy Ó Murchú.

Deputy Duncan Smith: On a point of order-----

An Ceann Comhairle: Points of order may not be raised on questions on promised legislation.

(Interruptions).

Deputy Duncan Smith: Deputies are absolutely abusing the process-----

(Interruptions).

Deputies: Hear, hear.

An Ceann Comhairle: Deputy, please.

Deputy Michael McNamara: It is designed to ensure that the Tánaiste is not answerable to the House on questions on promised legislation.

An Ceann Comhairle: Deputy, please stop. I have an announcement of some significance to make at the end of this debate. I call Deputy Ó Murchú.

Deputy Ruairí Ó Murchú: I have to agree with Deputy Duncan Smith. We are in the realm of farce.

On the issue of remote working, remote working hubs and broadband provision, how has the Tánaiste got on in terms of his conversations with National Broadband Ireland, NBI, regarding the acceleration of the roll-out? Beyond that, has he spoken to private operators about possible interim solutions for areas that may have to wait four, five, six or seven years for proper broadband provision?

An Ceann Comhairle: I call Deputy McAuliffe, to be followed by Deputy McNamara.

Deputy Paul McAuliffe: I am on the list to ask questions on promised legislation, but I do not wish to come in on this issue.

An Ceann Comhairle: Does Deputy McNamara have a question on this matter?

Deputy Michael McNamara: Yes. On the matter of the rural plan, I hope the Tánaiste will answer the question asked by Deputy Cannon, that is, whether there is any prospect of an acceleration of the rural broadband plan. If there is not, it is just fluff. What we can do is ensure that those who currently have broadband and Internet services get a proper service, but ComReg does not have sufficient powers in that regard. I have twice asked the Tánaiste about this issue. The most recent time I asked him about it, he told me legislation would be passed by Cabinet in December and brought before the House in February to give additional powers to ComReg to make it provide the service it is contracted to provide. Where is that legislation?

Deputy Maurice Quinlivan: On the issue of the Debenhams workers, as the Tánaiste is well aware, the first anniversary of their being made redundant is coming up. The workers are being treated abysmally by KPMG and their former employer. The Tánaiste is aware of what happened last night; the issue was raised with him already. Why is KPMG allowed to remove stock as an essential activity under level 5 restrictions? Will the Tánaiste ensure that is not done in other stores? I have been dealing with the workers in Limerick. They are a fantastic group of people who have been treated abysmally. I urge the Tánaiste to intervene and ensure there are no further breaches of the restrictions.

The Tánaiste: I thank the Deputies. I make the point that Government Deputies make up more than half of the House and it is not unreasonable for them to be allowed to raise questions on promised legislation, just like everybody else.

Deputy Mattie McGrath: They do not have the right to hog the debate.

The Tánaiste: To answer the questions that have been asked, last night I signed the new code of practice giving people the right to disconnect. Essentially, it has three elements: the right not to be expected or required to reply to emails and phone calls out of hours; the right not to be victimised for refusing to do so; and the duty to respect the right of others to disconnect. It is a code of practice that has been signed by me and, therefore, although it is not an offence to breach it in itself, it can be admitted as evidence by the Workplace Relations Commission in disputes over working times. The most important thing that should happen now at workplace level is for employers and employees to sit down and agree a policy for their workplace because

1 April 2021

every workplace is different. Some workplaces operate from 9 to 5, Monday to Friday, while others operate 24-7 and work on an international basis. We encourage people to sit down and agree a policy for their workplace now.

Today I launched the public consultation on the right to request remote working. This is very important for rural Ireland and small towns and villages because we are asking people's views on how we should enshrine that right in law. At the moment, one can request the ability to work from home or a village, town or remote hub, but there is no legal framework under which one's employer must reply and give reasons for accepting or rejecting the request and there is no way in which one can challenge the decision. We wish to change that. The public consultation on that opened today.

As regards the national broadband plan, this is a €3 billion investment in rural Ireland. It is the biggest single investment in rural Ireland ever. The contract was signed by the previous Government, which I had the honour to lead, and is being delivered by this Government, of which I have the honour of being a member. It is now well under way. I have met NBI. We are exploring the possibility of accelerating the plan. It can only be done so fast. It will be approximately 100,000 homes, farms and businesses every year. If it can be done faster, it will, but it can only be done so fast. My meeting with NBI went quite well and we explored the kind of things that might be done to speed up the process.

As regards the question asked by Deputy McNamara on the competition Bill-----

Deputy Michael McNamara: Is that the ComReg Bill?

The Tánaiste: It is a competition Bill but it also gives additional powers to ComReg. It is being drafted at the moment and is at an advanced stage. We anticipate having it enacted before the summer recess.

I compliment the Minister for Community and Rural Development, Deputy Humphreys, on bringing forward the rural Ireland plan, building on the work done by her predecessor, Deputy Ring. The plan will see considerable investment in enterprise hubs and remote working hubs in towns and villages around the country, which can make a big difference to rural Ireland because it means that people who do not want to commute in and out of cities will now find it much easier to work from rural Ireland, either part time or full time.

Gnó na Dála - Business of Dáil

An Ceann Comhairle: As we all know, for a considerable period of time that is probably not disassociated from issues of social media, the process of participation in Questions on Promised Legislation has been unsatisfactory. The Dáil reform committee has made many attempts to come up with a set of proposals that would be acceptable to everyone. In recent times, the Whips, led by the Government Chief Whip, have met and they yesterday put proposals to the Dáil reform committee, which will radically change how this particular topic is dealt with. I will be writing to everybody in the House, advising them of the decision of the Business Committee and we will hope to implement the new system when we return after Easter. I hope that will give a fair opportunity to all groups and will not necessitate the queuing and waiting that

seems to have been a cause of considerable concern to people. Let us hope that we will have a better process in place in the future. For the information of the House, nearly 30 Deputies have not been reached today.

Labour Exploitation and Trafficking (Audit of Supply Chains) Bill 2021: First Stage

Deputy Aodhán Ó Ríordáin: I move:

That leave be granted to introduce a Bill entitled an Act to provide for transparent reporting by undertakings in relation to the risk of labour exploitation and human trafficking occurring in their supply chains or in any part of their business and of the steps taken by them to ensure such activities do not take place; and to provide for connected matters.

This Bill is in my name and in those of Deputies Sherlock and Nash. The Tánaiste might have an interest in this legislation. We could potentially be world leaders when it comes to ending child exploitation and human trafficking globally. This Bill would require businesses to report annually on what measures they have taken to ensure that their products do not involve human trafficking and child labour exploitation.

Crises such as the pandemic in which we are living involve considerable amounts of self-analysis at community and national levels. A phrase that is often used is that we should not go back to normal when normal was the problem. There are, of course, issues in our country but there are also issues in the world. At the top of that list must be child exploitation and human trafficking. What are we doing in this small country of ours that has global reach in order to take a stand against child exploitation and human trafficking? We should require businesses and the commercial sector to ensure annually that no child exploitation or human trafficking were involved in the production of all products that are made or produced here. Every business in Ireland needs to make an annual declaration to that effect. That is what our Bill is seeking to do.

This is a Bill that should get support from across the House. Notwithstanding the fact that the Tánaiste walked out in the middle of my presentation of this Bill, which addresses issues that come under his remit, it is a Bill that would do a lot of good. It would turn our minds annually, and I hope more often, to the issues of child exploitation and human trafficking, which continue to be a scourge across the world.

An Ceann Comhairle: Is the Bill being opposed?

Minister for Justice (Deputy Helen McEntee): No.

Question put and agreed to.

An Ceann Comhairle: Since this is a Private Members' Bill, Second Stage must, under Standing Orders, be taken in Private Members' time.

Deputy Aodhán Ó Ríordáin: I move: "That the Bill be taken in Private Members' time."

Question put and agreed to.

Employment Permits (Miscellaneous Provisions) Bill 2021: First Stage

Deputy Paul Murphy: I move:

That leave be granted to introduce a Bill entitled an Act to provide for the protection of certain foreign nationals in employment in the State and for that purpose to amend the Employment Permits Act 2003, the Employment Permits Act 2006, the Protection of Employees (Employers' Insolvency) Act 1984 and the Employment Permits Regulations 2017 and to provide for related matters.

I thank SIPTU and Migrant Rights Centre Ireland for their support for this Bill and for their work, along with others, in exposing the abuses and exploitation of migrant workers, and meat factory workers in particular, which this Bill seeks to address. I also thank my colleague, Deputy Bríd Smith, and Mr. Owen McCormack, who put a lot of work into developing this Bill. It is shameful that 90% of meat factory workers still, to this day, do not have access to sick pay. It was this time last year when I first raised in the Dáil how Covid-19 was being allowed to rip through the meat plants. The Government rallied to defend the beef barons, accusing me of smearing those companies. It took a sustained campaign by People Before Profit, the unions and others to get the State even to inspect the plants and discover that there was, in fact, a serious issue. The Government still prefers to ignore the clear exploitation and abuse of workers in this sector, especially migrant workers who are here on general employment permits. Many people feel they have to go to work, even with Covid symptoms, partially out of fear for their jobs and partially because they simply could not afford not to work. Despite a lot of talk, the Government has still not done anything about this, forcing People Before Profit to step in with this Bill to begin to address the issue. Our Bill would require the beef barons to provide sick pay by making it a condition for work permits. It would be an important step towards providing sick pay for all.

Yesterday, the Taoiseach, incredibly, told me that the meat plants had already “been dealt with”, as if it was now under control. The truth is that the situation in the meat plants today is alarming. This morning's Health Protection Surveillance Centre, HPSC, report shows 28 open outbreaks across the 56 meat plants in the State and that six meat factory workers currently are hospitalised. Thousands of meat workers have caught this virus. Dozens have been hospitalised and some have ended up in intensive care units. The figures released do not say whether any have lost their lives but we know that many will suffer with the long-term effects for years to come. Yet the Taoiseach claimed the issue has been dealt with, that it is old news. It is clear which side he is on.

One objection I would expect to hear from the corporate lobbyists is the claim that cannot afford to pay sick pay. Let us be clear, the beef barons could well afford to pay their workers sick pay, they just do not want to. A recent report stated “Nine companies in the Goodman Group [ABP] made a profit of €170 million last year and had assets worth more than €3.45 billion”. The bulk of the profits were booked in Luxembourg and were largely untaxed. Moy Park, in 2019, had a turnover of €1.8 billion and profits of €81.5 million. Dawn Meats had a turnover of €2.1 billion. Kepak had a turnover of €1.5 billion. The list goes on. These are massive companies making major profits, yet they are refusing to pay sick pay and the Government refuses to make them. It will, ultimately, take a militant labour movement that forces changes

whereby workers become organised and assert themselves. This Bill shows what Deputies can do to support workers. I encourage others to join People Before Profit in supporting and promoting this Bill to force the bosses to pay sick pay.

Deputy Bríd Smith: I thank the Office of Parliamentary Legal Advisers, OPLA, for its help in guiding us through these measures. Employment permit legislation is very complex, difficult and labyrinthine, deliberately so, because it speaks of the State's attitude to migrant workers, which in many cases is one of barely concealed contempt. Getting a permit, renewing a permit and surviving here is not made easy by the State or by many employers who are willing to use the labour of migrant workers but are unwilling to pay them decent wages or provide them with decent conditions. The entire area needs root-and-branch reform and workers must be at the forefront in that regard. I hope to see them organised in great numbers in trade unions in the coming years and joining with Irish workers in demanding workers rights and decent livelihoods.

The intent behind the Bill is to try to address an imbalance. It will allow a number of other measures beyond those that Deputy Paul Murphy outlined. It will allow workers the right to change employers within the first year that they arrive here and will strip employers of the huge power they hold over migrant workers. Second, it will give migrant workers access to the Workplace Relations Commission, WRC, where their employment permit is not valid. We have had cases of workers being rewarded up to €90,000 for unpaid and exploitative labour by the WRC, but the money could not be paid because of a loophole stating that if a work permit is invalid, the individual cannot receive the reward. The Bill attempts to address that matter.

I thank the staff in my office, but I also thank SIPTU for its participation and advice, the Independent Workers Union of Ireland and Migrant Rights Centre Ireland. Their help was invaluable. We want to see the Bill passed so it will address and strengthen the rights of these and other vulnerable migrant workers.

An Ceann Comhairle: Is the Bill being opposed?

Minister for Justice (Deputy Helen McEntee): No.

Question put and agreed to.

An Ceann Comhairle: Since this is a Private Members' Bill, Second Stage must, under Standing Orders, be taken in Private Members' time.

Deputy Bríd Smith: I move: "That the Bill be taken in Private Members' time."

Question put and agreed to.

Children (Amendment) Bill 2020 [Seanad]: Committee and Remaining Stages

SECTION 1

An Ceann Comhairle: Our work on the Bill must conclude after 90 minutes if it is not previously concluded. Amendment No. 1 is in the name of the Minister. Amendments Nos. 1 and 2 are related and will be discussed together. Is that agreed? Agreed.

Minister for Justice (Deputy Helen McEntee): I move amendment No. 1:

In page 3, line 21, to delete “another child” and substitute “another child who is alive”

The amendments to subsections (1A) and (1B) are basically technical and are to make it clear beyond doubt that any restrictions on publication only relate to the protection of the interests of living children. They are being proposed following a careful review of the drafting and to provide for a scenario in subsection (1A) where there might be two deceased children and in subsection (1B) where there might two victims, one of which was a child at the time of the offence but an adult at the time of the proceedings and the other victim was a deceased child. For example, the existing draft of subsection (1A)(b)(i) might be viewed as bringing a second deceased child back within the scope of section 252 and preventing the naming of either deceased child, which is not the intention.

The wording of the amendment is: “In page 3, line 21, to delete “another child” and substitute “another child who is alive”.” When we talk about the best interests of the child, we are not talking about the deceased child, we are talking only about a living child. The amendment is technical and takes on board points that have been made in this House, but also in the Seanad, in order to put beyond any reasonable doubt that this is what we are speaking about in any scenario.

An Ceann Comhairle: Is anyone else offering to speak on amendments Nos. 1 and 2?

Deputy Brendan Howlin: No, there is general agreement on them.

Amendment agreed to.

Deputy Helen McEntee: I move amendment No. 2:

In page 4, to delete line 1 and substitute “child and is alive, or”.

Amendment agreed to.

Deputy Helen McEntee: I move amendment No. 3:

In page 4, to delete lines 8 to 18 and substitute the following:

“and

(c) by the substitution of the following subsection for subsection (2):

“(2) The court—

(a) shall, subject to such conditions (if any) as it considers appropriate, dispense with the requirements of subsection (1) in relation to a child referred to in that subsection where the proceedings concerned relate to the death of that child unless it is satisfied that to do so would—

(i) not be in the best interests of another child referred to in that subsection who is alive, or

(ii) contravene section 93,

and

(b) may, subject to such conditions (if any) as it considers appropriate, dispense with the requirements of subsection (1) in relation to a child referred to in that subsection where the proceedings concerned do not relate to the death of a child and where the court is satisfied that to so do—

(i) is appropriate having regard to the best interests of that child,

(ii) would not be contrary to the best interests of another child referred to in that subsection who is alive, and

(iii) would not contravene section 93.”.”.

Again, the purpose this amendment is really to put beyond any reasonable doubt queries that have been raised by Deputies and Senators who were specifically concerned that the Bill might be misinterpreted or cause confusion as to the flexibility that a court has where there is a deceased child victim and another child victim or child witness to the proceedings. We asked the Attorney General to look at this and to reflect on the wording and the drafting and it has been recommended that we could make these amendments to try to clarify the matter.

Before the EC case in October 2020, the general view was that section 252 of the Children Act did not prevent the publication or broadcasting of material that might identify a deceased child unless it would lead to identifying a living child who was also a victim or a child who was a witness in the criminal proceedings. Even in that instance there are situations where that can be overruled or where there can be naming. The purpose of this Bill is to restore that position and to make it clear beyond any reasonable doubt.

Subsection (1A) does that by disapplying or removing the restrictions in proceedings which relate to the death of a child, subject to exceptions that I have already mentioned. I will give three scenarios. The first is if there is a deceased child and no other child involved, then there are no restrictions on the naming of the deceased child. If there is another living child, who is perhaps an accused or a witness in the proceedings, then there are no restrictions unless naming the deceased child could identify the living child. Very importantly, after that, if naming the deceased child could identify the living child, accused or witness, then the court must decide whether the deceased child can be named and subject to what conditions. It is not an absolute. If naming a deceased child could potentially identify a living child, whether an accused or a witness, there will be a provision allowing for the court and the judge to decide. That is putting the best interest provision first, where we must apply that, but it does not trump everything. There needs to be a balance, whether that is public interest or taking into account family requests or other scenarios as well.

The amendment to subsection (2) is to clarify that the restrictions on publication do not apply to deceased children, subject to the exceptions I have just outlined, relating to living children who are a victim, a witness in the proceedings or an accused. It also addresses the more complicated situations where the interests of more than one child need to be taken into account. I refer to amendment No. 1. We are talking about living children in this instance. Subsection (2) only applies if there is a danger that the publication or broadcasting of material might lead to the identification of a living child who is a victim, witness to the proceedings or an accused

and the court has to consider where it is appropriate to dispense with, remove or relax the restrictions.

The existing subsection (2) and the proposed subsection (2A) are both being replaced by a new subsection (2)(a) and (b). Subsection (2)(a) deals with proceedings relating to the death of a child. This is where there is only one child involved. The word “shall” is used, imposing an obligation on the court to dispense with any restrictions relating to a deceased child, unless the interests of a living child who is a witness in the proceedings or an accused will be affected. The court then has to consider the matter and, for example, assess in the case of a child witness whether there are no conditions that could be imposed. It might decide that there are conditions that could be imposed. Section 93 exists separately, and we are not trying to amend it. The section relates to an accused child and there are already provisions under the Children Act whereby the first response is that one does not name the accused child. However, there can be certain circumstances such as public interest or otherwise where that can be allowed. We are not changing or amending that, and it will still apply.

Subsection (2)(b) deals with proceedings where there is no deceased child, where one might have a child victim but he or she is alive. It is left to the court to decide whether it is in the best interests of a child. If there is a sibling or a second living witness or a child involved, the court must take into account the best interests of those children.

The amendments are designed to put beyond all reasonable doubt that there is flexibility there. When there is a deceased child, but in particular where there is a living child, whether it is a witness, a potential perpetrator or victim, there is flexibility to name the deceased child. We must allow the court to take those conditions on board. The intention is to put the matter beyond reasonable doubt and to acknowledge that Deputies had grave concerns about this. The reason we are introducing this legislation is to clarify different interpretations of what existed and to bring it back to what we thought it was. We do not want a situation where we must come back to clarify it again when we could have done it in the House in the first instance.

Deputy Brendan Howlin: I welcome this amendment and thank the Minister for taking on board people’s concerns in this House and in the Upper House. The Bill is striking a balance between what we want, namely, the disclosure of the name of a deceased child where it is in the interests of the family and public for that to happen while at the same time not removing the discretion of a court to make a determination in circumstances where that might not be the case. In the three instances outlined by the Minister, she struck a fair and good balance, and I thank her for that. I certainly will be supportive of the amendments.

Deputy Catherine Murphy: I listened to the Minister’s contribution. It is important that she has been very clear about what is intended. That helps to reduce the doubt that may well exist and it was necessary that she put her comments on the record. I feel a lot better about the Bill because I had some concerns about whether we would go back to the situation we had before the relevant court judgment. I thank the Minister. I am happy to support the amendments.

Deputy Martin Kenny: I also want to thank the Minister for the amendments. Section 252 of the Children Act caused a lot of turmoil for many families and people across the State over the past number of months, in particular. While advocating on behalf of everyone involved, we also need to put as much power as possible back in the hands of courts and judges to make the correct decision in the appropriate circumstances before them. I think that is what these amendments try to do. I welcome them and will support them. It is a good piece of work to

get the Bill through the Houses so fast. I commend the Minister and everyone involved, from Opposition and Government, on trying to resolve the situation and get it sorted out so quickly.

Deputy Jim O’Callaghan: I thank the Minister and commend her for taking on board the concerns I expressed in the debate on Second Stage on 11 March. She also communicated with Senator McDowell in the Upper House. I also want to commend the Attorney General. The amendments make it far clearer to a court the intention of the Oireachtas when it comes to the amendment to section 252.

I welcome the first two amendments, which specify that the child being referred to in the relevant subparagraph is a child that is alive. The inclusion of a new section 2 is much clearer and ensures that the court has discretion. The concern I expressed on a previous occasion was that subsection 1A and the new section 2A would mean a court would have no discretion if it was the case that identifying a deceased child would result in the identification of a child witness or a child accused, notwithstanding the provisions contained in section 93 of the Act. The wording that is there now gives the court discretion in respect of a deceased child and the ability to name the child in circumstances where there may be another child witness who could be identified as a result of that.

I also welcome the fact that it creates and provides for discretion for the court in circumstances where the child victim is not deceased and the child is, in fact, alive but still the victim of a criminal offence. That discretionary provision is set out in the second part of subsection 2.

I thank the Minister for what she has done. It improves the Bill. I want to commend her on moving it quickly. Legislation can take time to change. This is a complicated Bill and the collective efforts of people in this House and the other House have ensured that we have resolved a problem and put forward a piece of proposed legislation that is much clearer and which, it is to be hoped, the courts will see as much clearer.

Deputy Jennifer Carroll MacNeill: I want to join with other speakers in thanking the Minister and her officials for bringing this forward so quickly in response to what had been a serious practical problem. The Bill and the amendments have my full support, and the Minister knows that. The cases have been very difficult.

We still have to talk about another group of children who are not encompassed by this Bill. A third category of children are not accused or witnesses; they are the siblings of deceased children and are not protected by the provisions of the Bill. There is a strong privacy case to be made for those children, in particular children whose siblings have died in circumstances where there is a verdict of not guilty by reason of insanity. It is not the same as murder or manslaughter, but is something very different. We distinguish that form of criminal process very strongly from everything else. We think about and treat it differently in terms of sentencing and recovery. Sometimes, as I said at length on Second Stage, the source of that can be very considerable mental illness.

As the Minister knows, I have engaged extensively with a family at the core of this case. A sibling has been identified again and again in the community and is trying to rebuild a life. My concern has always been around the privacy of the younger child. There is a very strong impetus driving the Bill and the discussion around it, namely, Article 34 concerns around court processes.

I blame myself for not having been more engaged with the Bill at an earlier stage. One issue

1 April 2021

is giving the same weight to the Article 42A concerns of other children affected by these cases. A sibling is protected if he or she was a witness to an unlawful killing, but not if he or she was in a different room and, therefore, was not a witness. The implications for rebuilding his or her life are the same.

I want to thank the officials for their engagement with me and the discussion on this issue. It is clearly not covered by the Bill but there is an ongoing issue in regard to how children affected by criminal issues of this kind are treated more broadly. Other Deputies have concerns about where that may go in terms of somebody being convicted of theft, assault or something like that, and his or her children being identifiable by virtue of the accused and convicted person being named publicly. This is a slightly different issue.

The privacy rights of a subset of children are being impacted by this, and the Bill does not square this away. There is broader policy work to be done, which I appreciate, but I also know from experience that could take anywhere from one to three years to deal with, as well as homicide review more generally.

I did not table an amendment because I know from a process perspective the House wants the Bill to be passed quickly. There is a measure of speed around it. In any event, the Minister would have to go back to the Attorney General and Cabinet to have that discussion, and it would complicate the Bill very considerably. I know there is no point in doing that. However, I have to put my concerns on the record of the House.

I worry that this issue will come up by way of judicial review. A court may end up looking at this issue under Article 42A in any event. If that happens, I want to have flagged it. I am not trying to be unhelpful. Rather, I want to take the time to flag this issue on the record in order to identify that this is a class of children who may be so affected and that the implications for them and their lives, because of the possible behaviour of media, are significant in terms of trying to rebuild family life with somebody who has committed an unlawful killing but was found not guilty by reason of insanity, something we think about and treat very differently from everything else. I support the Bill and amendments, but I have to take this opportunity to put this very strongly on the record.

Deputy Helen McEntee: I will respond specifically to the points raised by Deputy Carroll MacNeill. I am very sympathetic to the points she has raised. On foot of her raising that the last time we spoke in the Dáil, I asked my officials to engage with her and explore this potential change. What became very apparent, as the Deputy outlined, was that this is quite a complex area. In some cases, it goes outside the scope of section 252. The intention of the Bill is try to restore the thought that existed before the case in October last year in respect of section 252. I give Deputy Carroll MacNeill a commitment to explore this matter further to see how it could potentially be addressed. I am not sure whether it will require a miscellaneous provisions Bill or otherwise but I commit to exploring the matter further, acknowledging the spirit of co-operation in which the Deputy raised this point. I thank her for support for the legislation.

I thank all Deputies for their support in progressing the Bill as quickly as possible. We could only do that because there was cross-party support. I thank Deputy Jim O'Callaghan and Senator McDowell for their collaboration in putting the Bill together and allowing us to bring it through so quickly. We intend to restore the position that obtained prior to the ruling in October to ensure that parents of deceased children can name them in public and remember them in the way they want. I sincerely hope that, once the legislation has been fully enacted in the coming

weeks, this right will be restored and we will have dealt with an issue that caused significant hurt and pain to many.

Amendment agreed to.

Section 1, as amended, agreed to.

Section 2 agreed to.

Title agreed to.

Bill reported with amendment, received for final consideration and passed.

An Ceann Comhairle: The Bill, which is considered to be a Dáil Bill under Article 20.2.2° of the Constitution, will now be sent to the Seanad. I congratulate everyone involved in this important piece of work.

Gnó na Dála - Business of Dáil

Minister of State at the Department of the Taoiseach(Deputy Jack Chambers): It is proposed that, notwithstanding anything in Standing Orders or the Order of Business of yesterday, that the sitting shall now be suspended for 20 minutes and Private Members' business shall be taken for two hours on the conclusion of No. 28a, statements and questions and answers regarding the "Prime Time Investigates" programme on the Department of Health.

Deputy Richard Boyd Barrett: I point out that the reason we have to change the order today is due to events last night when speakers did not show up and the debate on the Public Service Pay Bill fell, even though many of the groupings in the House did not get to speak once on that very important legislation. That is a disgrace. I commend Deputy Duncan Smith from the Labour Party on making apologies for Deputy Nash not being here for his slot. However, the truth is there were nine ten-minute slots, including two Government slots, before our slot and many other Deputies who did not get to speak. Deputies who fully expected to speak on the Bill today and could not possibly have imagined they would be required to speak last night have now lost the opportunity to speak on the Public Service Pay Bill. That is outrageous and it is a direct consequence of something we warned against when the Government changed the speaking order to have multiple Government slots punctuating it before most of the party and other groups get to speak. We told the Government this would happen. It has happened again and again and now it has happened on legislation as important as the Public Service Pay Bill just because the Government wants to drown out the voices of party groups. It is now seriously disrupting the ability of this House to do its legislative business. I want to signal that. This situation cannot persist. The Government has been smirking behind the scenes about how it has essentially drowned out the Opposition. We said this would happen and it has happened again.

We asked for more time to discuss the scandal of the HSE keeping secret files on vulnerable children and families. We now have extra time. To make up for what it did last night and the consequences of its actions, the Government should give us additional time to discuss the Department of Health and HSE scandal of keeping secret files on families.

1 April 2021

Deputy Catherine Murphy: I agree with nearly everything Deputy Boyd Barrett said. The Social Democrats also lost out on the opportunity to make a contribution on that important legislation. There were to have been several speakers before my party was due to contribute. It is entirely predictable that this kind of thing would happen. There is an opportunity to extend the debate that follows Private Members' business. Only five or six minutes are available to us in a 100-minute slot, which is not adequate given the enormity of the issue. There is an opportunity to extend the time.

An Ceann Comhairle: If I may make some comments, the members of the Committee on Dáil Reform and Business Committee know well my view on the changes that were effected to the speaking order, so I do not have to justify my views on that. Let us be frank, however. It was not Government speakers who were missing when the point was raised for the next speaker to be called yesterday. I further point out that between 2011 and 2016, I was Fianna Fáil Whip and effectively the Opposition Chief Whip. My role at the time included having a staff member to work with me to monitor the proceedings in the House to see how legislation was progressing. It was my responsibility and that of my staff member to get that right and ensure speakers were in the Chamber in time. All the groups in this House have Whips and, I believe, some staff support to do that job. I put it to the House that if Deputies were not here when business was being transacted, it was because the Whips and the Whip team were not doing the job the taxpayer is paying them to do. They should not blame anybody but themselves if they were not here when they should have been here.

Deputy Richard Boyd Barrett: I am glad the Ceann Comhairle mentioned that. Our Whip team, and we do not accept the Whip's allowance, by the way-----

An Ceann Comhairle: Good. That does not justify not doing the job.

Deputy Richard Boyd Barrett: We were doing the job.

An Ceann Comhairle: You obviously were not because you were not here.

Deputy Richard Boyd Barrett: No, I will explain.

An Ceann Comhairle: All right.

Deputy Richard Boyd Barrett: First, there were nine ten-minute slots between the slot of the final Deputy to speak last night and our slot. There was, therefore, no reasonable expectation that we would speak before today but for the fact that multiple speakers in the intervening slots, including Government speakers, were not here. Our office and Whip team were monitoring what was going on in here but unlike in Dáil Éireann, the camera feed from the convention centre does not allow our Whip team to see who is in the House. It is impossible, therefore, if one is adhering to the instruction to work from home as much as possible, as our team is, to know who is physically in the House and whether our slots might come up sooner because speakers did not turn up. It is also the case that the Chair, Leas-Ceann Comhairle and others will sometimes actually say, given that there is no camera to monitor these things, that the proceedings are moving faster because speakers are not here and therefore give a warning to our teams, who cannot possibly know that Deputies are not here. Our team was watching but was absolutely powerless to know what was happening in the House.

An Ceann Comhairle: I am not going to have an unseemly argument with the Deputy but, really and truly, I stand by what I say, that is, that the Whip — particularly the Whip — has a

responsibility to monitor and read the situation and know when a Deputy needs to be present. I call Deputy Mattie McGrath.

Deputy Mattie McGrath: I am a Whip and I am getting whipped, obviously. I did check. I was downstairs, which was even worse. I rang and in fairness to the staff in the Chief Whip's office, I was told our group would not be reached in any shape, make or form. There was only 40 minutes. I came up when I saw the Minister speaking but the debate was finished when I arrived. It cannot be monitored. If people are not turning up to speak when they are supposed to, it cannot be monitored. In the last Dáil, there was certainty as to when Deputies in a group would be speaking because there was a rota and Deputies knew it. If I saw Deputy Body Barrett speaking, I would leg it up the stairs because my group would be next. Now there are Government speakers in and out between other speakers and Deputies do not know where they are.

An Ceann Comhairle: With the greatest of respect, there was no problem with the rota. Deputies Mairéad Farrell and Louise O'Reilly were here and made their contributions. There was nobody else here. Deputy Lahart was here on the Government side and was not seeking to participate. There was nobody else here. When there was nobody else here and the Minister had responded, people came in and wanted to throw the rules of the House out. They wanted us to behave like some sort of Mickey Mouse residents' association and change the rules to suit them to let them speak even though they had not been here on time. I am not getting into an argument with Members about it. The situation is that Whips have a responsibility and they need to carry out that responsibility. They are being remunerated for it and they have staff to support them in doing it. It did not happen yesterday but it should have. What happened should not happen again.

Deputy Mattie McGrath: On a point of clarification, I do not get pingin amháin as Whip. The Ceann Comhairle knows that himself.

An Ceann Comhairle: Yes.

Deputy Mattie McGrath: I do not get a shilling for it.

An Ceann Comhairle: And he is the only one who does not.

Deputy Mattie McGrath: Yes.

Deputy Richard Boyd Barrett: I have just told the Ceann Comhairle that we do not.

An Ceann Comhairle: The Deputy does not take it but Deputy Mattie McGrath does not get it.

Deputy Mattie McGrath: I do not. I never looked for it either. That is the fact of it. Doing my duty yesterday evening as a Whip, I checked with the Government Chief Whip's office who was on the list of speakers and I was told to forget about it because there was-----

An Ceann Comhairle: I am not responsible for the Government Chief Whip's office.

Deputy Mattie McGrath: I am not blaming the Ceann Comhairle. The office told me-----

An Ceann Comhairle: If what I am saying-----

Deputy Mattie McGrath: It has the list of names.

1 April 2021

An Ceann Comhairle: If what I am saying applies to the Government Chief Whip's office, so be it.

Deputy Mattie McGrath: The list of names was available and we were not going to get an ear in. I came up yesterday evening. I did not protest when I came up and the opportunity was gone. I did run up and I did not say a word.

An Ceann Comhairle: All right. We have a business proposal. I hear what the Deputy is saying. All of us need to learn from what happened the last day. The Chief Whip has made a business proposal. Is it agreed to?

Deputy Richard Boyd Barrett: Could we get a response from the Chief Whip on the request for additional time given that there is now extra time?

An Ceann Comhairle: Could the Chief Whip respond on additional time?

Deputy Richard Boyd Barrett: Why can we not have a little longer for the secret-files issue to give some of us who have a pathetic amount of time an opportunity to ask proper questions?

Deputy Jack Chambers: I have just a couple of points. I fully agree with the Ceann Comhairle that the factual position yesterday was that Deputy Boyd Barrett and his group were not present. We cannot be responsible for his time management skills or capacity to follow the rota.

Deputy Richard Boyd Barrett: I am not putting up with that crap. The Minister of State has sabotaged-----

An Ceann Comhairle: Deputy Boyd Barrett asked the Minister of State to respond, and he is responding.

(Interruptions).

An Ceann Comhairle: Please. A bit of respect.

Deputy Jack Chambers: I respect everyone's right to speak in this House, including backbench Government Deputies. The status quo before last July, unfortunately, was that backbench Government Deputies were being deprived of their speaking rights in this House. We have tried to address that, with balance. Deputy Boyd Barrett should note we have worked constructively across a number of proposal areas. For example, the Questions on Promised Legislation slot is being reformed, but reformed in a way that protects the smaller groups and parties and does not undermine their right to speak. We have tried to work with them on that.

(Interruptions).

Deputy Jack Chambers: What we have proposed today is the bringing forward of Private Members' business. The Rural Independent Group has a Private Members' slot. The aim is just to advance that in the ordering of business. That is what is being proposed.

An Ceann Comhairle: I thank the Minister of State. Is the proposal agreed to?

Deputy Richard Boyd Barrett: It is not agreed to.

Question put and declared carried.

Sitting suspended at 1.55 p.m. and resumed at 2.20 p.m.

Prime Time Investigates Programme on Department of Health: Statements

An Ceann Comhairle: I welcome the Minister of State at the Department of Health, Deputy Rabbitte, and thank her for being here. This item is being taken earlier than was scheduled and people's diaries and business may have been interrupted, but it is what it is. We are happy to hear a statement from the Minister of State under Standing Order 55. She has 15 minutes, after which we will go through other contributions in the normal way.

Minister of State at the Department of Health (Deputy Anne Rabbitte): I feel and understand the heartache, worry and disgust raised by the "RTÉ Investigates" programme on Thursday last. As any parent knows, we would go to any lengths to protect our child's rights. That is why it was like a kick in the stomach to learn that a Government body appears to be impeding this process of parents fighting for their children. I was alarmed and outraged, as so many Deputies were. Since Thursday's broadcast, families have been left to question whether they have been impacted. Work is continuing in the Department to assess all files and to see what contact may be needed so that families can be informed.

I have been in government as Minister of State with responsibility for disability in the Department since last July and this is not a process I was aware of, nor had I been informed that a senior counsel had investigated the matters raised by the whistleblower, Shane Corr. I thank Shane for bringing this to the public's attention. It was a very brave and courageous thing to do. I have not spoken to Shane but I am sure he felt this was in the public interest and needed to be reported, and I agree.

The Taoiseach's announcement on Friday last that a multidisciplinary team will conduct a policy review is the correct way forward. This will allow us all to understand the legal basis used to underscore this system and what alternative is needed. I know that no malice was intended on the part of the Department but the public needs to be able to trust the systems in place because they are in place to protect the rights of the people, particularly our most vulnerable.

I understand that the Department and, indeed, other Departments and State agencies need to have policies and procedures to manage litigation and I think the public understands this. The reality is the Minister for Health, the Minister for Education and the HSE are named from time to time as defendants in cases taken against the State in respect of special educational needs. It is the role of the Office of the Chief State Solicitor to provide litigation services to Departments under the direction of the Office of the Attorney General and on a regular basis it jointly represents State defendants in litigation.

The Department has told me that in these circumstances, it is normal practice for defendants to litigation to co-operate and share appropriate information with one another where they have a common interest. The Department of Health is clear that it does not seek clinical reports on plaintiffs from clinicians. Service updates are required, however, to inform the potential settle-

1 April 2021

ment of cases. I have been told it has always been understood by the Department that it had a clear legal basis for obtaining, sharing and retaining this information. Indeed, legal advice supports this view. The Department's view is that the legal approach has always been to settle cases on the best terms possible. I am also told that sensitive information relating to cases also comes directly from plaintiffs as part of the advancement of their cases and that this information is provided by their solicitors on their behalf with their consent.

We must acknowledge, however, that while what happened may have been lawful, that does not mean it was right. Driving without a seat belt, as I said in the Seanad on Monday, used to be lawful but that does not mean it was ever right. My personal view is that this system lacks transparency. It appears suspect even if that is not the case. The State should never even give the impression of operating in any kind of cloak and dagger way. I simply cannot stand over this system. It needs to stop now, and a new, more transparent method of managing such legal cases needs to be developed. Only then will trust be restored.

I will conclude by stressing that very serious allegations have been made against the Department and a review is under way, directed by the Secretary General, which will provide the factual detail on these matters. As I mentioned earlier, a multidisciplinary team will investigate these matters further and develop a more appropriate policy framework going forward. We must ensure that this system is transparent and patient focused and advocates for what is best for the child and the family. I have seen at first hand the Trojan work of the staff in the Department of Health and how child-centred they are. Every day I meet several officials who ensure that the rights of the child are the focal point of our work. Even in the midst of a global public health crisis, they are always working towards a more equitable provision of healthcare. My fear, however, is that this will have dented the great work being done throughout the health service.

I remind Members that this item of business was brought forward and I have not had a full briefing on it. I had anticipated having that at 2 p.m. but that did not happen, so I may not be able to answer all the questions that arise.

An Ceann Comhairle: I thank the Minister of State. We appreciate the challenges that these changes in schedule impose on everyone.

Deputy David Cullinane: I am sharing time with Deputy Ó Laoghaire.

I commend the whistleblower, Shane Corr, on coming forward and "RTÉ Investigates" on airing the programme, bringing very distressing information into the public domain and making us aware of a practice that has scandalised and horrified the family members of children with autism and special needs. When I watched the programme last week, I was not surprised but I was sickened. I was not surprised because the engagement between this State and the parents of children with special needs has far too often been too adversarial, and that has to stop.

It is completely unacceptable that because the State refuses to provide the services that children with special needs need, their families have to take the State to court and involve themselves in litigation to get their children the services they need. That adversarial approach simply has to stop. Even the response from the Department was adversarial. It cannot hide behind legal issues here. We will debate whether any of this was legal, a matter for legal experts, but there are moral, ethical and trust issues, as well as issues relating to patient-doctor confidentiality, that need to be seriously addressed.

The trust issue is very important because families of children with special needs will find it very difficult to send their child for therapy, psychiatric evaluations or psychological assessments if trust is breached and if the families feel that the results of those examinations will end up on some database somewhere in the Department of Health for many people to see. Some of the graphic information that was held is absolutely outrageous. There can be no justification for it.

There are ethical and cultural issues in respect of how the Department and the State engage with vulnerable citizens. We are again seeing a drip feed of information such as we saw in respect of CervicalCheck and the tracker mortgage scandal. For the love of God, can we have full and open disclosure on this matter once and for all? Family members have not been notified of the files the Department has on them at this point in time. Yesterday, the Taoiseach disputed whether they were dossiers. Whatever they are called - databases, spreadsheets or dossiers - information is being held on those families and they are not aware. The State must make them aware now. It must not hide behind any review. We need full and open disclosure now. Those families need supports. Let us not push back against them. Let us make sure that phone lines and other arrangements are put in place so that, if they have any questions, they will be given the information they seek without any legal pushback or any other kind of pushback.

In the case of litigation, there is typically disclosure. All the cards are on the table. All the cards were not on the table in this case. Cards were under the table or being pulled out of the sleeves of the Department of Health, which was keeping secret dossiers on these families' children and on very sensitive information regarding the relationships within those families. It is appalling. The Minister of State needs to make sure this practice is stopped. There needs to be full and open disclosure. We need to know that all of these families will be supported. Is it the case that 400 families are involved? What is the number? Can that be confirmed? Will all of those families be notified? Is it the case that senior counsel was not given the legal advice furnished to the Department after a medically qualified person had raised concerns with regard to patient confidentiality?

I tell the Minister of State very directly that rights must be put in place very quickly. There must be full and open disclosure and there has to be proper engagement with those families. I ask the Minister of State to put a stop to this pushing back against children with special needs and their families who are looking for supports. If the State spent a fraction of its time putting supports in place rather than acting against the interests of these children with special needs and their families, we would all be in a much better place. In fact, we would not be here today having this discussion and debate.

Deputy Donnchadh Ó Laoghaire: I listened to the Minister of State. She spoke with some feeling, compassion and empathy. From my experience of her, I believe that to be sincere. This debate may be an opportunity to show sympathy and to ensure that people feel heard but it must be a hundred times more than that. The Minister of State has a responsibility to put pressure on her colleagues to end this practice, ensure it never resumes and there is an independent investigation of the kind we have outlined and, most of all, radically transform the culture in the Departments of Health and Education as it relates to these issues.

I watched the programme on Thursday night as, I am sure, did many others. My blood was boiling. It was an outright disgrace. The anger that I and many others, I am sure, felt cannot be compared to the anger felt by the parents of children with special educational needs, especially the unfortunate hundreds, and perhaps thousands, who have had to take the Departments of

1 April 2021

Health and Education to court to vindicate basic fundamental rights to education. In the context of something as basic as the right to an education to allow one's child to progress and thrive, imagine the courage required to take a case to secure an assessment of need, a school place or a place on a bus. Imagine a person having to take on the HSE, the Department of Health and the Department of Education only to find out that they have been going behind that person's back to try to gather dirt and have been treating the person in question as an object of suspicion and threat or as someone who has motives other than the best interests of his or her children. As we have said, this may have been legal but, my God, it is not right. It is profoundly wrong and must end.

I hear the Minister of State and she speaks with sympathy but there are senior civil servants and senior Government representatives who are still trying to defend this. A commitment must be given to end this practice and that it will never resume. We need an independent investigation to find out who is responsible and how this came about. We also need to ensure that all the families directly affected are informed. Those who potentially could have been affected should also be informed because they will be asking whether they are affected. There also needs to be a dedicated helpline.

The last thing I will say before allowing the Minister of State a minute to respond is that this illustrates a whole culture in respect of education and children with special educational needs. We talk a great deal about these children being a priority but the front-loading model is causing serious issues, progressive disability therapists are being lost to schools and all sorts of targets for assessments of need are not being met. There are crises everywhere, including in Cork city, with regard to places in secondary schools and in special schools generally, which are leading to children being educated at home by parents who do not have the ability to do so and cannot find a tutor. It is just wrong. Education is a right. It is enumerated as a right in the Constitution. We need to start honouring that.

Deputy Anne Rabbitte: I thank the Deputies for the questions they have posed to me. Deputy Cullinane talked about issues of morality, trust, ethics and culture. That is a conversation that needs to be had out in the open. I do not deny that one bit. The word I keep coming back to is "transparency". That is what everyone is looking for, a conversation in respect of transparency. Deputy Ó Laoghaire is right; I am very sympathetic. I have a clear knowledge of this. There is an opportunity to reset how things have gone on but there is also an opportunity to have more meaningful conversations about how we progress disability-related issues and put them front and centre. Parents should not find themselves having to engage in litigation in order to access their rights. The approach in future needs to be based on rights. That is what I want to do.

Deputy Aodhán Ó Ríordáin: I agree with others that the Minister of State's presentation showed empathy and an understanding of the issue. The speeches of Ministers sometimes read like national car test reports but the Minister of State's did not. I am, however, stunned that there is no representative from the Department of Education present to hear this debate.

In a properly functioning democracy, families of children with additional needs would not feel as if they are on their own or that they must not only deal with a challenging diagnosis, but also become full-time campaigners at the same time and wage war on the State to ensure basic provisions for their children. In a fully functioning democracy, such families would feel an envelope of care from their schools, the HSE and every Department, all of which would work to lift and empower children in a country which puts children at the centre of everything it does.

What we actually have in this country are thousands of families who are completely exhausted because, in addition to dealing with what they have to deal with at home, they also have to campaign for the most basic provision for their children. The waiting lists for interventions and assessments are years long. There is also the absolutely pathetic sight of parents trying to get access to school places for their children only for the special educational needs organiser, SENO, to hand them a list of schools and wish them the best of luck.

The “Prime Time Investigates” programme and the exemplary work of the whistleblower, Shane Corr, expose the contempt the State has for families who are dealing with difficult and challenging diagnoses. There is no envelope of care. We are not all in this together. The child is not at the centre of the conversation. Families will say that it is as if the State is asking them to please go private or to please be quiet and leave it alone. There is no representative of the Department of Education present. We have heard speeches about how the Minister of Education and the Ministers of State in the Department of Education will choose the side of the children with additional needs in any debate between teachers, SNAs and families with children who have additional needs. They have made such statements but in recent weeks I am pretty sure the only thing I have heard from the Minister of State at the Department of Education with responsibility for special education and inclusion is how strongly she feels about *The Kerryman* newspaper. However, she is not here.

This is a classic example of the cultural problem we have in this country when it comes to putting children at the centre of anything. The children and the families are considered to be the problem. If they decide to take on the State, by God the State will find out what it needs to find out about them. How often does this happen? I cannot believe the Department of Education and the Department of Health have said that this is common practice but the Minister of State has said that it is not good enough to say it is illegal if it is wrong.

There are so many people and interest groups pulling and dragging all the time when it comes to debates on education or health. At the centre of all of this should be the children and the State should flip over until it snaps in order to ensure that children can be empowered and uplifted and can fulfil their potential. That never happens in these debates, however. This is not necessarily just a political issue, it is a cultural issue as well. What happens is that the children and the families are made out to be problematic and the State seeks to make sure that no other families will decide to go down a particular road again.

I appreciate the Minister of State attending this debate and I appreciate her empathy. It is a disgusting disgrace, however, that no Minister or Minister of State from the Department of Education bothered to be here to listen to this debate.

Deputy Jennifer Murnane O’Connor: I will ask the Minister of State a few questions and she might come back to me. April is Autism Awareness Month and I am so sad that we are here discussing the revelations revealed about how families with autistic children were treated so terribly. I want to take this opportunity to thank Shane Corr for highlighting these practices. I appreciate that these revelations came as a surprise or even a shock to people.

I appreciate that the Minister of State has only been in her position a short time and that she is doing her best but trust has been broken here and we have to fix that. I welcome that there will be an investigation and that the Data Protection Commission has launched an inquiry into the processing of this personal data, but I want to know if there will be accountability. What happened was wrong. There was an admission that this system was operated under the law.

1 April 2021

The law they were operating under was an old law and was superseded by EU law. This highlights again how the general data protection regulation, GDPR, is often misunderstood, misused and incorrectly applied.

There is a legacy of a lack of communication and that has to change as a matter of urgency. Good people try to do their best but if there was any misunderstanding of what was permissible, then we need to find out what that was and address it. We need to trust in the system because without it we lose the people. We need the whole truth and nothing but the truth. We must have that in order to rebuild trust.

Is this a practice which crosses Departments? So many of us agree that this breach of confidentiality between doctors and patients is wrong but is it a widespread issue? We all have to ask if these are the only kind of files being kept. Is this a system where all litigation means a file is kept? Why do doctors and professionals feel they cannot refuse when asked to send such records? That is a question we must ask. A citizen struggles to get his or her information from doctors if he or she is changing doctors, for example. Those people are not handed their information. They have to apply for their information. Why was it so acceptable, therefore, for doctors and health professionals in schools to just hand over this private information? One constituent who is entering the system to query autism for their child told me this week that he or she does not trust the professionals who are there to protect or do right by the child. Is that not just so sad? This will be a major problem.

We need to rebuild trust between the public and the State agencies and not break it down. We must do everything in our power to protect and fight for our children. We must not rob them of privacy or gather secret files on them. We must open up and be kind and warm. We must find a way to help every one of them. We have to have a culture shift. These families are looking for the right to have their children educated, supported or cared for. They are not the enemy and that should never have been the case. The Minister of State might come back to me with some answers.

Deputy Anne Rabbitte: The Deputy has raised many issues on which I do not disagree with her. The most important matter here is the breakdown of trust. Unfortunately, that is what the “RTÉ Investigates” programme showed. It showed that there has been a breach of that trust and families need to be communicated with clearly and openly so that we can rebuild same. I am putting myself into that role and I will seek out the full and comprehensive review that is required in the Department so we can build that trust between the various parties involved. Most importantly, I will ensure that the private patient confidentiality trust that is required and that families so depend on is kept intact. The outcome of the review that will take place on the files is what we need transparency on.

Deputy Michael Creed: I thank Deputy Murnane O’Connor for sharing time and I thank the Minister of State for attending and for her contribution. It is a unique set of circumstances whereby a Member of the Legislature can say with authority - and this reflects the contributions of other Members as well - that she does not really care about what the law is but that we care about what is right and wrong. As a member of a Government party, I have been disappointed with the response from Government so far in not initially coming out and saying that this was wrong, that it will stop now and that the matter will be investigated.

All of us instinctively know that the most challenging encounters we have in our constituency offices are with the parents of children with disability or of adult sons and daughters with

disability. The battles and scars they have had from the duration of their parenthood of those children are etched on their faces because everything they have wrought for their children from the State has been hard-won. Nobody takes on litigation against the State, not least parents of children with disability, without the fear of God in them that they could lose everything they have because the costs are astronomical. To find out that this challenge is more significant and that the odds are more stacked against them by virtue of this approach is really disappointing.

This reflects the view of all Members. I appreciate the empathy the Minister of State displayed during her contribution. What we would like to hear is that practice has stopped, that it is not happening anymore and that we will have a report on it what was involved. We would also like to definitively hear that the consultations that parents have with their doctors and consultants are entirely private to those parties and that the State has no reach into the consultation room in defending any actions taken by parents on behalf of their children with disability. They are the issues that are of most concern.

I would like to acknowledge the whistleblower and I would equally like to express concern that the most senior official in the Department of Health saw fit to try to gag the national broadcaster in terms of trying to stop this story going on air. That was a gross abuse of position and it should not happen again. I would like to hear the Minister for Health specifically saying that he has spoken to the acting Secretary General in the Department of Health on the matter. It was an outrageous attempt to gag the national broadcaster, which is entirely unacceptable.

Deputy Anne Rabbitte: I thank the Deputy for his comments. As Minister of State in the Department of Health and in the Department of Children, Equality, Disability, Integration and Youth, I have explained the legal piece in this. While that is the law, I do not accept the transparency piece, as I outlined earlier. I hear what the Deputy is saying about the families. We need to reassure them and build trust. That is the purpose of this review. When it is done, it will be made available and we will be transparent so that we can explain the whole process. If the State has made a mistake, we need to tell the people that it has. At all stages, it is important to reassure people that the review to be undertaken will be open and transparent. I have asked that the senior counsel report, which the Department of Health commissioned and published last November without me knowing one bit about it, be published and made available for everybody, including the whistleblower, Shane Corr, who is also looking for it. It is important that everybody can see the contents and what was looked at. That is the start of our first step in being open and transparent and rebuilding trust.

Deputy Pauline Tully: The revelations on the “Prime Time Investigates” programme were shocking. The collection of information, especially medical and treatment information on vulnerable children and their families, was despicable. None of us would like to think that our personal information, which we had shared with a professional, was there for all members of a certain section in the Department of Health to see.

In the first instance, no families should be required to take the State to court over the right to a proper education. Second, the State should not be defending these cases in court and spending millions of euro of taxpayers’ money defending the indefensible. Money can seemingly be found to defend the State in court but cannot be made available to ensure that all of our children are cherished equally and their educational needs met. Unfortunately, families are still being forced to revert to the legal avenue to get help for their children.

Since 2018, HSE-appointed solicitors and counsel have cost the taxpayer in excess of

1 April 2021

€700,000. This waste of money must stop and instead be invested in services and schools to provide assistance to children with special needs and their families. It abhors me that officials in the Departments of Health and Education would compile these dossiers and share this information, and none of them would question whether it is unethical and possibly unlawful. Did individual schools participate in this practice and share confidential information about students' ability in school? It does not make sense to compile a secret dossier on students in cases where it has been ten years since they engaged in any sort of legal action.

It is very possible that there has been a breach of data protection rules. I welcome the statutory inquiry that has been instigated by the Data Protection Commissioner. However, this practice is in direct contravention of several articles of the United Nations Convention on the Rights of Persons with Disabilities. Article 22 states, "States Parties shall protect the privacy of personal, health and rehabilitation information of persons with disabilities on an equal basis with others." The Government signed up to the United Nations Convention on the Rights of Persons with Disabilities three years ago and this practice is in direct contravention of the convention.

We need clear information on this debacle. When did this practice begin? How many people were involved? Has it stopped and, if so, when? What exactly was the expert senior counsel asked to review? What was the brief and what questions were asked? If one asks a question in a certain way, one will get the answer one wants. I do not believe a cross-departmental review is enough. We need an independent inquiry into this issue immediately. The Government has responsibility to rebuild trust in the Departments that serve us. Enough is enough. Treatment of people with disabilities as second-class citizens must end.

It is two years since Deputy Funchion received overwhelming support for the establishment of an autism committee which is now needed more than ever. I hope that can be progressed.

Deputy Róisín Shortall: It is important to remember that at the heart of this issue is that the State has been quite happy, down through the years and continuing to today, to fight children who have special needs and their families. This is about a denial of basic rights to people with special needs. If successive Governments had not pursued that policy, this would not have arisen. Despite the 2004 Act, the 2005 Act and the UN convention, the State is still fighting children and their families. Families still need to fight for basic services, including education and health services. That is ethically and morally wrong and it should not be allowed to continue. That policy needs to change. We need to introduce a rights-based approach to children with special needs.

At the start of her contribution, the Minister of State said she did not know about this before the programme aired and I accept her bona fides in that. The point is that she has known about it for the past week. Her senior officials knew about it long before the programme aired. Why is more information not available? Why has the Department not responded in an adequate way to this issue? Why was she not properly briefed on this? It is not just about the last hour or two; she should have been briefed and a brief should have been prepared at least over the past week.

The Minister of State raised the question about the legal basis. I will go into the legal basis in a few moments. However, why was this policy being pursued in the Department? These were dormant cases, most of them going back to before 2005. It is not as if these were active cases where the defence was being prepared actively. These were long dormant cases. Why were these cases being kept active with information continuing to be gathered? It seems that the main purpose of that was to profile the families involved. That is clearly what the Depart-

ment was doing. It was profiling families even though these were dormant cases. How was that being done?

How many staff in the Department were involved in this? It is not as if nothing has been done for ages. These were cases that were being actively examined with work being done on them. There was a flurry of activity in 2015 and again in 2017 and 2019. Someone at a senior level in the Department was instructing staff to profile these families. We need to know the reason for that.

Many issues arise as a result of this on which we need answers. There were breaches of data protection law. I welcome the Data Protection Commission's statutory investigation in that regard. However, there are serious questions for the Department. Were doctors and other health professionals required to breach patient confidentiality without doing what they should have done, which is obtaining consent from the families? It seems that that did not happen. According to families involved, their consent was not obtained. Therefore, there are major issues relating to breach of confidentiality.

There was the abuse of the HSE's power as an employer to pressurise doctors to share information. How was this sensitive information stored? It seems that several people in the Department of Health had access to that information, which was inappropriate. The Department of Education had a role in sharing sensitive information about students, including school reports. There are questions for the individual schools. Of course, there are also questions for the individual professionals who engaged in this and who complied with those requests.

There are also issues regarding the treatment of the whistleblower. We need that senior counsel report but that is not all because we need to see what the brief was. The senior counsel made it clear that he did not have access to the legal advice. At a minimum, that should be made available now, but that is only the first step.

3 o'clock

An Leas-Cheann Comhairle: The next slot is being shared by Deputies Lahart and Niamh Smyth.

Deputy John Lahart: I am grateful for the opportunity to speak on the "RTÉ Investigates" programme on this issue. I wish to put on record that the Minister of State, Deputy Rabbitte, is blameless in regard to this matter. It is important to state that.

I thank the Minister of State for being here. She has come to this place after only eight months in office. The question for me is how did we get here. I am sure that for people who might not have a vested interest or who are not stakeholders in the special education piece, it is mind-boggling how this information ended up on spreadsheets in secret files in the Department of Health. How is it that parents of children with special needs and children with special needs ended up in this situation of secret files being compiled on them in a Department of State?

How did we get here? Let us go back to the beginning of the trail. Taking my constituency as an example, I know of parents who rise at 6 a.m. to bring one child with special needs from the Rathfarnham-Knocklyon area to the border with Kildare to a school that has a special educational needs unit and who then make the journey back across the Dublin Mountains to the border with Wicklow where there is another school that has a special educational needs unit and they do that twice a day, Monday to Friday.

1 April 2021

As for how did we get here, again, let us take my constituency as an example. Nationally, the ratio of autism spectrum disorder, ASD, places is 94:1. In other words, for every 94 mainstream school places, there is one special class place. In my constituency of Dublin South-West, as well as that of Dublin Bay South, which encompasses Dublin 4, 6 and 6W, and parts of Dublin 16 because there are schools there that have ASD units, the ratio is as high as 650:1. How did we get here? There are, as I learned recently, 130 post-primary schools inside and east of the M50, not including the 30 private fee-paying post-primary schools. Of those 130 post-primary schools, 23 have ASD units and all but two of those ASD units are in DEIS schools. How did we get here? The Department of Health is the second last staging post, before the courts, in this battle. How did we get here? It starts much earlier. How do we stop parents and their children ending up in this space? It starts before preschool. It is an exhausting, never-ending journey for parents, for whom the education of their children is only one of the challenges they face. We know the amazing impact that preschool education has on every child, never mind the impact it has on those children with special needs and the difference it makes to their lives. The struggle for places continues at primary school level, when parents are told that school X might be a better fit for their child than a particular school. We have not yet discovered the challenge that faces them at post-primary level. It is only beginning to emerge.

This is a societal issue. It ends in court. As I said, the second last staging post is the Department of Health, but this concerns patron bodies, boards of management and every stakeholder in education in this country, some of whom, not all - there are fantastic exceptions - connive silently and invisibly to exclude children from schools that are not State-run but are State-funded from start to finish.

Deputy Niamh Smyth: I thank the Minister of State for coming here for this important debate. I will begin by referring to a sentence from her opening statement, in which she stated, "I know that no malice was intended on the part of the Department." I fundamentally disagree with that line. All of us, including the Minister of State who, as has been stated is blameless in all of this, know from our constituency work that the parents who come through our doors seeking basic supports and assistance for their children, be that an educational, health or other need, come to us exasperated, having tried to do it on their own. They have tried to rail against the system to give voice to their children who have no voice and to give a face to their children who appear to be faceless within the system.

In the previous Dáil, I brought the Minister of State's predecessor, Finian McGrath, to visit the Holy Family Special School, which does enormous service for children with disabilities, intellectual and physical, at primary and second levels across Cavan-Monaghan. It is one of the most inspiring, exhilarating schools in terms of the work done by the teachers, parents, SNAs and the medical staff there. They are totally reliant on that community of people to look after them.. When engaging with the parents, none of them will say it has been easy or that they have felt the State was in their corner. I do not like the use of the word "State" because, for me, that lets people off the hook, as it does in the case of the officials responsible for this sneaky, conceited eliciting of information from GPs. In terms of our constituency work, none of us would consult with a Department without the authority of a constituent. What was done by these officials is disgraceful.

I agree with Deputy Creed's remarks in regard to the official who contacted the national broadcaster, RTÉ, in an attempt to gag it exposing something so important. Let us be honest, we have known that this was happening. We have known that people and parents have always felt that the State has railed against them. The sneaky, conceited way the information was elicited

for the purposes of litigation is unforgivable.

The Minister of State has done tremendous work in the very short time she has held her current position. Parents and I want to know that this will stop. It is cultural thing. It is the idea that we are bigger and more powerful than the law and the country, that we will put these people in their box and take them on. What chance do people have? Following on from Mr. Corr's brave and courageous stance, I want to know that officials, not the State, will be held accountable for what they did.

Deputy Matt Carthy: Without rehashing what has been already said, I wish to make the point that the actions of the Department of Health in compiling dossiers and information about children with disabilities was vile and obscene. It is unfortunate - I am being mild in my use of the word "unfortunate" - that there is not a single member of Cabinet here for this debate. I stand corrected, I note the Minister for Children, Equality, Disability, Integration and Youth, Deputy O'Gorman, is here, but the Minister for Health, Deputy Stephen Donnelly, and the Minister for Education, Deputy Foley, are not present.

The Minister of State, Deputy Rabbitte, said that she was not aware of this practice. I would like clarification as to whether the Minister for Health, Deputy Donnelly, was made aware of this practice and if the Minister of State is aware of any previous Minister for Health having been made aware of it. If it is the case that all respond that they were not aware of it, there are fundamental questions that need to be answered in regard to how this could happen. How could a practice that crosses so many elements of government carry on without Ministers not being aware of it? Does the Minister of State, Deputy Rabbitte, accept that this goes to the heart of what I will call "the State" and how it operates? We know that if a Minister signed off on this or it was proven that he or she had given the go-ahead to officials to fulfil this practice, there would be a motion of no confidence before the Dáil and it is quite likely that before that motion reached the House, such a Minister would be asked to fall on his or her sword for political expediency. It would be quite proper for that to happen.

It is fair to say that the one thing we can know for sure about this issue is that, by the end of the process, there will not be a single civil servant made accountable for his or her actions in regard to these despicable events. We must ask why that is the case. The HSE was set up by the then Minister for Health, now Taoiseach, in part to allow political responsibility to be avoided. It allows the Government to say that a particular issue is nothing to do with it and is a matter for the HSE. In this instance, we are told it is nothing to do with the Government; it was done by civil servants in the Department of Health. Why is that being allowed to happen? Will the Minister of State ensure that somebody is at least named and shamed, if not made accountable for his or her actions?

As I want to give the Minister of State time to answer, I will ask just one more question. There is a great deal of talk about working out when we can engage with the families. Will she ensure that, from today, all of the families that are affected are contacted and are told, at the very least, that their information was part of this and they will be contacted again with further details? It is not something that should take a long time to do. I would hazard a guess that the information is in the Department right now and I ask that the Minister of State release it to the families concerned. It is the very least they should expect.

Deputy Anne Rabbitte: In the few seconds left to me, I will respond to the Deputy's final question on whether the families can be contacted. I have requested that this should be done

1 April 2021

and it is going to happen. They will be contacted and a liaison person will be put in place. For anybody among the wider public who has a concern, there will be an email facility put in place to facilitate contact with the Department.

Deputy Gino Kenny: I am sharing time with Deputy Boyd Barrett. I do not doubt the bona fides of the Minister of State on this issue. In the time I have known her, I have found her to be a genuine person. However, the RTÉ programme last week holds up very serious questions in regard to trust and confidentiality for the children and families trying to access special needs provision. At this point in time, there are families taking the State to the High Court in regard to the Disability Act. That legislation is breached every second of every day and families have to go through the ringer trying to get the most basic of needs met. It is pretty damning of our society that this is happening.

The questions thrown up by the RTÉ programme concern accountability, particularly around the Secretary General and his predecessors. The current Secretary General, Mr. Robert Watt, is very well paid for his job. Why is he not being brought before the health committee? He has said he will do so at a future date but he should be there next week. There is a running for cover on this issue. To give the game away, there was a press release a number of days ago by the Department of Health in regard to the RTÉ report. It stated that the expert review by senior counsel had found the practice in question to be “entirely lawful, proper and appropriate”. It might be appropriate and lawful but surely it is not ethical. Can the Minister of State stand over the press release and say what happened was lawful, putting aside the question of whether it was ethical? Was it ethical to build up a dossier on children and parents in a way that sought to undermine them? That goes against absolutely everything for which those children and families are fighting. Does the Minister of State stand over the press release? Does she agree that what was done may be lawful but it is also unethical?

Deputy Anne Rabbitte: I thank the Deputy for his very direct questions. In regard to the expert review, my understanding is that barristers were brought in over the weekend and are still working through all of the files in order to present us with the information that is needed. The Deputy asked a very clear question about the difference between ethical and lawful. The whole thrust of my opening statement was that what was done might have been lawful but we need to consider whether it was ethical and moral and whether the culture needs to change. I full-heartedly believe that it absolutely does need to change.

Deputy Richard Boyd Barrett: It is sinister to keep files on vulnerable children and their families while the State tools itself up to protect against legal action by the families who are simply trying to assert their legal right and entitlement to equality. That is what we are talking about. It is their right to equality under the law to get the assessments, services, supports and so on to which they are entitled. Rather than the State vindicating those rights and providing those assessments and supports, it looked for ways to trash them legally.

Why are all the senior Ministers not in here telling us what they knew and did not know? There has been a concerted effort to turn this debate into a damp squib and make what was done a non-issue that can be floated off into questions of legality. We need to know whether any of the sitting Cabinet members who are former Ministers for Health knew anything at all about this or approved it. I am not talking about the Minister of State when I ask whether this is linked to politics. There is, in my mind, a connection between the refusal of the Government to ratify the optional protocol of the UN’s Convention on the Rights of Persons with Disabilities, CRPD, which would have ensured legal accountability in terms of the vindication of equal rights for

people with special needs and disability, and what has happened in this case. Does the Minister of State agree there is a connection between those two issues?

Deputy Anne Rabbitte: I am joined by the Minister for Children, Equality, Disability, Integration and Youth, Deputy O’Gorman, in which Department I am also Minister of State. I would like people to understand that what I am tasked with doing as we move forward is to take disability provision out of the Department of Health and apply to it a more person-centred and rights-based approach under the remit of the new Department. I hope that will set us on course for the cultural shift, ethical change and person-based approach that I, and all Members of the Oireachtas, would like to see.

Deputy John McGuinness: I am sharing time with Deputy Michael Moynihan. This is yet another scandal involving a whistleblower and a report being commissioned by a multidisciplinary team. The same old worn path is being followed by the State. It starts with mutterings from the Taoiseach and Ministers in this House suggesting that there is another side to the story. Like all other whistleblowers, I am sure Shane Corr will no longer enjoy his employment, in this case with the Department of Health. That happens with every whistleblower who ever comes to the fore.

We are told that the departmental officials and their families have to be considered. There are decent officials in the Department doing decent work. However, we must consider the facts. This was an attempt by officials to put together dossiers on every single relevant case. That was done and we cannot ignore it. When it comes to investigating what happened, what are we offered? An investigation is to be directed by the Secretary General which, the Minister of State has told us, will “provide the factual detail on these matters”. How can the Secretary General who tried to gag RTÉ and “Prime Time” be appointed to investigate the matter? If it was a politician who made that call, we would be asking him or her to resign. That is a fact.

The efforts being made smack of a cover-up and the same old, same old all over again. I point to the example of the case known as the Grace case that went on for a decade and involved a whistleblower. The Minister of State should ask the Department where that whistleblower is now. That person is out of a job and tied up in court. The employer, funded by the HSE, let that person go. The way we treat whistleblowers is an absolute disgrace and scandal. Did Tusla ever rectify its files on Maurice McCabe? There is also Noel McGree, another man who is out of a job. I am pointing to these as examples of decent people who came forward and tried to do some service for the State. They end up being the victims, left out of a job and being spoken about badly in the House, as happened previously and, no doubt, will happen again. How many live cases are there in the Department in respect of this issue? How much have the senior counsel and all of the reports cost? Will the Minister of State implement a different type of review that is independent and not headed by the Department?

Earlier, the Minister of State said, “The Department’s view is that the legal approach has always been to settle cases on the best terms possible.” That is a lie because the Department has a record of fighting every single case right to the end. In spite of what we say in this House those in the Civil Service will continue doing what they have done over the years. What of all the Ministers for Health we have had? Did they not know about this? If they did not know about it, what kind of job were they doing?

Deputy Michael Moynihan: I am grateful for the opportunity to speak in this debate. I watched the programme at 11 p.m. on Thursday last when I got home Dublin. I was absolutely

1 April 2021

horrified and disgusted by what I saw. We have had many platitudes and heard talk about trying to ensure that every citizen gets the best possible start in life and the best from the State.

Let us consider this arm of the State. The issue I have is that the arm of the State had endless resources in terms of correlating and putting together a file or legal case against one family. No more than any other public representative in sight, I have been engaging with families and communities all my political life in order to get services for people with special needs. I will continue to do so for as long as that honour is given to me.

I have reflected on the cases I have dealt with over the years and the associated funding and the stop on funding. I will not get started on where we are now in terms of the assessment of needs for those with disability. No services are available from the public sector at the moment for children who need occupational or speech therapy. The services are simply not available.

I have had many discussions with the Minister of State. I admire her tenacity and courage in the way she is tackling this Department. I wish her continuing good luck in it. How much money have the Department of Health and the Department of Education used to challenge the parents of children with disabilities in respect of the services they need? How much money have they taken from the State? Could that money have been used to ensure the best possible services were available? I have no doubt that a future Taoiseach will come before the Dáil to apologise for the way services for people with special needs have been delivered.

This is the challenge I have. It is okay for senior civil servants to sit in their offices and say they will take on the case of A, B or C. I have been dealing with a case relating to school transport. The child concerned needed to move from one school to another. The case for the transport grant was not approved because of some box that needed to be ticked at the start of the exercise. To this day, the Departments are willing to fight these cases. It is unfair and unjust. The senior people in Departments are able to make decisions about commencing court cases against families and children. What if they showed the same courage in tacking the legislation in place to give a fair crack of the whip to those who have changed school or circumstances? If they showed the same courage in accommodating those families as they do in expending state money on legal cases, we would have a far better system.

Deputy Louise O'Reilly: I know this is an issue in which the Minister of State has taken a serious interest. I am going to say as much as I can in the time available.

I could stand here and talk about how outraged, upset and angry I was. I imagine the Minister of State would share many of those feelings - I genuinely do. I will read out what a mother in my community has said. She represents the voices of the families who have been devastated by this. I pay tribute to Shane Corr. I hope that the Government will stand by him and does not allow his life to be destroyed. That is what has happened to other whistleblowers. This man deserves protection.

These are the words of one mother:

My son is 8 now, was diagnosed just before his 3rd birthday and has only ever received 4 speech and occupational therapy sessions for early intervention, and we had to fight for a suitable school place for him for years. I dread to think that while I was processing my son's diagnosis, doing my best to learn how to help him, searching for school places while trying to keep my own head above water, that all our personal and confidential information could have been used against us, including details of my own mental health. In claiming D.C.A.

you fill out a form, but you are advised to also send in a “family impact statement” and a description of a typical day. That form is everything negative about your child, and it is heart wrenching to fill in and write about how your child’s diagnosis negatively impacts on your family. To think that so many people would have access to that very personal information is sickening ... There needs to be more transparency and openness on what information families provide will be shared and with whom, and consent given.

I know this is not lost on the Minister of State but many of these families were litigating for basic services. They were seeking services that a developed society would regard as the basic minimum.

I realise that the Minister of State does not sit at the Cabinet table but she is close to those who do. Aside from the current Minister for Health, there are three former Ministers with responsibility for health who sit at the Cabinet table. My question to the Minister of State is simple. The Minister of State said we needed to have a conversation about disability, and we do. It cannot always be a negative one. Some day we must have the opportunity to come to the House and celebrate those in our community with special or additional needs. However, it is always negative for these families. They have always been made to feel they are a burden by successive Governments and that is not right. I wish to ask the Minister of State one simple question given that there are three former Ministers with responsibility for health as well as one serving Minister for Health sitting at the Cabinet table. Will the Minister of State commit to asking them to share what they know about this disgusting practice? It might be legal but, by Jesus, it is not right. Will the Minister of State commit to asking them to share that information? Will the Minister of State ask them to go some way towards addressing the concerns and the real hurt these families have experienced?

Deputy Peter Fitzpatrick: The “Prime Time” investigation was shocking. What was uncovered has truly angered people throughout the country. The programme has shown that the Department of Health secretly gathered information from private medical consultations to create files on children with autism who were involved in legal actions against the State. The files, which include sensitive medical and educational information of children involved in long-dormant court cases, were compiled and maintained by the Department of Health over several years without the knowledge or consent of the parents. This detailed and sensitive information is understood to have come directly from confidential consultations that the children and their families had with doctors and other professionals. Furthermore, the Department instructed the doctors and others not to tell the parents. This is truly shocking and disgraceful behaviour by a public body.

I understand this information was compiled and shared so that the Department of Health could formulate a legal strategy in the cases brought by the children and their families. Even more disturbingly, this information was then used to determine when was a good time to approach parents to settle or withdraw their cases. This is shameful.

I also understand this information is being retained indefinitely on a searchable database. According to “RTÉ Investigates”, doctors, consultants and psychiatrists shared the private and confidential information of parents with a public body. It is clear that the families affected by this have been treated with contempt, a lack of respect and with a complete lack of compassion by the State. I am completely disgusted and embarrassed by the actions of the Department of Health in this instance. There is no doubt the Government will say that what was done was not illegal. This is not the point. The actions of the Department in this regard are morally wrong.

1 April 2021

To treat families in this manner, especially those who are fighting for their autistic children, is completely wrong. Regardless of whether any laws have been broken, this should never have happened.

The Minister of State, Deputy Rabbitte, made a statement in the Dáil this week. What struck me most was that not once did she or the Government apologise to the families themselves for this appalling behaviour by a public body. In her statement the Minister of State even tried to defend the Department by stating she was sure it intended no malice in its actions. If no malice was intended by the Department, why was it using this confidential and personal information to approach families with a view to settling or withdrawing their legal cases against the Department? The bottom line is that the State, through its public bodies, has acted in a most deceitful and underhand manner against the families of autistic children. There are many questions that need answers and I ask the Minister of State to answer them. How many cases are involved? Have the affected families been contacted subsequently? If not, why not? When did this practice start? Who sanctioned this approach? How often was this confidential information sought? How many cases were withdrawn as a result of the use of confidential patient information?

I welcome the announcement by the Taoiseach that a multidisciplinary team is to be set up to investigate the issues raised. The Taoiseach, however, needs to reassure all those affected by this that the investigation will be open and transparent and will not leave the families with more questions than answers. What the State has done, through the Department of Health in its dealings with families of autistic children, is both shocking and disgraceful. Answers are needed and there has to be consequences.

Of all of the people with special needs who come to my office, those with autism have the greatest needs. No matter when they look for services, they can never find them. They have to beg and borrow, if not steal, to get their children seen because when they look for services in the system, they are not available and they then have to arrange private consultations. That is wrong.

In future, when parents visit doctors, consultants and psychiatrists, will they be able to trust them? When I visit a doctor or consultant and ask questions I hope the consultation is in confidence and the doctor will try to help me. Doctors have told the Department everything, and it has ruined families. I would appreciate a response to those questions.

Deputy Anne Rabbitte: I thank Deputy Fitzpatrick for his comments and questions. Perhaps I should have started by apologising but I will certainly do so in my concluding remarks. The Deputy asked some very direct questions. For example, he asked how many live cases there are. There are four dozen live cases. This is a clear answer.

My concluding statement sets out a list of questions that I have asked, no more than the Deputy has, and I have not received answers to all of them. That is not to say they have not been asked. I am awaiting responses to them. Three independent barristers are involved in the review that is under way. They are going through all of the files to ensure the process and trust are not broken in order to give us the answers to all of those questions. I have requested a support liaison for the families impacted by this and that is being put in place. I have also requested that an email address be provided for families who may not, thankfully, get a phone call because they have not been impacted but who may be upset. These are families like those who visit the Deputy's office, my office or the Minister's office. There will be somebody available to give them a response in order that their voice will not go unheard.

The most important task here is to rebuild trust, not only in physicians but also in the HSE and the Department. Families also need to have trust in public representatives and that we will stand by them and stay in their corner. If something is wrong or not transparent, it is our job to ensure transparency and trust in the system. I plan to rebuild that trust but it not just me who needs to rebuild it. It needs to come from the Secretary General of the Department down. He needs to appear before the Joint Committee on Health or another committee.

Deputy Neasa Hourigan: I echo what many Deputies have said by acknowledging that the Minister of State strikes me as a person who is dedicated to providing suitable services for children with disability.

The enormity of what the “RTÉ Investigates” programme has brought to light was somewhat overshadowed by the issue that arose in the Beacon Hospital last week. I expect that we will still be talking about the programme long after the Beacon issue has gone because it speaks to the culture and ethics of Departments, in particular, an Roinn Sláinte. It speaks to the treatment by the State of people’s personal data. It also speaks to the attitude of civil servants to legal proceedings involving people who are resident in the State.

I listened to the Minister of State’s opening statement. I take issue with the idea that this is normal practice. I hope it is not normal practice. During legal proceedings, it may be permissible to share information with co-defendants but we are talking here about dormant files dating back to 2007 and people suddenly taking it upon themselves in 2017 or 2018 to create a dossier relating to those files and perhaps to then reproach families. We know this is not normal because the Department took it upon itself to have a report compiled by a senior counsel. The Department must also recognise that it was not normal. RTÉ has recognised that it was not normal because it got a television programme out of it. The families who are flooding my inbox with questions about this recognise that it is not normal because their reasonable expectation of privacy has been breached.

Unlike some other speakers, I do not accept that this practice was legal because we have not seen the senior counsel’s report and I am not assured that the senior counsel would have been in possession of all of the facts because those facts would have been provided to him by the Department.

The emails I am receiving from families, who are quite distressed, ask a series of questions. To what other cohorts is this practice applied? Does it apply to children or children with autism only or does it apply in cases of mental illness? On how many groups are dossiers being compiled? Is this a constrained issue and how widespread is it? What was the interaction between teachers, GPs, therapists and speech and language therapists? Did anybody say “No” and, if so, what happened then? What has been the interaction of Tusla in this? Did it get legal advice? In cases where the children on whom the dossiers were compiled are now aged 18 or over and there is obviously a capacity issue, can the families access their files? I am not going to ask the Minister of State these questions because I have no notion that she would be able to answer all of them, given that this practice dates back over a decade and relates to the operation and management by civil servants of the business of the Department. This is a test for the Department and the Government. Will the two Departments in question and their staff be held to account? What value is placed on ethics and medical ethics in the Department of Health? Doctors and nurses get training on ethics. Are civil servants getting such training? It certainly seems like they need it.

1 April 2021

Most important, this will be a test in respect of whistleblower legislation. This country has failed that test over and over again. In the coming months, what I do not wish to hear in the public realm or coming from the Department or civil servants is that the whistleblower was confused, had a grudge against the Department, had a fight with his boss or that his personal life influenced things. We need to get it right this time. This is about the trust between parents of children with disabilities - I am such a parent - and the State. We should not let the message be that this is normal practice.

Deputy Paul McAuliffe: I will begin with the point on which Deputy Hourigan finished. This is a test for us. Nothing in what I say is addressed to the Minister, Deputy O’Gorman, or the Minister of State, Deputy Rabbitte, who are present. Rather, my remarks are addressed to those who decided to take the actions that have been uncovered. It is important to note that we only have the claims of a whistleblower before us, but we need to believe those claims and to put in place the mechanism to investigate them. I understand we will do so. I hear the Taoiseach when he says that if client confidentiality was breached, that would be intolerable, unacceptable and unethical. We will hold the Government to account in respect of those words. I believe the Ministers and the Government are on the same side as many others in the House on this issue.

The test in this situation, which I address to the most senior people in the Department of Health, is to determine the motivation for the decisions that were taken. What was the motivation for preparing legal briefs on parents who were seeking services for their children? The only motivation I can see is that a legal argument was going to be presented that these children were “not bad enough” to get the services which they were claiming. That is the only motivation there could have been. The reality is that there is not enough we could do to support the parents of these children.

The culture of rights-based disability services has changed over multiple decades and we are in a very different space even in terms of the services that are provided. However, the culture of limiting people’s rights, challenging them in courts and ensuring that people are “not bad enough” to get their services has to be on trial here too. It has to be at the core of what is addressed in this process. I look forward to the investigation by the Department of Health. As a member of the Committee of Public Accounts, I, along with other members of the committee, will be seeking the costs associated with this issue.

However, the test here relates to the people at the very top of the Department of Health. Either they provide a process that delivers justice on this issue or they go. Either they provide a process that means parents have trust as we go forward or they go. Either they expose the decisions of their predecessors that were wrong or they go. This House must send a signal that this culture was wrong because these children are my son, my brother or my cousin’s sons. They are all of our children. Forty years ago, when my mother was knocking on doors looking for services, she got a “No”, but parents nowadays must not get a “No”. The system needs to know that Members of this House we are fighting for those services. There may be resource implications and organisational challenges but we are not saying “No” because people are “not bad enough”. We have had enough. Enough is enough.

Deputy Michael Collins: The “RTÉ Investigates” programme claimed the Department of Health has been secretly using information from private doctor consultations to create dossiers on children with autism who are involved in legal actions against the State and without the knowledge of their parents. As the programme outlined, the information accumulated over

time from the private clinical consultations of families who were preparing legal action against the State in respect of the insufficient educational support provided for their children. Highly sensitive data pertaining to these children's medical and educational records informed the content of these dossiers and those data were gathered without the families' knowledge or consent. Instead of helping these families, the Department was doing the very opposite. What was going on beggars belief. All the while, the families thought the consultations were under the protection of doctor-patient privilege. What happened was a total abuse of power and those held responsible must be dealt with in the appropriate manner.

Where has GDPR gone? It seems to me that it goes out the window when it suits. These revelations involve a gross breach of trust. There is a sense of shock and devastation among parents of autistic children and, indeed, the rest of the public. This shocking news while we are all going through this pandemic deals us all another blow. The Taoiseach, the Minister for Health, the Ministers of State at the Department of Health and all those at the Department need to explain how this was allowed to happen.

In fairness, the Minister of State, Deputy Rabbitte, who is present, was not in her current position when these events occurred, so I cannot understand why she was asked to come to the House to answer questions on the matter. The former Ministers for Health and current Minister for Health should be before the House. I mean no disrespect to the Minister of State, Deputy Rabbitte. She has been sent out to answer questions. It is clear from some of her replies that she does not have the answers to some of the questions asked by Deputies. I understand why that is the case, given that she was not in her current role at the time in question. I ask her to reply to the few questions I have.

Was what went on here a widespread practice? Was it standard practice? Other Deputies have asked whether the current Minister for Health or his predecessors knew anything about this matter. If they did not, why not? Does it extend beyond the Department of Health?

Deputy Richard O'Donoghue: My remarks are not directed at the Minister of State, Deputy Rabbitte, because I know she is a good person. However, there comes a time that there has to be accountability for the actions of people within the Department of Health. This issue affects the most vulnerable people in society. I refer to the money being spent on legal challenges and investigations in respect of people who are the most vulnerable in society.

In the 12 months since I was elected, we have even seen the Government taking and losing a High Court challenge relating to cars for drivers or passengers with disabilities. The Government has tied that issue up in litigation again. It has not been dealt with since the Minister for Finance, Deputy Donohoe, fought a legal battle and lost.

In this case, the costs involved are outweighed. It involves the most vulnerable people in society, those with special needs or disabilities. Our job as public representatives, as people within our parishes and as mothers and fathers is to look after the most vulnerable.

If we take anything from this debate, it is that we have to make sure that whoever is responsible for these actions is held accountable. They cannot be protected. We are not being protected, so why should they? Everyone that is involved should stand up and make a full apology. It does not have to come from the Minister of State, Deputy Rabbitte. It should come from the people who gathered this information. It should come from those people who were responsible for the information that was gathered. They should be held accountable in front of the House

1 April 2021

and be made to go on the airwaves to apologise to the most vulnerable in our society and state that this will never happen again. This cannot go on. We need to make sure that everyone who was involved in these actions, whether within the Department or across the board, is held accountable for what was done. As I stated, the Minister of State is a good person. She does an awful lot in these areas. However, we have to make sure that everyone responsible is held accountable. It disgusts me that somebody could do such a thing to the most vulnerable of people.

Deputy Thomas Pringle: Yesterday evening, I received a reply to a parliamentary question I asked of the Minister for Health on the way in which a compilation of a dossier on children with autism was permitted. Part of the reply states:

The allegations which were the subject of the RTÉ Prime Time programme on March 25th were brought to the Department's attention last year. The Department took the matters raised very seriously and commissioned an independent, expert review by an external Senior Counsel. This review was completed in November 2020.

That means the former Minister for Health, Deputy Harris, and the current Minister, Deputy Stephen Donnelly, knew about this long before it appeared on "RTÉ Investigates". The Department stated that it took the issue very seriously and I presume that very serious issues are brought to the attention of the Minister and if that is not the case, it raises other questions. Why were we not told about this? Why are those Ministers not here today to account for themselves?

The illegal activities exposed by Shane Corr are inexcusable. There is no way to defend the clandestine gathering of highly sensitive and personal data in order to inform cases in possible continuing litigation. Of course, it is not only the Department of Health spying on citizens. I have never noticed in job advertisements for the public service that the Government is looking for people with investigative backgrounds, detectives in the making, candidates who enjoyed "Inspector Gadget" in their early years. Is there somewhere else that the Government advertises for people with spying experience?

The Department of Justice has people monitoring tweets from those who are critical of direct provision, both former asylum seekers and members of the public. The Department of Social Protection sends people out to go through lone parents' underwear drawers and sit outside people's homes to check whether they are going to work. There is something wrong here and it applies to the Government across the board.

I thank Shane Corr for having the bravery and integrity to have seen something fundamentally wrong and to have highlighted it. Instead of staying quietly in his job in the Department of Health, Mr. Corr knew that he needed to go public with what he had found.

I have been asking many questions about the treatment of children with additional needs. I have asked whether a grant or other funding is available for parents of children with autism who seek to avail of early intervention services privately. I have asked about the numbers of children awaiting initial assessment of needs, the length of time waiting, by community healthcare organisation, CHO, and about the process of getting on the list for assessment. The Government recently moved the goalposts. As the HSE was consistently missing its statutory timeframe for completion of assessment of needs, instead of the Government and the HSE addressing the inadequacies of the service, they introduced a new standard operating procedure, SOP, that removed the need for it. The new SOP has been operational since January 2020. It is supposedly now allowing for a shorter assessment in order that the HSE can say it is meeting

its statutory targets. That is sad.

Deputy Catherine Connolly: The best way for us to show our respect and gratitude to the whistleblower, Shane Corr, is to stand with him and ensure that he does not suffer. We must also change the procedures after we find out what was done. While the Minister of State is praising a review, I do not accept it whatsoever because it is not independent. We must bear in mind that the latest revelation this morning was a memorandum praising someone who followed up, hunted down, chased up and followed up again on information that was going to be used to do down a family. I have the greatest of respect for the Minister of State but this is not about her or me. She has talked about her alarm and outrage, and praised the whistleblower. However, she went on to tell us there was no malice intended when she could not possibly know that. She also told us that it may have been lawful and there is a narrative that it was probably lawful in the contributions of many of the speakers. In my experience as a psychologist and barrister, limited as it is, I do not think there is any legal basis for the manner in which the Department has acted like a private investigator. There are rules and regulations in place even for private investigators. The exchange of medical reports and information in any legal case is determined by rules that are open and transparent. None of this makes sense and to say it may be legal is unnecessary at this point.

I would have liked senior Cabinet Ministers to have attended today. The Minister of State has been left absolutely in the lurch. The issue becomes about her or me, which is absurd because it is about a serious story where information has been gathered surreptitiously in a clandestine manner to be used to do down people and families with autism and special needs under the guise of saving the State money. Where is the senior counsel's report? Will it be published? Did the Department, or somebody on its behalf, threaten RTÉ under the Official Secrets Act? Did that happen? About how many files are we talking? What explorations has the Department done to find out? How many other areas does it affect? Does it, for example, affect the women with cervical cancer who came forward and took cases? How many other sectors has it affected? Let us have, at the very least, a full and frank discussion in the Dáil with senior Cabinet Ministers being held to account for a Department that is clearly out of control, and I say that reluctantly, because it has come forward and stated it has done nothing wrong. The Department is now going to investigate and confirm that it has done nothing wrong. The Government is asking us to think that is not nonsense.

Minister of State at the Department of Health(Deputy Anne Rabbitte): As I said earlier, I want to apologise to the families who watched the "RTÉ Investigates" programme last week for any upset that was caused, and for any questions I could not answer today. It is my ambition to get those answers and to put them into the public domain because I believe that is how we will build trust and ensure there is transparency. I will start there.

I thank the Deputies who made contributions to the debate today. I agree that upholding the rights of the most vulnerable members of society is of the utmost importance and I am conscious of the upset that recent allegations have caused for the parents and families concerned. I firmly believe that the whistleblower has an important role in raising matters of public concern and I acknowledge the actions of many brave people in coming forward to raise their concerns.

I stress that serious allegations have been made against the Department and a review is under way, directed by the Secretary General, which will provide the factual detail related to these matters. It is important, however, to emphasise that allegations of a similar nature have already been examined by the independent senior counsel, which advice I am looking to publish and be

1 April 2021

made available to all. That was the case before the revelations on RTÉ radio this morning. In the future, consideration will need to be given across all parties as to how the transparency of the whole litigation process can be improved.

I wish to read into the record the questions that I asked my Department last Thursday evening before I watched the programme. It is important to put this in context. I asked how many open cases there are and how many families have been impacted and will need to be contacted. The answer I have is that there are four dozen open cases. That is to differentiate between open and dormant cases. I have been told that a support liaison person will be put in contact with those families to let them know they have been impacted.

I also asked how many closed cases there are and how many families have been impacted and will need to be contacted. I have been told that, in total, there are approximately 270 cases. I do not know how far back it goes. I asked was consent sought from all families and if it was not, why that was the case. Perhaps a review will show that consent was not sought. I also asked why did this particular practice of case tracking and file management start and when it started. I asked whether the Minister can be provided with a copy of the initial legal advice showing this is an acceptable management of litigation. When I asked these questions, I did not have sight of the senior counsel report that was published last November. I also asked was other legal advice about this practice sought from other senior counsel, data protection specialists or the Office of the Attorney General over the years and, if so, what was the content of the advice. That is important. I asked how regularly the Department sought updates on these cases from the local HSE community healthcare organisations, CHOs, and who sanctioned them on each occasion.

4 o'clock

I asked how much of the material received came from the litigants for the child or family. That is important in terms of who presented it. I also asked was the material assessed by anyone in particular once received by the Department.

I asked why the Minister was not told last year that this was an issue that was being investigated by a senior counsel. When I talk about the Minister, I refer to myself. I also asked when the senior counsel was hired. We all know now it was this time last year. I further asked when the senior counsel's report was received by the Department. I now know it was received in November 2019. I asked why the Minister was not informed that this report had been received, or the findings in it. When I asked that question, I still did not have the report and I did not receive it until Saturday.

I asked who approved the terms of reference for the SC. I also asked who approved funding for the work and how much did it cost. It cost €10,000. I further asked if I could be provided with a copy of the report of the senior counsel and I am now in receipt of it.

I asked how many people had access to the information over the years. That is what is being sought as we speak.

I asked how many people and who currently has access to the spreadsheet. It is my understanding - it is important for Members to know as well - that the file was not held within the disability section, it was held in the social care section. Social care also includes mental health and older persons.

I asked what is the plan for the spreadsheet referenced going forward and if it is still being used. Yes, is the answer: it is still being used.

I asked if other concerns about this file management had been raised over the years. I am awaiting a response to that. I also asked if there are other similar file or case management protocols in place elsewhere in the Department. That was my last question up to the meeting with the Secretary General last Friday. Before I came into the House today, I was expecting a briefing, but proceedings ran ahead. Some of the script that I read out is from the Department but a lot of the information I presented this afternoon is my own. I hope it tackles some of the issues.

I agree with what was stated: this will be a test for us because there is a test of ethical and cultural change, a shift in mindset and transparency and in trust and engagement. That is where we need to get to. It must be a rights-based approach. It is unfortunate that legal cases continue to happen but we need to know the process. What is important is trust, transparency and the person at the centre. If my team and I manage to get to that space of understanding, sharing the information and ensuring a rights-based approach, it will ensure there is solid ground going forward. However, first I must sort out what the practice is and share it with Members in an open, transparent way to build the trust of the parents. The parents and the children must be at the centre of today's debate.

I say to anybody who watched the programme last week that the Government believes in being supportive of young people and their rights to education and health. We must ensure that we put them first, front and centre. We care 150% about them, but at this moment in time there are questions. There are doubts and there is a shadow, but we are going to clear that. When we clear it and I stand here and emphatically tell Members the process that happened, we then want them to continue to trust and believe in us, their physicians and in the process, because it is there to protect. That is what it was always about. When the Taoiseach stood here yesterday on the floor of the Dáil, he wholeheartedly spoke about the fact that he introduced special needs education and that it had not existed in the past. That just shows the low base we have come from. One has to wonder how high within the Departments we have risen, but we will question it and challenge it. I will push it and get the answers to ensure that trust and transparency are returned to the people who need it most, the most vulnerable in society.

Ábhair Shaincheistanna Tráthúla - Topical Issue Matters

An Leas-Cheann Comhairle: I wish to advise the House of the following matters in respect of which notice has been given under Standing Order 37 and the name of the Member in each case: (1) Deputies Joan Collins, Aengus Ó Snodaigh, Patrick Costello and Bríd Smith - to discuss the need to introduce an urgent community business restrictions support scheme or a similar financial scheme to assist small community enterprises; (2) Deputies Michael Fitzmaurice and Brian Stanley - to discuss issues relating to plots of turf on Bord na Móna bogs; (3) Deputy Pádraig O'Sullivan - an update on the plans for St. Gabriel's Special School in Bishopstown, Cork; (4) Deputy Fergus O'Dowd - to ask the Minister for Housing and Local Government to publish as a matter of urgency the marking scheme and assessments thereon made by his Department on the application by Louth County Council for funding for the Drogheda urban regeneration project, otherwise referred to as the port access Northern Cross route, PANCR, and if he will make a statement on the matter; (5) Deputy Verona Murphy - to discuss the waiting

1 April 2021

list for orthodontic treatment; (6) Deputy David Cullinane - to discuss reports of a database held by the Department of Health on children with special educational needs without the knowledge or consent of their parents; (7) Deputy Neasa Hourigan - to discuss plans to establish a banking forum; (8) Deputy Dessie Ellis - to discuss the lack of education resources for those with special needs and disabilities in Dublin North-West; (9) Deputy Bernard J. Durkan - to discuss the increasing daily incidents of worldwide human rights abuses; (10) Deputies Neale Richmond and Jennifer Carroll MacNeill - to discuss issues concerning operations of the Passport Office during level 5 restrictions; (11) Deputies Mattie McGrath, Carol Nolan and Michael Collins - to discuss the mandatory enforcement of Covid-19 vaccination for all student nurses; (12) Deputy Niamh Smyth - to discuss the need for a co-financed funding scheme to support the poultry sector in Cavan and Monaghan; (13) Deputy Mark Ward - to discuss access to disability services for children in community health organisation, CHO, area 7; (14) Deputy Jennifer Whitmore - to discuss the Greystones home help services merger with Home Instead; (15) Deputy Francis Noel Duffy - to discuss the strategic housing development scheme; (16) Deputies Maurice Quinlivan and Kieran O'Donnell - to discuss the pending job losses at the Rehab Logistics facility at Raheen, Limerick; (17) Deputies Peadar Tóibín and Seán Canney - to discuss correspondence from survivors of mother and baby homes following the publication of the report by the commission; (18) Deputy Éamon Ó Cuív - to discuss land eligibility of peat-based soils in the new Common Agricultural Policy 2021-2027; (19) Deputy Kathleen Funchion - to discuss the supports and public awareness programmes to address the effects of Covid-19 on mental health in the aftermath of the public health emergency; (20) Deputy Louise O'Reilly - to discuss a redundancy package for the ex-Debenhams workers; (21) Deputy Gary Gannon - to discuss the urgent need for restroom facilities in the Phoenix Park; (22) Deputy Paul McAuliffe - to discuss funding for the Finglas west family resource centre; and (23) Deputy Matt Carthy - to discuss plans for the opening of the group home in Carrickmacross for people with physical and sensory disabilities.

The matters raised by Deputies Joan Collins, Aengus Ó Snodaigh, Patrick Costello and Bríd Smith; Verona Murphy, Neasa Hourigan and Niamh Smyth have been selected for discussion.

Project Ireland 2040: Motion [Private Members]

Deputy Richard O'Donoghue: I move:

“That Dáil Éireann:

notes that:

— Project Ireland 2040, comprising the National Development Plan (NDP) and the National Planning Framework (NPF) are not underpinned by any democratic mandate or vote, by either House of the Oireachtas, as originally promised by the previous Government;

— in excess of 560 submissions were made to the recent review of the NDP;

— a recent Ernst and Young report has concluded that the delivery of the €116 billion NDP, less than one year in, is under threat and already facing ‘significant challenges due to the fact that many State bodies and Government Departments have a‘fragmented approach

and varying capacity challenges' when it comes to infrastructural delivery;

— the Organisation for Economic Co-operation and Development (OECD) research indicates that infrastructural investments have a powerful multiplier effect, which stimulates demand and creates jobs, both directly and indirectly;

— there has been chronic under-investment in infrastructure across rural Ireland, which now jeopardises and undermines the prospects for a post-pandemic recovery in these areas;

— regional and rural development in Ireland has failed, based on numerous key economic and social indicators, coupled with the complete over-dominance of Dublin;

— the NPF has reduced the democratic oversight at local government level as councillors and local communities have been stripped of powers to democratically review and decide upon local and city/county development plans;

— since 1966, Ireland's population has grown by over two million, with most of this growth within the Greater Dublin Area;

— in accordance with Central Statistics Office data, around 37 per cent of the population live in rural Ireland;

— the Government has failed to provide every citizen with access to broadband, a human right, and indeed declared a basic human right by the United Nations in 2016; and

— Ireland now has an extremely serious digital divide between rural and urban areas with many parts of rural Ireland having no access to broadband, due to a complete failure by successive Governments;

and calls on the Government to:

— show much-needed urgency and fast track the roll-out of the National Broadband Plan across rural Ireland, with a deadline of end 2022 instead of the unacceptable 2027 Government target;

— make access to high-speed broadband a human right now, as it is in all parts of Norway, a country similar to Ireland, as it can be used as a catalyst to bring about improved access to healthcare, education and improved inward investment and job creation to every part of the country;

— prioritise infrastructural development in the regions and rural areas by expediting and prioritising its delivery in order to improve quality of life and allow for balanced regional job creation;

— provide both Houses of the Oireachtas with an immediate opportunity to thoroughly debate Project Ireland 2040 and its associated NDP and NPF elements, following the current review of the NDP, especially in light of the drastically changed economic and social landscapes brought about by the Covid-19 pandemic;

— provide both Houses of the Oireachtas with an opportunity to take a democratic vote on Project Ireland 2040, following the above debate, in order to underpin the democratic accountability and legitimacy of the strategies;

1 April 2021

— recognise the tremendous opportunities for remote working and rural living highlighted by the Covid-19 pandemic and urgently review the draconian planning restrictions on rural one-off housing, contained within the NPF, as it is prohibiting rural people from being able to build a home in their area, which will lead to heightened rural depopulation;

— establish an expert independent unit or agency, with expertise in procurement, project management, value for money delivery, and on time target delivery, to plan, oversee and deliver the much-needed large-scale infrastructural projects across the regions; and

— increase funding to at least €5 billion under the NDP Rural Regeneration and Development Fund which currently has a completely insufficient allocation of €1 billion under the NDP.”

I thank the Rural Independent Group for giving me the opportunity to speak first on the motion. On 5 July 2018, a vote on the Project Ireland 2040 plan took place in Dáil Éireann. There were 44 “Tá” votes and 25 “Níl” votes. The “Níl” votes were led by the Rural Independent Group. Where were the other 89 Deputies when a vote was taken on such an important issue for the entire country? Two Deputies in County Limerick voted for the plan and one Deputy was absent. These are the same representatives that knock on the doors before every election and tell us that they are fighting for their county, for rural areas and for infrastructure. These are the same 89 Deputies that did not turn up here to vote on 5 July 2018 for such an important plan, Project Ireland 2040.

Is the Minister for Public Expenditure and Reform, Deputy Michael McGrath, aware that 37% of the population of this country live in rural areas? We have a Cabinet in the Thirty-third Dáil which is heavily weighted towards urban living with 60% of its members from urban constituencies, 20% of the Cabinet are from large towns such as Bray and Greystones, which again is Dublin-centred and just under 20% of Cabinet members are from a rural background. That is not equality even within the Cabinet.

We now have a Minister for Transport who in 2019 stated on live television that 30 cars are adequate for 300 families in towns and villages around the country. This is the same Minister who, when the country is on its knees during a pandemic, told us to set our greens on the south-facing windows. This is a person who is supposed to be representing Ireland. He has the mentality to tell me that 30 cars are enough for up to 300 families in large towns and villages. Each house in villages, towns and rural areas has a minimum of three cars because of the failure of the Government and of previous Governments to invest in infrastructure outside of Dublin. We have these cars to bring students to school and so that parents can go to work. We pay car tax, insurance and tax on fuel and emissions. We have no connection to Shannon Airport, that is if we ever fly again. There are rail links from Limerick city centre to Dublin or Cork. There are no railway links to Galway, Waterford, Kerry or any other county outside Limerick. There is no adequate bus service for any of our towns and villages.

I need to stress that basic infrastructure must be provided in rural towns and villages. In Ireland, each village and town can progress with potential. This makes sense. Money should be put into sewerage and water systems in Askeaton, Dromcolliher, Hospital, Oola, and Banoge. This is economics.

This week, the Rural Development Policy 2021-2025 - Our Rural Future, was published. It is filled with words like “publish”, “engage”, “support”, “explore”, “continue” etc. These

words do not do not refer to concrete proposals. There is lack of targets, details and exact implementation steps. It is a rehash of what I have listened to for the past 30 years.

Members should note there has been chronic under-investment in infrastructure across rural Ireland, which is now jeopardising the prospect of a post-pandemic recovery in rural areas. There should be water schemes in Kilfinane, Ardpatrick, Newcastle West, Abbeyfeale, Fedamore, Oola and Pallas Green. I have stated in other debates that 73% of the towns and villages in County Limerick have inadequate sewerage. Moreover, 60% of the towns and villages in Limerick have inadequate water. These statistics are mirrored across all other counties outside of Dublin. I want town and village renewal to happen. I want proper connectivity for our citizens. These are basic human rights.

There is a serious digital divide between rural and urban areas due to the failure of successive Governments. What is proposed in the 2040 plan? Did the Minister know that if any of our rural sons and daughters want to live in rural Ireland, the 2040 plan does not cover that? One may be fooled that into thinking that if one is the son or daughter of a farmer, one can build on a farm. That is not so. Only people who own or are in a partnership on a farm can do so. This is the case even though, due to a lack of infrastructure, people in rural areas pay up to €10,000 per house to install modern sewerage systems in order that they can live in rural areas. This is because of the failure of Governments and a lack of infrastructure over the past 30 years.

Is it known that the Government has proposed that schools comprising fewer than 90 pupils should close and amalgamate with other schools in neighbouring parishes? The 2040 plan proposes that this should happen. We are losing our parish status. One can imagine the impact of that on GAA, camogie, soccer and rugby clubs in rural areas.

We need to be able to protect our hardware stores. Did the Minister know that 60% of business for local hardware shops in County Limerick, such as General Hardware, Tadhg O'Connor Hardware and Cahill's Homevalue Hardware in Kilmallock, comes from one-off houses and 40% of their business comes from the maintenance and renovation of properties in the local areas?

New primary and secondary schools have been built in towns and villages where no local employment was provided. All of the materials were sourced outside of the area. We need to make sure that if any infrastructure is being built that the funding goes to local areas and communities. A law should be put in place that companies have to employ people locally.

I looked up the investment programme tracker. The MetroLink in Dublin has been allocated €1 billion. The Luas cross city project has been allocated €500 million. The children's hospital has been allocated €1 billion. The greater Dublin drainage scheme has been allocated €1 billion. Ringaskiddy water treatment has been allocated €1 billion. For 2025, Dublin will put €4.5 billion into Dublin. There are 25 other counties in Ireland.

We ask every engineer, architect, local authority and councillors from all parties to stand with rural independents and take on the Government. Let us challenge this legally. It is a basic human right for anyone from a county to live in that county, whether rural or otherwise.

Deputy Michael Collins: I was one of those who voted against the 2040 plan because I could see the devastation it would cause to rural communities, the stronger focus it would put on the capital and that it would forget about rural regions. Of course, it was railroaded through as a fabulous plan and dream. Another plan for remote working was announced this week. A

1 April 2021

lot of things are lovely and seem beautiful when read off a paper, but the fact and brutal truth is that there is an issue.

There are a number of issues in my constituency, as is the case in other communities throughout Ireland, namely, sewerage, water and rural planning. Zoning is becoming a major issue. The Cork county development plan is currently being examined. Broadband, services, roads and public transport are all questionable. It is easy to pick out points that are a cause of great difficulty for people living in rural areas.

Rural planning is one issue. Many people want to come to live in rural Ireland and settle down, such as people in business, teachers or whatever. They would love to get planning permission for homes and get the architecture and environmental side right but then a rule is put in front of them to make sure they will not get planning permission. The Government has focused on plans for rural Ireland, but people cannot live there. Not everybody wants to live over a shop. People with young families would like to get on with their lives but they have been ruined by a planning process that is questionable, to be quite honest. It was questioned and pulled apart in Europe but then, other little tricks and tribulations were put in before people again.

There are sewage issues in west Cork in Castletownshend, Timoleague, Goleen and Ballinspittle. Castletownshend is being worked on - I will give credit where credit is due - and I understand work will be finished in 2022. The county development plan states a number of houses can be built in a community like Ballinspittle and people are absolutely delighted about that. However, when they look for planning permission they cannot get it because nobody has invested in the community. Irish Water will not invest in it. The sewerage system is at capacity.

In terms of trying to extend it, locals have tried their best to play ball but it was of no use to them. The town cannot expand. It is in close proximity to the city, Bandon, Clonakilty and all parts of west Cork. It is a fabulous place to live, as are Castletownshend, Timoleague and Goleen. These places need investment, in the same way as any other part of the country or Dublin. There should not be a two-tier society.

Water is a serious issue in Clonakilty. If Irish Water does not invest seriously in the town there will be a crisis. One dry summer will lead to a massive crisis there. Investment is needed and it cannot keep going to bigger towns year after year. These are areas that need investment. Clonakilty is a growing town.

The proposal in the county development plan is to de-zone ground. What has gone wrong with our country? More people want to come to live in rural areas. A few days ago a beautiful plan for remote working and living in rural Ireland was published. Where will people live? Are they going to come to west Cork for the day and then return to cities? I think that is the plan the Minister, Deputy Humphreys, wants. I wonder if she is on a different planet to me, because I see reality in the one I am on. The reality is that people want to come to west Cork to live and work. They could work there but they cannot do so if they do not have broadband or cannot build a home. There is a lack of investment in broadband. I have always said we should roll out the €3 billion plan, but there should have been investment in wireless operators. They could have delivered broadband to people in the valleys and other areas where it cannot be got. The Government is investing in the national broadband plan. The Tánaiste told me about a month ago that would take between five and seven years. That is no problem if one has time enough to wait.

On roads, the main roads into Cork, the N71 and R586, have had no investment. The Skibbereen bypass was built 20 years ago and there has not been a brown cent spent since, other than on pothole repair and whatever. Public transport is a disaster and then there are services like the post office and banks. These are hugely important for people but we are losing them. I speak to postmasters in Schull and Goleen and places all over west Cork who are on the verge of losing their businesses. We are losing services in the banks. I listen to Fine Gael and Fianna Fáil Deputies and Senators on the radio and television. It is as if they are not to blame at all and someone else is to blame. The State has a 14% stake in our banks. The Government should be fighting to save these services. Unfortunately, my time has run out as I could spend an hour just on this issue.

Deputy Carol Nolan: Tá áthas orm labhairt ar an rún seo anocht. I will begin by acknowledging a few positives and being as constructive as I can. However, I must also be honest and point out the failures in this plan, which I voted against in 2018 because of my concern for rural communities. I acknowledge there is some scope and ambition in the plan but we need a sustained focus on the roll-out of national, regional and local infrastructure, not least the national broadband plan. Only a few weeks ago, I was contacted by a company in a rural village in County Laois which employs 30 people. It was told it would have to pay a company thousands of euro if it wanted high-speed broadband or wait until 2024. That is shameful and needs to be called out. The Government claimed it was trying to advocate for rural communities for investment and job creation but how are we to do that if the bare basics are not in place and we punish small businesses and companies by telling them to pay thousands to get high-speed broadband which everyone in the city gets as part of an essential and basic service? There must be action on the lack of broadband to rural communities. There are many black spots. It is not acceptable that we have to wait much longer than everywhere else. We should be treated the same and there should be balance and fairness.

Policies need to be rural-proofed. I do not believe Project Ireland was rural-proofed. Some time ago, I introduced a motion on the importance of rural-proofing any policy or Government agenda. That is where we often fall down. We need fairness for rural communities. Rural planning and zoning is of great concern. It is shameful that people who were brought up in rural areas and want their children to go to school in the area cannot get planning. The programme for Government refers to depopulation. Depopulation would be easily solved if the Government was fair to families in rural Ireland and supported them in their efforts to build homes in rural communities.

I welcome the desire that there be a more equal balance of investment and growth between the three regions but the objective is that the three regions would grow at a broadly comparable rate, which is not happening. If we take the so-called just transition in the midlands, as I have said time and again, it is not a just transition. No alternative employment was provided in the midlands. We were fooled with the whole transition plan. It is taking place over a few months rather than a ten-year period, which would have been fair. The Government's decision to steamroll the plan through without providing alternative employment means many people have been left high and dry. That will have a devastating effect on rural communities and local economies. Coming as it did during a pandemic and following Brexit, it was shameful that the Government chose not to delay to ensure alternative employment was available for the many people in the midlands who face job losses. County Offaly is facing the brunt of those job losses. I am very concerned and would like meaningful action from the Government on job creation because not enough is being done. A model such as the Western Development Com-

1 April 2021

mission should have been adopted under which policy would be matched by investment. We are in serious trouble with regard to employment opportunities, thanks to the grand vision of Green Party policy which Fine Gael and Fianna Fáil were happy to go along with.

Project Ireland must focus on rural broadband and planning for families who wish to live in rural Ireland. Zoning is an issue. Many businesses would dearly love to set up in rural towns but cannot do so because of zoning laws. I ask the Government to examine those issues and take meaningful action because rural Ireland has been left behind. We need to see meaningful action from the Government if we are to believe it is genuine about achieving balance between the regions.

Minister for Public Expenditure and Reform (Deputy Michael McGrath): I move amendment No. 1:

To delete all words after “Dáil Éireann” and substitute the following:

“notes that:

— Project Ireland 2040 represents a new strategic approach to social and economic development, and it is the first time that spatial planning and investment have been explicitly linked in Ireland;

— Project Ireland 2040 aims to accommodate the growth of 1 million additional people in a balanced and sustainable way, with a focus on developing regional growth;

— the Government sets the broad legislative and policy framework within which planning authorities work, and the preparation of a statutory development plan is undertaken in accordance with the statutory provisions of the Planning and Development Act 2000 (as amended);

— under this legislation, the decision to adopt the county development plan is a reserved function of the elected members of the planning authority;

— the national-level planning policy as set out in the National Planning Framework (NPF) is being implemented throughout the planning system, and a statutory Regional Spatial and Economic Strategy (RSES) was prepared by each of the three Regional Assemblies in Ireland, all of which were approved and in place by January 2020;

— the overall funding of €116 billion for the lifetime of the National Development Plan (NDP) out to 2027 is allocated on an indicative basis to each of the ten National Strategic Outcomes set out in the NPF;

— the specific financial allocations are provided for in the normal annual Estimates process and voted on annually by the Dáil;

— the Minister for Public Expenditure and Reform published the Supporting Excellence: Capital Project and Programme Review Delivery in March 2021, and the report identifies a range of strengths and weaknesses in the public capital delivery system;

— a Supporting Excellence Action Team will consider the recommendation of how best Government Departments and agencies can be supported to deliver the well-balanced, well-targeted and well-delivered investments;

— although the Greater Dublin Area (GDA) proportion grew in the past 50 years, the majority (circa 1 million people or 60 per cent) of the population growth in Ireland between 1971 and 2016 took place outside the GDA;

— around three-quarters, or 75 per cent of Ireland's population are living outside Dublin and around half, or 50 per cent living outside 'large' towns of 10,000 people or more, and in addition, the actual number of people living in rural areas as a whole, has increased by more than 300,000 people in this period;

— the Central Statistics Office (CSO) statistics for one-off houses in 2016 identify this cohort as 26 per cent of all occupied dwellings and for 17 counties with one-off housing comprised over half of all dwellings built since 2011 and the data confirms that more than 16,000 one-off houses were granted planning permission since the NPF was adopted in early 2018;

— the Programme for Government: Our Shared Future has committed to the development of a Town Centre First (TCF) policy, with these commitments complemented and supported by the rural policy prepared by the Department of Rural and Community Development;

— the establishment of the Department of Rural and Community Development was an important step in strengthening regional balance, including addressing decline, with a special emphasis on the potential for the renewal and development of smaller towns and villages;

— strengthening rural economies and our communities is a core objective of Project Ireland 2040, with the provision of €1 billion to the Rural Regeneration and Development Fund ensuring that the funding is there to deliver on that objective in the coming years; and

— projects are benefitting every county in Ireland and are supporting a wide range of sectors, including town centre regeneration, enterprise development, remote working, tourism and recreation, community facilities, and libraries etc.;

recognises:

— a total of 572 submissions were received during the Review to Renew, the public consultation on the review of the NDP;

— there is compelling international evidence that efficient capital public investment is central to long-term economic wellbeing, and that investment in our economy must be smart, well-planned, well-targeted and well-managed so that it delivers balanced regional growth;

— that efficient public capital investment allows the economy to grow faster on a sustainable basis by raising productivity and supply capacity and this has an important role to play in alleviating capacity constraints that might otherwise restrict economic and social progress;

1 April 2021

— that the peripherality of many rural areas, their distance from public service provision and the relative narrowness of their enterprise base, are some of the reasons why rural areas need particular policy support to enable them to contribute fully to our national development, and the NPF supports the development of rural areas, particularly in rural towns and villages; and

— the Government made a decision to proceed with the National Broadband Plan (NBP) in November 2019, and this decision reflected the importance attached to bringing high-speed connectivity to all areas of the State and ensure that no-one is left behind, and this is a move that will address regional imbalances and is supported with a major level of investment, in this case €2.7 billion; and

supports:

— the Programme for Government commitment to seek to accelerate the seven-year timeline for the NBP;

— full implementation of ‘Our Rural Future’ which provides a policy framework for the development of rural areas over the next five years, including targeted measures to enable more people to live and work in rural communities with good career prospects, regardless of where their employer is headquartered; and

— the completion of the review of the NDP which will provide the strategic context for Government investment and set out revised sectoral capital allocations for the upcoming ten-year period, including non-Exchequer investment, as well as providing a renewed focus on delivery of efficient and cost-effective public infrastructure.”

I thank the Rural Independent Group for tabling the motion and giving us the opportunity to discuss a hugely important issue for the country. Many of the issues touched on in the motion fall under different Departments, for example, the national planning framework falls within the scope of the Department of Housing, Local Government and Heritage, my Department has responsibility for the national development plan, the Department of Rural and Community Development has a key role on many issues and the national broadband plan is led by the Department of Environment, Climate and Communications. Nevertheless, I am more than happy to set out, on behalf of the Government, our response to the Private Members’ motion.

The debate, rightly, shines a light on the centrality of rural Ireland to who we are as a nation and draws attention to the fact that Ireland will only be truly strong and prosperous when the entire country has the opportunity to realise its full potential. The definition of rural Ireland varies in different contexts, with around three quarters of the country’s population living outside Dublin and around half living outside large towns of 10,000 people or more. The Central Statistics Office, CSO, provides a further breakdown into aggregate rural areas, which comprises all areas outside of settlements with a population greater than 1,500 persons, amounting to almost 1.8 million people. Excluding small rural settlements and villages, there are just under 1.5 million people, or almost 30% of the population, living in rural areas outside any defined settlement. While largely urban, the constituency of Cork South-Central, which I have the honour to represent, also has significant areas which could be best described as rural in nature. This highlights that urban and rural places are truly interconnected and interdependent in Ireland and there is not, nor would we want there to be, a neat division between them.

That is not to say that there are not differences; of course there are. The remoteness of many rural areas, their distance from public service provision, the relative narrowness of their enterprise base, and the consequent vulnerability of rural areas to economic shocks, are some of the reasons rural areas need particular policy support to enable them to contribute fully to our national development. Not all rural areas are the same. Different rural areas vary in characteristics, and distinct interventions and supports are required from place to place.

I note the views of my colleagues who proposed different methods through which these challenges might be met. Constructive feedback of this kind is helpful and leads to better policy outcomes for the country and our people. When we came together to form a government last year, we sought to draw upon the best thinking available to us, creating a vision for reform and renewal that can help Ireland recover and thrive. The Government is addressing regional balance and supporting rural Ireland through the policies, programmes and projects under Project Ireland 2040 as well as the recently published Our Rural Future plan for the period 2021 to 2025. Since the launch of Project Ireland 2040, there has been significant progress in delivering a range of both large and small infrastructure projects throughout the country, delivering better transport links, facilitating better health outcomes and promoting balanced regional development. There is much more to do, for sure.

The investment target has been regenerating towns and villages to allow for sustainable development and greater access to key resources. This has been enhanced by the national broadband plan, which will deliver high-level connectivity to areas of Ireland that have struggled to source broadband privately. The programme for Government commits to seeking to accelerate the seven-year timeline for the national broadband plan. I have met National Broadband Ireland representatives to discuss this issue. They will be reporting shortly, through the Department of the Environment, Climate and Communications, on the scope that exists and the options for the acceleration of the broadband plan. The Government is really determined to do that, if at all possible.

The national development plan, for which my Department is responsible, is one half of Project Ireland 2040. Published in 2018, it involves a ten-year programme of capital investment aimed at upgrading our infrastructure, enhancing our economic capacity and promoting balanced regional development. While a review of the national development plan was originally planned for 2022, I asked my officials to bring it forward to 2021 and I launched Review to Renew, the public consultation element of the plan, late last year. In 2021, we now have a public capital budget of €10.8 billion, the largest in the history of the State. The review provides an opportunity to reassess investment plans, update project costings and highlight any new issues that may need to be taken into consideration, particularly in light of the new programme for Government and the ongoing impacts of Covid-19.

The review will seek to answer a number of key questions. What is the appropriate level of public capital investment to 2030? How should it be shared across the Departments? How can Project Ireland 2040 be changed to deliver on the policy priorities in the programme for Government concerning housing, health, transport, job creation, enterprise development and climate action? An assessment will be carried out of whether our plans are ensuring regional balance in line with the national planning framework. We will examine governance and whether any structures and rules can be improved. In that regard, I am introducing a number of important reforms affecting how major public investment projects are managed. This will be achieved by bringing in more external expertise, by adding people with external experience to the Project Ireland 2040 delivery board and by setting up a major projects advisory group comprising indi-

1 April 2021

viduals with national and international expertise in delivering major capital projects so we can benefit from their experience.

The desire to ensure balanced regional growth will remain a key goal for the national development plan review in 2021 in respect of planning for an Ireland in which the majority of the additional 1 million people we expect to reside here by 2040 will settle outside the greater Dublin area. The first phase of the review is now complete, and the phase 1 report will be published within the coming days.

The revised national development plan, to be published later this year, in the summer, will see balanced regional development at its heart. It will provide further scope for considering the investment commitment to rural regeneration and development, and other projects and programmes that can foster strong rural communities and economies. It will set out the overall public capital budget to 2030 and it will also provide line Departments with rolling five-year ceilings so they can plan the delivery of projects of the type Deputies have said need to be delivered. That gives them certainty on their budgets for the coming years because too often our planning has been short-termist in nature. There is considerable oversight from the Oireachtas on these processes through the sectoral joint committees, the annual Estimates process and the regular reporting commitments of the Government to the Oireachtas.

Our Rural Future is the Government's blueprint for the post-Covid recovery and the development of rural Ireland over the next five years. It provides the framework to achieve the vision of transforming the quality of life and opportunity for people living in rural areas. The policy reflects the unprecedented change in living and working patterns during Covid-19 and the significant opportunities that arise for rural communities, from remote working and revitalising our town centres to job creation, developing a green economy and improving our outdoor amenities, on which we have relied so much. The combination of the roll-out of the national broadband plan and the move to more remote working and a hybrid form of working affords rural areas enormous opportunities. The Government is very ambitious regarding the development of these areas. I commit to working in a spirit of co-operation and collaboration with colleagues right across this House to seek to achieve the objectives that I believe we all share.

The policy will help rural Ireland to recover from the impacts of Covid, enable long-term development of rural communities and create more resilient and strong rural communities with more employment prospects.

Again, I thank the Deputies for introducing this motion and for their continued engagement on these issues. I am aware that Members across both Houses of the Oireachtas are as determined as I am to ensure that rural Ireland is at the centre of our national economic, social, cultural and environmental well-being and development. Much work remains to be done to achieve that vision. I commit to working with colleagues to do all we can to bring that about.

Deputy Danny Healy-Rae: The Minister, Deputy Michael McGrath, and the Minister of State in attendance, Deputy Ossian Smyth, should note that nothing I have to say about the Government or Project Ireland 2040 is in any way personal. I am glad to have the opportunity to talk about the plan because it is a very serious matter. It will affect many in rural Ireland. It is a laugh to think that we are considering a plan for 20 years when the Government does not actually know what is going to happen in four or three weeks' time. I believe it does not really know what is going to happen next week. That is how it appears to the people, with one Minister contradicting another and one professor in NPHEC contradicting another. They all

have a different story. It is hard for the people from rural areas or any other part of Ireland to believe what is now being said over the airwaves. The plan is going to hurt people in rural Ireland in a very negative way. It was introduced by Fine Gael and Fianna Fáil two or three years ago and now it is being continued by those two parties and the Green Party. This is all about boosting five cities to the detriment of rural towns and villages. Self-employed people, businesspeople, farmers, housewives and everyone who is paying and will have to pay carbon tax will be affected more. The Government wants to stop us cutting turf and eating meat and it wants to close more of the rural pubs and more post offices. It is letting the banks walk out of the towns even though it has a share in them. That is what is happening. The Government has closed the churches to an unnecessary extent, and we all know that. The Government wants to stop granting planning permission in rural areas. It is telling people they should and could work from home but many of them do not have a home. They would have a home if they could get planning permission but they cannot. The planning regulator is now told to direct people to the five cities. That is what we read in the 2040 plan.

The Government is hell-bent on following the Green Party line to stay in power. It seems it does not matter if, as a result, it is hurting the people, the grand people of rural Ireland. They have been and are being blackguarded, and if this plan is implemented they will be hurt even more. The plan will hurt them like they were never hurt before. The Government continues with spin. We saw what it did this week with the massive plan for rural towns. There is no penny of money for any project. We are told the money is available. The Minister for Rural and Community Development, Deputy Humphreys, put up a very good show on the television, on the news or whatever, but no matter how she was pressed, there was no penny of money for any project. She still got away with it. Then the Government Chief Whip came to the Chamber this morning and orchestrated a spin of praise for An Tánaiste, Deputy Varadkar. He took away most of the slot from ordinary Deputies from throughout the country, while seven or eight Fine Gael Deputies praised the Tánaiste all morning. They are good at blathering, boasting and spinning but they are hurting the people.

The Minister for the Environment, Climate and Communications, Deputy Eamon Ryan, seems to think he is responsible for the environment or that he is the environment, but there is more to the environment than carbon emissions. Sewage treatment plants are needed in several parts of our county. They include Scartaglin, Kilcummin, which has been waiting for 20 years, Curra, Brosna and Beaufort. They say it is possible to get planning permission in these towns but the applicant will have to wait until it is connected to a public treatment plant. I found documents in my shed the other night dating from when my father made representations to build an extension to the sewer in Castleisland, where all the homes are connected to septic tanks. That was 40 years ago. I found the documents in a box in the old shed and that is God's gospel truth.

In Brosna, a man sought permission to build four houses but the application was cut down to two. He wanted to knock down two old houses and got permission to replace those two, but he will not get to build the other two until the treatment plant is brought up to scratch. In Kenmare, a developer applied for permission to build 55 houses and the Planning Regulator stated that the density was too low and he would have to add a further 30%, or 20 houses. When he did that, Kerry County Council told him he could not build the houses until the Kenmare treatment plant had been upgraded.

A county development plan is being developed for Kerry and the regulator has told us we can zone more land in Killarney but we must keep the same acreage of land throughout the Killarney municipal area. We will have to cut down places such as Gneevgullia and Rathmore,

1 April 2021

and it will be the same in Tralee and north Kerry. Tralee can be expanded but the people out in the country cannot get planning permission. There are also young people who are not able to get onto a county council housing list or a local authority housing list. They want to build houses for themselves. It is atrociously difficult to get permission but we believe that, because of this 2040 plan, it will become much worse and much more difficult to get permission in rural areas. If land is being zoned in one place, it will have to be de-zoned in another place. That is totally unfair. I do not know who the Planning Regulator is or where he is from and I do not believe he knows any part of Kerry. He is going by figures and he does not understand the reality and the issues that people have to contend with there.

Dairy farmers are being told they will have to cut their numbers. The Minister's colleague in Cork South-Central, the then Minister for Agriculture, Food and the Marine, Deputy Coveney, told farmers in 2013 that they would have to increase dairy production, that milk was the new white gold and that the Chinese would drink more milk. Now he and the Government are telling us that we must reduce the number of cows in our yards. It is the same with the suckler herd. After fellows broke their backs to increase the numbers to try to live, having been told by Teagasc and the farming organisations to build up their herds, they are now being told to switch off the lights and reduce the numbers. The very same scientist who gave the figures on methane gas 15 years ago and said farmers were destroying the environment has admitted he was 70% wrong. This is what is being done to poor farmers. They get up in the morning and work seven days of the week, 365 days a year, and they are being thrown around like this. The Minister has to understand they are being wronged.

Every man and woman on the road will from here on have to pay more in carbon tax, whether that is the young fella with the slats in his nose going to work at 6.30 a.m. or 7 a.m., the housewife taking the children to school, the employer employing people or the businessperson with a van. They will all suffer from carbon tax, all because the Government wants to stay in power and to keep following what the Minister for the Environment, Climate and Communications is telling us to do. He told us in 2007 to buy diesel cars and said they were the answer. While they may be durable, economical cars, now he wants us to get electric cars that have no durability and are not as carbon friendly as he says they are. He has been torn apart on that issue. Electric cars are not reliable or durable and they would not carry somebody as far as Killarney with the windscreen wipers, the radio and the lights turned on at the same time because they all draw energy from the battery. The driver would be stuck on the side of the road with his or her thumb out, asking some fella for a lift.

An Ceann Comhairle: I would love to listen to the Deputy for a while longer but I am afraid his time is up.

Deputy Mairéad Farrell: I am sharing time with Deputies Carthy, Munster and Ó Laoghaire. I feel under a bit of pressure because I do not think I will be able to top the previous contribution. I ask Deputies not to judge me.

I commend the Rural Independent Group on bringing forward the motion and allowing us to have this debate. It is really important, as is the issue of development on a regionally balanced basis for all of us who live west of the River Shannon in particular, although I would say that because I am a Galway woman. Since the launch of Project Ireland 2040 and the NDP, the socioeconomic environment that underpinned both has changed drastically. We have seen that in terms of the chronic under-delivery of public housing. There is a severe housing crisis throughout the country, as Deputy Healy-Rae pointed out in regard to rural areas. There have

been massive cost overruns on key projects such as the national children's hospital and others, which has severely impacted on the delivery of those projects as well as the commencement of other key projects.

Alongside this, we are dealing with the economic consequences of a global pandemic coupled with Brexit and other factors, including the fact that the Oireachtas having since declared a climate emergency means our economy faces a three-fold threat. The call to review the NDP, therefore, was timely and welcome. I have been harping on about the following point over the past year since I was elected. Ireland's stock and quality of public infrastructure is very poor by international standards. As was highlighted this week when we were debating the rural plan, the infrastructure in rural areas simply is not there. The quality of roads is totally inadequate, as is that of the water infrastructure, the sewerage system and, of course, broadband. The quality is simply not there for people. There is also a lack of schools and hospitals, compounded by the fact that poorly balanced regional development has diminished so many people's standard of living and negatively affected the economy's capacity to grow in a more balanced, sustainable and equitable manner. We see this especially in the EU's designation of the Border, midlands and western area, which has lost its developed status as it relates to EU regional development and has been downgraded to the status of "in transition". Project Ireland 2040 proposes to redress many of these deficiencies by committing to €116 billion in capital spending for the period from 2018 to 2027. Exchequer funding allocated for public capital investment over that period amounts to €91 billion, with the remainder coming from State-owned enterprises. This works out at approximately €760 million per annum in additional funding from the Exchequer over the ten-year period. This level of investment in capital infrastructure is wholly inadequate to deal with the level of challenge we face in key areas, some of which I have mentioned, such as the areas of housing, healthcare, education and childcare, especially if one is to look at it in terms of regionally balanced development. Sinn Féin has continuously called for extra money to be put into capital expenditure to act as a stimulus over and above what has been already committed.

We hear from the Central Bank that the country will face high levels of unemployment in the long term and we hear from the business sector that many business people are very concerned that they will not be able to return to work after the pandemic. We really need a regionally balanced injection of money into capital investment. We know the jobs multiplier effect that arises from such investment is high and that the benefits are great. We are not stuck for capital investment projects that need attention. Táim chun Céibh Ros an Mhíl a ardú leis an Aire arís eile. Is infreastruchtúr fíorthábhachtach é don cheantar. Dúradh go soiléir sa tuairisc anailíse agus tairbhe maidir leis an gcéibh domhainmhara i Ros an Mhíl in 2017 gur togra fiúntach a bhí ann agus go mbeadh tairbhe suntasach agus dearfach ann don phobal agus don gheilleagar mórtimpeall ag gabháil leis. Sa straitéis nua do cheantair thuaithe a sheol an Rialtas le gairid, is ar chianobair sna réigiúin atá an bhéim ar fad. In éindí leis sin, caithfidh tógáil ar na hacmhainní nádúrtha atá ag pobail thuaithe agus infheistíocht chuí a dhéanamh chun fostaíocht seasta fadtéarmach a chruthú. Tá súil agam go mbreathnóidh an tAire air sin.

Deputy Imelda Munster: Speaking of areas that have been neglected and abandoned and in which there has been insufficient funding and investment over the years, I raise the ongoing issues facing Drogheda, south Louth and the east Meath area. A report commissioned by the Minister for Justice into Drogheda as a result of the drugs feud was published last Friday and laid bare the consequences of the neglect of Drogheda by successive governments. Drogheda is the largest town in Ireland and is located on the Dublin-Belfast corridor. We have a fantastic

1 April 2021

community with great potential but for decades Drogheda has been let down by central government.

Drogheda was designated as a growth centre in the national development plan but that means nothing if the Government is not willing to fund anything. The lack of infrastructure and services in the town has made the implementation of the plan impossible and shows just how much investment is needed to get Drogheda to reach its full potential.

An example of this is the port access northern cross route, which is absolutely vital infrastructure for the town. We need it for the development of housing under the northern environs plan and we need it to improve transport links and congestion in the town and to attract businesses. Earlier this month, Louth County Council's application under the urban regeneration and development fund was turned down. This is the third application for funding that has been rejected. The plan was shelved during the recession, which has left Drogheda waiting for 15 years for the project to begin. Each government claims to support the project but refuses to fund it.

The report released last week showed that Drogheda has a higher than average rate of unemployment and a younger than average population. This is very significant in the context of the problems we are having with drugs and crime. It is not possible to implement the employment objectives of the plan because Drogheda does not have an IDA office, an Enterprise Ireland office or a local enterprise office, LEO. Drogheda's industries have disappeared and nothing has been done to encourage new industries and businesses to set up in the area. Drogheda is ripe for development as a site for a pharmaceutical manufacturing hub but instead the Government has hollowed out employment in the town with initiatives like the Amazon data centre, which provides only a handful of jobs where thousands should have been created. We need a second IDA business park on the north side of the town and a new third level institute to co-operate with industry-specific training companies to help generate local employment. During normal times, more than 15,000 people commute from the town every day. This has to change.

With regard to tourism, south Louth needs to be developed as a tourism destination of historical significance given the history of Drogheda and the surrounding areas. We need a Fáilte Ireland office as there is none in the region.

The housing targets under Rebuilding Ireland also need to be revised. Drogheda has more than 1,800 people on the housing list, many of whom have been waiting longer than ten years but the housing target under the plan for the period from 2018 to 2021 is 384. This plan is not making even a dent in the housing list, which grows longer every day.

Elsewhere in the county, we see the erosion of services with no thought given to the devastating impact their loss has on small towns and rural communities. The most recent example is the loss of the Bank of Ireland branch in Dunleer. This is a heavy blow to the community and to businesses in the area.

The majority of these issues were raised in the report, which goes to show the dire consequences of neglect and decline in large towns such as Drogheda. The fact that we have to beg and plead for adequate Garda resources at a time when the town is in the throes of a vicious feud between organised criminal gangs says it all. We do not want worthless titles such as "designated growth centre". They are not worth the paper on which they are written. They are meaningless unless the Government is going to invest in Drogheda. We desperately need investment

and I suggest the Minister, and any other relevant Ministers, read the recent scoping report into Drogheda. If they do, they will see it backs up everything I have just said.

Deputy Ruairí Ó Murchú: I thank the Rural Independent Group for tabling this motion and giving me this opportunity. I will initially deal with Sinn Féin's document, *Our Rural Future*, and particularly the part of it which relates to optimising digital communications. We had much conversation in the Chamber earlier about investment in remote working and broadband provision. The national broadband plan is the plan we have. On some level, there is no alternative. It needs to be accelerated. We have heard much commentary from the Tánaiste and from the Minister, Deputy Eamon Ryan, as to their conversations with National Broadband Ireland, NBI. I spoke to representatives of NBI myself and they brought up particular issues in respect of planning permission and dealing with Transport Infrastructure Ireland, TII, and local authorities. I am told these issues are being dealt with, which is necessary for this acceleration. This needs to happen. We also need to get timelines.

Even in the best-case scenario, however, we are talking about a seven-year project becoming a five-year project. We need the Government to engage with private operators and to look at alternatives so that we can deliver decent rural broadband, whether by satellite or other means, as an interim solution before the full roll-out. I request that the Government do all it can and engage with these private operators in this regard. Sinn Féin will be bringing forward proposals in this area in the very near future because it is so important. We are talking about remote working but that will not be possible until people have the facilities to do so in their homes or in remote hubs. I call for this to happen as soon as possible.

I will also make mention of the Dublin-Belfast economic corridor and the necessity for the Government to engage in cross-Border planning. I refer to the Enterprise rail service and the necessity to speed up consideration of high-speed rail projects. I know there are plans to increase the frequency of the Enterprise service between Dublin and Belfast but these plans are taking too long to be implemented. All of this needs to be speeded up. We need to ensure that other projects such as the Narrow Water bridge and the A5 are dealt with.

5 o'clock

All this planning has to be built into the NDP.

We need to have a real conversation on rural living. We are all dealing with development plans and with the huge difficulties that exist for people who are trying to get planning. We are talking about the death of certain rural communities unless we get an answer.

Deputy Matt Carthy: I also thank the Rural Independent Group for bringing this motion before the Dáil. It is opportune that it was tabled for this week because we are talking about the NDP in the context of the motion and in recent days the Government launched yet another report, namely, *Our Rural Future*. What we had once again this week was another big launch but little vision. The Government's plan contains no new spending, targets or ideas. The lack of detail is astounding and there is virtually nothing new for rural communities in the plan. The strategy is primarily a repackaging of existing Government policy, much of which consists of other promises that have been oft repeated but rarely delivered upon.

The Government's big idea seems to be that people who are working in urban areas will be able to do so in rural areas. That is fine and welcome and it is something that probably should have happened a long time ago. However, it does not represent the type of big ambition and

1 April 2021

vision that are required for our rural communities. Those who live in such communities deserve to have job creation in their counties, not just crumbs from the table of Dublin. Rural communities need investment in infrastructure. They do not need rehashed investment promises but new money and funding.

The level of delay and procrastination that come with the most simple projects, such as road development, the lack of vision in rail development and the plans being discussed for broadband facilities have been repeated here on a number of occasions. We are dealing with businesses on a county-by-county basis that cannot expand because the resources are not available. That is something we do not see in cities such as Dublin. Rural communities also need to see strengthened local Government and empowerment. There are too many decisions made and too much control in places such as the Customs House and in bodies that are based in Dublin, where announcements such as the one made this week are made in Dublin by civil servants who have little appreciation for the realities of rural living.

Rural communities need to see a Government that will support family farmers, as has been said, in the face of the challenges ahead, as opposed to the continuation of the existing policies outlined in this document and in the strategy we saw this week, which should be a source of embarrassment to rural representatives from the Government. We have seen missed opportunities by Government parties on too many occasions, simply because they do not have the vision and ambition that our rural communities need and deserve. We need to tackle that to ensure that we have strengthened local decision-making and that we have investment in job creation to ensure that those people who live in and come from rural communities can have every expectation that they will be able to build, live, rear families and work in those same communities.

We need to move beyond the partitionist mindset that is crystallised in the so called national development plan and in the document that was launched this week. We cannot look at the redevelopment of counties such as Monaghan, Cavan, Sligo, Leitrim and Donegal without recognising that they do not end at places such as Newry, Aghnacloy or Strabane. These communities require and we all require a national approach to dealing with the issues of regional imbalance.

Deputy Patricia Ryan: I also thank the Rural Independent Group for bringing forward this motion. I am sure the Minister has heard of the expression “beyond the pale”, which to this Government means those of us who live outside the Dublin area. To those of us who live beyond the Pale, it is our view that the Government’s contempt for us is beyond the pale, which means it is outside the bounds of acceptable behaviour.

Project Ireland 2040 was launched with great fanfare but it turned out to mainly consist of a rehashing of previous announcements. The press conference held in Sligo was probably the most expensive in the history of the State. Not only was there a fancy website but there were newspaper, TV and cinema ads. It would remind one of the old Pathé propaganda short films shown during the war. Sectoral interests, including the Construction Industry Federation, the Irish Farmers Association and IBEC were briefed about the document before any elected member of the Dáil was. Selected members of the media were also provided with briefings in advance of the launch.

It is not only the Dáil that this Government treats with contempt. The Government has left rural Ireland behind. The Green Party means well but it has little or no concept of the reality of life in rural Ireland. Fine Gael and Fianna Fáil have neglected rural Ireland to pander to their

vested interests. We need to reverse the regional imbalance and neglect by accessing capital to improve the infrastructure of our towns and villages, and to create jobs.

Far too many people are leaving Kildare and Laois every day to drive to Dublin for work. This has an effect on their quality of life and well-being. Many of our towns and villages are blighted by dereliction. I invite the Minister to come down to Monasterevin, Athy, Rathangan and Portarlinton when restrictions allow, and to see the buildings on our main streets that have been empty for years. No effort made to bring them back into use.

Broadband is essential for the economic growth of rural Ireland. I recently spoke to a teacher who uses the data on his phone to run the interactive whiteboard in his class. This is unacceptable in 2021. Just 16% of Kildare's surveys under the national broadband plan are planned or under way. We must increase the speed of the roll-out of the plan, focusing on neglected rural areas and the use of rural work hubs.

I want to add that we have one bank in Monasterevin where I live, a Bank of Ireland branch that is going to close. That is shocking.

Deputy Jennifer Whitmore: I thank the Rural Independent Group for bringing this motion. As we discuss Project Ireland 2040, it is important that we have a clear vision of what Ireland will look like in 20 years time. As we are all aware, the time goes quickly and we will get there a lot quicker than we think. Come 2040, we will only have ten years left to transition to a net zero-carbon economy. There are still a huge number of changes to make in terms of how we manage Irish society to meet that target. It was only with the publication of the new climate action Bill last week that it became apparent that how we manage to meet the deadlines in respect of the various targets will be placed on a statutory footing. We can see that time is not on our side. In that context, Project Ireland 2040 must not be discussed in a business as usual manner. The impact of climate change means that we need to change tack completely and more quickly. Our approach will have to be unusual in that sense because in 20 years time, Ireland will have to look different to how it does now and incorporate transformative approaches to our infrastructure and our economic development. We will even have to change our lifestyles and move away from those we currently enjoy. All of this will have to happen if we want to reach the crucial target of 2050.

What will this transformative approach look like for Project Ireland 2040? For starters, it will require green-proofing development in line with the targets set out in the climate action Bill. It will require a just transition model that is incorporated into the implementation process relating to Project Ireland 2040 and funding will be required to match our climate action ambitions. It is important that the following is considered. Instead of large-scale carbon-producing infrastructure, the focus should be on green infrastructure, such as the electrification of public transport and renewable energy infrastructure. Instead of focusing on the traditional forms of travel and on an ever-expanding road network, there needs to be a pivotal move towards green travel. We must expand our public transport system, including local links and alternative active modes of travel that will have to be central to Project Ireland 2040. Our towns and villages will need to be able to support the creation of green jobs by generating more local sustainable employment closer to where people live in order to reduce commuting times, road congestion and to develop jobs in green industries such as the offshore wind industry. Developing working hubs with access to quality broadband will be crucial to successfully generating more green jobs in areas such as renewable energies and in making our rural communities more sustainable.

1 April 2021

We will need to match Project Ireland 2040 with spatial planning strategies which point to a broader move away from urban sprawl. We will need to climate-proof and equality-proof Project Ireland 2040 to ensure a just transition model is implemented in conjunction with this development. This will be a challenge, but we need to implement the measures now to ensure that when we get to 2040, we will be able to look at an Ireland that meets the needs of our rural and urban communities.

I am here today not only as my party's climate spokesperson but also as a Deputy representing Wicklow. County Wicklow has many towns and villages, each with a different look and different feel. They have different strengths and different challenges. One of the main challenges for Wicklow is that it is located so close to Dublin. There has been incredible development in the county that has not been matched with investment in the public infrastructure required to make the communities in Wicklow sustainable. There has been considerable housing development in north Wicklow, but the bus services and schools infrastructure have not matched that development. There are significant difficulties for places like Greystones, Delgany, Kilcoole and Bray which do not have the facilities required for sustainable living. We have many other towns and villages in County Wicklow, and I will point to a few of them.

Arklow is beautiful but many people feel it is a town that Government has forgotten over the years. Major infrastructure projects need to be put in place such as the wastewater treatment plant, the flood-relief scheme and the Avoca Mines remediation project. The development and potential of Arklow hinge on those projects being invested in and moved on quickly. The wastewater treatment plant is awaiting ministerial consent. When it gets approved and that investment is made, we need to see it happen quickly so that Arklow can fulfil its potential.

Wicklow town could be a beautiful vibrant shopping town, but it needs investment, which has not happened to date. It has lovely independent shops which need Government support. They will need it more than ever as we come out of the Covid pandemic. I have spoken to business owners in recent weeks. Small businesses in particular are struggling. What kind of Ireland do we want to have when we come out of the pandemic? I do not think we want towns and villages with the major big players. We want our small family-run local enterprises to be strong and sustainable. Government needs to support those. Following all the discussions we have had in the past week about restrictions, there needs to be much more support for those small businesses.

In the west of the county, Baltinglass and Blessington have enormous cultural potential. We need to ensure that we protect those places so that the developments going in do not impede their cultural and tourism potential. Project Ireland 2040 is not just about economic development, it is also about recreational facilities and well-being. We need to ensure that our towns and villages have the recreational and social infrastructure they require. That has not proved to be the case in west Wicklow. People in Blessington have told me that they had nowhere to walk during the pandemic because there are no footpaths and very little outdoor space for them to use. The community is coming together very strongly to petition for a swimming pool. I would like to see the Government support that kind of infrastructure, which is needed for community sustainability and development. I hope there will be investment in that for places like Blessington and Baltinglass.

When we are investing in these areas it is important not to have different elements of government working against each other. Everyone needs to be on the same page, taking a green sustainable focus and making our small towns and villages really resilient so that if there are

future economic shocks, such as something like Covid or what is coming down the road with climate change, our villages and towns are as strong as possible and will have an opportunity to survive and meet the challenges that are put to them.

Deputy Richard Boyd Barrett: There are worrying signs that all the talk about just transition in terms of developing climate-related infrastructure ends up just being talk and that people who want to profit from the climate agenda and from the development of climate-related infrastructure do not give a hoot about the working people whom they disrupt and impact upon when developing that infrastructure.

I will cite an example on foot of conversations I have been having with fishermen who operate off the east coast, particularly Dublin Bay, for some time. They told me that companies which are snapping up the rights to build enormous wind farms on the Kish Bank and in this instance the Codling Bank require as part of the foreshore licence application when they are doing their surveys, which they are doing at the moment, to properly engage with the fishermen. In this case that involves the owners of 45 fishing vessels and their crews along with those in the processing plants and so on where they would land their catch. Although there is a requirement on the company, Codling Wind Park, to properly engage with them, it is not doing so. It is changing the goalposts having originally given a mapped area of the tract that it was going to survey with the fishermen required to say where their fishing gear was and all the rest of it. Critically, it is required to pay compensation to the fishermen for the impact of the survey on their ability to fish and make an income. This company is trying to ride roughshod over the fishermen, refusing most recently even to meet them because the fishermen insisted on having a legal representative to help them through the process. That sort of stuff just cannot stand. These companies must abide by the principle of the just transition and they must genuinely engage with these fishermen.

The Minister of State, Deputy Ossian Smyth, is a constituency colleague of mine. These are fishermen in his constituency. We need to tell this company to engage with these fishermen and stop trying to wheedle out of its requirement to properly consult with them, properly engage with them and compensate them properly and fully for the impact of their survey and subsequently the development of offshore wind array infrastructure. I hope I have done my duty by the fisherman and setting that issue out. I hope the Minister of State will pass that on to his colleague, the Minister for Housing, Local Government and Heritage, who deals with the issue of foreshore licences. It seems to me that that company is absolutely flouting its requirements under the foreshore licence to engage properly with the fisherman. I call on the Government to ensure that that happens.

Offshore wind infrastructure also raises a wider issue. I want to make it absolutely clear that I am in favour of offshore wind energy. However, I am not in favour of private companies just gobbling up our marine resources in order to make a profit for themselves when they are not even required to sell the electricity they may generate to this country and where there is no proper marine spatial planning. We have county development plans on land where democratically, one of the few powers local representatives have is to decide what goes where. They decide whether particular places are suitable for housing, agriculture and recreational amenities. That is not what happens out in the sea. When it comes to parcelling up areas of the marine; the private companies decide where they want to put the infrastructure and the Government effectively dances to their tune. That cannot continue. We do not want to end up with a marine version of the wild west approach we had to housing. We do not want to have that approach, which led to the madness of the property boom and bust, in respect of offshore infrastructure.

1 April 2021

These profit-driven people, if not reined in, are more than capable of doing in the area of off-shore climate-related infrastructure the same damage they did in terms of housing boom and bust and the desperate consequences that followed. I do not believe any part of the marine environment should be privatised but what is happening is, in effect, the privatisation of the marine environment with potentially devastating consequences from an environmental, biodiversity and marine biology point of view, as well as having an impact on groups such as fishermen and their livelihoods, industry and so on. We need proper regulation, best practice in terms of the development of these infrastructures and real engagement with people and communities who will be impacted by the development of these infrastructures. If we do not do that, we will discredit the climate agenda, which is such an urgent agenda to be delivered. It is critical that we develop the infrastructure to deal with the existential threat of climate change but that agenda will be damaged in a very serious way and its credibility undermined if it is not driven to a large extent by the needs, wishes and views of the communities and working people on whom this agenda is likely to impact.

I appeal to the Minister of State, Deputy Ossian Smyth, to pass on to his ministerial colleagues the need for this company to properly engage with the fishermen in regard to the Codling Bank.

An Ceann Comhairle: We move now to Deputy Canney, who is sharing time with Deputy Verona Murphy.

Deputy Seán Canney: I compliment the Rural Independent Group on bringing forth this motion. It is a motion which is close to my heart in the west of Ireland. The national development plan and review of it will be instrumental in tackling the substantial challenges facing the regions. These challenges, if left unaddressed, will ensure inequality in the regions forever. The north and west region has been downgraded from a developed region to a region in transition. This is the only region in Ireland to have this status bestowed on it by the EU. The EU Committee on Agriculture and Rural Development has categorised the region as a lagging region, which is a region of extremely low growth. The national development plan can reverse this trend, positively discriminating in favour of the north and west in terms of investment. It needs to provide additional capital investment which is aligned to the regional spatial and economic strategy set out by the Northern and Western Regional Assembly. We need connectivity within the region and with other regions to allow freedom of movement and choice and this needs to be done in a sustainable way. A good example of this is the western rail corridor, which would link Ballina, Westport, Galway, Limerick, Cork and Waterford. It would connect Galway, Foynes and Waterford ports in terms of international connectivity. As a first step, the national development plan needs to make provision for connectivity north from Athenry to Tuam and onto Claremorris under phases 2 and 3 of the western rail corridor.

Funding is also required to build the Claregalway bypass and to build out bus lanes and park and ride facilities to ease traffic congestion going into the city in Galway. If one listens to the traffic reports during normal times, most evenings one hears about traffic congestion in various locations. Claregalway is always mentioned in those reports. Thousands of workers from the east of the county, where I live, traverse the county, spending up to 20 hours per week in their cars, trying to get to work. This is unsustainable.

We also need housing. In that regard, we need to make sure we have proper infrastructure. Towns such as Craughwell, Corofin and Abbeyknockmoy, which are growth centres for Galway city, have no sewerage systems in place. Developers cannot get planning permission to build

houses in this villages and towns yet there is much talk about the town and village renewal under the plan, Our Rural Future. We have got to get real. We need to give Irish Water specific funding to enable it to put in place the infrastructure to support the building of houses.

There is a lot more I could say but I will hand over to Deputy Verona Murphy.

Deputy Verona Murphy: I thank the Rural Independent Group for bringing forward this motion. On Monday, the new plan for rural development, Our Rural Future, was launched. I welcome that the Government recognised the need for a plan. Many of the measures contained within it are badly needed in rural Ireland.

I want to dwell on one particular problem. The national planning framework envisages a Karl Marx policy of corralling and forcing people to live in high-density, ghettoised settings with no infrastructure to support them. The county councils across the country are at this point drafting county development plans. Wexford County Council, having submitted its draft plan, received a 24-page letter from the Office of the Planning Regulator setting out recommendations pursuant to the ministerial guidelines. Members will recall that in June of last year, on the floor of the Dáil, the then Minister of State at the Department of Housing, Planning and Local Government, Deputy English, confirmed that there were no minimum densities in the specific planning policy requirement, SPPR 4. Notwithstanding the Minister of State's confirmation, the planning regulator had the temerity to write to Wexford County Council insisting on densities of not less than 20 or 30 dwellings per hectare. The tone and tenor of the regulator's later is the equivalent of a missive one might expect to receive from the politburo. The letter entirely misrepresents the densities requirement, if one is to have any regard for what the Minister of State confirmed on the floor of the Dáil last June.

The planning regulator in his letter to Wexford County Council sets out a plethora of recommendations that will shut down rural Wexford and ghettoise our towns. We need only look to the early 20th century and what happened in eastern Europe at the hands of the ideologues such as Karl Marx and Joseph Stalin. The planning regulator appears to be of the view that the chief executive of Wexford County Council can amend a county development plan at his insistence or behest. The last great Stalinist sentence in his missive requires the CEO to confirm his recommendations and respond within five working days, an outrageous demand and an assault on rural democracy. This is a power grab by the regulator against every rural constituency in Ireland, including that of the Ceann Comhairle where I understand an 88-page letter has been received by Kildare County Council from the planning regulator. Mr. Justice Kearns in the High Court made plain the requirement of county councils informing a county development plan when he said that a planning authority must have regard to guidelines, but is not required "to slavishly adhere" to those guidelines. That judgment has been upheld consistently by the courts.

The planning regulator, Mr. Cussen, is out of control. Having regard to the correspondence to Wexford County Council, his ideological views and his lack of knowledge with regard to his own remit, he must consider his position. I urge the Minister for Housing, Local Government and Heritage, Deputy Darragh O'Brien, to take action immediately to put an end to this Stalinist regime in the Office of the Planning Regulator and to remove the regulator. If the planning regulator is allowed to have his way, he will close rural schools, decimate local GAA clubs and ghettoise our towns. Rural Ireland will become one massive Merthyr Tydfil.

Deputy Catherine Connolly: Before dealing with the motion, I want to state that I share

1 April 2021

the concerns expressed by Deputy Boyd Barrett regarding the proposed development of our seas. While I am all for sustainable development, including wind energy, it must be done for the common good and not be driven by developers. If we have learned anything in recent years, that is something we should have learned. I fully share the concerns the Deputy expressed in this regard.

Gabhaim buíochas leis an Rural Independent Group as ucht an rún seo a chur os comhair na Dála. Tá sé go hiontach go bhfuil deis agam caint faoin ábhar seo. Bíonn díomá orm i gcónaí go bhfuil deighilt ann idir na cathracha agus muintir na tuaithe. Ní féidir liom glacadh leis an deighilt sin mar táimid go léir fite fuaite le chéile. I welcome the opportunity to speak on this motion. I understand what the Rural Independent Group is trying to do in bringing it forward. While there might be one or two minor aspects that jar with me, I fully share the sentiment behind the motion.

I despair of the artificial divide between cities and rural areas. I have the privilege of representing both as my constituency includes the three Aran Islands, Inishbofin, all of Connemara, which is both English-speaking and Irish-speaking, Galway city, which is one of the five cities chosen by the Government for development, and parts of south Mayo, including Kilmaine and Shrule. It is a huge constituency, one of the largest in the country, and it is an absolute privilege to represent it. I know the issues we are discussing from all sides and I despair of the false debate that goes on much of time in this Chamber in regard to cities versus rural areas.

There is no doubt that there has been an imbalance in development. We have expanded our cities out of all proportion and in an unsustainable way while neglecting rural areas. Even putting a focus on that today is positive, but to get something out of the debate is another journey and battle. Earlier this week, foilsíodh an tuarascáil seo, Toghchaí Cheantair Thuaithe na hÉireann, i mBéarla. Our Rural Future - Rural Development Policy 2021-2025 contains very good and positive sentiments in theory. I will come back to the town-centric nature of the plan and the lack of a real emphasis on rural development.

Tá orm a rá nach bhfuil aon chóip den tuarascáil le fáil i nGaeilge. Ar an Idirlíon, tá píosa den tuarascáil ar fáil ach níl an tuarascáil iomlán ar fáil. Sheolamar ríomhphost chuig an Roinn agus dúradh ar ais linn go mbeidh sé ar fáil am éicint sa toghchaí. There is no Irish version of it, notwithstanding that all the Gaeltacht areas, from Donegal down to west Cork and Kerry, are rural areas. There is no Irish version of the report other than an abbreviated one that is available online. That is not acceptable. From the beginning, Irish must be part of the solution. Not too long ago, I referred to a book, *An Ghaeilge agus an Éiceolaíocht*, by Michael Cronin. It is a fantastic little book, written in Irish and English, that I recommend to everybody. It talks about how the Irish language can be part of a sustainable solution to the problems we face.

Social Justice Ireland, an organisation for which I have great respect, goes to great lengths every year to educate us on matters of interest before and after the budget. It has stated that we have a once-in-a-generation opportunity to put rural Ireland at the heart of Government policy and build strong, resilient and vibrant communities. I rarely disagree with the points made by Social Justice Ireland but I would say that this is our only opportunity, rather than a once-in-a-generation opportunity, given the enormity of the challenge we face in regard to climate change. It is our only opportunity to learn, in a context where we declared a climate emergency almost two years ago. We supposedly are learning from the Covid crisis and will never go back to how things were done before. The necessity for balanced regional development is more important than ever. At some stage, we need to stop the false debate and make our words mean something

when it comes to sustainable development. I offer the Minister my support in this regard, once again, if words mean something. I had more to say but my time is up.

Deputy Michael Fitzmaurice: I welcome the opportunity to speak on this motion. In small towns throughout the country, there is a lot of apathy about the Project Ireland 2040 plan. It is regrettable that the Government seems to be following on from its predecessor and leaving small villages across the country that do not have the likes of Irish Water operating there in a situation where the grants they previously got to put in a community sewerage scheme are gone. A central authority will now decide the number of houses that are going to be built in each county. In the west, the likes of Galway city and Sligo town will be given priority. As we move down the ladder, the big question is what will happen to housing allocations in rural areas. The Office of the Planning Regulator is in place and we all know that it is getting tougher for people in rural areas to build houses.

The 2040 plan must introduce balanced regional development. I ask the Minister to look at it again in that light. I have been on to the Department of the Environment, Climate and Communications about this issue. There is much talk about encouraging people to move back to country areas. Unfortunately, the way things are going, we are not giving our small villages - which I would call settlement areas - the opportunity to put the services in place that would attract people to live there. The 2040 plan needs an overall review. We questioned many parts of it and we have been proved right over the past year with the direction in which things are going. There seems to be an idea that we will fill the cities and larger towns and, after that, we can forget about rural areas. That is not acceptable.

Deputy Michael McNamara: I greatly welcome the motion from the Rural Independent Group. I also welcome the Government's announcement earlier this week, but it is just an announcement. Like many announcements before it, when one drills down into the detail, there is absolutely nothing there. If we are going to get people back into rural Ireland, we need to put services in place, including banking services and post offices. Unfortunately, post offices, such as the one in Broadford in County Clare, are being closed and the Government says there is nothing it can do about it. Bank branches are closing all over the country, including three in Clare. When I raised the issue with the Tánaiste, he said that post offices need to get with it and get online. When I asked him what the Government plan is to accelerate the roll-out of broadband, he said the Government is looking into it. When I asked what the plan is to facilitate ComReg in making sure that those who have a proper broadband connection, of whom there are few in rural Ireland, can make a complaint and have it dealt with, I was told that a Bill was to be brought to the Dail in February. Today is April Fool's Day and there is no sign of that Bill, even though we were told it was being drafted. I do not know whether the Tánaiste meant what he said or whether it was an April Fool's Day joke on his part.

It is all well and good to make grand announcements about rural Ireland but the services that are needed must be provided. There are towns throughout County Clare that do not have a sewage treatment plant. The Green Party has correctly identified the problem, namely, that we need sustainable development. I very much agree with the Minister for the Environment, Climate and Communications on that point. However, I do not necessarily agree with some of the solutions articulated by his party, although it has, at least, gone some of the way, as I said, in identifying the problems. Unsustainable development simply will not work but, equally, there has to be development in rural areas. There has been very little development in large parts of rural Ireland for decades in terms of sewage treatment plants in towns like Broadford and Carrigaholt, broadband infrastructure, and services like banking and post offices. These are the

1 April 2021

services that need to be put in place if we are to get people to live there, which is something everybody agrees we need to do.

An Ceann Comhairle: The Deputy is out of time.

Deputy Michael McNamara: Rural development is not just for the benefit of rural Ireland but will also alleviate pressures on our cities. We have a kind of Third World economy at the moment that is forcing people into cities. I appreciate the latitude the Ceann Comhairle has given me.

Minister of State at the Department of Public Expenditure and Reform (Deputy Osian Smyth): My sincere thanks to Deputy McGrath and the Rural Independent Group for bringing forward this debate. It was interesting to hear the contributions from all the Deputies. I think we can all agree that we had an insightful and constructive debate today. As my colleague, the Minister for Public Expenditure and Reform, Deputy Michael McGrath, said at the outset of this session it is only right and fitting that rural Ireland is and should be a key priority for all of us in the Oireachtas.

Deputy McGrath rightly concentrated on the national broadband plan. As Deputies will be aware, the programme for Government commits to seeking to accelerate the roll out of the national broadband plan. With this in mind, the Department of the Environment, Climate and Communications has been investigating the possible ways to accelerate the broadband plan and is reporting back to Government.

Broadband is a key enabler for the development of new businesses in regional and rural Ireland together with an increased opportunity for people to work from home. Ensuring access to high-quality Internet connections for people throughout Ireland is essential to the development of all parts our country, socially and economically. Facilitating remote working and innovation opportunities is essential in addressing climate change, adapting to an evolving economy and competing internationally. I thank the Deputy for drawing renewed focus to it.

The Government sets the broad legislative and policy framework within which planning authorities work in drawing up each county or city development plan. I have experience of this as someone who was a county councillor and a cathaoirleach in local government for several years. The preparation of a statutory development plan is undertaken in accordance with the statutory provisions of the Planning and Development Act 2000. Under this legislation, the decision to adopt the county development plan is a reserved function of the elected members of the planning authority. In preparing a county development plan, consideration and decision-making on which particular development policies and objectives to include is, therefore, taken by the elected members. The county development plan belongs to the councillors.

To strengthen the independent oversight of the planning process a key recommendation of the Mahon tribunal was the creation of an independent body. Accordingly, the Office of the Planning Regulator was established in April 2019. The office is primarily responsible for the evaluation and assessment of development plans to ensure strategic consistency with established statutory national and regional planning policy and legislation, which includes the national planning framework. There is no point in having national policies that are completely out of line with how the local planning system runs.

Councillors and local communities remain the authors of each local city or county development plan and have scope to adapt relevant national and regional planning policies to reflect lo-

cal context. The county development plan is now subject to independent scrutiny to ensure that local policies formulated are consistent with the relevant national planning policies to achieve an overall coherent planning system for the country as a whole.

The national planning framework, approved in 2018 as part of Project Ireland 2020, sits at the top of a hierarchy of statutory spatial development plans in Ireland. The other principal element of project Ireland is the current national development plan, which sets out a €116 billion public capital investment envelope in support of the NPF. The aligned and shared vision of the NPF in tandem with the NDP is an integrated joined-up planning and investment strategy that focuses on a series of ten shared national outcomes. This national-level planning policy is being implemented throughout the planning system.

Further to the NPF, a statutory regional spatial and economic strategies document was prepared by each of the three regional assemblies in Ireland, all of which were approved and in place by January 2020. At a local level, the development plan review processes currently being undertaken by all 31 local authorities are integrating the established NPF strategy requirements into tailored local planning policies and objectives. In accordance with section 11 of the Planning and Development Act 2000, as amended, the review of each county development plan must be consistent with both the NPF and the relevant regional strategy.

The NDP is a statement of Government policy in respect of the national development plan. The overall funding of €116 billion for the lifetime of the national development plan to 2027 is allocated on an indicative basis to each of the ten national strategic outcomes set out in the NPF. In addition, the NDP also sets out five-year expenditure allocations by the Department for the period 2018-22. The multi-annual NDP ceilings were devised to give Departments a degree of certainty for future planning with the expectation that the Department of Public Expenditure and Reform would not propose substantial changes to the published allocations.

At the same time the national development plan ceilings are only indicative. The specific financial allocations are provided for in the normal annual Estimates and voted on annually by the Dáil. The statutory statement of capital budgets appears in the Revised Estimates Volume. This document sets out details of the public capital programme.

Strengthening rural economies and our communities is a core objective of Project Ireland 2040, with the provision of €1 billion to the rural regeneration and development fund ensuring that the funding is in place to deliver on that objective in the coming years. The fund aims to support ambitious projects that can drive the economic and social development of towns and villages with a population of fewer than 10,000 as well as outlying areas. Initial funding of €320 million has been allocated to the fund on a phased basis for the period from 2019 to 2022, with an allocation of €1 billion to 2027. Calls for applications to the fund are sought under two categories. Category 1 relates to capital projects with all necessary planning and other consents in place and which are ready to proceed. Category 2 establishes a pipeline of ready-to-deliver projects providing development funding for projects to become ready for category 1 status. To date, the fund has provided €166 million for 139 projects across Ireland with 63 category 1 and 76 category 2 projects and is worth a total of €237 million. These projects are benefitting every county and support a wide range of sectors, including town centre regeneration, enterprise development, remote working, tourism and recreation, community facilities, libraries and so on. These projects are also delivering an immediate stimulus in rural areas with many already in construction or about to commence. The third call for category 1 applications closed on 1 December 2020. Applications received under this call are currently being assessed by the Depart-

1 April 2021

ment of Rural and Community Development under the oversight of the project advisory board, which is comprised of representatives from key Departments and independent experts. It is expected that the Minister will announce successful projects under this call in the coming weeks.

I thank the Deputies again for introducing the motion and for their engagement on these issues inside and outside the House. I was glad to hear discussion on all kinds of infrastructure, including everything from water to windfarms to transport problems and so on.

I know members across both Houses are as determined as I am to ensure rural Ireland is integral to our national economic, social, cultural and environmental well-being and development. I hope that that we can work together to bring this vision to fruition.

Deputy Mattie McGrath: Ar an gcéad dul síos, gabhaim buíochas le cúpla duine, Brian Ó Domhnaill, our research and policy advisor, Mariead and Councillor Máirín McGrath in my office, for putting together the motion.

I thank the Minister for Public Expenditure and Reform, Deputy Michael McGrath, for staying as long as he could. He had another engagement and apologised before he left. My thanks to the Minister of State, Deputy Smyth as well, but I have to contradict him. He said that local councils were the authors of county development plans. They used to be but are no longer. Cad a dhéanfimid feasta gan adhmaid? We heard a disgraceful letter read out from Deputy Verona Murphy about the attitude and powers given to the Office of the Planning Regulator. We have much rethinking to do. Those of us in the Rural Independent Group will be forced to take a legal challenge if this is not recognised.

I am disappointed that the Government is not accepting the good intent of the motion. Amendments have been put down, which is somewhat ridiculous. The motion refers to chronic under-investment in infrastructure across rural Ireland that now jeopardises and undermines the proposals for post-pandemic recovery in these areas. The motion calls on the Government to recognise the tremendous opportunities for remote working and rural living highlighted by the pandemic and to urgently review the draconian planning restrictions on rural one-off housing contained in the national planning framework as they are prohibiting rural people from the ability to build homes in their areas. This will lead to heightened rural depopulation. These are the basic facts. This is what has happened the past ten years.

I know honest and good senior planners. They are telling councils that if they want to get planning in rural Ireland, or know anyone who wants to, they should get the applications in fast because it 18 months' time this will be a no-go area. That is shocking.

There are many challenges but Irish Water is a major challenge. Lack of investment is resulting in the urgent need for villages and towns to have upgraded wastewater treatment plant throughout the country. There are dozens of villages across my county of Tipperary and I will name a few of them, including my own, An Caisleán Nua, Kilsheelan, Burncourt and areas like Lisvernane, Dundrum, Kilross, Dunaskea, as well as Golden and Cloughjordan in the north of the county. The needs are there, from the bottom of the county right up to the north of it. Nobody can build a house now, as has been highlighted by other speakers, unless there is capacity in the system.

The contract for Irish Water runs out in a year's time. What will happen after that contract? We must remember that the county councils will not have any say with Irish Water when the staff are transferred there. Many of these staff members do not want to go but will be forced to

go. Where is the democracy and their rights in this?

Within the changes that will be coming through the county development plan in County Tipperary, and it is the same everywhere, will be the increasing difficulties with one-off rural housing. There will be little opportunity for people to continue to live or return to the countryside. We cannot live in or get planning permission in the countryside. That is not acceptable and is shocking.

Irish Water has a crazy proposal. I am shocked with Deputy Smith, as a Green Party Minister of State, and with the Minister, Deputy O’Gorman, where he came in to reply on a Topical Issue matter recently - for which I thank the Ceann Comhairle for having allowed it - about the madness and the need to stop that pipe coming through Tipperary and right up to Dublin to pump water all of that distance. The plan is to put a pipe that is higher than me standing inside it, and one must consider the disruption that this will do to flora, fauna, the land and everything else. This will then enter pipes that are leaking 60% of their water here in Dublin. This is bananas and complete lunacy instead of just fixing the pipes. We had a real opportunity to fix the pipes during the pandemic because there was no traffic in the city. This is shocking.

The national planning framework and the Office of the Planning Regulator, OPR, dictate local plans that were once made at the behest of local councils, as stated by the Minister of State. Most recently, the Cahir Local Area Plan in my own town is currently undergoing change. The OPR has recommended a reduction from 50 ha to 10 ha in the residential zoned land. Some 40 ha are being taken away. This is madness. This will extremely limit the ability of the thriving town of Cahir to develop. How will we accommodate the increased numbers of people we expect to work remotely, from home and in hubs?

The Bank of Ireland is closing. I put forward a proposal about the Bank of Ireland which is closing a stream of its branches, from Mitchelstown into Cahir, on to Cashel, Templemore, Lismore and all over. I asked that the bank, in which the Government has a 14% stake, to make these branches into remote working hubs. There are officials who live and work in the banks in Dublin who cannot live here because of the cost of living. They would love to go back to Tipperary to those banks. They could give a couple of hours a day service to the public and do their remote working then from the bank buildings. Many of these are listed buildings in pristine condition. I heard Senator Ahearn calling for the councils to buy these bank buildings. Why should they? The banks should be made to keep their presence there for their customers. That, however, will not be happening.

We have to make access to high-speed broadband a human right. People are being dictated to as this is a two tier system. This motion calls to address all of these issues.

In 2016 the United Nations stated that access to reliable broadband is a human right. If this is the case we have utterly failed the people of rural Ireland and, not only that, but parts of the town on the outskirts of Clonmel and Nenagh cannot access broadband.

As the mid-term review of the national development plan is underway, it is timely that we throw out this Project Ireland 2040 plan before we have to go to the courts. We have obtained legal opinion, through Deputy O’Donoghue, and we will be returning to the articles of a most recent case. The principles were articulated in the seminal case of *Ryan v the Attorney General* in 1965 on pages 294, 312 and 313. The case clearly stated that none of the personal rights of the citizens is unlimited and their exercise may be limited by the Oireachtas when the common

1 April 2021

good requires this. The Oireachtas has to reconcile the exercise of the personal rights with the claims of the common good and its decision on the reconciliation of these should prevail. We have that case law there. We are on dangerous ground here and I am certain there will be dozens of cases. We are certainly not going to accept this, we cannot and we will not.

We have very significant challenges. We want to work with the Government agus ní neart go cur le chéile, but the Government does not want to work with us. It has the green agenda but we are all involved in this agenda. I raised a point yesterday about having a sensible green agenda. Farmers are being scapegoated. Glanbia together with a Dutch company plan to have a massive cheese processing plant to take milk from farmers all over Munster who have invested hugely, including in Deputy Nolan's constituency of Laois-Offaly. An Taisce must be reined in and its role must be examined as it is holding up this project. It went for planning in Waterford County Council. It then went to An Bord Pleanála and obtained approval and the farmers then invested, got money from the banks and Teagasc did work for them. Some have invested millions of euros with proper animal-friendly systems, well-cared-for animals with proper animal welfare. An Taisce has now brought this project before the High Court for a judicial review. The Taoiseach replied and said that there were too many judicial reviews but we have to look at the system of An Taisce bringing these cases. We are then told that it intends to go to the European Court of Justice. Farmers are now facing the prospect next year, in high season when most of their animals are in calf - it is wonderful to see the cows and calves out on the fresh grass - of going back to quotas if the case goes to Europe. They have banks to pay, families to feed and look after and this will cause terrible destruction.

There is no joined-up thinking. Many members of An Taisce are also members of the Minister of State's party. It has this ideology which is grand and dandy but it is causing havoc to business. We have seen factories run out of the country through serial objectors and we have seen a meat plant stopped down in Deputy Nolan's constituency. This is shocking and we must have joined-up thinking. We need to have bodies like An Taisce but it must live in the real world and understand that we have a God-given and constitutional right to make a living. That has been denied to us for the past 12 months but it will be continually denied with these plans.

I am asking the Minister of State to go back to the drawing board and I ask the Minister to stop the plans for that pipe which is total madness. This is like the children's hospital, another runaway project.

We want to develop a road from Limerick to Cahir to provide connectivity to the cities which is what we are all about here. This will connect Galway, Limerick and go on to the M8 in Cahir, to the Cloughbreeda junction, which will provide connectivity to Dublin, Cork, and then on to Waterford. This will connect to the ports of Galway, Foynes, Waterford and, indeed, Rosslare. That is a sensible project that could be developed at a cost of roughly €3 billion. The Government wants to go from Limerick to Cork and from Cork to Waterford costing €10.8 billion. This is madness. Why can we not change and look at things again? Big is not necessarily wonderful.

The Minister, Deputy McGrath, said the Government had got experts from all over the place to help it with these and other plans it is rolling out. We need common sense. We have too many experts as far as I am concerned. Common sense is a scarce commodity, a Cheann Comhairle, and it is a very important one. I know that today is April Fools' Day, being 1 April, but many of the announcements the Government has made and is rolling out this week do not have a penny, a pingin amháin, to back them up. It is all grand with grandiose plans. I remem-

ber when the former Taoiseach, Enda Kenny, went over to Glenamaddy to launch a plan and I said it was like the song, “Four Country Roads” because not a penny was provided. It was all fanfare and spin.

We need to listen to our people and to allow our people to live with dignity. Above all, people who do not want to be on the housing list because they want to have the wherewithal to build their own houses, should be allowed to get planning. This would take 20% pressure off the waiting lists for houses because these people are forced to go on lists and are renting at an enormous cost.

We need joined-up thinking and I am putting the Minister of State on notice here. I am disappointed he called us the regional Independents because we are the Rural Independent Group. We seem to be the only such group. I am fiercely disappointed, a Ceann Comhairle, cá bhfuil Páirtí an Lucht Oibre? Not one of them is here. It used to be a national and rural party. We had great men like Seán Treacey, the Ceann Comhairle had Jack Wall in his own constituency, and we had many such people, along with Dan Spring. None of the Members of that party are here but they are on television morning, noon and night telling us what they are going to do. They could put men on the moon for us and take them off again but they are not even here. I also remark on the lack of attendance of Government backbenchers, which is staggering.

An Ceann Comhairle: We are running out of time Deputy McGrath.

Deputy Mattie McGrath: We are taking this motion much earlier than we thought we would be and I understand that I am over time but this motion is sincere, as are we, and we are very definite. I pity the councils trying to put together these plans with the planning regulator dictating with a 58 page letter to the Ceann Comhairle’s own county council, together with the one he wrote to Wexford County Council, which is outrageous.

An Ceann Comhairle: I am looking forward to reading it.

Deputy Mattie McGrath: We need to get back to reality here and we are pressing this motion and are not accepting the Government amendment. Gabhaim buíochas.

An Ceann Comhairle: Gabhaim buíochas leis an Teachta. That concludes our consideration of the rural Independent Group motion regarding Project Ireland 2040. We must now consider the amendment in the name of the Minister. Is the amendment in the name of the Minister agreed to?

Deputy Mattie McGrath: It is not agreed to. Vótáil.

An Ceann Comhairle: A division has been called and, in accordance with Standing Order 80(2), the division is postponed until the next scheduled weekly division time.

I thank all who have participated in that very important debate.

6 o'clock

1 April 2021

Covid-19 Pandemic Supports

Deputy Bríd Smith: I and the other Deputies raising this issue are making a plea to the Government. The issue was raised by Deputy Joan Collins during Questions on Promised Legislation earlier. We are seeking a change to the regulations in respect of groups such as the Ballyfermot Sports Complex, which is located on Gurteen Avenue. It is a wonderful sports complex that has been open since 1985. It has had to change its *modus operandi* over the years but, basically, it is used by an impressive number of community associations, groups, youth clubs, schools and local projects. Even prison officers from Wheatfield Prison benefit from the use of its squash courts. There are soccer, GAA, boxing, martial arts and indoor handball clubs that use the complex. You name it and the Ballyfermot Sports Complex can cater for it. In normal times, it does so in a very efficient manner. However, we are living in abnormal times. The complex has lost income during the Covid restrictions and is finding it very difficult to manage financially. We need measures to be brought in to give the complex access to the supports of which other companies and associations can avail. I will let the other Deputies elaborate in that regard.

Deputy Aengus Ó Snodaigh: As Deputy Bríd Smith stated, Deputy Joan Collins raised this issue earlier today with the Tánaiste, Deputy Varadkar, who indicated that there is an anomaly whereby a facility such as this cannot access the grants that other facilities can. For instance, the Pobal grant is available for community sports facilities with a swimming pool. The Ballyfermot complex does not have a swimming pool but it caters for the more than 80,000 people who go through its doors each year. There is a shortfall because those people have not come through its doors in the past year as the hall has been closed due to Covid restrictions. It complied fully in that regard yet it has outlays, such as insurance and upkeep of the building, which cannot be met without income from the many clubs and schools that use it.

The school next door to the complex is more than 60 years old and does not have a sports hall yet it is a DEIS band 2 school which caters for 300 children. It uses the hall for sports and recreation activities. There is an urgent need to ensure that this facility and similar facilities and halls around the country which cannot avail of the current schemes because they are not-for-profit organisations, are not registered for VAT or do not have swimming pools can access some type of grant aid.

Deputy Patrick Costello: I echo the strong words of my constituency colleagues. Ballyfermot Sports Centre is at the heart of the community. When its representatives met me and the other Deputies, they stressed its importance to the community and the significant number of schools, community groups, clubs and associations that use its facilities. It has a significant impact on the community at large as it provides alternatives to the antisocial behaviour that is often discussed in the House. It is a real success story and it needs to be supported.

The anomaly whereby the complex does not qualify for Covid support schemes or any of the grants really needs to be corrected. As Deputy Ó Snodaigh noted, it is unlikely to be the only organisation in this boat. We need to find ways to support such organisations not just to keep the jobs going and facilities open, but also to recognise their valuable contribution to the communities in which they are based.

Minister of State at the Department of Enterprise, Trade and Employment (Deputy Robert Troy): I thank the Deputies for raising this matter. We know that Covid-19 has imposed a severe economic shock which poses many challenges across the economy and society

more broadly. Its impacts are particularly strongly felt in the sporting and community and voluntary sectors. While level 5 restrictions include the closure of many business premises in non-essential retail, personal and business services and construction, the restrictions have also impacted on the services provided by the community and voluntary sector across the country. As a result of the sacrifices of all parts of the economy and society, we now have a roadmap for moving to a reopening of the country, as announced on Tuesday by the Taoiseach. That will benefit the community sector as well as the catering, wholesale, distribution, hospitality and tourism sectors.

As the Deputies are aware, the Covid restrictions support scheme, CRSS, benefits the many premises that are consumer-facing and to which public access is now restricted. Although the CRSS has provided significant and welcome aid for a large number of businesses, the Government is aware that some classes of business fall outside its legislative remit. Although the Department of Enterprise, Trade and Employment does not have policy responsibility for the community and voluntary sector, which is the responsibility of my colleague, the Minister for Rural and Community Development, Deputy Humphreys, we are endeavouring to help those parts of the community sector that are trading through our €60 million small business assistance scheme for Covid, SBASC. These businesses in the community sector include charity shops, which are not eligible for the CRSS. We are also helping businesses in sports clubs that operate from those rateable premises, such as caterers and other service providers.

The community business restrictions support scheme which the Deputies are seeking is a matter for my colleague, the Minister for Rural and Community Development. As the Deputies will be aware, the Department of Rural and Community Development has already introduced assistance for the sector through schemes including the €10 million Covid-19 stability fund for community and voluntary organisations, charities and social enterprises. My colleague, the Minister of State, Deputy Joe O'Brien, announced the scheme on 11 December last, under which €45 million is available to the sector. I understand that the Department of Rural and Community Development also ran two rounds of a Covid-19 emergency fund during 2020. The second round, comprising €1.7 million, was focused on providing small grants towards adapting premises and assisting with the Government's Keep Well campaign, but also provided small grants towards operational costs of community groups where needed. The fund closed in February.

We are providing assistance through the wage subsidy scheme, of which I am sure community groups and enterprises such as the one in question are availing. However, I am listening to the Deputies. It is clear that if the grants to which I have referred were of benefit to the fantastic community facility in question, they would not be in here making a case for it to be provided financial assistance. I do not have the jurisdiction or authority to state that I can open a new scheme this evening. The matter does not even come under the remit of my Department. However, I will give a commitment to bring the matter back to the relevant Ministers at the Department with responsibility for the community business in question, that is, the Minister and the Minister of State, and relay to them the points the Deputies have raised. As Deputies Ó Snodaigh and Costello noted, this issue is not exclusive to the Ballyfermot complex. It is having an impact on other community facilities around the country. To be fair, when my Department has seen businesses falling through the cracks and unable to avail of schemes, we have come forward with new schemes. There is an onus and a responsibility on us to come forward to help businesses such as this one. I will give an undertaking to bring back this matter to the relevant Ministers on foot of the representations this evening.

1 April 2021

Deputy Bríd Smith: We appreciate the positive response from the Minister of State and look forward to the Government going back and looking again at the schemes and the benefits that may be available. We are representatives of Dublin South-Central and it is important that the Ballyfermot club remains in situ. It is an interesting club because it is lean in its staff and flexible with the community but it caters for a huge number of groups and individuals and schools. I think it is worth a little bit of flexibility from the Department and all Ministers concerned to look at ways in which it can be supported. We have all said this. The issue goes beyond the boundaries of Ballyfermot. There are bound to be hundreds of other projects like it around the country that have been affected. We will bring this information back to the people who run the club and the community. We appreciate the positivity that the Minister of State has displayed tonight and look forward to a resolution. I thank the Minister of State and the Department.

Deputy Aengus Ó Snodaigh: Like my colleague, Deputy Bríd Smith, I thank the Minister of State. This is obviously an anomaly but it is not one that applies only to Ballyfermot sports complex. There will be other such cases because Ballyfermot sports complex is not unique in the way it runs its business. It is probably unique in many ways, given the amount of people who are dependent on it. We are coming out of Covid-19 restrictions and I hope that the likes of these halls will be able to deliver services and cater for groups as it has done in the past but that will not happen without some level of grant aid and help.

The Ballyfermot sports complex has an impressive list of groups for which it caters. The list includes: Mary Queen of Angels national school; Ballyfermot youth service; Ballyfermot Youthreach; Kylemore College, Ballyfermot; Ballyfermot Candle Centre; Lifestart, Cherry Orchard; Caritas College, Ballyfermot; De La Salle GAA club; St. Patrick's GAA club, Palmerstown; Ballyfermot kenpo club; Ballyfermot martial arts club; Irish dancing; ballroom dancing; roller hockey club; Gurteen Youth Club; after-school sports clubs; soccer clubs; the Dublin-Philippines basketball club; late night crime diversion soccer programme; and the Ballyfermot Gymnastics Club. The staff of Wheatfield Prison use the complex for squash and the Traveller community uses it for handball. That is the considerable reach of the complex.

An Ceann Comhairle: I thank the Deputy. Deputies Healy-Rae would not have done better in listing all those groups.

Deputy Aengus Ó Snodaigh: I am here a long time.

Deputy Patrick Costello: Deputy Ó Snodaigh has gone easy on the number of people in the community who benefit from the sports complex to show how valuable it is. I thank the Minister of State for his flexibility and positive answer. We look forward to working together on this.

Deputy Robert Troy: The Deputies have made the valid point that these community groups provide an invaluable service right across each of our constituencies. The Deputies have made their point well tonight about Ballyfermot. The Government is committed to supporting the people, businesses and communities in this difficult time. I reassure the Deputies that my Department and those of my ministerial colleagues in other Departments are keeping programmes that are administered by the Departments under constant review. I alluded to the new programme that we launched, the small business aid scheme. It was launched as a direct result and consequence of the fact that many groups were excluded from the Covid restriction support scheme, CRSS, as was identified to us. We have demonstrated that when something is brought

to our attention, we want to intervene. This issue has been brought to my attention by the Deputies this evening and I will revert to the Minister, Deputy Humphreys, and the Minister of State, Deputy Joe O'Brien, who are the responsible representatives in the Department and I will articulate to them what the Deputies have said to me. I will ask them to converse directly with the Deputies in the hope that we can offer some assistance within the confines of the available budgets.

Dental Services

Deputy Verona Murphy: I thank the Ceann Comhairle for allowing me the opportunity to raise this issue with the Minister. Dentistry and orthodontics, obviously, play important roles in keeping people healthy. People who have problems with their teeth and gums can find they leads to other, associated physical problems but they can also lead to psychological and esteem issues, particularly for young people. From the point of view of physical health, we know the importance of looking after our teeth. We must also remember the cosmetic reasons why people want to have a good-looking smile. It helps with self-esteem. It helps people to feel more confident in themselves and, naturally, that means they are happier.

My Topic Issue matter refers to the orthodontic care system. The HSE states that:

A patient may be referred by a primary care clinician for initial orthodontic assessment. In general, this referral takes place around the ages of 11-13 years of age ... but can be provided anytime up to 16 years of age.

Based on that, it would be safe to assume that between the ages of 11 and 13 and up to the age of 16 are the best times for these assessments and interventions to begin. No such assumption should be made. I will give some examples of the correspondence I am receiving on the topic. I will be referring to the parents of a constituent of mine whose details I have also emailed to the Minister's office. A parent told me about receiving the very good news that their 15-year-old daughter qualifies for free dental braces as her teeth are deemed bad enough to qualify for free dental assistance. She has already waited three extra years from her sixth class appointment with an orthodontist; such a consultation usually takes place when a child is aged 12. The parent went on to say that one could imagine how horrified they were to be told that it will be an extra six years before they hear about her next appointment in County Wexford. The girl in question is now 15 and will have to wait until she is 21 years old to have braces fitted. She is distraught, as are her parents.

A letter from another parent stated that their child was assessed by a HSE orthodontist in Enniscorthy on 8 June 2018. The parent was informed that the child would definitely qualify for dental treatment through the HSE as he is an extreme case but there is a four-year waiting list. The parent was extremely shocked by this but reassured by the orthodontist as she explained that this would be the optimal time for the child. The parent rang the orthodontist's department during the first lockdown but the phone was not answered and no one responded to the parent's voicemail. The parent finally managed to get through last week and was horrified, upset and frustrated to be told by the secretary that the child, Robbie, will have to wait for another three years. That waiting list has now gone from four years to six years.

This is the reality for many parents and patients. I wrote to the Minister of State's Department a couple of weeks ago. I received a response to the effect that the waiting list is now ap-

1 April 2021

proximately 72 months' duration. Due to the Covid-19 pandemic and the additional measures in place, the orthodontic department has reduced capacity and has been unable to take any new patients off the treatment waiting list since March 2020.

With all of that information in mind, and given how important the scheme is, will the Minister of State outline when the system will resume taking new patients from the treatment waiting list which has now been suspended since March 2020? What steps are being taken to reduce and speed up waiting list times? A six-year waiting list clearly means that there are major problems in the system and something has to be done urgently. These issues also come on the back of Wexford General Hospital having an increase of 69%, accumulating now to almost 5,300 patients on a waiting list. We have had no psychologist or dietician in the children and adolescent mental health service, CAMHS, for nearly three years. There is now also no podiatrist at Wexford General Hospital.

Minister of State at the Department of Health (Deputy Frankie Feighan): I thank the Deputy for the opportunity to address the issue of waiting lists for orthodontic services on behalf of the Minister, Deputy Stephen Donnelly. The HSE provides orthodontic treatment to those who have the greatest level of need and have been assessed and referred for treatment before their 16th birthday. An orthodontic assessment determines if the referral meets the criteria for the service and, if so, what priority the patient is given. Those with the greatest clinical need are prioritised.

Orthodontic services are generally provided by orthodontic consultants and specialist orthodontists who are based in the HSE orthodontic clinics throughout the country and, in addition, orthodontic therapists assist in providing services in some areas.

The Minister and I accept that there are significant delays in accessing some services provided by the HSE, caused in part by the necessary concentration of resources on managing the current Covid-19 pandemic. I also acknowledge that prior to the pandemic, there were already ongoing difficulties which led to lengthy waiting periods in accessing orthodontic services. Waiting lists vary regionally and according to the complexity of the condition. There are generally longer waiting lists for the least complex care. At the end of 2019, more than 10,000 children were awaiting assessment, while 19,000 were awaiting treatment. However, a further 17,000 children were in active treatment. I do not have total waiting figures for 2020 because the staff involved have been redeployed. However, I am aware that the service has experienced 12 months of continual disruption because of the pandemic. The Minister is informed by the HSE that during 2020, more than 9,200 orthodontic patients were seen for assessment and 1,466 patients commenced active treatment.

Elective orthodontic services have gradually resumed. Social distancing and other organisational measures, as well as infection prevention and control guidance, mean that the usual throughput of patients is currently reduced but this is expected to improve over time. Difficulties in recruiting consultant and specialist orthodontists in some parts of the country have added to this problem. The HSE is putting in place a number of measures to address waiting times. The filling of permanent vacancies is being prioritised, with recruitment to fill two consultant posts ongoing. A treatment waiting list initiative between 2016 and 2020 resulted in 1,996 patients being placed in treatment with service providers at a total cost of €5.8 million. A new initiative to outsource treatment for patients with less complex orthodontic needs who have been waiting for more than four years is now at invitation to tender stage. This will provide treatment for approximately 300 patients annually at a cost of €1 million. It is anticipated that

the first group of patients will be allocated to service providers in the second half of 2021.

The HSE is also developing a standardised approach to assessment with consultant and specialist orthodontists and annual training for referring dentists. The purpose of this is to ensure that all referrals will receive an orthodontic assessment within six months and that the number of inappropriate referrals will be reduced. Access to orthodontic treatment in another EU jurisdiction is available under the EU cross-border healthcare directive for patients who are already on an orthodontic treatment waiting list. Many patients in Border areas accessed care in Northern Ireland through this route pre-Brexit. A total of 342 patients accessed cross-Border care in 2020. This is being continued through the Northern Ireland planned healthcare scheme.

I reiterate that the Minister, Deputy Stephen Donnelly, and I fully acknowledge that the waiting lists for essential orthodontic treatment are unacceptable and we want to see real improvement this year with the significant funding that the Government has made available for enhanced community care.

Deputy Verona Murphy: I am very disappointed that somebody at the Minister of State's level would come into this House and restate what we can read on a website. These parents want to know when their children will receive treatment. As the Minister of State knows perfectly well, waiting lists have not fallen in years, so I do not know where the expectation comes from that they will definitely come down. I have information that was revealed in 2019 in a parliamentary question tabled by the current Minister for Health, Deputy Donnelly, to the then Minister for Health. At that stage, the number on the waiting list in County Wexford stood at 10,586. I cannot imagine the size of the waiting list at this stage because, like the Minister of State, Deputy Feighan, I am unable to get the current figures. With due respect to the people of Wexford, waiting lists in every area of health in the county are growing.

I am sick of telling people there is a cross-Border initiative. We are talking about children. Orthodontics is a very specialised area and nobody wants to have to travel for four or five hours to get treatment. The process is not the same in that one must pay for the treatment and then apply for a rebate. The system is not simple and it does not work. It certainly does not serve to reduce the waiting lists. I am very disappointed that in spite of the notification of the question, the Minister of State has literally read out in the Dáil the first three paragraphs of a 21-page reply provided by the HSE in 2019. People require an answer and he has not provided one. They need the waiting lists to come down. The necessary orthodontic services should be in place. The pain and anguish orthodontic problems are causing children have increased their anxiety levels and this is causing gross mental health issues. I urge the Minister of State to address the issue in a fair-minded manner. It is not just that we do not have an orthodontist. We do not have our fair share and we have the highest waiting list in the country.

Deputy Frankie Feighan: I am aware of the difficulties experienced by young people, especially in Wexford, as Deputy Murphy articulated, who have been waiting a long time for orthodontic treatment. As I outlined to the House, the Department and the HSE will undertake a number of initiatives to address waiting lists for orthodontic care.

Work is ongoing with Sláintecare, in conjunction with the HSE and the National Treatment Purchase Fund, and community waiting lists will be included in the plan. The Government is committed in the coming years to the transformation of oral healthcare services in accordance with the guiding principles set out in Smile agus Sláinte, the national oral health policy, which was published in 2019. With regard to orthodontic services, this policy supports the delivery

1 April 2021

of some orthodontic procedures in primary care dental practices, supported by clinical care pathways.

I acknowledge that there are issues and I thank the Deputy for raising them. I will convey the points she has made to the Minister and ask if he can provide her with further figures. The groundwork is being laid for the transformation of oral health services. The Deputy knows that from her involvement with Sláintecare. We will try to work within the Sláintecare agenda to deliver for the needs of people and make the provision of local services paramount.

I accept that issues arise in terms of people having to pay upfront for services provided through the cross-Border initiative. I will speak to the Minister and see if there is any way we can resolve the issue.

Banking Sector

Deputy Neasa Hourigan: I thank Deputy Verona Murphy for raising the issue of orthodontics because it comes across my desk all the time. Access to training for orthodontists is an issue we must address as well.

I will talk about a banking forum. A few weeks ago, the Dáil debated the current banking situation in Ireland. I think we would all agree that we are at a moment of great difficulty. We had the announcement by Ulster Bank that it is withdrawing from the Irish market. Hot on the heels of that came Bank of Ireland's announcement of the closure of almost 100 of its branches. During the debate, Deputies from every party and Independent group spoke of the high level of distress in communities and their worries about losing local bank branches and access to banking services. This is a matter of financial inclusion. Financial inclusion and access to bank services are closely linked to the ability to access money and use it well.

We heard that there is a real concern about competitiveness in the banking sector and that having two pillar banks operating here is not competitive. We have a banking duopoly. We heard that financial products may become more profit driven. We already have one of the most expensive mortgage products in Europe. Most important, the Minister for Finance, in response to questions from me and other Deputies on whether there is any expectation of another pillar bank entering the Irish market, stated the answer was "No". It is not that the banks leaving the market were not making a profit. They were just not making enough profit. In those circumstances, it is very hard to see how another bank would enter the Irish market.

The issues facing people in the context of banking speak very much to some of the discussions we have had today on regional access and development. There was a very good announcement from the Government this week about rural funding and the ability to work remotely, and concentrating on and trying to support local and regional communities and areas in Ireland. If SMEs do not have access to credit, much of our good work will be undone. We know from the research that having a local bank branch and a relationship with the manager of it has an impact greater than 50% on whether an SME is comfortable accessing credit. We know in Ireland that SMEs do not access enough credit.

We are now facing into the ramifications of Brexit and Covid and the post-Covid recovery. The Financial Services Union, FSU, has called for a banking forum so that we can get all of this stuff on the table and look at it in detail, and have all of the players in the banking sector in a

room together to discuss it. As we face into the post-Covid recovery, people's ability to access credit will be of paramount importance. If a local bank branch is closing and one is not able to walk down the road to another branch and talk to a manager, that will impact on people's immediate experience of financial inclusion and also on our national recovery from the pandemic.

I ask the Minister of State to indicate whether the Department will set up a banking forum. By a banking forum, I do not just mean the Minister for Finance or the officials from the Department of Public Expenditure and Reform sitting in a room with pillar banks and, perhaps, the Central Bank. We want credit unions, post offices and labour unions at the table and a truly inclusive discussion on what should be the future of banking.

Minister of State at the Department of Finance (Deputy Sean Fleming): I thank the Deputy for raising this issue. As she is aware, the FSU has suggested the establishment of a banking forum involving all relevant stakeholders coming together to discuss the future of banking in Ireland.

When the Minister for Finance met the FSU last December, he highlighted that he did not think that our Department should participate in such a forum. His concern in this regard was that the participation of a competent authority in the formulation of proposals and recommendations which would then be submitted to Government for objective consideration by the same authorities did not present a model of good governance. However, he assured the FSU that he and officials in his Department would examine any proposals or outputs from the FSU or a banking forum organised by it, should it be established. His position has not changed since that meeting.

Earlier this month, the FSU published a discussion paper on the future of banking in Ireland. It set out a number of principles for the forum, including that it would be organised under the auspices of the Government and would meet approximately four times a year, which implies a permanent or semi-permanent structure. The FSU believes that this forum should include all stakeholders, including the banks, customers, staff, management, trade unions, business and employers' groups and community interests. The paper also sets out a wide range of topics the forum could discuss, including, among others, the lack of public trust in banks, the issue of artificial intelligence in banking, the closure or downgrading of branches and ATMs, financial exclusion, illiteracy and digital exclusion and banking culture, ethics and whistleblower protection. Trying to address such a broad range of difficult topics in the suggested structure may prove challenging and, in an ever-changing environment, will need a rapid response.

The programme for Government highlights the importance of social dialogue and open engagement with all sectors of society. Accordingly, the Minister and our Department are happy to engage with all stakeholders in an appropriate manner. In that context, the Minister engaged with the FSU last year on the strategic review of Ulster Bank. In addition, he met the FSU on the day NatWest announced the outcome of that review. He also gave a commitment to further engagement with the FSU regarding Ulster Bank.

Last Tuesday, I met the FSU to discuss a number of matters relating to the banking forum. Officials from the Department will meet the FSU to discuss its discussion paper in the coming weeks.

The Central Bank and the Department regularly hold public consultation on policy matters. The Department has conducted several public consultations on financial services in the past 18

1 April 2021

months, including on corporate bonds and the risk reduction measures package. These consultations are open to all sectors and allow all interested parties to make a submission.

I recognise that the FSU is trying to represent most of the 23,000 staff in the main banks in the Republic of Ireland. We are all very concerned and want to assist in every way to make sure there is a viable banking service available to the public in the future.

The Central Bank is also finalising plans for a public consultation on a substantial update of the consumer protection code. The update will address the emerging trends and risks in financial services to ensure the code continue to deliver strong protections for consumers in the future. Proposals on how to strengthen the consumer protection code and access to banking can be dealt with in that context. The Central Bank expects that the public consultation will commence during the course of this year.

Deputy Neasa Hourigan: I thank the Minister of State for his reply. Not to be coy about this but I see a banking forum as a first step to talking about public banking, something for which Green Party has pushed for a long time. It would speak to issues around regional access to banking. It is something to which 21 countries in Europe have access, but we do not. We do not have that level of competition or choice in the banking sector for people in Ireland.

The idea that a banking forum is somehow unacceptable and that the Minister would not want to be involved in a forum that speaks to his Department is somewhat problematic considering that we are talking about a fully regulated industry. Not to criticise the public consultation framework, because the Green Party is very pro-public consultation, but public consultation often involves the Department having made a series of decisions, publishing a report or creating a development programme or a plan, and then putting it out to the public to ask what it thinks about the decisions it is making. That is not what a forum would be. It would involve bringing everybody into a room, identifying the issues and working together to find a solution. That is more formative in the decision-making process than a public consultation. In terms of the crisis the banking sector is facing, the Department's usual approach will not do the job. This is more primary than that. We are in a more difficult situation. This is not about public consultation; it is about community decision-making. We need to look at it on that level.

I accept that the Minister of State is bringing the decision here from the Minister. In 2019, the Indecon report on public banking was published. It stated we did not need public banking or a more considered discussion in respect of it because there was no failure in the industry. In 2021, there is a failure in the industry and we need to talk about it.

Deputy Sean Fleming: Again, I thank the Deputy for raising those points, particularly in the context of her party's position on this matter. I understand from the Department of the Environment, Climate and Communications that An Post is transforming its retail network by delivering new products in all formats, including loans, credit cards, more foreign exchange products, insurance products, local banking, in association with the major banks, and a full range of State service products. If the Deputy requires any further information on this, that can easily be obtained.

Post offices have a good arrangement with AIB and are now moving onto a strong arrangement with Bank of Ireland. I am convinced that the credit union movement has a strong presence in all of the towns where branch closures have recently been announced. In terms of a banking service available to the public, the post office network is stepping up to the plate in a

big way. My Department is aware of that.

Credit unions have a key role to play in banking. I encourage them to provide greater banking service in communities. There is not a single location where a branch has been withdrawn by Bank of Ireland that there is not a post office, a credit union or both within a couple of hundred metres.

I understand the banks have agreed to the forum. The Irish Banking Culture Board has also agreed to it. I am sure the Banking Federation of Ireland will agree to the terms, as will the FSU. I am sure quite a number of public bodies will be interested in participating. The forum can happen but it should not be driven, monitored and administered by the Department of Finance. I would love to see it happen and its conclusions but if the Department is involved in its administration, management and setting up the process, it would represent a conflict. The Department should be able to consider the forum's findings rather than being a key participant.

Poultry Industry

An Ceann Comhairle: The fourth and final important matter selected has been raised by Deputy Niamh Smyth, who wishes to discuss the need for co-financed funding for a scheme to support the poultry sector in counties Cavan and Monaghan. The Minister might give us a few bob around the rest of the country as well, if he can.

Deputy Niamh Smyth: I thank the Minister for coming to the House at such a late hour to discuss this very important issue, which I appreciate. The Minister will be more than familiar with the Hennessy report. My question relates to its findings and recommendations on which the Government might act. The poultry industry is of particular importance in my constituency of Cavan-Monaghan, as it is in many places nationwide. It faces a threat at present from disease outbreaks and the associated economic implications. The outbreak in 2020, although it did not pose a threat to human health, did highlight the sector's vulnerability and the considerable costs of disease control. More than half a million laying hens were culled following the 2020 outbreak, leading to a 15% reduction in the supply of Irish eggs on the domestic market. Internationally governments, including those of the Netherlands and France, have established co-financed funds with the industry to improve disease control and mitigate its financial impact. The amount sought is approximately €2.5 million spread over two years. This is something close to the Minister's heart and he met stakeholders in the poultry industry last December. However, behind the report, there are individual farmers and individual farm holdings, and families. I know, from past and more recent outbreaks, the devastation that causes for farmers themselves. Farmers are often not just in it for the money but it is a vocation and a love of the land and animals. I received some pretty tough phone calls from farmers who were affected by this, not tough as in aggressive but in the sense that they felt their future was very bleak because of the financial implications that this posed for them.

Are the Government and the Department in a position to undertake this co-finance scheme? Will it will be there to support these farmers when such outbreaks happen? I also wish to mention Manor Farm and Carton Brothers in Shercock, County Cavan, which is a massive employer in the local area and a massive supplier for the chicken industry in Ireland and far beyond. It is completely dependent on the farms and the supply coming from the poultry farming sector. They are very much involved in and interested in being part of the finance solution to this issue. I hope the Minister will have some good news for the poultry farmers who are listening. There

1 April 2021

are many in Cavan-Monaghan and elsewhere who desperately need that support and who need to know that if there is another outbreak of bird flu, the finance will be there to back them, support them and ensure they have a future.

Minister for Agriculture, Food and the Marine (Deputy Charlie McConalogue): I thank Deputy Niamh Smyth for raising this issue, which is particularly important in her constituency of Cavan-Monaghan, which is the heartland of the poultry sector nationally. At the outset, I want to pay tribute to the sector. The poultry sector has an annual output of more than €610 million. It often does not get the recognition it deserves for the massive contribution it makes. Importantly, the sector, including eggs as well as meat, supports over 5,000 jobs, of which some 3,500 farmers come from the Deputy's Border region.

During 2020, Professor Thia Hennessy, of UCC's business school, completed a comprehensive report on the economic importance of the poultry industry in Ireland in which a number of recommendations were made regarding the poultry sector. As the Deputy noted, I was happy to meet representatives of the poultry industry last December, when we had a very constructive discussion on Professor Hennessy's report. After that, I asked officials in the Department to carry out an evaluation of the recommendations in the report, in particular that recommendation which raised the possibility of establishing a form of fund that would be jointly financed by industry and the State and that might be used in order to improve disease control and mitigate its financial impact.

My officials are progressing this important evaluation, and are exploring what mechanisms may be available and that might be employed to assist the industry in dealing with the difficult challenges it faces regarding the threat of poultry diseases. I fully understand the sector's aim to seek mitigation of the risks that are faced, and where possible, to provide some reassurance to them.

In this regard, it is vitally important that any support system in which the State might play a role, is fair and reasonable to all and is consistent with national and EU legislation. My officials will meet the poultry working group again shortly to discuss these and other important matters. This will be an opportunity to further update the industry on my Department's position on the recommendations and to further progress proposals.

I wish to remind the House of the financial support that has been provided by my Department to operators that were affected by disease outbreaks during 2020. In respect of the outbreak of low pathogenic H6N1 avian influenza in early 2020, my Department provided a once-off *ex gratia* support, which was made available to all affected operators and all those that applied have now received payments. The nature of this disease is not one for which compensation is automatically provided by law, but my Department successfully achieved Government agreement for the payment so as to provide some support to affected poultry producers. It is outbreaks such as this which the Hennessy report and the sector are very keen to have considered in ensuring supports are there for affected farmers in future.

Regarding the December 2020 outbreak of highly pathogenic avian influenza H5N8, there was an obligation on my Department to provide compensation to support affected farmers. The applications for compensation are being progressed and payments are expected to issue shortly.

My Department already supports existing rural development programme-funded targeted advisory service for animal health, TASA, which provides assessment of on-farm level bios-

ecurity risks at no cost to poultry farmers. My Department recognises the opportunity to develop poultry health and welfare initiatives and my officials are working to progress this. These types of approaches are consistent with the national farmed animal health strategy, which sets out the overarching principles by which we can work collectively to progress solutions, while acknowledging the various roles and responsibilities, cognisant of the financial imperatives for the industry and the State, on the principle of prevention being better than cure.

I thank the Deputy for raising this and I look forward to working with her and with the industry and Government representatives in the constituency to try to bring about progress on this important issue.

Deputy Niamh Smyth: I appreciate the Minister's comprehensive reply. I will get down to the nuts and bolts of the funding being sought, which is €2.5 million spread over two years. In terms of the overall 2021 agriculture budget, that might seem quite small. Therefore, I hope that when the Minister sits down with his officials, that kind of finance can be put into it. I am not overstating the matter when I say that my region, the Border region, which the Minister also represents, is very much dependent on it. There is a genuine opportunity. Manor Farm and such companies are very much interested and there is buy-in from them. Ultimately, what I propose will protect the small farmer and others farmers who may have to face the very unsavoury and unpalatable task of culling when there is an outbreak. I really appreciate the Minister's answer. I wonder whether he could respond on the funding available and give a timeframe for its provision so farmers will know the future is bright in their sector, that the work they are doing is worth carrying on with, that they will be protected and that the Government will have their backs.

Deputy Charlie McConalogue: I assure the Deputy that there is a very bright and secure future for the sector. It is a really important part of the overall agrifood sector. It is one I want to support and work with. There are challenges. Poultry farmers affected by diseases that do not automatically qualify for compensation and who must cull their flocks naturally incur massive financial costs.

I had a very thorough discussion with the poultry sector when we met in December. It has taken a very constructive approach to assessment by engaging Professor Hennessy in the first instance and also by putting together a comprehensive report. We had a very constructive discussion on that. Coming out of it, I asked my officials to assess further and engage on the recommendations to determine how we could work together to address this issue. The work and evaluation are ongoing. There will be a follow-up meeting with the poultry sector very shortly to discuss the evaluations and to consider how we might be able to go forward. I recognise the issue that arises and the financial impact on farmers. I very much recognise the need for a mechanism such as the one being proposed to try to provide a safety net for affected farmers. I look forward to engaging further with the sector on the possibilities that exist and on how we can work together in this regard.

An Ceann Comhairle: Leis sin, táimid tagtha go dtí deireadh gnó na seachtaine. Tá an Dáil ar athló go dtí 10 a.m., Dé Céadaoin, 21 Aibreán 2021. Idir an dá linn, guím Cásca bean-naithe ar gach duine.

The Dáil adjourned at 6.53 p.m. until 10 a.m. on Wednesday, 21 April 2021.