



DÍOSPÓIREACHTAÍ PARLAIMINTE
PARLIAMENTARY DEBATES

DÁIL ÉIREANN

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

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DÁIL ÉIREANN

Dé Céadaoin, 6 Deireadh Fómhair 2021

Wednesday, 6 October 2021

Chuaigh an Leas-Cheann Comhairle i gceannas ar 9.10 a.m.

Paidir.

Prayer.

Ábhair Shaincheisteanna 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 27A and the name of the member in each case: (1) Deputy Catherine Connolly - to discuss the crisis in the temporary accident and emergency department at University Hospital Galway; (2) Deputy Brian Stanley - to discuss pay and conditions for school secretaries; (3) Deputy Aindrias Moynihan - to discuss flexibility for community employment scheme, CES, participants over 55 years of age; (4) Deputy Holly Cairns - to discuss the two accident black spots in west Cork, including at New Court bend on the N71 and at Baxter's Bridge junction on the R586; (5) Deputy Jackie Cahill - to discuss numerous crises facing the pig farming industry resulting in a perfect storm for pig farmers; (6) Deputy Pádraig O'Sullivan - to discuss an update on implementation and departmental oversight of the Irish Sign Language Act; (7) Deputy Mairéad Farrell - to discuss the inability of the cargo boat to land on Inis Meáin due to weather conditions and its impact on indigenous industry on the island; (8) Deputy Chris Andrews - to discuss the timeframe for roll-out of the support package for Thalidomide sufferers; (9) Deputy Christopher O'Sullivan - to discuss autism places in primary schools in west Cork; (10) Deputy Pat Buckley - to discuss the Mental Health Commission report into conditions at the Owenacurra mental health centre, Midleton, County Cork; (11) Deputy Éamon Ó Cuív - to discuss proceeding with the by-pass of Galway to remove logjams holding up this project; (12) Deputies Eoin Ó Broin, Louise O'Reilly and Aengus Ó Snodaigh - to discuss equipment and staffing shortages facing the Dublin Fire Brigade service; (13) Deputy Colm Burke - to discuss if Ireland will consider applying to join the European Organization for Nuclear Research, CERN, due to the scientific and research benefits associated with membership; (14) Deputy Brendan Griffin - to discuss additional funding to meet unprecedented demand under the sports capital and equipment fund; (15) Deputy Darren O'Rourke - to discuss the urgent need to upgrade wastewater treatment facilities serving Kells, County Meath; (16) Deputy David Stanton - to ask the Minister for Health to discuss how young people with disabilities, in particular those with intellectual disabilities, can be further supported once they leave second level education and start attending adult disability services, with respect to transport to these services or centres, and if he will make a statement

on the matter; (17) Deputy Jennifer Murnane O'Connor - to discuss plans to achieve the target of allocating 0.7% of gross national income to overseas development assistance by 2030; (18) Deputy Marc MacSharry - to discuss understaffing and under-resourcing of the ambulance service in the north west and north midlands; (19) Deputy Thomas Pringle - to discuss the recently published report from the working group on the defective concrete blocks grant scheme; (20) Deputies Joe Carey and Mattie McGrath - to discuss a State apology to families, rescue services and residents of Whiddy Island, and a review of the Marine Casualty Investigation board; and (21) Deputy Martin Kenny - to discuss the issuing of work permits and visas for workers from outside the European Union related to the construction trade.

The matters raised by Deputies Carey and Mattie McGrath; Ó Broin, O'Reilly and Ó Snodaigh; MacSharry; and Connolly have been selected for discussion.

Saincheisteanna Tráthúla - Topical Issue Debate

Official Apology

Deputy Joe Carey: I do not believe Deputy Mattie McGrath will be here. He rang me to say he would not be here.

An Leas-Cheann Comhairle: That is fine.

Deputy Joe Carey: I thank the Ceann Comhairle for selecting this important matter for debate. Many Members will have heard the episode of RTÉ's "Documentary on One" over the weekend entitled "Fire in the Sky". The programme was brilliantly produced by Donal O'Herlihy and Michael Lawless and featured the former President of Ireland, Dr. Mary McAleese. Ms Mary Kingston, whose husband, Tim Kingston, died was one of the contributors, as was her son, Michael Kingston, who was just four years old when his dad was lost in atrocious circumstances in the Whiddy Island disaster, which claimed 51 lives due to an appalling failure to rescue jetty workers and a tanker crew on the offshore jetty. Michael Kingston has since gone on to become a maritime lawyer, working with many Governments and the International Maritime Organization on maritime regulatory safety.

"Fire in the Sky" is a gripping documentary which tells the heartbreaking story of that dreadful night. Everyone died needlessly because of breaches of Irish regulation by Gulf Oil Corporation and the Irish State's failure to enforce safety regulations. Additionally, it is the case and was very clear from Mary McAleese's testimony that there was an appalling failure in the administration of justice and that these families were put through further and unimaginable torture.

I ask the Minister of State, Deputy Naughton, to respectfully reach out and meet with the French-Irish Association of Relatives and Friends of the Betelgeuse through its representative, Michael Kingston. The victims, their families, the workers, rescue services, residents of Whiddy Island, the people of Bantry and west Cork have been waiting for four decades for a State apology and to discuss the rectification of the victims' death certificates to record unlawful deaths. There is also a need for the urgent implementation of outstanding international mari-

time regulation. I ask the Minister of State to do this now, with a view to arranging a heartfelt State apology to be delivered by the Taoiseach in Dáil Éireann before the next anniversary of the Whiddy Island disaster.

In 1979, there was failure of regulation. We did not take the opportunity at that time to look at where regulation failed. It is critical in any investigation to analyse the regulation surrounding the incident. Were the regulations suitable? Were they correctly enforced? Could they have been improved upon? It is sad to say that we still have the same regime today. I again ask the Minister of State, on behalf of the Government, to respectfully reach out and meet the family and friends association now, with a view to a heartfelt State apology being delivered by the Taoiseach here in Dáil Éireann.

Minister of State at the Department of Transport (Deputy Hildegard Naughton): I thank Deputy Carey for raising this important issue. I acknowledge what a tragedy the Whiddy Island disaster was and express my deepest sympathies to those who died and the families they left behind. A tribunal of inquiry was established in April 1979, with the High Court judge, Mr. Justice Declan Costello, being appointed to lead the inquiry. A number of public hearings with oral testimony were conducted throughout 1979 and Mr. Justice Costello submitted his report in May 1980. The report concluded that a number of factors contributed to the disaster, including the poor condition of the French-registered oil tanker, along with Gulf Oil not following the correct safety procedures and a lack of regulation of the safety of oil jetties. The then Minister for Labour put in place the Dangerous Substances (Oil Jetties) Regulations in 1979, which regulate the safety of oil jetties in the State. I understand there have been further developments in this area with the Health and Safety Authority publishing its code of practice for health and safety in dock work in 2016, which addresses safety arrangements at oil jetties. Given the broad range of issues involved across a number of Departments, the original report into the inquiry and any subsequent documentation will need to be reviewed in light of any request received from the families and a consensus reached across Government Departments on specific issues raised.

Separately, it is important to note that the Marine Casualty Investigation Board, MCIB, was only established as an independent body following the enactment of the Merchant Shipping (Investigation of Marine Casualties) Act 2000, with a mandate to examine and, if necessary, carry out investigations into all types of marine casualties to, or on board, Irish-registered vessels worldwide and other vessels in Irish territorial waters and inland waterways.

The Deputy will be aware that on 9 July 2020, the Court of Justice of the European Union, CJEU, issued a judgment concerning the independence of the MCIB and the findings have since been addressed through the resignation of two board members in July last year and the introduction of amending regulations under the European Communities Act 1972. While these actions addressed the CJEU ruling from an EU perspective, separate revision of the 2000 Act is required to facilitate the appointment of new members of the MCIB. Drafting of the Bill to amend the Act of 2000 is at an advanced stage and it is hoped to progress the publication of the Bill in the coming period as a part of the Government's autumn legislative programme.

Separately, an independent review of the organisational structures for marine casualty investigation in Ireland was initiated in March of this year. The key objective of the review is to assess the current organisational structures for marine casualty investigation and to set out in a report any recommendations to achieve the most appropriate and effective marine casualty investigation structures for Ireland, taking into account national, EU and international obligations.

Following a competitive tender process, Clinchmaritime Limited was selected to undertake the review and tasked to report back to the Minister for Transport with recommendations on how Ireland should approach marine casualty investigations going forward. Clinchmaritime Limited is headed by Captain Steve Clinch, a former chief inspector of marine accidents in the UK's marine accident investigation branch who has experience working at a high level in EU and international capacities relating to marine casualty investigations. Captain Clinch began the review process in late March and a report on the review of organisational structures underpinning marine casualty investigation in Ireland has been submitted to my Department and is currently being examined.

Deputy Joe Carey: The Minister of State will be aware of the work of the Committee on Transport and Communications concerning the marine casualty investigation board following the Court of Justice of the European Union judgment against Ireland for failing to implement international maritime regulations, which came, incredibly, 41 years after the disaster's appalling regulatory framework failings. Over the past year our committee has heard compelling evidence from expert witnesses, including Mr. Michael Kingston, of fundamental ongoing shortcomings in maritime safety and adherence to international law.

To the credit of the Minister of State, and the Minister, Deputy Eamon Ryan, a review was initiated at the request of the committee. This review has since been completed by Captain Steve Clinch and was submitted to the Department last July. The problem is that we have been here before. The 1998 report recommended international best practice and 11 years ago a barrister, Ms Roisin Lacey, completed similar work and presented draft legislation, yet this legislation was buried in the Department and the fundamental reforms that would have ensured a properly constituted independent and competent marine casualty investigation unit did not happen.

It is now 43 years since the Whiddy Island disaster. Despite 51 deaths, we cannot respect that and fix our regulations. Along with a State apology, to be agreed with the Whiddy Island families, there also needs to be an urgent root and branch review of Ireland's current failure to implement international maritime regulations to give these people due respect. Sadly, lives continue to be lost in maritime accidents in our State, including in my constituency, Clare, due to our failure to adhere to international law and ensure proper regulations are followed. Urgent change is required. We now have a chance to enact legislation on the back of the Clinch report to address our appalling shortcomings in this area which sadly continue to result in a needless loss of life.

Deputy Hildegarde Naughton: I thank Deputy Carey. In regard to meeting the Whiddy Island families, I would of course be happy to meet them, as would the Minister, Deputy Eamon Ryan, if any request was made to my office to do so. I again want to say that any request from the families will of course be considered by all Departments involved, taking account of the report of the tribunal of inquiry and any subsequent information available.

Maritime safety is a key concern of my Department. There have been great changes in the maritime sector generally in terms of technology and updated safety procedures over the past number of years. My Department is committed to ensuring the safety of the sector and all of those who work in it. More recently, a review of maritime regulations was undertaken in 2020 and earlier this year my Department published its strategy for the next five years for the Irish Maritime Directorate, which includes actions to progress the development of maritime safety legislation. Work is ongoing with the Office of the Parliamentary Counsel on an amendment to the Merchant Shipping (Investigation of Marine Casualties) Act 2000, which was subject to

extensive pre-legislative scrutiny earlier this year. It is hoped to progress this Bill through the autumn session.

As I also mentioned, the independent report into the organisational structures underpinning marine casualty investigation in Ireland is currently being considered by my Department. It is worth noting that, simultaneous to the review, officials in the Department of Transport ran a public consultation is between March and May of this year and the submissions received on foot of this consultation were provided in full to Captain Clinch to inform his review. Finally, I would like to once again express my sincere condolences to those affected by the Whiddy Island disaster.

Fire Service

Deputy Louise O'Reilly: I do not mean this disrespectfully in any way to the people who sit opposite, but it is regrettable that the Minister, Deputy Darragh O'Brien, is not here to take this Topical Issue. Anyone from the Dublin Fire Brigade who is watching will not be surprised. They have sought a meeting with the Minister. I would be very grateful if the Minister of State could pass on that request directly to the Minister and underline for him that it is important that he meets the men and women, and their representatives, from the Dublin Fire Brigade. The work they do in Dublin city and county is absolutely vital.

We only have to listen to radio shows over the past couple of days to understand that people are now being left waiting. That is not acceptable. It is not the service that the men and women in the Dublin Fire Brigade want to be able to deliver. They need staff to be able to deliver the services they are trained to provide but due to staff depletion, on 28 September six appliances were off the road. That is not acceptable. The population in Dublin city is growing. Where I live in north County Dublin, the population is growing at a rate of knots. The services are not keeping pace with this growth.

The issue we have is that staffing in the Dublin Fire Brigade has been depleted to a level that is so concerning that representatives from the Dublin Fire Brigade, Fórsa and SIPTU are now reaching out to political representatives to seek our help, not just to highlight the issue, because the issue was obvious to everyone who lives in Dublin, but to ask very clearly if the Minister can lay out how he is going to ensure the full complement of Dublin Fire Brigade staff and how they will be recruited and trained.

Can the Minister of State outline what additional funding will be set aside to recruit additional firefighters? Can she give any comfort to people in Dublin who are listening to this and want to know that they have a fire service that is resourced and fit for purpose, as well as future proofed? We know we have good staff who are there to deliver services. We just need more of them.

Deputy Aengus Ó Snodaigh: Hallowe'en is coming and we know every single Halloween there is huge pressure on the fire service, as there has been in Dublin during Covid because they also provide emergency ambulance cover for the city and beyond. People need to remember that we are not just talking about fire appliances. A huge vote of thanks needs to go out to all of those who work in the fire service.

Disaster is staring us in the face. The fire brigade service is not capable, due to a lack of

resources, in particular of fire engines and personnel, to deal with a major incident in this city if it happens, given that it also has to deal with many other issues. We heard harrowing tales of people who have to wait for ambulances or fire brigades after car crashes where there is no need for them to have to do so. We also heard of the fire brigade service in this city scrambling around England looking for second-hand obsolete appliances to replace the stock that is collapsing in this city.

As my colleague said, there are times when there are no appliances available. On Monday in my area, Dolphin's Barn, three of the appliances in the station were totally off the road. On another day 30% of the fleet of the whole city was out of action and was not capable of being called out. There is lack of aerial appliances. We know that the fire service is crying out for the HSE to pay Dublin City Council the money it is due so that it can invest properly in the service. Beyond that, a lot more investment needs to happen.

Deputy Hildegard Naughton: I am taking this question on behalf of the Minister for Housing, Local Government and Heritage. I thank the Deputies for raising this important issue. I would like to clarify that the provision of a fire service in its functional area, including the establishment and maintenance of a fire brigade, the assessment of fire cover needs and the provision of fire station premises, is a statutory function of individual fire authorities under the Fire Services Acts 1981 and 2003. The Department of Housing, Local Government and Heritage supports fire authorities by establishing policy, setting national standards for fire safety and fire service provision, providing essential training programmes, issuing guidance on operational and other related matters and providing capital funding for priority infrastructural projects. Dublin City Council provides fire prevention and fire and rescue services for the four Dublin local authorities. It also provides an emergency ambulance service by arrangement with the National Ambulance Service of the HSE. Local authority fire services in Ireland are provided by 3,200 professional, competent and highly committed personnel at all levels in 217 full-time and retained fire stations. It is important to note that the number of fire service front-line staff has been maintained at a constant high level throughout the economic challenges of recent years, even when staffing numbers, by necessity, were reduced in other areas of the local authority sector.

Under the Local Government Act 2001, arrangements on staffing in each local authority are the responsibility of the chief executive. With regard to staffing in Dublin Fire Brigade, I understand that Dublin City Council, as the employer, has engaged in an extended process with firefighter representative bodies Fórsa and SIPTU at the Workplace Relations Commission. Unfortunately, the parties were not able to reach agreement on all the proposals, some of which are intended to alleviate pressures caused by current staffing arrangements. I encourage the parties to continue to use the State's established statutory industrial relations machinery to resolve the issues concerned.

Also in respect of staffing in Dublin Fire Brigade, I am aware that the most recent firefighter recruitment campaign began in September 2019. All recent fire brigade recruit training has taken place in the shadow of the pandemic, which has placed considerable additional challenges on the process. The first class of recruits from that campaign began training in April 2020 and have taken up positions across the brigade. A second recruit class began training in June 2021 and will finish this December to take up positions across the brigade in January 2022. A third recruit class will begin training early in February 2022, with a start date for a fourth and final class of the remaining panelled recruits currently under review.

The Department of Housing, Local Government and Heritage funds new fire appliances and specialist equipment under national procurement programmes. Dublin City Council was allocated four new class-B fire appliances in the latest appliance procurement programme, at an approximate cost of €1.9 million. Dublin City Council was also grant-aided to procure three class-B fire appliances in both the 2015 and 2017 programmes. Continued investment in the fire appliance fleet is one of the key national priorities for the fire services capital programme.

Dublin City Council received approval in 2018 to purchase six four-wheel drive vehicles for €170,000. In July 2019, the council received approval to purchase a new turntable ladder or aerial appliance, at a cost of €800,000 plus VAT. In September 2021, Dublin City Council requested approval for the purchase of a new turntable ladder, at a cost of €850,000. This application is under consideration by the Department and is likely to be approved in the immediate future.

The provision of enhanced communications and mobilisation systems for fire services across the country, including in Dublin, has also been proceeding over the past several years. The Ctrí project is delivering the next generation of communications and mobilisation systems for local authority fire services. All fire station equipment and radio communication terminals in fire service vehicles across the country, including Dublin, have been replaced successfully with digital equipment. While the current three regional systems have operated successfully since the early 1990s, the replacement of first-generation mobilisation technology is enabling us to develop enhanced resilience for 999 calls.

Deputy Louise O'Reilly: As the Ceann Comhairle said to me once here, a Deputy is entitled to a reply but not necessarily an answer. We asked what would be done to future-proof and to ensure Dublin Fire Brigade has not only the physical resources it needs but also the manpower and womanpower it will need to do its work. The Minister of State gave a list referring to recruits and the recruitment campaign. I have told her very clearly that there is a staffing crisis. Whatever is happening in terms of recruitment is not keeping pace with retirements from Dublin Fire Brigade. Therefore, a better effort needs to be made. I ask the Minister of State to convey to the Minister, Deputy Darragh O'Brien, the need to double up on the training of recruits just to keep pace with retirements. That is even before we get to account for the population expansion. The Minister of State mentioned one of the aerial appliances that has been purchased. What use is that if the service does not have the personnel to operate it? On 28 September, that aerial appliance was out of commission. It was not being used because the staff were not available. Staff are needed. Equipment is also needed but it is useless without the men and women to use it.

Deputy Aengus Ó Snodaigh: I thank the Minister of State for the answer. It does not address the underlying chaos and the crisis within the fire service. We may end up having to rely on the Defence Forces, as we have on other occasions, if there is a major incident or incidents. Sometimes they do not happen alone. There could be a major car crash in one of the motorways. The Minister of State should not forget that most of the Dublin fire stations also service Kildare, Wicklow and the neighbouring counties if they cannot address a problem.

As my colleague noted, the recruitment is part of the problem but there is nothing to prevent the running of two classes simultaneously, as has happened in the past. I urge the Minister of State to consider starting the predicted February programme immediately. At present, the recruitment is replacing only those who are retiring, rather than plugging the gaps and ensuring the service grows as the city grows, not just in terms of population but also in terms of height.

There are several areas where there is absolutely no fire cover of the kind required. Where is the Adamstown fire station, for instance? Where is the appropriate cover for the likes of Blanchardstown and Tallaght?

Deputy Hildegarde Naughton: I thank the Deputies again for raising the issue. Bearing in mind the concerns the Deputies have raised, there are several important points I would like to finish on to put the circumstances into context. The prioritisation of work and effective management of all resources is, in the first instance, a matter for management in each of the fire services, based on their assessment of local risk, needs and resources.

On the staffing requirements in each local authority, under the Local Government Act 2001 it is the responsibility of the chief executive to employ required staff and to make such staffing, funding, recruitment and organisational arrangements as may be deemed necessary for the purposes of carrying out the functions of his or her local authority. I encourage both staff and management sides to use the industrial relations machinery of the State to resolve the issues under discussion, which affect the optimal use of financial and staffing resources in protecting and keeping communities safe in Dublin.

Since the onset of Covid-19, the Department has monitored regular reports from fire services regarding the impact the pandemic has had on staffing levels. During this period, necessary restrictions have limited opportunities for some fire services to undertake recruitment and training activities. However, recruitment, training and deployment of new recruits have continued in Dublin Fire Brigade. There is little doubt that fire services in Ireland, including Dublin, are provided with the best of equipment to undertake the difficult roles they have sometimes been called on to perform. All requests for funding from the fire services capital programme of the Department of Housing, Local Government and Heritage are considered promptly and have regard to local authorities' own priorities, consistent with national policy, the value for money offered by proposals, and the totality of requests. I will, however, relay the Deputies' concerns to the Minister.

Acting Chairman (Deputy Aengus Ó Snodaigh): Níl an Teachta MacSharry anseo le haghaidh an tríú ábhar. Mar sin, glaoim ar an Teachta Connolly.

Hospital Services

Deputy Catherine Connolly: With the greatest of respect to the Minister of State, Deputy Feighan, the Minister for Health should be here. I realise he is a very busy man but what is happening in the hospital in Galway, which we call a crisis, is not a crisis; it is a chronic problem that has been going on for a very long time. In 2015, former Taoiseach Enda Kenny said it was not fit for purpose. That sentence has been repeated *ad nauseam* by just about every Minister who has visited University Hospital Galway. What is the latest focus of the problem in Galway? Four nurses have resigned and left their positions because it is unsafe. We have learned of their resignations from reports in the media, which is interesting. We have not been informed of this by management.

I know the subject is extremely serious. However, I am reminded of Russian dolls when I think about the hospital in Galway. We have an emergency department, ED, that is not fit for purpose, and because of this, there are plans to build a new department, but it will not be delivered until some time in 2026. In the meantime, there will be a temporary emergency

department, but it will not be delivered until 2022, with a temporary department serving as an enabling works project, facilitating the department that will be delivered some time in 2026. If that were not enough layers of the Russian doll, there is also a temporary temporary emergency department within it for Covid and non-Covid patients. Four nurses have left their positions. Dr. Fergal Hickey, the president of the Irish Association of Emergency Medicine, stated yesterday that all of the emergency departments in the west of Ireland are unsafe. Imagine that for a statement. Dr. Hickey has spoken of the lack of staff. In University Hospital Galway, there are 250 vacant nursing positions. I am standing here and I have difficulty in believing what I am saying. The hospital needs 250 staff. We know this from reports in the press, and from the nurses and the doctors, but not from management.

Dr. Hickey, who is a specialist in emergency medicine at Sligo General Hospital, has repeatedly spoken out. He spoke out again yesterday. However, I refer to a statement he made in 2017. He said that up to 350 people would die in the following year if the situation did not improve in the health service. Yesterday, he said that the department is unsafe. The staff and the INMO have said it is unsafe. Dr. Hickey said on the radio yesterday that staff have to search for space, whether it is a cubicle or a chair, in the emergency departments to treat patients. Can you imagine that? University Hospital Galway is supposed to be a centre of excellence. I have been corrected in that and have been told that it is only a centre of excellence for cancer care. Can you imagine these type of distinctions being made in a public hospital?

What am I asking for? I am asking for the Minister for Health to take a hands-on approach in relation to the hospital in Galway. I have documentation in front of me demonstrating the attempts made to elicit details of the problems and the positive steps that can be taken. There are plans upon plans, but the emergency department is positively dangerous. It is no reflection on the staff. The nurses have said that. Usually, nurses put up with things, work their 12-hour shifts and do not complain. They are complaining not just on their own behalf, but on behalf of the patients who are needlessly suffering and dying in the 21st century in a hospital that is supposed to be a centre of excellence.

Minister of State at the Department of Health (Deputy Frankie Feighan): I welcome the opportunity to address the House on the issues raised by the Deputy, on behalf of the Minister of Health.

At the outset, I wish to acknowledge the distress that overcrowding in emergency departments causes to patients, their families and to front-line staff working in very challenging conditions in hospitals throughout the country. I also acknowledge the work and commitment of staff to ensuring the uninterrupted provision of emergency care throughout the pandemic.

The HSE reports that emergency department attendances nationally have returned to 2019 levels and are exceeding them at some sites. The continued requirement for separate Covid-19 and non-Covid-19 patient pathways and ongoing infection prevention and control measures present additional challenges to patient flow in all hospitals, including University Hospital Galway. Unprecedented numbers of ED patients were reported as waiting on trolleys for admission in University Hospital Galway in September, with significant congestion in the ED due to high attendances, low patient discharges in the hospital, and a significant number of beds blocked for infection prevention and control measures. The HSE is actively working with University Hospital Galway and the Saolta Hospital Group to ease congestion in the ED. We continue to invest in University Hospital Galway to improve services to patients.

Approval has been granted to complete a temporary extension to the emergency department to provide additional accommodation. The temporary emergency department extension building will be single-storey, with a rooftop plant room and will be connected to the main hospital block at the existing emergency department entrance. Site works on the project commenced in May 2021. The phased handover of the temporary ED is expected in early 2022. The temporary ED project and associated works will also serve as an enabling works project for the proposed permanent new ED by helping to free up the site required for the proposed new block.

The development of a new emergency department at University Hospital Galway is key to addressing unscheduled care congestion and associated risk issues and meeting service demands. The proposed new ED will address existing infrastructural deficits, ensure compliance with national clinical care standards and address service capacity and risk issues. A small part of the existing ED will be refurbished and form part of the overall new ED.

The main ED, women's and children's block development at University Hospital Galway is a complex project and is in the early stages of design progression. The project is of significant scale. The proposed project will accommodate a new permanent ED, including clinical areas and ancillary support spaces and acute surgical and medical assessment units. It will also accommodate the labour and delivery unit, operating theatres, a maternity day assessment unit and foetal assessment unit. Other proposed facilities will include a neonatal unit, antenatal and post-natal inpatient departments, a paediatric day ward and inpatient ward.

The Deputy raised the issue of the resignation of four nurses from the hospital. I do not have any detail on that, but I will bring it to the attention of the Minister. I will also bring to his attention the staffing issue raised by the eminent consultant, Dr. Fergal Hickey. I do not have any information on that issue in my response, but I will raise it with the Minister.

Deputy Catherine Connolly: I do not mean it personally, but that response is exactly why the health service is in a mess. The appointment of the two gentlemen who have been put in charge of Sláintecare does not fill me with confidence.

I refer to University Hospital Galway pre-Covid. Back in 2015, the former Taoiseach told us that it was not fit for purpose. The emergency department remains the same as it was then, except there are more patients attending and fewer staff. Yesterday, Dr. Hickey made a very practical point. He said there are fewer staff, more patients and fewer beds. We have never reached the full complement of beds that we need. In addition, there are no respite services in Galway, as I speak. They have not been reintroduced following the pandemic. As I said yesterday, we can drink and be merry, but we cannot provide respite services. There are astronomical waiting lists. We try to ask questions in a positive way and to work with the system. We say orthopaedics has the longest list and ask what vacancies there are in orthopaedics, and we are told that there are no vacancies in orthopaedics. So, then we ask why there are long waiting lists in orthopaedics. Then we find out that 250 medical and nursing staff are required in the hospital and the Minister was not made aware of that. What type of management is in place that is not making the Minister aware of this? What type of Minister do we have if he is not aware of this? I believe that when we get a Minister who actually feels sick at what is happening, we might make progress. After he or she gets over his or her nausea, he or she might deal with the reality on the ground and start to take action on the matter.

I have a letter with me today from a woman regarding neurology services, and the absence of neurology nurses generally nationally. In Galway, we need 12 of them and we currently have

four. I could go on, but I have been doing this since I was elected in February 2016. Perhaps if I stop talking, things might improve. At this point, I do not even want a response from the Minister of State; I would just like him to hear what has been said. Perhaps the Minister could come back to me on this debacle in Galway. Indeed, “debacle” is not even the word that best describes the needless suffering and death of patients on trolleys. There were 41 patients on trolleys yesterday.

Deputy Frankie Feighan: I have heard the Deputy and I will bring her issues to the Minister. It is acknowledged, as the Deputy rightly said, that the current emergency department at University Hospital Galway is unable to meet demand, which is contributing to significant waiting times and high numbers of patients waiting on trolleys for admission to the hospital. The development of a new ED at University Hospital Galway is the key to addressing these accommodation and associated risk issues. The proposed new ED will, hopefully, be reconfigured in a way that provides maximum opportunity to address all the elements for future emergency medical provision and the evolution of services in the context of hospital groups.

There is no date yet for the planning application for the main building, but the Deputy rightly mentioned the issue of staff recruitment and retention. There are issues with that and the Covid-19 pandemic has certainly affected many of those. There will be, and is, a major online recruitment drive. We would like to see recruitment happening sooner rather than later. I see staff recruitment issues in hospitals throughout the country, including the hospital I advocate for in my area. It is a process that can sometimes seem never-ending and one would hope hospitals would be much quicker in recruiting staff.

There is a lot of work ongoing in University Hospital Galway and, hopefully, working together with Saolta, the HSE, the Minister and representatives on the ground, the Deputy’s powerful message will be brought back and we will deal with this very serious issue.

Sitting suspended at 9.52 a.m. and resumed at 10 a.m.

Energy Prices: Motion [Private Members]

Deputy Paul Murphy: I move:

“That Dáil Éireann:

recognises:

— that energy prices are currently rising rapidly worldwide;

— the fact that data centres currently take up 11 per cent of electricity produced in Ireland is adding to upward pressure on energy prices, as predicted by Moody’s in 2018;

— that according to the Economic and Social Research Institute, one in six households were in energy poverty in 2019;

— that according to research published by the Society of St. Vincent de Paul in collaboration with RED C Research & Marketing Ltd in March 2021, 19 per cent of people cut back on heating and electricity due to cost, including 42 per cent of those

with an illness or disability and 36 per cent of lone parent families;

— that there are between 1,500 and 2,000 excess winter deaths each year, a large percentage of which can be attributed to inadequate heating;

— that many households could be facing an increase in heating and electricity costs of more than €500 annually as a result of the energy price increases;

— that the Fuel Allowance is only paid to 380,000 households, which means a majority 1727 of pensioners as well as low paid workers do not receive it and are not protected from these increases;

— that the low level of energy efficiency of the Irish housing stock means that households are particularly impacted by energy price increases and contributes to high levels of carbon emissions; and

— that the rapid electrification of all sectors of the economy including housing and transport and shifting from fossil fuels to renewable energy for electricity generation is crucial if we are to transition to a zero carbon economy;

notes that:

— the deregulation of the energy supply market and the privatisation of Bord Gáis Energy in 2014 was disastrous for ordinary people;

— when the ESB's statutory requirement to operate on a not-for-profit and break-even basis was repealed in 2001 electricity prices rose dramatically, resulting in energy poverty, disconnections and an annual 2,800 excess of cold-related deaths;

— the Government has committed to increase carbon tax year-on-year, which is currently set at €33.50 per tonne on fuel and is set to increase by €7.50 per tonne next year;

— the Government's retrofitting programme, which only targeted retrofitting 2,400 social homes in 2021 out of a total stock of over 160,000, is entirely inadequate; and

— carbon taxes are a regressive form of taxation, that disproportionately impact on lower income individuals and families, and are highly ineffective in making the necessary changes to decarbonise our economy; and

calls on the Government to:

— issue an emergency order under section 61 of the Consumer Protection Act 2007 in relation to the supply of electricity, gas and home heating oil;

— fix a maximum unit price on electricity, gas and home heating oil under section 62 of the Consumer Protection Act 2007;

— at a minimum, not to increase the carbon tax in Budget 2022, as a step towards replacing the carbon tax with a pollution tax on the profits of big polluters, including the fossil fuel industry, big agri-business and data centres;

— implement a national retrofit plan to retrofit every public building and home in the State by 2030, prioritising local authority housing and the homes of those facing fuel poverty;

— increase the rate of Fuel Allowance by €15 a week and increase the means test for eligibility for Fuel Allowance from €100 a week above the State Contributory Pension to €200 a week above the State Contributory Pension; and

— renationalise the energy supply sector, using a publicly owned and democratically controlled energy company to drive a rapid and just transition to a zero carbon economy, including large scale public investment in offshore wind energy.”

I am sharing time with Deputy Barry.

A huge crisis is either hitting and is about to hit hundreds of thousands of households across the country. It is the crisis of soaring bills for electricity, gas and heating oil. Many people will be faced with the choice of paying to heat their homes properly or putting food on the table. That choice is faced by one in five or six households. This is the number of people who struggle to pay their heating bills. Now, with those bills rising, they will be put under even more pressure. This is an international phenomenon. There is no question about that. There is an extra edge here, however, in terms of the data centres. I am sure we will come to that. Other governments throughout Europe that are far from being socialist, under pressure from below, in Spain and Italy, for example, have moved to take some action to defend certain sections of the population from this increase in prices and shield them from that choice of buying food or heating their homes. The Government here proposes to wring its hands, say how bad things are then, according to its countermotion, propose nothing to alleviate the burden facing people but reassure them that competition between suppliers is an important means of exerting downward pressure on electricity prices and that they should not worry because neoliberalism and capitalism will sort it out in the long term.

Energia recently announced its third price increase of the year. In total, it has increased electricity prices by 45% and gas prices by 42% in the past 12 months. That is more than €800 for the average household. Other companies have done something similar. What is the Government planning to do about this? Not only is it planning to do nothing to address prices, next week it plans to announce a further 22% increase in the carbon tax. With one in five already having to cut back on light and heat for their homes due to the costs, the Government plans to add to the problem and drive even more people into fuel poverty.

The carbon tax does nothing to help people reduce their fuel bills or their carbon footprints. Our motion says that, at the very least, it should not be increased any further in this year's budget. In reality, it should be scrapped and replaced with a pollution tax on those who are responsible for pollution. In other words, such a tax should be levied on the profits of the big business polluters, data centres, big agribusiness, fossil fuels and so on. It is time to tackle both the profiteering and the power of the private energy companies.

The Government likes to pretend that there is basically nothing it can do in the face of market forces driving energy prices up. It can actually do something extremely simple, however, and it could do it today. At the stroke of a ministerial pen, it could declare an emergency in the supply of electricity and energy. Another stroke of a pen could set a maximum price to protect people from these increases. The Government has in its power the capacity to put an end to

these energy price hikes.

The greed of big energy companies has added fuel to the fire of rising energy prices here. Privatisation has not delivered the promised affordability and efficiency. It has been a complete disaster. Energy prices in Ireland were already 23% above the EU average prior to this crisis. Across the globe, energy price hikes are highest in states with privatised networks. Investment in improving services and switching to renewables has not happened; instead, we have had bloated marketing and managerial budgets and profit margins driving up prices. Instead of improving services for ordinary people, privatisation has made life more difficult, with customers having to spend hours researching every year to find the best places. The latter adds another unnecessary task to overburdened lives. The privatisation experiment is a failure from the point of view of workers, ordinary householders and, crucially, the environment.

As part of a socialist green new deal, we should bring the energy sector fully back into public ownership, cut out the profiteering, create thousands of decent jobs and invest in a rapid and just transition to 100% renewable energy. Instead of that green new deal, the Government is overseeing a dirty old industry. This year has seen the coal-fired Moneypoint station ramp up production. The Green party got into power and our use of coal, the dirtiest fossil fuel, increased. Moneypoint is one of the most environmentally destructive sites in the entire country. The fact that we are almost one quarter of the way through this century and still reliant on coal energy plants is testament to the abysmal failure to invest in renewable energy production. Our usage of tidal power and offshore wind power is still minimal in comparison with similar-sized countries such as Denmark. Instead of the profits in the energy sector being reinvested into renewables, they have been siphoned off. Public ownership of the energy sector would allow us to direct all resources to the just transition to which I refer and shut the likes of Moneypoint down for good.

On the fuel allowance, the Government's countermotion simply refers to the current level. It is a payment of €28 per week for 28 weeks to more than 370,000 low-income households. That means a majority of those who will be hard hit and faced with difficult choices in the context of energy prices do not currently avail of fuel allowance. The level of the fuel allowance is inadequate. Something simple that can be done is to increase the fuel allowance by the level at which energy prices are rising, €15 per week, and extend eligibility in order that all those suffering and faced with that choice have the ability to avail of the protection afforded by it.

A crucial reason we are hit so hard by energy price rises is the poor state of our housing stock in terms of energy efficiency. The Government's plans, the targets in which it has not met so far, are completely inadequate. We should aim to completely retrofit all our public buildings and public homes, including local authority and approved housing body homes, by 2030. Instead, the Government's target was to retrofit 2,400 social homes in 2021 out of a total stock of more than 160,000. Retrofitting ordinary people's homes is a good example of the kind of policies that make up an eco-socialist green new deal. These are things that simultaneously improve people's lives while tackling the environmental crisis.

I will conclude by referring again to privatisation because I find it incredible that the bottom line of the Government's countermotion is that "competition between suppliers is an important means of exerting downward pressure on electricity prices". In other words, continue to let the market rip and eventually that will help ordinary people. There is no evidence for that. I gave the example previously of the difference in prices between European countries with privatised versus non-privatised markets. Non-privatised is better. In Ireland, the development of

the ESB was historic and involved the nationalisation of 300 expensive, badly run, inefficient private and local authority undertakings. This is from an article by Ms Sinéad Mercier. It was described by a newspaper at the time as the first fruits of Bolshevism in the country, but it was enormously successful. When it was privatised, the ESB was forced to artificially increase its prices to attract competitors into a new energy market on which the State spent million/+ creating. The very same story is seen internationally. For example, in Australia a study found that price rises have been highest in states with privatised electricity markets. Continuing the reliance on the privatisation of markets is a disaster from the points of view of the environment, workers and ordinary householders.

Deputy Mick Barry: I am acutely aware that when we discuss this topic we are talking about matters of life and death. If the Government continues to refuse to intervene boldly to protect people from energy price rises, not only will that severely eat into the budgets of large numbers of households but people will die. That is not hyperbole from these benches. There is such a thing as excess winter deaths. I have been trying to get my head around the concept of excess winter deaths in preparation for this debate. As I understand it, it involves looking at the number of deaths that take place in the State for a period of months, basically, December to March, and comparing it to the number for comparable periods in terms of time, not comparable periods in terms of temperature and cold weather, and seeing how many extra deaths occur. The numbers go up and down in any given year, but they generally tend to be between 1,500 and 2,000. Think about that. It is shocking. Among women, there tend to be more deaths as a result of respiratory issues and among men there tend to be more deaths as a result of cardiovascular issues. However, the end result is the same.

This is an issue that overwhelmingly, although not exclusively, affects elderly people. If one is elderly, one is seven times more likely to be hospitalised during a cold snap in those winter months than if one is aged between 18 and 44 years. If one is poor, one is two and a half times more likely to be hospitalised in that period than somebody from one of the wealthiest communities. These are issues that affect a broad swathe of people in society, but the effect is overwhelmingly concentrated on people who are older and people who are poorer. They suffer not merely from the cold weather, and there is not much we can do about that, but also from fuel poverty. Fuel poverty is an issue here, and it is a matter of life and death. To put it in context, more than 3,500 people lost their lives in the Troubles in Northern Ireland, which played out over a period of decades. That number would be overtaken in a couple of years by the number of excess winter deaths we have in this country, which is, by the way, the highest in Europe. That is a result of fuel poverty, which is a legacy of capitalism and a legacy of successive Fianna Fáil and Fine Gael led governments, even though they might include the Green Party as a decoration in this one.

To show that these problems are man-made, let us consider a case example. The ESB, an extremely successful company, was a State company. It kept prices low for decades, in large measure to facilitate the industrialisation of this country after 1958. When Mr. Lemass and the Government wanted to secure foreign direct investment the selling point was not necessarily the corporation tax at that time. The selling point included a number of things, but cheap electricity was a big part of it. The ESB was a not-for-profit company until 2001. That changed in 2001 when it ceased to be a not-for-profit company. Fianna Fáil and the Progressive Democrats, PDs, were in power. Were they under pressure from the European Union's neo-liberal regulations? Yes, they were, but they embraced them with enthusiasm, and the private operators began to come into the market. To be clear about what happened then, the ESB was

no longer a not-for-profit company. As the private operators could not compete with the low prices being charged by the State company, the State company's prices had to rise in order to let private operators into the market, and in they came.

There was another round of deregulation in 2011. We were told the ESB would now be able to compete with the private operators and that if people shopped around, competition would drive down profit. It did in my neck. Prices in this country were below the European Union average up to 2011, but by the third and fourth quarters of 2019 the price of electricity here was 11% above the EU average and the price of gas was 12% above the EU average. The ESB's operating profits for 2019 were €682 million and for 2020 they were €616 million. The combined profit over a mere two years was €1.3 billion. Imagine if we turned back the clock to 2001 and the ESB was a not-for-profit company and we used not even all, but a significant portion, of that €1.3 billion to cut the prices of electricity. They could be cut by a serious amount. The problem here is that Fianna Fáil and Fine Gael Governments, with the Green Party also in government, are presiding over the market. Market madness is what we are dealing with here and it must be tackled.

Can anything be done? Some steps have been taken, not nearly enough, under pressure from below by governments in Greece, Italy and Spain. In Spain, VAT was cut from 21% to 10%, tariffs on bills were cut from 5% to 0.5%, there were no disconnections for ten months and there was a levy on power plants of €2.6 billion, with the break given to the consumers. I do not believe that goes far enough, and there are people in Spain who do not believe it goes far enough. I understand the rank and file of the Podemos organisation, with the support of some of its members of parliament, believe there should be a national public energy company, in other words, not just tax concessions but public ownership. Contrast that to the absolutely pitiful response of the Government in this State. It is leaving people prey to the ravages of market forces. People in this country, mainly elderly and mainly poor people, will die as a result of the Government's policies. That is a fact. Is the Government going to change its policies? The Minister of State might throw up his hands and ask what can be done. This motion spells out quite clearly some steps that can be taken. Incidentally, one that we omitted to mention - I will say it is a sin of omission - is that there should be a complete ban on electricity disconnections. There were 1,000 electricity disconnections and 400 gas disconnections in this country in 2019. That has to be knocked on the head and brought to zero.

We must have maximum prices. The Minister has the power to do it if he declares an emergency under the legislation that is in place. He should declare an emergency. We must abolish the carbon tax. If the Government is not prepared to abolish its precious carbon tax, it should at least freeze it for this year. The fuel allowance has to increase. We suggest an increase of €15, which is quite a modest figure, as a minimum. The allowance must be extended for an extra four weeks and it should be available to all social welfare recipients. The ESB should go back to being a not-for-profit company. The energy sector should not be run by private business on a for-profit basis. It should be run on a public basis for the needs of all and for the needs of society.

We have had enough of this market madness. We have had enough of this precarity and this shadow hanging over so many homes coming into the winter, with the threat of energy prices and, for many people, the threat of illness and possibly death as well. This must be ended with bold, radical, socialist policies. I want the Minister of State to respond to the specific proposals, particularly that of which he has been a champion, namely, the carbon tax. How the hell can the Government increase the carbon tax on the scale it plans this year while people have this crisis

hanging over them?

Minister of State at the Department of the Environment, Climate and Communications (Deputy Ossian Smyth): I move amendment No. 1:

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

“notes that:

— the Government is acutely aware of the recent energy price increases and their impact on households;

— electricity and gas retail price rises, both in Ireland and across Europe, are predominantly related to current international wholesale gas price increases which are in turn reflective of market developments, and these international factors may moderate after this winter;

— Ireland faces particular challenges in this regard as we are a price taker on international markets and that Irish electricity and gas prices have historically been higher than other European Union (EU) countries due to long-standing drivers such as geographical isolation, dispersed population, fossil fuel dependency and small market scale;

— the long-standing policy of successive Governments has been that competitive energy markets result in greater choice for consumers and businesses, in terms of suppliers, products and prices;

— electricity and gas retail markets in Ireland operate within a European regulatory regime wherein electricity and gas markets are competitive;

— operating within this overall EU framework, responsibility for the regulation of the electricity and gas markets is a matter for the Commission for Regulation of Utilities (CRU), which was assigned responsibility for the regulation of the Irish electricity and gas markets following the enactment of the Electricity Regulation Act 1999;

— as part of its statutory role, the CRU also has consumer protection functions, including the monitoring of energy retail markets to ensure that competition continues to develop for the benefit of the consumer;

— under the CRU’s consumer protection functions it has provided for priority and vulnerable customers in the various Codes of Practice in the CRU’s Electricity and Gas Suppliers’ Handbook; and

— the CRU is accountable for the performance of its functions, including on consumer protection, to a Joint Committee of the Oireachtas;

further notes that:

— carbon pricing is an essential element of any credible plan to decarbonise the economy; and

— greenhouse gas emissions from electricity and heat generation, energy-intensive industry sectors and commercial aviation within the European Economic Area are priced through the EU’s Emissions Trading System; and

affirms:

— that the best long-term approach for Ireland to insulate consumers from volatility on international wholesale energy markets is to invest in energy efficiency, renewable energy and expand interconnection with European and neighbouring markets to deepen the internal market and competition;

— that the Government is committed to supporting households with their energy costs through energy efficiency measures, with a total retrofit budget in excess of €280 million;

— that over three-quarters of this retrofit budget is targeted at either local authority housing or low-income private households through the Sustainable Energy Authority of Ireland's energy poverty retrofit schemes;

— that the Government's 'Project Ireland 2040 – National Development Plan 2021-2030' provides for an expanded investment well in excess of a billion euro in retrofit between now and 2025;

— that additionally the Government is committed to ringfencing all additional carbon tax revenue as follows:

— approximately one third will be spent on targeted social welfare and other initiatives to prevent fuel poverty and to ensure a just transition;

— just over half will be spent on socially progressive residential retrofitting programmes; and

— the remainder will be spent on incentives for farmers to farm in a greener and more sustainable way;

— that the Government will provide additional social welfare support in the Budget to protect the most vulnerable against fuel price increases;

— that the following social welfare measures can help to alleviate fuel poverty:

— the Fuel Allowance is a payment of €28 per week for 28 weeks (a total of €784 each year) from October to April, to over 370,000 low income households, at an estimated cost of €300 million in 2021;

— the Household Benefits Package, which consists of a set of allowances which help with the costs of running a household, includes allowances towards covering electricity or gas costs and recipients are paid €35 per month;

— under the Supplementary Welfare Allowance scheme a special heating supplement may be paid to assist people in certain circumstances, and exceptional needs payments may be made to help meet an essential, once-off cost which an applicant is unable to meet from his/her own resources; and

— the Living Alone Allowance, which is targeted at recipients of certain social welfare allowances who live alone and often have significantly higher heating costs, is paid at a rate of €19 per week in addition to a primary social welfare payment such as the State pension;

— that, in the long-term, competition between suppliers is an important means of exerting downward pressure on electricity prices; and

— its commitment to a review of the implementation of the Strategy to Combat Energy Poverty (2016) due to be completed by the end of the year.”

I will respond immediately to Deputy Barry’s question about increases in carbon tax and where that money should go. It is Government policy that the revenue from any increase in carbon tax should be ring-fenced and should go directly towards alleviating any negative effects on people who cannot afford the increases in the price of energy. This means that half of all the increases in carbon taxes should go towards retrofitting and energy efficiency for homes, a third goes towards increases in welfare and the remainder goes towards increasing the incomes of people in farming, and that is right. It is also Government policy that the distribution and transmission of electricity should remain in State hands. It is a natural monopoly. There is major investment, operation and activity on the part of State-owned companies in the generation of electricity in Ireland. Approximately 40% of electricity produced here is generated by State-owned companies.

I thank Deputies for raising these important matters and for allowing us time to discuss them today. Clearly, the current situation, whereby we are witnessing significant increases in international gas prices and their knock-on effects in the Irish market, is a matter of serious concern to the Government. The Government fully accepts that recent electricity and gas price increases will make it difficult for consumers to meet their bills, especially in the current economic climate. In speaking to the Government’s amendment to the motion, I will deal with substantive elements of Government policy and household supports for energy costs. First I will set out the global developments that have affected Irish energy prices. I will then set out for Deputies the functions of the independent regulator, the Commission for Regulation of Utilities, CRU, in respect of these matters, including its highly relevant activities in consumer protection and monitoring competition. Finally, I will set out for Deputies the amendment I have tabled to the motion.

As part of describing our amendment, I will outline what the Government is doing to provide significant supports for household energy costs in terms of both energy efficiency and welfare supports. It is important to recognise that these price increases are not Government or even regulatory decisions. This is because price regulation ended many years ago. Suppliers compete with one another on prices and set their own prices accordingly, as one would expect.

I will outline what has been happening with world energy prices. Increases in wholesale energy prices, following rises in international gas prices, have been the principal driver of these increases. These increases have been felt across Europe; they are not just an Irish phenomenon. These prices reflect the costs suppliers face, including wholesale gas costs. The most immediate factor affecting electricity prices in Ireland is the upward trend in international gas prices. In Europe, wholesale natural gas prices have been on an upward curve since the second half of 2020. This feeds directly through to retail electricity prices as the wholesale price of electricity correlates strongly with the price of gas. Various commentators, including the International Energy Agency, have stated that both demand and supply factors have contributed to a tightening of the European gas market. Such factors include increased demand due to post-Covid recovery, supply constraints in Europe and increased demand in Asia. European gas reserves are low. What was used during winter 2020 was not replenished during the summer months. The ongoing need to replenish these reserves means higher gas imports. This has fostered com-

petition between Europe and Asia for supplies and, thus, a further increase in gas prices. As previously stated, all European markets are experiencing these price increases. Deputies will further appreciate that we face additional costs due to our geographical location, our fossil fuel dependency, the small scale of the Irish market, our low population density and exchange rate fluctuations.

I now turn to the regulatory role of the CRU. Deputies should be aware that the CRU, the independent energy regulator, has a wide range of economic and customer protection responsibilities in this area. As part of its statutory code, the CRU has consumer protection functions and monitors energy retail markets to ensure that competition continues to develop to benefit the consumer. The CRU also oversees non-price aspects of competition and has taken and continues to take steps to increase transparency and consumer engagement in retail markets. This includes, for example, developing various codes of practice and setting out customers' rights found in the suppliers' handbook. Additionally, the CRU certifies price comparison websites, leads the smart metering roll-out and participates in initiatives such as the supplier-led voluntary energy engage code, whereby suppliers will not disconnect a customer who is engaging with them. I note that the CRU recently appeared before the Oireachtas joint committee to which it is accountable.

I now turn to the Government's amendment to the motion. The amendment acknowledges that international energy prices have been increasing and that these increases are having knock-on impacts on households. The amendment also asks that Dáil Éireann note that Ireland faces particular challenges in this regard as we are a price taker on international markets and that Irish electricity and gas prices have historically been higher than those in other EU countries due to long-standing drivers such as geographical isolation, dispersed population, fossil fuel dependency and small market scale. The amendment upholds the Government's conviction that the best long-term approach for Ireland is to insulate consumers from volatility on international wholesale energy markets, to invest in energy efficiency and renewable energy, to expand inter-connection with Europe and neighbouring markets and to deepen the internal market in energy. The amendment notes that carbon pricing is an essential element of any credible plan to decarbonise the economy and, furthermore, the Government's increasing ambition for renewable electricity to reach at least 70% by 2030 and the commitment to a greenhouse gas emissions reduction of 51% by the end of the decade.

I wish to highlight the parts of the amendment which deal with the extensive Government supports that are in place. The amendment affirms the Government's support for energy efficiency, where supports are considerable, with a total retrofit budget of €280 million. This funding will mean that more households will be able to receive free energy efficiency upgrades, making their homes warmer, healthier and cheaper to run, in line with the programme for Government. The amendment states that the Government's commitment, via its Project 2040 national development plan, provides for an expanded investment in retrofitting of well in excess of €1 billion between now and 2025. The amendment upholds support for a deepening competition between suppliers as an important means of exerting downward pressure on electricity prices. Customers can and should ensure that they are availing of the best offer available in the market by switching supplier or renegotiating with their existing supplier.

The amendment further affirms the Government's continuing commitment to protect the most vulnerable through extensive supports for household energy costs via welfare schemes and the commitment to review the implementation of the strategy to combat energy poverty by the end of the year. The fuel allowance is just one of a range of income supports paid by

the Department of Social Protection. Those supports include general social welfare schemes, the living alone increases to support those living alone and at a higher risk of poverty and the household benefits package.

On 27 September, the Minister for Social Protection announced the start of the national fuel scheme for the 2021-22 season. A budget of €292 million has been set aside for the upcoming season to pay an estimated 370,000 households. The fuel allowance is available to long-term social welfare recipients and amounts to a payment of €28 per week for 28 weeks, a total of €784 each year from October to April. In launching the winter fuel allowance on 26 September, the Minister for Social Protection noted that heating costs are a concern for many, that households have seen their bills increase and that this will be an important factor as budget 2022 negotiations continue.

The household benefits package consists of a set of allowances which help with the costs of running a household. It includes allowances towards covering electricity or gas costs. Recipients, the majority of whom are pensioners, are paid €35 per month. The Department of Social Protection will spend approximately €195 million this year on the household benefits package for more than 470,000 customers. Targeted supports are also provided under the supplementary welfare allowance scheme, exceptional needs payments and urgent needs payments. These may be made to help meet an essential one-off cost which an applicant is unable to meet out of his or her own resources.

All the funds raised by increases in the carbon tax have been ring-fenced to protect those most exposed to higher fuel and energy costs and they will be allocated as follows: one third to ensure the increase in carbon tax is progressive, through targeted social welfare and other increases to prevent fuel poverty and to ensure a just transition; one half to fund a socially progressive national retrofitting programme targeting all homes but with a particular emphasis on the midlands region and on social and low-income tenancies; and the remainder to allocate funding to a rural environment protection scheme, REPS, 2 programme to encourage and incentivise farmers to farm in a greener and more sustainable way.

Finally, and importantly, the amendment further commits that the Government will provide additional social welfare supports in the budget to protect the most vulnerable against fuel price increases. The Government is acutely aware of the financial challenges faced by households due to these price rises and is serious about providing practical supports. As I have highlighted, government has long provided and will continue to provide practical supports for those struggling with their energy costs. The Government continues to allocate significant funding to these practical supports via the welfare system, energy efficiency grants and retrofitting.

Deputy Richard Boyd Barrett: To put it simply and bluntly, energy poverty is going to kill several thousand of our most vulnerable citizens this winter. So-called climate action in the form of the carbon tax is going to kill many thousands of our most vulnerable and elderly citizens this winter unless the Government does something about it. That is what we are appealing to the Minister of State to do.

We are edging our way out of a public health emergency during which 5,000 people died tragically. The pandemic prompted the Government, correctly, to spend €24 billion to prevent deaths in a public health emergency. Our motion asserts that this is a public health emergency. In exactly the same way that Covid-19 was a public health emergency and required an unprecedented response to prevent unnecessary deaths of the vulnerable, this is a public health emer-

gency but it is not one that is confined to one year. It is an ongoing public health emergency where the sick, the elderly and the poor die as a result of the lack of resources available to them to heat their homes. The Government has a responsibility to recognise that public health emergency in the same way as it recognised the Covid emergency and make unprecedented efforts to ensure unnecessary deaths do not happen among our older, more vulnerable and poorer sections of our society.

Those who are vulnerable do not make up a small cohort. The Society of St. Vincent de Paul estimates that 19% of people - almost one fifth of our entire population - are cutting back on the use of electricity and heating because they cannot afford it. Some of those people die as a result. Those deaths and the hardship and suffering of those who must turn down the heat and shiver in the cold this winter are the Government's responsibility. It is something it can address but if its amendment is an indication of its response, it is clearly not going to address it. It will allow unnecessary deaths to continue. It will fail to recognise that this is a public health emergency and will allow the vulnerable, the poor and the elderly to suffer and some of them to die because it will not recognise how serious this issue is.

This is a year-on-year public health emergency but it has got substantially worse. We must, therefore, fear what the potential casualties will be at the end of the winter season if the Government does not act. We are talking about two, three and four energy price hikes over the past year. This results in €100, €400 or up to €500 per year in additional costs for electricity and heating. Overwhelmingly, the burden of those increases will fall on the people who have the least ability to do anything about them, not only because they are on low incomes but also because they are disproportionately concentrated in houses with extremely poor insulation and have to use disproportionate amounts of energy to keep their houses warm. In the case of social housing tenants, they have no control over the level of insulation in their homes because it is up to the local authority and Government to retrofit their homes.

It is nauseating to have the Government in its amendment and, again, in the Minister of State's speech suggest that the retrofit programme is anything other than pitiful. In respect of our motion, Deputy Paul Murphy was incorrect. It was too generous in respect of the target the Minister of State said he was trying to meet. The revised Estimates for 2021 showed that only €25 million was put into the social housing retrofit programme. The target of 1,670 retrofits was not met. It had to be revised down once or twice during the course of the year because the Government and local authorities failed spectacularly to meet it. This is against a total social housing stock of 137,000. Even in the much-lauded and trumpeted national development plan, the Government is only proposing to retrofit one quarter - 37,000 homes - of the entire social housing stock by 2030. Three quarters of those in social housing will not have their homes retrofitted at the end of the national development plan. The amount of investment is pathetic. In terms of the private grants available for private homeowners, the maximum grant someone can get is just under €15,000. Not surprisingly, the SEAI's targets for home retrofits were not met either because, of course, the actual cost of retrofitting a home is anywhere between €35,000 and €70,000 if someone wants to achieve a BER A rating.

The Government is failing spectacularly and is demonstrating no willingness to implement the just transition, which means not unloading the cost of carbon taxes and climate measures on the people who cannot afford them. People who are rich can of course retrofit their homes. They can manage to pay €70,000 but how on earth are people living in social housing, low-paid workers or pensioners going to get €35,000 or €70,000 to retrofit their homes when the grants available are about €15,000? They cannot do so. For this reason, we need to dramatically

increase investment, which, by the way, would save millions. I do not have the time to set out how.

Our proposal for the forthcoming budget is to retrofit 50,000 homes per year, moving up to 100,000 per annum. The savings would be dramatic. We would save about €206 million per year for every 50,000 homes we retrofit. In the meantime, until the Government steps up to the mark in terms of retrofitting people's homes so they can reduce their heating and energy use, it is nothing short of punishment to impose further increases in the carbon tax on people who have no control over the level of heat and energy they must use in their homes to keep themselves warm and, in some cases, alive. It is criminal to continue to impose carbon taxes on these people.

We should not only defer the carbon tax increase, we should abolish it because it is fundamentally regressive. We should impose it on the real big polluters, the beef barons and big corporations that are responsible for huge amounts of emissions. We should not impose it on the poor, pensioners, the sick and the vulnerable, which is what the Government is proposing to do with this carbon tax increase. If it recognised that there was an emergency with Covid-19, took unprecedented measures and made levels of unprecedented State intervention to match the public health emergency, by God, it would be justified in declaring an emergency in energy costs and energy supply. It has the legal mechanisms to do so and impose maximum unit prices for energy and electricity. Why will it not do that? It would be unconscionable if the Government refused to do it.

I ask the Government to think again about what it is doing. Has it learned anything from the Covid-19 pandemic about the importance of public health and how we are all in this together? Are we seriously going to allow to continue the obscenity and scandal of the poor, vulnerable, elderly and sick dying because of a lack of heating in their homes and the financial pressures the Government is willing to impose on them through carbon taxes and absolutely obscene levels of energy pricing from an energy sector that has become completely consumed by profit? The price of energy supplies is being driven up by the greed of entities like the big information technology companies that want to build data centres. The Government wants to facilitate them but they are driving up prices and reducing the level of available energy.

That is a demonstration of Government priorities. The big multinationals come first but the sick, elderly, poor and vulnerable will die as a consequence. I appeal to the Government to withdraw its amendments and support the measures we are proposing in the motion.

Acting Chairman (Deputy Jennifer Murnane O'Connor): The next slot is for Sinn Féin. Deputy O'Rourke is sharing time with Deputies Kerrane, Stanley, Guirke, Conway-Walsh and Ward.

Deputy Darren O'Rourke: I thank People Before Profit-Solidarity for tabling this motion. This year, workers and families will be facing extraordinarily high energy costs at a time when most can least afford them. There have been over 30 price hike announcements from Irish energy suppliers since the start of the year, with some suppliers raising prices on multiple occasions. This is on top of other spiralling costs that the Government has completely failed to regulate, including rent, childcare, insurance and the basket of shopping; the list goes on. The Government does not seem to recognise the real hardship many people are facing due to these constant price hikes and has failed to bring forward any meaningful solutions for people.

Euro finance ministers met in Luxembourg on Monday to discuss the energy crisis and we heard calls for strong co-ordinated action on this. Some EU member states, such as Spain, France and Italy, are already acting unilaterally and with appropriate urgency. In Ireland, the Government sits on its hands. It is essential emergency action is taken here to protect households from crippling energy price hikes. Whether it is through the consumer Acts or another mechanism, Ministers cannot sit on their hands as people go cold, hungry or potentially die as they struggle to cope with heating bills this winter. These huge price rises are an emergency and need to be treated as such in the budget announcement next week.

There are measure the Government can take. Last year, I published a Bill that would ban utility disconnections during the fuel allowance season. This is an important protection that should be introduced. We cannot have a position where those facing financial difficulty have their gas or electricity cut off in the middle of winter for failure to meet their bills on time. Even having the threat of disconnections hanging over families is incredibly stressful. Yesterday, at a committee meeting, we heard from representatives of the Commission for Regulation of Utilities on this issue. Other European countries, such as the Netherlands, Finland and Belgium, have winter disconnection bans and such a protection should also be introduced here.

The electricity public service obligation, PSO, must be reformed. It should be levied on overall demand, not peak demand as is now the case. Residential consumers are responsible for approximately 42% of peak demand but only 28% of total demand. Industrial consumers, meanwhile, are responsible for 47% of peak demand and 44% of overall demand. Despite contributing less to overall demand than industrial users, residential electricity users' outsized contribution to peak demand means they are apportioned an outsized share of the PSO. We want to change this to ensure large electricity users, such as data centres, pay their fair share of the PSO based on their overall demand for electricity, rather than ordinary households shouldering the heaviest burden.

To add absolute insult to injury for families, the Government still intends to carry on, with complete disregard, with carbon tax hikes, adding to the burden on families, with an extra €1.50 on a fill of motor fuel, an extra €13 on the average gas bill and an extra €20 per tank of home heating oil. What is the Government's argument for this? We have heard the money will be used to offset carbon impact and we need it anyway to invest in climate projects. The real world is a foreign place for this Government. The truth, of course, is that welfare supports go nowhere near covering the impact of these hikes. What about the promised climate action spend? How many houses have been retrofitted in the past year? The number is little or none. How many cold homes have been insulated? How many heat pumps have been installed? It is a fraction of what was committed to and an even smaller fraction of what is needed.

How many new public transport routes have been provided? There has been none, not even one. I have repeatedly seen a response from the National Transport Authority indicating "2021 does not include provision for the introduction of new or improved services in these areas". In my county I can think of communities like Carlanstown, which appears in our local newspaper this week and has no service. Kentstown is a village that had a service years ago, when there was just one housing estate in the place, and now it has no service, despite having a far greater population. Elsewhere, existing services to Dublin City University have been reduced.

All of this is happening while the Government is subsidising millionaires to drive electric supercars and running our energy system to the brink of collapse to facilitate big technology foreign direct investment. It is really a case of one rule for some and another for the rest of us.

This Government just does not get it. It is out of touch, out of ideas and with any good luck for the Irish people, it is running out of time fast.

Deputy Claire Kerrane: I welcome the opportunity to speak to the motion and commend People Before Profit on bringing it forward this morning. As we all know, energy costs have been increasing consistently in the past number of years and families and households are now facing their highest ever electricity and heating bills in many cases. We have heard much talk in recent weeks about the fuel allowance and any increase in this is of course welcome. However, we must also consider that the fuel allowance is extremely limited.

Many people lost their jobs both before and during the Covid-19 pandemic. There is a 15-month waiting time for access to the fuel allowance for those on jobseeker's allowance. Workers who have paid their taxes and are out sick from work on illness benefit cannot access assistance with their fuel costs. Those on low wages being topped up by the working family payment also cannot access fuel allowance. All of this must be considered on top of the increases that are so desperately needed in the fuel allowance.

In a major study earlier this year, the Society of St. Vincent de Paul indicated that nearly 20% of working people are cutting back on fuel and electricity due to costs. We have people at work who cannot afford their electricity and heating bills. We must see measures such as a discretionary fund to help with the costs of those who are locked outside the fuel allowance. This is a suggestion we brought forward in February, eight months ago, when we wanted this Government to take action with respect to heating and electricity costs.

A report published by the Economic and Social Research Institute, ESRI, published last August concluded that increases in fuel prices for homes through a carbon tax would increase the portion of people experiencing fuel poverty. A Department of Social Protection report from July 2020 concluded that low-income households would be disproportionately affected by carbon tax increases. How can the Government knowingly increase that tax in the knowledge that those at the bottom will suffer? I urge the Government to back this morning's motion.

Deputy Brian Stanley: I welcome the opportunity to speak to the motion and thank People Before Profit for bringing it forward. Families and workers in the midlands and across Laois and Offaly must contend with increased fuel costs and the worry of how to keep the heating and lights on this winter. Our region in particular will be hit hard. Unfortunately, the Government continues to implement proposals that disproportionately hurt lower-income families, rural households and the elderly without providing affordable and accessible alternatives.

It is a key point that we in Sinn Féin have continuously outlined our alternatives, including by publishing legislation that would ban utility disconnections during the fuel allowance season. We have budgeted for an increase in income limits for fuel allowance to ensure more workers, families and pensioners can be provided with support. We also want semi-State companies, such as Bord na Móna, the ESB and Coillte, to be given resources and be allowed to develop renewable energy projects so we are not always at the mercy of multinationals and big corporations.

We have called for the PSO levy to be reformed to ensure it is levied on the larger and most profitable users, including data centres, rather than ordinary households. These are the people who will be hurt most by the carbon tax, thanks to Fianna Fáil, Fine Gael, the Labour Party and the Green Party, all of which backed these major hikes over the next ten years. The people

who will be hurt most this winter are ordinary people such as those in counties Laois and Offaly who, in most cases, have no energy alternatives. Laois-Offaly has a limited amount of public transport, a very low number of retrofitted homes and a population that was and is highly dependent on solid fuel for home heating. I made the point to the Minister of State's party leader at the climate committee three years ago and again two years ago that some of the homes in my constituency will not be retrofitted until 2030, 2035 or 2040. The inhabitants of those houses will be dead from cold long before then and the retrofitting will not matter to them. The Minister of State needs to get that.

When the Government increases carbon tax yet again in a few weeks, there will be further price hikes on briquettes, gas bills, motor fuel and home heating oil, all of which will hit rural households, low-income workers and families. Loading carbon tax on workers and families in the midlands or any other part of the State who have little or no alternative is unfair. They cannot afford the alternatives. The Government will not change behaviour if people do not have alternatives. A bale of briquettes that previously cost €3.40 now costs €6.50. It does not have to be that way.

I say "Well done" to the Minister of State on his policies. Sinn Féin wants there to be a transition. However, horticultural peat moss is being shipped in from Latvia. Shiploads of it are arriving here. How is that taking action on climate change? How is the carbon footprint of importing briquettes from eastern Europe and Germany that are filled with oil and all sorts of other substances while factories are being closed down in the midlands doing anything for the climate? Sinn Féin has set out its policies to tackle this issue. The Government must take it seriously and deal with it in the budget.

Deputy Johnny Guirke: People are living in fear. They are worrying whether they will have enough money to heat their homes this winter, enough electricity to turn on the lights and enough money to put fuel in the car. Household energy costs have gone through the roof. It is estimated that energy costs to homes will rise by as much as €800 this year. All these increases in energy prices are separate from the carbon taxes on gas, home heating oil, coal and briquettes. So far this year, 25 separate electricity and gas price rises have been announced by 14 providers. The cost of petrol and diesel has increased by 24.8% since this time last year. This will seriously impact on the elderly, those on a fixed income and the less well-off. What measures will the Government take to offset the impact of soaring energy prices on these people?

Two data centres are already operating in County Meath, while two more have been granted planning permission and another is going through the planning process. These data centres will use the same amount of energy annually as almost 1 million homes.

Ireland has started to import peat from other European countries to meet demand here while stopping people cutting turf for domestic use. A couple of weeks ago, a ship carrying 400,000 tonnes of peat from Latvia in eastern Europe, 3,000 km away, made its way to Drogheda Port. The destination was Rathowen in north County Westmeath. Bringing this peat from Latvia involved enormous effort in terms of cost, manpower and time. How does it affect families? It affects them in their pockets as the cost to produce the peat locally would have been less than a quarter of the price. The bog in Latvia emits carbon just as bogs in Ireland do, in addition to the carbon emitted as a result of the transportation. The bog in Latvia is 100 km from the port in Riga. Some 200 trucks made that 200 km round trip. That is 40,000 km of diesel. Fuel was then needed to transport it 3,000 km to Drogheda and then to Westmeath. In the coming months, more and more shipments of peat will land in Ireland. This is farcical.

Most people concede that we have to make changes in how we live and work in order to reduce our carbon footprint. However, these changes have to be well thought out. Imported peat has a carbon footprint as large as its price tag.

Deputy Rose Conway-Walsh: I acknowledge and thank People Before Profit for bringing forward this important motion. Like my colleagues, I am gravely concerned by the impact of the rising cost of energy. Fuel poverty has been talked about for years and, sadly, it is becoming more and more common.

At the end of 2020, Ireland had the fourth highest electricity prices in the EU and the seventh highest gas prices. How many more people will be forced to turn off the heating on cold nights this winter if prices continue to rise? People are choosing between heating their homes, buying food and paying for vital medical treatment, including transport to medical appointments, the cost of which is increasing because of the increasing cost of fuel. In August, the ESRI claimed that a 1% in the price of fuel for home heating would mean an almost 5% increase in the number of people experiencing fuel poverty. Prices for customers are now 40% higher than they were at this time last year and the over-dependency on the Society of St. Vincent de Paul, which is creaking at the seams trying to keep people alive and safe, is not sustainable and cannot continue.

Several of my colleagues have rightly called on the Government to examine the steps being considered by the Spanish Government in respect of taxing companies that benefit from the price of gas going up and redistributing that revenue to consumers in order to ease the burden on them. The Spanish Government moved to cap prices and limit the profits of power companies. That is something we should be considering, but it is important to ask why some companies would benefit from the price of gas increasing. The liberalisation of the electricity market has been a long-standing EU policy championed by successive Governments. As always with market liberalisation, we were told it would bring greater efficiency and drive down prices.

Deputy Mark Ward: I too thank People Before Profit for bringing forward this important and timely motion. We are facing a winter of discontent, but it must not be a winter of disconnect. Global gas prices have climbed to the highest levels in more than seven years. There are external factors that impact on the wholesale price of gas and electricity in Ireland, but the Government needs to put measures in place to reduce the effects those external factors have on citizens.

Government charges, including carbon tax, make up 16.2% of electricity bills and 17.4% of gas bills. The Government and, in particular, the party of the Minister of State, that is, the Green Party, can dress this unfair tax up any way they wish but it is a brutal and punitive tax that will impact on the people who can afford it least. It applies to all the things people cannot do without - petrol to get them to work, gas to cook their dinner and home heating oil to keep them warm. If one has the money, one can buy an electric car, install a fleet of panels on one's roof and retrofit one's house in order to avoid the tax increases in all these areas, but the ordinary people of Dublin Mid-West do not have additional funds. Increases in house prices, rents, childcare and the general cost of living have pushed people to the pin of their collar.

Sinn Féin has called for a €5 million discretionary fund for those struggling to meet fuel bills this winter as a result of the increase in prices. We need to start putting things in place now to stop people from getting cold this winter. Sinn Féin has published legislation that would ban utility disconnections during the fuel allowance season. That would remove the threat over

people's heads of being cut off if they are struggling to pay their bills during winter. A couple of weeks ago, I contributed to the statements on child poverty. Those listening to that debate heard that parents are making stark choices to heat the house or feed the family. That is a choice no family should have to make. This must not be a winter of disconnect.

Deputy Johnny Mythen: It beggars belief that in 2021 we, as a society, are failing to fully protect citizens from fuel poverty and hypothermia. That should be the first duty of any republic. There are thousands of older people who survive solely on State pensions. There are thousands of families living on the minimum wage. There are thousands of small businesses that are all facing a bleak winter as a result of the significant rise in energy costs. The Government must act now.

Practical measures are required, such as extending the fuel allowance from 28 weeks to 30 weeks, a moratorium on utility disconnection and the establishment of a €5 million discretionary fund to help households that do not qualify for fuel allowance but will be in extreme difficulty trying to heat their homes and pay energy bills this winter. Constituents in Wexford have told me they must decide whether it is a heat day or an eat day. The ESRI has stated that a carbon tax will have a disproportionate and regressive effect on low-paid workers, old age pensioners and those with long-term medical conditions, adding that a 1% increase in fuel prices will bring fuel poverty up to 12%. The Government must heed these warnings and not increase the carbon tax in the budget.

11 o'clock

Rural Ireland faces even more hardship because people in rural communities are more dependent on gas, coal and wood to keep their homes warm. A just transition is not offered, however. Microgeneration schemes would allow farmers in rural communities to generate their own power and possibly sell excess electricity back to the national grid. The evidence is written on the wall. We would do well to take a leaf out of the books of those of our European counterparts that have acted to protect their citizens, particularly Spain in its national strategy against fuel poverty. I ask the Government to act swiftly and responsibly and to do the right thing. I commend People Before Profit on introducing the motion.

Deputy Sean Sherlock: I welcome this motion because it provides a timely opportunity to discuss the issue of fuel poverty and the looming energy crisis. The first call we have to make, as Members of the Oireachtas and representatives of the people, will be to again discuss the recently announced lifting of the moratorium on energy disconnections. We need such a measure to ensure that people are not cut off from their utility supply, including electricity, should they find themselves unable to pay their bills over the coming winter period and beyond. I call on the Government to engage with the Commission for Regulation of Utilities on that issue with a view to ensuring that the regulator at least discusses the possibility of putting that moratorium in place again.

A number of years ago, I visited a house in north Cork. I will not say where it was but as I pulled up to the gate there was a woman lifting a bag of timber blocks in through her front door. It was a mid-terrace house and she was lifting the bag in through her front door. Naturally, we would all assist in those circumstances and I did so. She and I got to talking and we were discussing the state of her house and the fact that she was piling wood into a fire to feed a back boiler to heat the house. She had no other means of heating the house and she spent her time clung to her fire. The woman is in the same situation a number of years later.

We have not seen a tangible great leap forward in retrofitting programmes for people who have owned their houses for a long time but do not have the means to reinvest in them because there is a shortfall between the grants available and the true cost of retrofitting. If that cost could be bridged, whether for people living in a local authority house or owner-occupiers, it would greatly assist the likes of that woman. A low-cost loan, such as that proposed by the Government, will not be sufficient for her to bridge the gap. Her savings would be meagre because she is wholly dependent on the Department of Social Protection for her means of income.

There has to be a better way of ensuring that the thousands of people in similar circumstances are given an opportunity to retrofit their houses in a way that provides proper heating and insulation and damp-proofs their homes to prevent the mould on walls that all of us have observed in houses we have visited over the years. This has to be a meaningful objective of the Government. The available evidence would suggest that in the past seven or eight years in particular, we have not had that great leap forward or dealt with the coterie of people I am talking about, of whom the woman I described is a representative. The Minister of State will acknowledge that.

If something were done for that woman, we would not find ourselves arguing in this House about pre-budget submissions that seek increased payments and transfers to people on the basis that they have to meet the costs of continuing to shove wood on the fire to feed the back boiler. All of that would be taken out of the equation. Be that as it may, we are at a juncture where measures will have to be introduced in this budget to offset the cost of the increased price of carbon. Fuel poverty measures must be in evidence in the budget to allow that woman to at least offset the cost of the coal, briquettes and blocks that she is forced to burn to meet her needs. That issue has to be addressing with a short-term measure.

Budget 2022 must introduce a carbon tax credit as an offsetting measure to deal with households that will find themselves in the fuel impoverished category in the coming 12 months and beyond. If the increase in the price of the carbon tax is already priced in following last year's budget, the danger is that people on low incomes will find themselves having to hunt around to meet the costs of heating their homes. If a refundable tax credit were introduced for these people, it would be a meaningful measure that would at least offset the costs of the increased price of carbon and give some level of comfort to those households. I ask the Minister of State to factor that suggestion into his considerations, if the budget has not already been put to bed, and the interplay between line Departments and the Department of Public Expenditure and Reform. At this late hour, some measure that would give working families and fuel impoverished households a refundable carbon tax credit that would offset the increase in the costs of energy and fuel would be welcome.

As a short-term measure, the Labour Party also advocates extending the fuel allowance by four weeks. This measure has also been advocated by representative organisations, particularly those representing people who find themselves wholly reliant on the Department of Social Protection for a payment. If the fuel allowance were extended by four weeks or increased by €5 per week, that would be worth approximately €272 to recipients. That would help the woman I am talking about.

President Higgins used to say of rural electrification that it took the stoop out of the back of the women in Ireland because they were not bent down stoking a fire all their lives to keep the house lit and put food on the table. It seems that things might not have changed for a good number of our citizens, particularly those who are living in the fuel impoverished houses we

are talking about. I am not having a go at the Minister of State or the Government. This should be a non-partisan and apolitical issue which we should all be tasked with addressing. Various Oireachtas committees have made recommendations on these issues and their voices, which are representative of the people, have fallen on deaf ears in the Executive. The Government could bring into play some simple measures, including the carbon tax credit, that would help a lot of people.

Deputy Jennifer Whitmore: I thank People Before Profit for tabling this timely and important motion. For some families this matter is critical. In recent weeks, there have been many motions and speeches and much discussion in this Chamber, including on parliamentary questions, on the issue of energy security, management and prices and what the Government is doing to address the crisis we are facing into this winter. My own party, the Social Democrats, put forward a motion on the data centres and those issues were debated quite robustly at that time. It is quite clear that the Government is sleepwalking - or walking out of the Chamber, as the case may be - as the debate on energy continues and is sleepwalking into a crisis of its own making when it comes to energy and the impact that this will have on families.

Some families in this country will see rises of €800 in their energy over the coming winter and the reality for many families is that they will have to choose between feeding their children, paying the rent, paying childcare or heating their homes. That is just not acceptable in this day and age.

We know that fuel poverty supports will be the key focus in this year's budget but we have not yet heard the full details around this. I was shocked to see that even in my own constituency of Wicklow, 9,500 households receive fuel allowance at present, which goes to show the extent of the problem and the number and the different types of families who are very vulnerable when it comes to fuel poverty.

Significantly more people will be impacted this winter. People who would normally be able to manage their heating costs will find it very difficult. The Government needs to take a broader look at the fuel allowance and the temporary measures that can be put in place to assist those families because of that. For example, families in receipt of the working family payment cannot access the fuel allowance at present. This is something that needs to be addressed and the Social Democrats are proposing that those families are taken into account for the fuel allowance. Jobseekers also have to wait 15 months before they can claim this support. The Social Democrats believe that this 15-month gap needs to be removed.

We will also be calling for an extension to the eligibility criteria for the fuel allowance and expanding it from the months of November into February to cover the whole winter season. The Government needs to look at ways to assist those families who may not necessarily or traditionally access that fuel allowance. There will be, in particular, many working families who will be hit very badly this winter in this regard.

We also need to ensure that families or individuals are not disconnected this winter. They cannot be forced to feel the brunt of this energy hike to the point where they do not have access to any heating or fuel. It is important that a moratorium is put in place. I requested and spoke to the CRU yesterday. It was open to reviewing it but I ask that the Government engage with the commission on that issue.

There is also the issue of self-disconnection which has happened already. We have seen dur-

ing the Covid-19 period that this was happening quite a good deal. It is not something that is monitored. There needs to be a mechanism put in place to monitor self-disconnections whereby people themselves just stop using their own energy in order that they are not disconnected formally. It is important that that mechanism is monitored and that arrangements are put in place in order that we have the statistics and the data on it and know the exact extent of the problem that people are facing.

When we are talking about energy crisis, we cannot separate it from the climate crisis and how our solutions and policies will address both. It is very important that when talking about energy that we also talk about just transition because that is a key part of it.

Moving from the current situation to where we reduce our CO2 emissions will require a disruptive transformation of our energy system. It cannot be the case or allowed to happen that those who are least capable of addressing this issue are burdened with doing so. Just transition has to be key component of what the Government does. Unfortunately, I have not seen that to date. There has been a hesitancy within the Government to recognise and incorporate the principles of just transition, whether that was into the Climate Action and Low Carbon Development (Amendment) Act or into policies. When we talk about just transition, the Minister for the Environment, Climate and Communications usually refers to the work that is being done in the midlands. Just transition cannot be specific to one geographical area but needs to cover the entire country. It also needs to be broader than simply referring to the workforce. It needs to be talking about just transition for communities.

In recent weeks, I introduced the Just Transition (Worker and Community Environmental Rights) Bill, which was a Bill that the Minister, Deputy Eamon Ryan, originally introduced a few years ago. It has not been progressed. I hope the Government would support such a Bill, given that it was a member of the Government, namely, the Minister for the Environment, Climate and Communications who originally introduced this Bill earlier and spoke so passionately about the importance of having it in place. If that Bill was passed, workers, communities and areas would have an opportunity to hold the Government to account over decisions and any inaction that they perceive which could lead to situations such as fuel poverty.

In dealing with just transition, we are also talking about who we prioritise when we deal with our energy or climate actions. It is clear if anyone has been listening to the debate on data centres over the past number of weeks that the Government is prioritising corporations above the needs of communities when it comes to data centres. A pause on the development of data centres was a very moderate evidence-based solution that could have enabled the Government to bring in the measures that would assist and ensure that data centres do not completely override the needs of communities, as we have seen to date. The Social Democrats called for a moratorium on that development and, unfortunately, that was not accepted by the Government. That indicates where the Government's priority is. Communities and individuals will be expected to go to great expense in their own right in order to move to electric vehicles and to retrofit their homes. These are not cheap things to do and even if one receives subsidies and grants these are still expensive measures and yet the Government is not requiring the same effort from the large corporations in respect of data centres. There are questions as to how much these centres contribute to our society and economy. That is something that also needs to be addressed.

I want to recognise the work of the Solidarity-People Before Profit Party have put into this motion today and I hope that it forms part of the discussion that the Government will be taking into the budget negotiations in order to fight hard for individuals who will find it difficult over

the coming months to deal with the energy crisis.

Deputy Cathal Berry: I thank People Before Profit-Solidarity for preparing this very important motion this morning. It is very timely and topical in light of the budget next week.

I will focus my contribution on the concept of energy security at a macro, national level but also and, perhaps most importantly, at a micro, household, individual level. We can all appreciate that there is a very significant energy crunch at the moment. This is happening for two reasons, primarily.

First, the world economy is just cranking up again after having been asleep for the past 12 months, which is placing very significant demands on the limited supply that is there. Second, and perhaps most importantly, there are many geopolitical games being played out at the moment where strategic rivals and competitors are turning down gas valves and trying to apply great pressure on their competitors. Unfortunately, this has also landed Ireland in the cross hairs. One point that is rarely mentioned is that energy price inflation also usually leads very quickly to general inflation. The most vulnerable people in the country will soon be hit by a double whammy with both energy inflation and the inflation of staple food prices etc., which also are going to rise. This will also have a significant effect.

Ireland is uniquely vulnerable here, primarily due to our geographical location, in that we are at the very end of a very long pipeline from eastern Europe. Most people also accept that our housing stock is very poorly insulated and this is an area which we certainly have to work on. Public transport is poorly developed and we have an over-reliance on fossil fuels. Consequently, simultaneously or even perhaps paradoxically, while we have an over-reliance on fossil fuels we also have an under-accessibility issue from a fossil fuels point of view, which is a kind of perfect storm from an energy perspective.

We have also closed down a number of power plants in the past 12 months and I would argue this perhaps was done prematurely. Plan B was not in place before plan A was shut down. I am absolutely in favour of the just transition but it has to be done in a very measured and focused way that is possible to implement. The last point I would like to make is that, while some elements of the energy crunch are beyond our control, some elements are within it. We should be focusing on the latter. With regard to the budget next week, I agree with Deputy Sherlock on the concept of tax credits. That is a good way to go. There should be some measures in the budget to offset the rise in energy prices. If that is not possible, we should suspend the planned increase in the carbon tax, at least until winter has passed. I was happy to see greater investment in public transport in the national development plan on Monday. There is also to be more funding for the Sustainable Energy Authority of Ireland to facilitate and encourage people to retrofit their homes. You can retrofit your home in a couple of weeks. If we get ahead of this now, it will have a positive impact even this winter.

The last thing we can look at is the microgeneration of power. While I know the Green Party has been mentioning this in recent years, we really need to look at the democratisation of energy. That is a good way to go. Every south-facing roof in Ireland should have solar panels either for heat or for electricity. Deputy Martin Kenny and I speak a lot to members of the agricultural community and there is a lot of spare roof space on sheds and farm buildings. It is a good way to go. However, while you can pass surplus power to the grid, you cannot be properly paid for it yet. That is an issue. It is also unusual that you can put solar panels on your house without planning permission very easily while schools, public buildings, swimming pools and

sports centres need planning permission. I would be grateful if the Minister of State could look at the bureaucracy associated with that and make it easier to put up solar panels.

Deputy Seán Canney: I compliment People Before Profit-Solidarity on tabling this very important motion at this time. The increase in the cost of fuel impacts on everybody, including businesses, consumers and especially those in fuel poverty. When we talk about this and about what is going wrong, we sometimes put the cart before the horse. We closed down two power generation stations without having an alternative in place. Likewise, we are talking about offshore wind energy and reaping the benefits of all of this green energy but we do not have a snowball's chance of having anything in place within the next ten years. At the same time, we are encouraging people to put in air-to-water or other all-electric heating systems for their houses. The cost of heating these houses is now rising after people invested in what they thought were green measures. A lot of the time, we have knee-jerk reactions to climate action without considering that, when we take out a process, we need another in place to take over. We can see where ceasing production of peat moss for horticulture has led us. Thousands of tonnes of stuff are now being imported every week when we have the very same stuff here but have stopped producing it. Something has gone wrong there. Putting the cart before the horse does not work.

We have also brought in this carbon tax and applied it to everybody. People are talking about a just transition. There is no just transition for people living in Ireland who have to pay more to put fuel in their cars while also paying more for electricity. They have to pay more all of the time. There is very little public transport. The national development plan talks about dealing with all of this over the next ten years. We are moving ourselves towards a perfect storm by not looking logically at what we need to do to get the just transition right while also getting climate action right. We cannot have climate action without understanding the consequences that action will have for people. If we change energy sources, we have to make sure we do not cut off a source we have until the new one is up and running and delivering.

The issue of planning permission for solar panels was highlighted by Deputy Berry. This is a farce. We have an enormous number of community buildings, schools and facilities like these that could be used to generate electricity but planning permission must be sought, which can cost thousands of euro, so it is not done. That is what is wrong. Many people have gone into microgeneration and are feeding energy back into the grid but are not getting paid for it. They understood that they were to get paid for it from 1 July but are still none the wiser as to when they will be paid, having invested good money for the sake of climate action and doing things right. It seems that, when someone does something right, the rug is pulled out from under him or her. People are now telling others who are inquiring not to go there.

Next Tuesday is budget day. Immediate action must be taken. There must be an increase in the fuel allowance payable to all people in fuel poverty. The range of payments that qualify for fuel allowance must be expanded. That needs to be looked at, as must be the eligibility threshold for those seeking the allowance. If that is not our immediate response, we are only paying lip service to the issues facing us, as usual.

Deputy Michael Healy-Rae: I thank People Before Profit-Solidarity for bringing this very important motion before the Dáil. Fine Gael and Fianna Fáil did a deal with the Green Party to gain power and privileges at any cost and this has meant a lot of financial hardship and pain for Irish families. The public's interest was never at the heart of the deal done to form this Government. It was all about power and self-interest. One example of this financial hardship

and pain is the soaring bills for electricity and gas which households have to endure. The front page of a recent edition of the *Irish Examiner* outlined the differences. The cost of filling a car with diesel one year ago was €63; it is now €94. The cost of filling an oil tank a year ago was €450; today it is €761. The Government would like to say that this is due to factors beyond its control. That is not true. We have a policy of dependence on renewable energy for our energy supply while not having the renewable sources in place or a plan to put them in place. We have a new policy to close down any prospect of new offshore oil and gas exploration, which could provide a competing source of energy. The Government imposes carbon taxes on all energy and heating products and these are to increase in each year's budget until 2030. The Government imposes VAT charges and also imposed a public service obligation, PSO, levy which applies to every household bill. This collects approximately €400 million annually. These funds are given directly to large multinational firms to subsidise the building of wind turbines. This charge on every household has increased by 123% since Deputy Micheál Martin became Taoiseach. This Government is doing nothing for struggling families. The cost of electricity is going up, as is everything else. What the Government is doing makes no sense. It is forgetting the people because it has, quite simply, lost touch with them.

Deputy Richard O'Donoghue: The cost of filling a car in January 2021 was €78. I filled my own. The cost to fill the same car today is €91. The Government is now to also increase the carbon tax, which will increase this cost by €1.48, increasing the cost to fill that car to €92.48. Over 12 months, assuming that 60 l of fuel are used per week, the extra cost to run a car will be €780 per car owner. One must also consider SMEs, hauliers and farmers. Who benefits from this? City projects. Who pays the most? Those in towns, villages and rural areas and small businesses. We pay the most and we get no return. Filling a 1,000 l oil tank at 50 cent per litre cost €500. This oil now costs 85 cent per litre. I have just got those costs this minute. Filling that tank will now cost €850, representing an increase of €350. The average family burns 4,000 l a year resulting in an increase of €1,400. Who pays the most? People in towns, villages and rural areas. It is an absolute joke. We have the highest costs but get the least investment. We have no public infrastructure. We have no sewerage or water infrastructure. The Government does not even fix the roads. The Government gives such a small amount of funding to the local authorities they can do only the barest of repairs and no new roads are being constructed. Rural Ireland is paying the most. Some members of the Government were elected by the people of the towns and villages in rural areas. Approximately 37% of the population of Ireland live in towns, villages and rural areas. Government members need to remember that for the next time they go knocking on the doors.

Deputy Michael Collins: As stated by Deputies Michael Healy-Rae and O'Donoghue, the cost of filling a car with fuel has risen from, roughly, €70 to €90. Last year, a full tank of home heating oil cost €450; it is now €761. Electricity costs are rocketing through the roof, with no understanding of the effects on this on people. This is the cost of the Fine Gael and Fianna Fáil deal with the Green Party. Their nod-and-wink deal with the Green Party to get them across the line and into their nice, polished positions is costing the good living people of rural Ireland. Some 37% of the people of rural Ireland are carrying the rest of the country on their backs. By God, it is a painful carry.

As I said in this Chamber last week, last year the cost of a litre of fuel was €1.10. It is now €1.48 or €1.49. The Government should ask motorists if they are happy about that and if the increase was worth it in order that three super scooter buses could be purchased for the Minister, Deputy Ryan, at a cost of €2.4 million. This is an outrage. Last week, Deputy Bruton said in

this House that farmers will have to take the cuts to save other sectors. Is that the Fine Gael way? The roots of Fine Gael must be absolutely crumbling in regard to the comments of the former Minister, Deputy Bruton, which seek only to destroy the very people he should be supporting. Why should the farmers and the people of rural Ireland take the hit to save other sectors or the rest of the country? We cannot continue to do this. Public transport in rural Ireland is on its knees. In most places, there has been no movement on transport in 30 or 40 years. For those in rural Ireland who do not own a vehicle thumbing a lift is the best option. Most people are not in a position to run a vehicle. The Government has let down the people in a shocking way. Energy costs are out of control. The retrofit of homes and the energy schemes are at a standstill, with a more than two-year wait for most people. It is an outrageous set-up.

Deputy Danny Healy-Rae: I am glad to have an opportunity to speak on this very serious problem. Indeed, it is a problem for the people of Kerry because, as we all know, their journeys to work are longer. Much of Kerry is farming community. The cost of diesel for tractors has more than doubled and the cost of heating oil has more doubled. I am concerned that elderly people could be cold in their homes this winter. We will have to return to turf cutting. Before this winter is out, people will be glad of a load of turf. Electricity costs have risen by 19%. Everyone is being advised to move to electric, including electric vehicles, yet there is no place to charge them. It appears now we will not have sufficient electricity to bring to the plugs.

Transport costs affect every sector in the country, be that in regard to the transport of timber, slates and so on. We are told new-build houses will not have chimneys and that they should all have electric heat pumps. When there is no electricity, how will people heat their homes? Insulation costs have risen by 40%. The Government has a plan to retrofit houses but there is a wait of between a year and a half and two years in that regard. Why is that?

I want to also raise the serious issue of eligibility for the fuel allowance for many other categories of people in receipt of social welfare benefits. It is stipulated that to be eligible for the fuel allowance a person must be unemployed for 15 months. God almighty, that rule is not fit for purpose. Those people will get cold just like everyone else. The construction of houses without chimneys is a recipe for disaster. This is already happening in Kerry. What will keep people warm when the electricity runs out? The Government regularly speaks about offshore energy. It knows well that there will be no wind turbines out in the ocean for at least ten years. It needs to stop talking about that and to stop being ridiculous about things.

Deputy Catherine Connolly: I thank People Before Profit-Solidarity for tabling this very detailed motion. It is a reasonable and rational motion. Deputy Barry's call for the democratisation of energy caught my attention. It is a wonderful concept. I do not see any sign of it on the part of Government. That would be great. I note the Minister is nodding. It would be the beginning of the solution to our problems.

Statistics catch my eye, in particular the one set out by People Before Profit-Solidarity in relation to the Society of St. Vincent de Paul research of March 2021 that 19% of people cut back on heating and electricity due to cost, including 42% of those with an illness or disability and 36% of lone-parent families. In addition to that, I come from a city where there is a major housing crisis. In Galway, rents increased by 14.2% in the 12 months to quarter 2 of 2021. In the same city, the Simon Communities of Ireland regularly produces reports entitled, Locked Out of the Market, to make it easy for us politicians to understand. One is locked out of the market if one cannot get a house within the HAP guidelines. In Galway, there are no such properties available. According to the ESRI, one in six households were already in energy poverty

in 2019, which is pre-pandemic. This means people have to tackle rising rental costs as well as rising energy costs.

The EirGrid generation capacity statement sets out demand uncertainty under a number of bullet points, including that demand is driven by economic activity, assumptions on energy efficiency and the growth of large energy users and data centres. I say that by way of response to some of the comments about us being off the deep end or, should I say, off the grid, when we talk about how demanding data centres are. The statement further sets out key observations in regard to Ireland and states that long-term system electricity demand in Ireland is increasing and is forecast to increase significantly due to the expected - not unexpected - expansion of many large energy users, in particular data centres. I would welcome a proper discussion on data centres. We have to have them in our economy and the silly argument that we are all against them is ridiculous. We have to start to ask questions when we have 70 functioning data centres here and, I think, 30 more in the pipeline, which will use 25% plus of our energy in 2030.

I will return to the specific motion in the minute I have remaining. This is a very basic motion, in my opinion. It seeks an increase in the fuel allowance, it calls on the Government to act under existing legislation in regard to capping prices and stopping increases and it points to other countries that have successfully done this, not being known for their socialism. Why is this important? It is important because the market system has not worked. I am tired of Members on this side of the House being accused of ideology. The ideology of every successive Government, in particular Fianna Fáil in government with the former Progressive Democrats, Fine Gael and now the Green Party, is that markets will provide and we will help them. That has not helped the housing situation. We are providing over €1 billion in HAP and other subsidies and all that is doing is making the housing crisis worse and raising prices. The exact same model here will help with the fuel allowance. It will increase it a little in the budget but it will do so without facing what is the important point. The important thing is that we as a people should have control of our energy supply. That is what we need.

Deputy Joan Collins: I welcome this People Before Profit-Solidarity Private Members' motion on the very important issue of energy prices. The figures set out in the motion speak for themselves. Without action on the part of the Government, many people face a very difficult winter in just keeping their lights on and staying warm. Some 400,000 households in this State experience fuel poverty. It is estimated that 10% of income goes on heating. Ireland, North and South, has the highest excess winter mortality rates at 2,800 cold-related deaths. Most at risk are those on low incomes, the unemployed, single people living alone, lone parents, pensioners and that cohort includes a large number of children.

This is partly an international problem. There is a shortage of natural gas. We had a lack of wind in the summer. We had a harsh winter last year and a cold snap in April. There has been a reduction in production internationally. Russia is applying pressure to open the new pipeline into the EU, which is a matter for another debate. Russia is looking for that project to be ratified and for the pipeline to be opened soon. We are still dependent on gas because 50% of our power plants are gas-fired.

The figures are astounding. Electric Ireland has announced another increase over the past three months. Energia has increased its prices three times in the past year. Pinergy and Panda Power have increased their prices four times and, according to Bonkers.ie, the increases introduced by some companies will lead to people's annual bills rising by up to €800. That is a lot of money, approximately €15 a week out of people's income. There is a considerable differential

in price. Instead of asking people to shop around and switch suppliers, the Government should do a number of things. I agree with the motion that the Government should introduce a price cap. It should introduce that cap in general but particularly for the winter.

The deregulation of our energy companies has caused a major problem. I welcome the comments made by the Minister of State, Deputy Ossian Smyth. We should fully renationalise the ESB, which should be a not-for-profit State company. We should retrofit 160,000 public houses. I know a young woman who has been waiting for two years for the council to retrofit her home, which is in desperate need of it. We need to build 100,000 eco-friendly public houses on public land over the next period of time.

The Government is trying to downplay the role that data centres are having on our energy supply. If up to 23%, and possibly more, of our energy will be used by data centres by 2030, that 23% is taken off the national grid and 23% less electricity going into people's homes. The Government must either increase the energy available to compensate for that loss or impose a moratorium on data centres until we delve deeply into what the issues are and how they are impacting on our energy supply. We could have people paying huge price increases on their energy and, at the same time, getting their electricity cut off during the winter.

I am supportive of the point that the fuel allowance should be increased, as per the motion, up to €15 a week. I also support the increase of the means test for eligibility for the fuel allowance from €100 a week above the State contributory pension to €200 a week above the State contributory pension. I also support extended cover. Those on the jobseeker's allowance, illness benefit and disability allowances do not get the fuel allowance. Only 380,000 households get the fuel allowance. Many people in poverty are not getting the benefit and support of the Government fuel allowance. That should be implemented immediately.

Minister of State at the Department of Enterprise, Trade and Employment (Deputy Damien English): I welcome the debate and the discussion. It is important. This is a topical issue for everybody and it affects the lives of most of the people we represent. I thank colleagues on all sides for their contributions.

I give apologies for the absence of the Minister, Deputy Eamon Ryan, who would have liked to have been a part of this debate. He is in Luxembourg at a meeting of the Environment Council until tonight or tomorrow and was, therefore, unable to make it. He would like to have been a part of the debate. I will certainly give his views and comments during my speech. The Minister of State, Deputy Naughton, was also unable to attend the debate because she is caught up in a justice matter. We heard from the Minister of State, Deputy Ossian Smyth, earlier, who apologised because he had to leave. Most Members will appreciate that most others have not remained here for two hours so I think comments to the effect that the Minister of State left in the middle of the debate are wrong and unfair. We all know that everybody here is doing different things and trying to be in different places at the same time. I appreciate that the proposers of the motion have remained throughout the debate, and rightly so, because this is a matter they put down for discussion. The chairperson was not here when it happened, but I take issue with comments that were made. I will discuss it with the Deputy concerned. That is not the way we try to business in the House.

The Government accepts that households are currently facing volatility in energy prices due, in particular, to a spike in international gas prices. We know that over the coming winter people will be faced with higher energy bills as suppliers and energy companies seek to recoup

their energy outlays. Current market expectations on energy commodities, particularly gas, indicate that wholesale gas prices will remain high during the winter months but we hope prices will fall from April 2022 onwards. Beyond the winter season, EU forward contracts anticipate a correction of current wholesale gas prices. This is welcome news that will, hopefully, reduce the prices and bring them back to a reasonable level.

We cannot be complacent. Markets are volatile and the optimum policy is to move away from fossil fuel dependency and the vagaries of international commodity markets. That is what the Government is doing and has committed to doing, a commitment that was repeated in the national development plan that was launched on Monday.

I will turn to Government policy in this area. Electricity and gas markets are commercial, liberalised and competitive, in line with EU policy, and result in greater choice for consumers and businesses in terms of suppliers, products and prices. The position of successive Government for almost 20 years has been that competitive energy markets result in greater choice for consumers and businesses in terms of suppliers, products and prices, and support competition to drive down prices.

The utilities sector is complex. Setting a maximum price for a product, as was suggested, by virtue of an emergency order would raise a number of significant issues, including alignment with the EU energy regulation *acquis* and other legal aspects, and is not a panacea to the current market conditions. Suffice to say that in the UK, where the price cap was recently revised upwards, it has not guaranteed that customers get the best deal otherwise available in the market. I know other examples were provided but the UK is our closest neighbour and we might as well share all the data we have for different countries. Unfortunately, this has led to a number of suppliers exiting the market in the UK in a somewhat disorderly manner in recent months and that has given rise to significant disruption for customers. We must bear in mind what is happening across the world. I accept there are pluses and minuses and that other countries have a different story to tell.

Deputy Paul Murphy: That is only the case because it is a privatised market.

Deputy Damien English: Within this overall competitive framework, the best long-term policy is, in our view, to support households with their energy costs through energy efficiency measures, with the Government providing a total retrofit budget in excess of €280 million for this year. There are long-term commitments in the national plan, setting out where we hope to go in the years ahead. We will continue with the development of renewable electricity to enable Ireland to reach EU renewable energy targets and our own national energy and climate target of delivering at least 70%, and up to 80%, of renewable electricity by 2030. We will continue with measures such as the EU trading emissions scheme and carbon tax as providing incentives to switch to cheaper renewables and lower carbon energy sources. These measures provide essential economic signals to support the energy transition away from fossil fuels. Carbon pricing is an essential element of any credible plan to decarbonise the economy while supporting those most directly affected by allocating the revenues received to fund targeted social welfare recipients, home retrofits and sustainable farming methodologies. We will also continue to promote further electricity interconnection both to the EU and UK, and to further integrate Ireland with the EU internal energy market.

In pursuing these objectives, our collective efforts to decarbonise electricity generation have led, for example, to over 143,000 homes receiving free upgrades under the better energy warm-

er homes scheme. In the first six months of 2021, the average value of the energy efficiency measures provided per household was approximately 17,100. Strong growth in wind power, which has led to a major impact on energy production costs, is key to achieving our greenhouse gas emission reductions. Further electricity interconnection to both the UK and France is under way and planned.

I will outline the regulatory regime in which we operate. Operating within an overall EU framework, the independent regulator, the CRU has a wide range of economic and customer protection functions. It monitors energy retail markets to ensure that competition continues to develop for the benefit of the consumer. The CRU also oversees non-price aspects of competition and has taken, and continues to take, steps to increase transparency, customer protection and customer engagement in retail markets. I will also note that under the voluntary industry energy engage code, suppliers will not disconnect a customer who is engaging with them. That point was raised by a number of Deputies and I want to clarify that is the situation. It is important to engage and not to avoid that phone call or communication.

Suppliers must provide every opportunity to customers to avoid disconnection and must identify customers at risk of disconnection and encourage them to talk to the suppliers as early as possible. Suppliers are also obliged to offer a range of payment options, such as a debt repayment plan, for a customer in arrears. In fairness, most of the suppliers honoured that, certainly during the pandemic and other difficult situations in this country. We expect a similar approach in the difficult months ahead when we know energy prices will be affected.

I would also like, in particular, to mention the regulator's role in promoting switching and smart metering, both of which offer immediate benefits to consumers. CRU has certified three price comparison websites, namely, *bonkers.ie*, *switcher.ie*, and *powertoswitch.ie*, to assist consumers to switch. Even if they do not switch, customers should engage with their supplier to avail of the best offer available. Switching supplier could save a customer consuming the average amount of energy up to €281.60 on an annual electricity bill. It could also result in a €553.69 increase on a combined annual electricity and gas bill and €279.09 on an average annual gas bill. They are comparisons made on 5 October 2021 using some of these websites. Based on the CRU data, active customers who switch suppliers or renegotiate with their current suppliers every year for the past four years could have saved €704 on gas, €1,078 on electricity and €1,696 on their dual fuel costs. A recent CRU survey found that more than half of electricity and gas consumers will switch supplier at least once. People are taking that advice and are switching. We all know it can be head-wrecking to try to make some of these phone calls. We need to work with the regulator to make sure that process is streamlined because it can be very frustrating. It is important to recognise that it is worth it in the end.

My message is clear. Customers should avail of switching to get the best deal in the market. For those who are struggling with energy bills and are in receipt of support for their bills, this is even more important. That is because switching supplier or to a lower-cost product with an existing supplier makes supports go further in meeting their costs. The programme for Government contains a commitment in the context of ensuring that the energy efficiency and potential of smart meters is realised and that all mechanical electricity meters will be replaced by 2024. Work in that regard is well under way. The smart meter upgrade, led by the CRU, is a meter replacement programme to move to modern smart-ready technology. New generation electricity meters are being rolled out across Europe and internationally. When the programme in Ireland is completed in 2024, all domestic and business premises will have new modern meters installed.

I will now outline the Government's commitment to helping households with their energy costs, in particular low income households and those in danger of energy poverty, in the months ahead. I have already provided the details of various welfare allowances, including the fuel allowance, the living alone allowance and the household benefits package. The fuel allowance is a payment of €28 per week for 28 weeks. The budget for this for the upcoming season is €292 million. That money is for an estimated 370,000 households. The household benefits package includes allowances towards covering electricity or gas costs. Recipients, the majority of whom are pensioners, are paid €35 per month. The Department of Social Protection will spend approximately €195 million this year on the household benefits package for more than 470,000 customers. The living alone allowance, which is targeted at the recipients of certain social welfare payments who live alone and who often have significantly higher heating costs, is paid at a rate of €19 per week in addition to primary social welfare payments such as the State pension.

Targeted supports provided under the supplementary welfare allowance scheme, exceptional needs payments and urgent needs payments may be made to help meet essential once-off costs which an applicant is unable to meet out of his or her resources. In addition, under the supplementary welfare allowance scheme a special heating supplement may be paid to assist people with special heating needs. It is important that they come forward and engage with community welfare office and social protection offices. Assistance is there once people come forward in time, explain their situation and produce the evidence. As the Minister, Deputy Humphreys, said, these schemes are constantly under review and she is constantly trying to improve them. In launching the winter fuel allowance on 26 September, the Minister noted that heating costs are a concern for many, and that households have seen their bills increase and this would be an important factor as budget 2022 negotiations continue in the days ahead and are completed by next Tuesday.

Finally, I reiterate that there are supports in place to assist with household energy costs. We understand that it is extremely difficult and people are very concerned, which is why I accept the importance of having this debate. Our regulatory framework underpins a competitive market in which consumers can make considerable savings. As was said earlier, we need to make that easier and work with our consumers. That framework also provides protections to consumers via the energy regulator, the CRU. The Government, as set out an amendment, will provide additional social welfare support in the budget to protect the most vulnerable against fuel price increases.

I welcome the debate and thank Deputies for their contributions. I also thank the proposers of the motion.

Deputy Gino Kenny: Many people will be very alarmed by the news this week regarding substantial energy price increases of between €500 and €800. Coupled with that is the news about data centres using enormous amounts of electricity. The Minister of State can, therefore, understand that there is a sense of trepidation. Energy prices worldwide are rising for a variety of reasons. One reason is geopolitical. Other reasons include deregulation and competition. Competition was meant to bring lower prices to the market, but it has done the opposite. Part of the motion refers to the fact that fuel poverty kills between 1,500 and 2,000 people per year, which is an incredible statistic. People want to heat their homes.

One aspect of the debate I want to zoom in on is the retrofitting of social homes in Ireland. There are 160,000 social homes in Ireland. Through the Government's programme, just 2,500 will be retrofitted. That is welcome, but the programme needs to go much further.

Deputy Damien English: We are ramping it up.

Deputy Gino Kenny: What is that?

Deputy Damien English: A lot of them will be completed. It is not true to say-----

Deputy Gino Kenny: These are the facts. Many people will spend huge amounts of money on fuel because their houses are not energy efficient. Those are the facts, regardless of whether the Minister of State wants to dispute them.

Another deciding factor is the deregulation of the energy market in Ireland. The ESB is an incredible company. It was a public utility but, in 2014, the Government, which is possessed by privatisation, deregulated the market. We now have a situation where prices have increased and the consequences of that can be seen. Coupled with that are carbon taxes, which have compounded the issues relating to energy efficiency. That is leading to serious difficulties.

If the price increase comes, which it will, most people will ask what policies the Government will introduce to try to mitigate that in terms of fuel poverty. Given that people die from hypothermia or fuel poverty, surely that is a very serious matter for the Government. If the Government *in situ* cannot address that, then that is a shame on it.

Deputy Paul Murphy: I thank everybody who contributed to the debate. I thank some of the Opposition groupings that said they would support the motion.

I want to respond to a variety of the arguments used by the Government. I will start with what was the elephant in the room in the context of the speeches of the two Ministers of State who spoke, namely, the question of data centres. They spoke about energy usage and price rises. They correctly spoke about the predominant international factors in respect of those, but they did not make a single mention of the role of data centres. This industry is now consuming 11% of our electricity. It will consume perhaps 30% of our electricity by 2030. Moody's predicted at the end of 2018, and again in 2019, that if we continue on this road, which we have done, energy prices would rise as a consequence.

We have an incredible situation whereby the Government is repeatedly unable to give a commitment to people in a developed economy that there will not be blackouts. It cannot give that commitment. It is pointing in the opposite direction of its own commitments in terms of climate. It is attempting to go down an upward escalator by increasing our energy usage dramatically through the expansion of data centres while at the same time trying to move to renewable energy. What is the response of the Government to all of this? It is to say that there is no way it can touch data centres. Not just that, it is to double down on data centre development. It will proceed with the idea of designating them as strategic infrastructure, which means they can bypass the regular planning process. All of that will be disastrous for the environment and households.

It is not too late. The vote on our Bill to ban data centres will take place later today. It is the Green Party which holds the balance of power on this issue. If it had voted with the Social Democrats and the Opposition on the Social Democrats' motion on a moratorium, the motion would have passed. If the Green Party votes with us to ban the development of future data centres, that measure will pass later today. Does the Green Party, which is in government with Fianna Fáil and Fine Gael, put the interests of the big tech corporations first or does it put the interests of ordinary people, which coincide with those of the environment, first?

12 o'clock

Unfortunately, everybody knows what the answer is going to be.

To get to the meat of the Government's argument, it is summed up in a particular paragraph from the speech of the Minister of State, Deputy Ossian Smyth, who stated:

It is important to recognise that these price increases are not Government or even regulatory decisions. This is because price regulation ended many years ago. Suppliers compete with each other on prices and set their own prices accordingly, as you would expect [in a competitive, commercial, liberalised market].

That is the point. The Government hails the private market and the Minister of State indicated that the Government's position is that a liberalised market will bring down prices. The truth is that this has not happened. The truth is that the opposite has happened. The evidence for that is international. Despite this, the Government, including the Green Party, looks at the private market and the fact that it is delivering unaffordable price increases for ordinary people and says there is nothing it can do. The Minister of State, Deputy English, was reduced to encouraging people to go consumer price comparison websites and telling them how much they can save. The Government, which has the legal power to regulate prices and put in place a maximum price at the stroke of a ministerial pen, is reduced to advertising a few consumer switching websites. That is what the Government is now reduced to in its hailing of the market and its bowing before everything the market does, regardless of the consequences.

I double down on the point that the evidence is clear prioritisation is a disaster for the environment, the prices people pay and for workers. I refer to the Australian experience because I did not get a chance to do so earlier. Professor John Quiggin examined 20 years of pro-privatisation reform in his report *Electricity Privatisation in Australia: A Record of Failure*. He was able to compare very similar states across Australia with privatised and non-privatised networks. Price rises were highest in states with privatised electricity networks. Customers' dissatisfaction jumped, with complaints to the energy ombudsman in privatised states leaping from 500 per annum to over 50,000. "... Resources [were] ... diverted away from operational functions to management and marketing ..." While reliability declined, promised increases to investment efficiency have not occurred and real labour productivity has reduced. I could go on. It is exactly the same story here. The big profits generated have not been reinvested in a shift to renewable energy. Instead, those companies are prepared to hike up the prices and make ordinary people pay at this point.

I will conclude by going back to the basic point. People will die this winter if the Government does not take action to shield them from the impact of energy price rises. That is a fact. The Government, in its countermotion, is proposing to take no action whatsoever. That is its choice. There are many available options available to the Government to do something about this, that is, to shield people from the impact of energy prices rises so people do not have to make the choice between heating their house and food. The first action is very simple, namely, the introduction of maximum price caps. Government has the power to do it. It could do it right now and give immediate relief. The second action would be to not increase the carbon tax. At the very least, the Government should not heap the extra price rises it is imposing onto energy in the next budget. The third action would be to increase the fuel allowance by the amount the extra energy is going to cost for people, and extend it so people are able to access it. Last of all, the Government could move away from this disastrous model of privatisation. If we want

to have a just, rapid, transition to a zero-carbon economy, we need public ownership and democratic planning in our energy sector.

Amendment put.

An Ceann Comhairle: A division has been called. In accordance with Standing Order 80(2), it is postponed until the weekly division time this evening.

Gnó na Dála - Business of Dáil

An Ceann Comhairle: Before proceeding to Leaders' Questions, I ask the House to join with me in offering our condolences to the Clerk of the Dáil, Peter Finnegan, whose father Billy passed away this morning. I know Members will wish to join me in offering our sympathies to Peter, to his mother Mary, brother John and sisters Marie and Clare. Ar dheis Dé go raibh a anam.

Ceisteanna ó Cheannairí - Leaders' Questions

Deputy Pádraig Mac Lochlainn: As the Minister for Housing, Local Government and Heritage is aware, thousands of families from the west of Ireland have had their lives torn asunder by the mica and pyrite scandal. Their homes are crumbling around them. This is a national disaster. It is an earthquake happening in slow motion. The trail of devastation winds its way through communities that share the sorrow and anger of their families, friends and neighbours. These communities range from my own in north County Donegal, down through counties Sligo, Mayo and on to Clare, Limerick and Tipperary. On Friday, the families and their supporters will again descend on Dublin to protest to get the Government to deliver 100% redress. They should not have to do this.

On June 15, the very day the families last protested in Dublin, this Dáil unanimously passed a motion instructing the Government to provide 100% redress. Four months ago, these families should have seen their nightmare finally brought to an end. It is a nightmare that has taken a heavy financial toll on them. There has been financial ruin, emotional breakdown and a real sense of abandonment by the State. Here we are in October, and the families are left with no other option but to again travel to the capital and shout as loudly as possible for the Government to hear them. Full 100% redress is the only just solution. It must cover the cost of demolition and rebuilding because that is the reality facing so many of our families. Their homes must be demolished because the blocks used in their construction are crumbling like Weetabix biscuits. In many cases, only demolition and rebuilding will ensure a safe home in many cases. The Government cannot walk away from this truth. Fine Gael and Fianna Fáil Deputies in the six affected counties see that truth. They all support 100% redress. Has the Minister spoken to them all? Have they told him what they have witnessed? Have they explained the condition of these houses and the misery of the families? If they have, and if he has listened, there is no way the full cost of demolition and rebuilding will be left out of redress. Last July, in a deeply moving video, *The Irish Times* interviewed five County Donegal families whose homes

are crumbling. I wish to read the words of Sally Ruddy, taken from that video, to the Minister. Sally said:

You think heartbreak. You think that it is something with a starting point and a finishing point. But this just drags on for years and years. There is no end and there is no end in sight ...

The Minister has it in his power to bring an end to the families' agony. He can tell them they do not need to come to Dublin as they will have 100% redress. He may not have all the details but surely he can give them that assurance. The families are not going away. They have risen above the trauma and have found their strength, and it is powerful. They have won the hearts and minds of the people because the people know what is right. Do not force them to come to Dublin again this Friday. Do the right thing. End their agony. Tell them they will have 100% redress.

Minister for Housing, Local Government and Heritage (Deputy Darragh O'Brien): I thank the Deputy for raising this really important issue, which I am acutely aware of and in respect of which I have been heavily engaged. Last year, one of the first trips I took as Minister was to County Donegal. The Deputy was in attendance and we met residents in Buncrana. I went visit to homeowners at the time. I have been to visit homeowners in County Clare. This is a scheme I inherited. It was put in place in January or February 2020 and the Government and I have committed to improving it.

I genuinely thank the homeowners and their representatives for their serious engagement and the time and effort they have given voluntarily to the working group process I established following the protests in the summer. They have engaged honestly although it has been difficult. My officials have engaged and I have also brought in the Housing Agency which will play a very important role in this. We are committed to enhancing the scheme and have made progress already. I assure Deputy Mac Lochlainn that I am not going to delay on it. I acknowledge the input to the process of my colleagues in government, both Deputies and Senators, and of Deputy Mac Lochlainn's party colleagues.

It is an absolute tragedy that people's homes are crumbling and we want to help to resolve that. When I met the group on 29 September, the day before the working group report was published, I said very clearly that the scheme that the previous Government instituted had not worked as intended, although many people gave that scheme a guarded welcome at the time. I said in Buncrana in August 2020 that all schemes evolve and change and I was committed to making sure that this happens. We have some work to do and are doing it right now. The working group report was published and I circulated it to Opposition spokespeople seeking their input. The next step is to work through options and bring proposals to the three party leaders and my Cabinet colleagues. The Government will make a decision in due course.

I respect the right of people to protest and have always done so. I gave an indicative timeline to the residents when I met them on 29 September and told them that my work would not be concluded by 8 October. In fairness, they realised and accepted that and we had a good and open discussion on it. I advise the House that we have made progress in some very significant areas already and it is important that this is recognised. Progress has been made on the issues of certification, people having recourse back to a scheme should work be done, planning exemptions and upfront costs.

Very significant changes have been proposed already and I have said that nothing, including the caps or 100% redress, is off the table. I need a Government decision on that. I will be bringing option papers to the Government in the coming days and then the Cabinet will make a decision. I will continue to engage with representatives from the affected counties on defective blocks. I have visited other counties which are also making submissions to my Department. Whatever changes we make are going to require underpinning by way of legislation because we cannot just keep changing this by way of regulation.

This is a very serious issue for thousands of families. I have met them and Deputy Mac Lochlainn represents them. I fully understand the stress and trauma they continue to go through. One of the first things I did when I became Minister was to visit Donegal to discuss the previous scheme with the residents. We are close to bringing forward significant enhancements which I have to work through. Obviously, the House, Deputy Mac Lochlainn, his party and others, including my Government colleagues, will be advised on that in the coming weeks.

Deputy Pádraig Mac Lochlainn: At the core of this is the principle that every citizen and family in this State is treated exactly the same. The Minister is very familiar with the pyrite resolution scheme under which over 2,000 families in Dublin and north Leinster rightly received 100% redress. They did nothing wrong but were failed by the absence of State regulation and oversight. Our families in Donegal, Mayo, Sligo, Clare, Limerick and Tipperary deserve exactly the same, namely, 100% redress. The Government must send out a clear message that all of our families, no matter where they live, did nothing wrong, were profoundly failed by this State and will be treated exactly the same and that the State will learn lessons from all of this. We will learn lessons and make sure that our laws are updated and this never happens again. The families will protest on Friday and I hope to God it is the last time they have to come to this city to protest and that they get the justice they deserve. I appeal to the Minister again for 100% redress for all of our citizens, no matter where they live.

Deputy Darragh O'Brien: Tuigim an fadhb. I intend to bring a memorandum to Government in the coming weeks. That memorandum will be underpinned by three core principles, namely, that the enhancements and changes we make are timely, reasonable and consistent. As a republican, I believe in equality and there is absolutely no question of that. I have had experience in my constituency of defective work involving pyrite and in-fill as well as other defects.

It is also important to mention that I have established a working group on apartment defects and fire safety defects, which are a serious problem. As Minister, I made a commitment to improve this scheme and I intend to bring enhancements forward. I look forward to any genuine input from other parties on that and will consider it as part of the overall submission that I bring to Cabinet in the coming weeks. I also hope that 8 October will be the last time the residents from affected counties feel the need to come to Dublin to protest. I welcomed them in the summer and have met them since then. I fully understand what they are going through and intend to improve the situation greatly for them.

Deputy Cian O'Callaghan: I have three specific questions for the Minister relating to people who are experiencing homelessness, the first of which is about safeguarding procedures. Recently it was reported that An Garda Síochána had detailed knowledge of credible allegations of sexual assault against vulnerable people experiencing homelessness. Despite having detailed knowledge of credible allegations since May, An Garda Síochána failed to pass on this information in a timely manner to Inner City Helping Homeless, ICHH, where the alleged perpetrator worked, thus placing vulnerable people at continued risk. Where there are credible

allegations, action must be taken to protect people who are vulnerable. In other jurisdictions the police inform relevant organisations of allegations if they are deemed to be credible so that measures can be taken to protect people who are at risk. Will the Government introduce legislation to require An Garda Síochána, when it has knowledge of credible allegations of sexual assault, to pass this information on to relevant organisations where alleged perpetrators are working or volunteering?

Second, the latest figures show that the number of children and families living in emergency accommodation is increasing. Two children are becoming homeless every day and more than 8,000 people are living in emergency accommodation. Focus Ireland has called for the introduction of annual targets for reducing homelessness. It issued this call yesterday when it reported that it had helped a record number of people at risk of entering homelessness last year. We know from the national development plan, NDP, that this Government does not like targets, budgets or deadlines. Will the Minister listen to Focus Ireland on this issue? Will he introduce annual targets for reducing homelessness and, if so, when will he publish them?

My final question is about standards in emergency accommodation funded by the State but run by private, for-profit companies. It is completely unacceptable that in emergency accommodation that is publicly funded but run to make a profit there are no checks to ensure staff are trained, properly Garda vetted and proper safeguarding procedures are in place. There have been allegations of bullying, dehumanising rules and a lack of Garda vetting of staff in some of these hostels. As the Minister is aware, there is currently a dual process in place whereby accommodation run by not-for-profit organisations is inspected to ensure compliance with national quality standards, while emergency accommodation run by companies and individuals for profit are not inspected to determine if they meet these standards. Will the Government apply the same standards, the national quality standards, to all providers of services for people who are experiencing homelessness? Will the Minister end the practice of lower and sub-minimum standards for private operators?

Deputy Darragh O'Brien: I thank Deputy O'Callaghan for his questions. Recent controversies involving a particular homelessness charity in Dublin have highlighted the importance of protecting vulnerable homeless people. We must keep that to the forefront of everything we do. I have previously raised concerns about the number of *ad hoc* groups of people who feel they may be doing good but who are not properly trained in the sector, including the charity mentioned by Deputy O'Callaghan. A Garda investigation is still ongoing into very serious allegations of sexual abuse of vulnerable people, which is abhorrent. We must make sure that standards, particularly around Garda vetting, are in place for all charities. The body the Deputy mentioned operated outside the scope of the main homeless services, which are provided by local authorities and voluntary NGOs. I chair the homeless task force in my Department with the main homeless NGOs, those which are fully accredited, have full charitable status and are very careful and considered in ensuring their staff go through the proper training and are properly vetted. Where there are gaps, that needs to be addressed very seriously.

Issues have also been raised around the role of the Charities Regulator. Let us be frank. There are charities in this space that crop up nearly overnight. They may be given charitable status but may not have qualified people working in the sector. That is something that concerns me. I have seen it while on outreach with other groups around this city. They feel they are doing good but in many instances are not properly trained to provide the outreach that other services provide. Most important, we want to make sure that people are given a permanent home to live in and that those who need emergency accommodation are provided with accom-

modation that is safe and has the wrap-around supports we need.

I have seen Focus Ireland's call for annual targets. I, on behalf of the Government, have committed, under the Lisbon declaration, to eradicating homelessness by 2030. Focus Ireland and many other organisations in this sector have welcomed that. We have seen a substantial year-on-year decrease in homelessness. Over the past two months, we have seen some slight increases and we need to watch that. I have convened a meeting of my task force tomorrow. If we take the peak of homelessness in July 2018, child and family homelessness had declined by about 50% since. Progress is being made, particularly on prevention of homelessness, because the Government provided unprecedented resources, €218 million in homeless service supports, last year. In the budget next week, we will continue to support homeless services. There is a big focus on the provision of permanent homes for people. That is what we have done in our Housing for All plan as well.

Deputy Cian O'Callaghan: I asked the Minister three specific questions. He did not answer any of them so I will put them to him again. Specifically, will the Government introduce legislation to require An Garda Síochána, when it has knowledge of credible allegations of sexual assault, to pass this information on to relevant organisations where alleged perpetrators are working or volunteering? I did not ask about Garda vetting in respect of that or anything else.

Will the Government introduce annual targets to reduce homelessness? The 2030 target is welcome but if there are not annual targets, how are we to know if we are making progress towards the 2030 target?

Will the Minister give a commitment that the national quality standards will be applied to all providers of emergency accommodation and that private, for-profit providers will no longer be exempted? I would be grateful if the Minister could actually answer those three questions.

Deputy Darragh O'Brien: On targets, I will assess what Focus Ireland is looking for. We have made a very significant step forward in committing to eradicating homelessness by 2030. That is significant and, in fairness to the Deputy, I think he recognises that.

In relation to private emergency accommodation, I am bringing forward new standards in coming weeks. These providers have operated under a type of standards in parallel with the national quality standards framework. New standards will be brought forward as well. The Deputy should recognise that the wrap-around services and supports in private emergency accommodation have greatly improved over the past 12 months. He has been told that directly in his interaction with those services and it needs to be acknowledged.

On Garda vetting of people who operate in emergency services, particularly around what An Garda Síochána does with complaints it receives, as housing Minister, I will not stretch into what An Garda Síochána does. However, we need to look very seriously at what happened in the recent controversies with the individual in question in Inner City Helping Homeless, learn lessons from that and listen to what people were saying at the time. That applies to all parties and housing spokespersons.

We will shortly bring forward the revised standards. I intend to do so in this session. I know the Deputy has an interest in this matter. We will get to discuss the standards in the joint committee and the House.

Deputy Cathal Berry: Like many Deputies, I drove to Leinster House this morning. I

drove from Portarlinton through Monasterevin and Rathangan and on to Newbridge. It is great to see building sites back open again, machinery moving very early in the morning, people moving with purpose, laying blocks and building high-quality housing to a high environmental standard. I pushed on to Tougher Service Station in Naas, which the Ceann Comhairle will know. There was a queue out the door looking for breakfast rolls. It is great to see the construction industry back up and running. I fully accept that we are at a very early stage in tackling this crisis but at least the direction of travel is good and some progress is being made.

Notwithstanding the progress being made, I have two concerns, the first of which relates to affordability. I am a believer in home ownership or at least the option of home ownership, as are most Deputies. People should be able to get a mortgage from a bank or financial institution, pay it off over 20 or 25 years and become mortgage-free in their 50s. They can then live safely for the rest of their lives and hand over their homes to the next generation. That is a good model to adopt. My concern is that the houses I passed this morning are unaffordable for many people, including soldiers, gardaí, nurses, teachers and people working in the private sector. I am familiar with the Minister's Housing for All strategy. I have been through it. It lists various principles and mechanisms but a lot of granular detail is missing. I ask the Minister to elaborate on some of the affordable housing schemes he has planned and how they will work on the ground.

My second concern is related to housing mix, which is a good thing. We should not have some housing estates for the rich and others for the poor. I am completely against any bulk purchasing of housing estates or large accommodation, particularly by vulture funds. However, I am not in favour of local authorities or approved housing bodies buying up 100% of estates either. That is not a good way to do business and is storing up problems for the future. I do not believe in concentrating a particular type of housing in a particular area. There should be a mix. I am being contacted by many constituents who want to buy a private house but cannot do so because there are so few available. When an estate is coming on stream within, say, three months, people are finding that the local authority has purchased the entire estate and they cannot buy a house.

Those are my two concerns, which relate to affordability and housing mix, respectively. I welcome that a floor of 20% social and affordable housing has been set for housing estates. That is a good thing but should there also be a ceiling? There is a minimum threshold but should there be a maximum threshold? Should we be looking for the elusive housing mix? That would be a good way to go.

Deputy Darragh O'Brien: I reiterate that, like the Deputy, I believe in home ownership and having it as an option for our young people and not-so-young people who are working and feel they have been forgotten about in recent years. That is why Housing for All is very important. It is the first time a Government has brought forward a multi-annual housing plan that is fully funded to the tune of over €20 billion. Of that, more than €4 billion is for affordability measures. That is real money to be able to deliver real homes for real people. More important, Housing for All is underpinned by legislation which Deputy Berry and most though not all Deputies supported, namely, the Affordable Housing Act. That Act gives real options to deliver affordable purchase for people, to be led by local authorities across the country, and to get the Land Development Agency involved and delivering affordable and social homes.

On mix, we have ensured, through the Land Development Agency Act, which the Deputy and most though not all Members of the House supported, which is fine, that 100% of lands in areas with more acute affordability issues, such as Cork and Dublin, will be used for affordable

and social housing. The minimum threshold will be 50%. That is very significant. We want to give people choice and get affordable homes built, as we are targeting to do from 2022 onwards through Housing for all, which will deliver 6,000 affordable homes and 2,000 affordable cost-rental homes. We want to give options for working people, which we need to do.

The Deputy mentioned Part V provision. We have changed that already, increasing it from 10% in new developments to 20%. That additional 10% affordability measure is now in place. Underpinning all that, there must be an increase in supply. Thankfully, the anecdotal evidence we are receiving is that housing commencements are increasing and the projections for next year are good. Part of that is due to the Government's plan, Housing for All, because it gives certainty to the sector and our people that the State is making the single biggest intervention in housing in its history, fully funded right to 2026. I have not seen any alternatives that go nearly as far as what we have done. I am acutely aware that now it is about delivery.

In relation to mixed tenure, I agree with the Deputy completely. Through measures that we have brought in, we have banned bulk buying and I am bringing forward legislation with regard to a homeowner's guarantee. This will be brought forward in the coming months, particularly for first-time buyers.

In the targets set, I do not want local authorities buying whole housing estates. In fairness, most of them are no longer doing that. In our housing targets we will set an acquisition target of 200 per year from next year with our local authorities. As a result of the measures we introduced in the Affordable Housing Act, which are underpinned by Housing For All, we will be able to have mixed tenure developments with affordable and social housing. To have mixed tenure and ensure there is choice for people, we need to increase our social house building and allow choice for those who wish to buy too.

Deputy Cathal Berry: The Land Development Agency has a number of land banks under its control, some of which are former military installations and barracks. Some 25 years ago, mostly in 1998, soldiers and their families were evicted at short notice and the land banks handed over to the State. The land is now in the custody of the Land Development Agency. If the agency develops these sites, which include Devoy Barracks in Naas, what are the Minister's thoughts on prioritising military families who are on the social housing lists in light of the historical connection to these land banks and sites?

Deputy Darragh O'Brien: I thank the Deputy. I will deal specifically with the Land Development Agency and former Defence Forces lands. Following on from my last reply, we have set a target of completing 10,000 new social housing builds per annum on average over the term of the plan. This in itself will make significant inroads into the social housing waiting list, which includes many former and, in some cases, current members of the Defence Forces. With regard to how the Land Development Agency will operate developments of former Defence Forces sites, I will certainly discuss the point raised by Deputy Berry with the LDA.

Underpinning this, we need to be aware that the scheme of priorities for social housing does not allow for priority to be given based on a person's occupation. Increasing dramatically the number of new social home builds will positively impact all of those who are on the social housing list. I am happy to take back the Deputy's suggestion with regard to how we may look at former Army and Defence Forces lands that are being redeveloped.

Deputy Richard O'Donoghue: The Minister is aware that I have a background in con-

struction and know what I am talking about when it comes to construction. I acknowledge the report of the mica working group and the urgency of getting 100% redress in a speedy fashion for the families affected in Mayo, Donegal and other counties, including Limerick. I have cases in Limerick dating from the late 1980s to 2006. All of the block materials used in the houses in question came from outside County Limerick, not from quarries in Limerick.

I will address a separate issue related to pyrite. I recently read the *Surveyors Journal*, which provides an update on industry news and is published by the SCSI. I have a copy with me. It states:

Once the problem is confirmed to be pyrite, a solicitor should be consulted to review the various contracts, guarantees or warranties and insurances in place, and to establish whether legal action should be taken to recover costs for the work from a third party. To date the courts have generally found that liability rests with the quarry owner.

Has the Government tried to get compensation for homeowners from wherever the blocks originated? What about the manufacturers' insurance, for example, loss of business or business interruption insurance? What about the banks' part in this? They assess risk and charge accordingly. They got this one wrong. To give the people 100% redress the Minister must go after the insurance of the quarries and banks. Insurance companies charge every householder big insurance premiums to insure their houses. If the Minister gives 100% redress, will he give a guarantee that he will go after the banks that taxpayers bailed out? It is time they paid us back.

HomeBond, in a report, has taken the view that it is not legally obliged to provide compensation and that liability for major defects only applies when a defect is the result of negligence on the part of a third party or a builder, or their subcontractors. Following previous court rulings, HomeBond has said that the quarries are liable under the Liability for Defective Products Act 1991. This is the shocking part. That statement was printed in 2012 when we had a Fine Gael-led Government. The then Minister with responsibility for housing, Deputy Alan Kelly, who is present, gives out to the Government all the time, yet he did nothing about it at the time. In 2012, the Deputy, as part of a Fine Gael-led Government, sat on their hands and did nothing about it but he can sit on the Opposition side.

Deputy Alan Kelly: The Deputy has the wrong Minister and the wrong timeline.

Deputy Richard O'Donoghue: I have full confidence in the Minister, Deputy Darragh O'Brien, to sort out a problem handed to him by Fine Gael and the Labour Party.

Deputy Darragh O'Brien: I thank Deputy O'Donoghue for his questions. As I have said previously, those who are responsible should contribute towards remediation. I have engaged intensively with the Attorney General on this matter and he is working on mechanisms to ensure wrongdoing and liability on the part of quarries and other parties are fully penalised.

I recognise the report from 2012 because I was heavily involved in the pyrite scheme. There was provision in the original Act for payments to be made into the scheme. I believe HomeBond made a payment of €2 million - that was it - under the previous scheme. With Government colleagues, I intend to engage with stakeholders on this and pursue and identify those who have been found to have been responsible for this. The Government is stepping in because, as I have said previously, we have a moral responsibility. Legally, however, there are others who are responsible.

We must also look at the Statute of Limitations. This was something from the original expert report that goes back to previous times. I produced legislation at the time in the Seanad that addressed when the Statute of Limitations would start. We are doing a bit of work on that too. The Statute of Limitations would only kick in on the date on which a person receives independent verification of a defect to his or her home as opposed to when someone, who would not be an expert, believes there may be a problem.

The Deputy is correct that there are things we can do. We have also engaged a senior engineer, Mr. Ford, to issue a report on the scheme. Included in this is identifying and pursuing wrongdoing in this area. We must learn the lessons of the past with regard to standards. Where there are any revisions or changes needed to standards and process, I will bring them forward. Provision was made for a levy in the 2012 Act but a levy was never introduced, for whatever reason.

I am looking at all options but those options will not change what I plan to do with the scheme. We must pursue this, and I have said that to homeowners also who were very anxious that those who are responsible are pursued. I intend to do that as best I can legally, on behalf of the State. I will keep the Deputy informed of progress.

Deputy Richard O'Donoghue: The Minister is welcome to Limerick to see the houses we have issues with. I have a question that might help the Minister going forward. Have the quarries found to have had pyrite in their blocks stopped making blocks? If so, how long ago did they stop? This report was done in 2012 so the quarries knew there was an issue at that time. Have those quarries been making blocks since then? Have they added to the problem, in which case they would be liable? Going forward, people who have pyrite in their houses cannot be liable for excessive insurance policies on their houses. We must make sure that this does not happen. When the 100% redress comes, building regulations are there for a reason. If a person has an insurance claim on his or her house today, that house must be returned to the regulation of today, not the regulation of 20 or 30 years ago. The building standards state that a house must be returned to the existing regulations which stand now.

Deputy Darragh O'Brien: There are issues around insurance, certainly, and there are issues around certification. When work is done, it should be certified that it is carried out to a standard whereby a person can claim and get insurance again. That was not actually allowed for in the original scheme that was brought forward. We have made progress that space. I intend to bring that forward as one of my recommendations. That is why I told Deputy Mac Lochlainn earlier that I also intend one of my proposals to be to allow recourse to the scheme a second time, should that be required.

Thankfully, I have seen that in instances where pyrite is in the infill, we have not had to have work redone in that space. I have, however, also met residents that unfortunately have only seen problems occur at homes in counties Clare and Dublin 30 years after the homes had been built

Deputy Richard O'Donoghue: And Limerick.

Deputy Darragh O'Brien: And Limerick, indeed, which I will also be visiting. I will let the Deputy know when we have a submission there. There is, therefore, much work to do in this space. We have done a lot of work there too. Once the revised scheme is published, however, there will also be more works around standards and how we can help people as best we can. Re-

course is really important. Those who are responsible should, in my view, be held accountable.

An Ceann Comhairle: That concludes Leaders' Questions for today. We move straight away to Questions on Promised Legislation.

Ceisteanna ar Reachtaíocht a Gealladh - Questions on Promised Legislation

Deputy Louise O'Reilly: Outside this building shortly, thousands of women and their partners will be protesting the failure to resolve the harmful maternity hospital restrictions. We are now almost 20 months into the pandemic yet women are labouring alone and seeing their partners leave after a mere hour spent with their newborn child.

The demand of the campaigners is to return to pre-Covid circumstances for one essential partner. This is in no way unworkable. The fact is that the HSE and the Minister for Health have not pursued this as an objective; they have merely paid lip service to it. The reality is that it is within the Minister's gift to set this as a destination and to make sure that the objective is to return to the pre-Covid restrictions. He has not done so to date. Will he do so? Will the Minister for Housing, Local Government and Heritage ask him to do so, and join with the women and their partners who are outside? They should not have to be there.

Deputy Darragh O'Brien: I have met many of the women to whom the Deputy refers. I reject, though, that the Minister for Health has only paid lip service to this. We do not have to play politics with every issue.

Deputy Louise O'Reilly: That is not what this is about.

Deputy Darragh O'Brien: The Government has said publicly that we believe maternity hospitals should have open access, as much as possible, for partners. I ask maternity hospitals again today to facilitate that access. The Minister, Deputy Donnelly, has done so and the Taoiseach has said it. Let us, therefore, be honest with people first.

Deputy Louise O'Reilly: Who is in charge here?

An Ceann Comhairle: The Minister without interruption, please.

Deputy Darragh O'Brien: Decisions have been reviewed at hospital level and by clinicians also. The Deputy, as a former spokesperson on health, may have an understanding of that also.

Deputy Peadar Tóibín: The Minister cannot have it both ways.

Deputy Darragh O'Brien: We want to ensure-----

Deputy Peadar Tóibín: He cannot say he supports it and then say something different.

An Ceann Comhairle: The Minister without interruption.

Deputy Darragh O'Brien: I am just answering the Deputy's question if that is okay. It is an important question and it is a very important issue that she has raised.

An Ceann Comhairle: The Minister's time is up.

Deputy Darragh O'Brien: I will bring back the Deputy's views. I know women are there today, and I fully understand what they are asking for and what they should have. They should have access for their partners to the maternity hospital. The Minister, Deputy Donnelly, has made that clear too. I very much take on board the issue the Deputy has raised, however.

Deputy Alan Kelly: I am going to give the Minister another go at this question. As the Minister will be aware, the march for maternity is being led by Linda Kelly, who is somebody I know really well. It is desperate that they have to do this. I have been raising this issue. I think I was first to raise it well over a year ago when a good friend told me about how she got very bad news on her own and then had to drive home from the hospital. That hospital still has not pushed back all the restrictions.

I have a very simple question for the Minister. I am not saying this for political reasons but who is in charge? How can it be that these restrictions are not unilaterally lifted, and that in some locations, they are still in place? It is barbaric. The Minister for Health must ensure that these restrictions are lifted. The date of 22 October is literally not acceptable.

An Ceann Comhairle: I thank the Deputy; the point is made.

Deputy Alan Kelly: It never was but it is not acceptable to the point of being ridiculous.

Deputy Darragh O'Brien: I assure Deputy Kelly that the Government understands this. It is a very serious issue for women and their partners. The latest guidance was published on 3 September with an implementation date of 13 September, and that clearly sets out the controls and access for partners as well. I know the Minister for Health appeared before the Joint Committee on Health this morning to deal with other matters. I will certainly raise this matter directly with him.

The Deputy will also know that clinicians at a local hospital level will make decisions they believe is appropriate for them, many of which, I will be honest, I do not agree with. I have met with and listened to women who have been in this situation of having partners waiting in cars for hours and coming in for a half an hour or an hour. That is not something that I think is right. It is not right and no one can stand over that. I again ask those hospitals that have restrictions in place now to remove them and allow unfettered access.

Deputy Alan Kelly: Can the Minister only ask?

Deputy Holly Cairns: On the same issue, as we speak, people are gathering outside for the march for maternity to call for an end to restrictions on partners attending maternity services. This has been a consistent call from families for more than a year now. Women are separated from the partners for much of their labour, visiting hours are still severely curtailed and partners are still banned from attending antenatal scans. How much of this a person is subjected to is still a complete geographical lottery.

The situation is now growing so farcical that from 22 October, a person will be able to attend a nightclub but partners will still be told to wait in the car park when they arrive at a maternity hospital for the birth of their child. What is the Government's response to the many woman outside the Dáil right now and the many protesting remotely, some of whom are doing so from maternity hospitals? They are saying that the Government urging hospitals to do something

simply is not good enough and obviously is not working. The question, therefore, still remains - who is in charge and what is the Government going to do about this?

Deputy Darragh O'Brien: I have answered the two previous Deputies and it is an important-----

Deputy Holly Cairns: The Minister has not actually answered the questions, though. What is he going to do about it? Who is in charge?

Deputy Darragh O'Brien: The Deputy might let me answer this one. It is a very serious and emotive issue on what is for many families a very special day. We must also recognise the fact that we are still living with Covid-19 in the community right now.

Deputy Holly Cairns: People can go to nightclubs on 22 October.

An Ceann Comhairle: The Minister, please, without interruption.

Deputy Darragh O'Brien: I am not talking about nightclubs. I am talking about hospitals and maternity hospitals.

Deputy Niall Collins: There is a big difference between a nightclub and a delivery ward.

Deputy Darragh O'Brien: I have been very clear in what I have said today. The Government has issued guidance on it. The HSE is committed to keeping any restrictions that are in place under review. Let us be straight with people as well. Covid-19 is still in the community. People are still being hospitalised with Covid. We have to manage those who are vaccinated, and, perhaps, also those who have symptoms and assess how that can be managed. I think most of us through the pandemic - not all, but most - have respected and taken on board clinicians' advice.

An Ceann Comhairle: I thank the Minister; his time is up.

Deputy Darragh O'Brien: In this instance, though, I have been very clear on what I have said on maternity hospitals. Where hospitals can allow unfettered access, they should. The Minister for Health has also been very clear on that.

Ceann Comhairle: The Minister's time is up. I call Deputy Boyd Barrett.

Deputy Richard Boyd Barrett: This morning, in response to the People Before Profit motion seeking a deferral on carbon taxes to prevent further winter deaths and fuel poverty, the Government reiterated its promise or commitment to continue with increases in the carbon tax.

Can the Minister explain how the Government can morally justify how the Taoiseach, the Minister for Finance and the Government have spent weeks now trying to minimise efforts to make Facebook, Google and Amazon, which are some of the wealthiest corporations in the world, pay a little bit more tax. The Government tries to stop, resist and frustrate that, but, at the same time, it defends imposing further carbon taxes on the old, poor and vulnerable when this may actually result in winter deaths, fuel poverty and incredible hardship after all the energy price hikes.

An Ceann Comhairle: I thank Deputy Boyd Barrett; his time is up.

Deputy Richard Boyd Barrett: How does the Government justify those extraordinary

double standards?

Deputy Darragh O'Brien: In any measures the Government takes to tackle climate change, and where carbon taxes are required, we need to ensure and have ensured that we also tackle fuel poverty in that space. This has been debated last night and today and will be voted on by the Dáil later this evening. The Government has outlined its position, which is a realistic one.

Deputy Richard Boyd Barrett: The Minister has not answered that.

Deputy Darragh O'Brien: We will ensure measures we bring in to protect against fuel poverty for the most vulnerable will guard against any of those increases due to carbon tax increases. We also have to be real about climate change. It is happening and we need to change behaviour, the Deputy knows that.

Deputy Richard Boyd Barrett: Stop the data centres.

Deputy Peadar Tóibín: I will shortly introduce a maternity care Bill, which will deal with the crisis in the maternity sector. First, I will raise the issue in Navan hospital. Its emergency department is set to be closed by this Government and the HSE. Over the past 20 months, the frontline of Covid has been emergency service beds and ICUs. The Minister has even mentioned the reason we cannot have normal rules in maternity hospitals is the continued threat from Covid. The Minister for Health talked yesterday about extending the most draconian restrictions in Europe, because of the threat of Covid. Yet, this Government seeks to close ICU and accident and emergency beds in Navan now. One could not make it up. On one hand the Minister is saying there is a crisis, which has led to the deaths of 5,200 and, on the other, the Government is now looking to close the frontline of those services. There will be 10,000 marching on the streets of Meath this month.

An Ceann Comhairle: The Deputy's time is up.

Deputy Peadar Tóibín: Will the Minister commit to protecting the services in Navan hospital?

Deputy Darragh O'Brien: I will certainly take up the matter directly with the Minister for Health and relay the Deputy's comments-----

Deputy Peadar Tóibín: This is an important point of information. I never do this, but-----

An Ceann Comhairle: The Deputy should not do it now either and should resume his seat.

Deputy Peadar Tóibín: I have been told by at least five Ministers they will get back to me-----

An Ceann Comhairle: We are not having this. I ask the Deputy to resume his seat.

Deputy Peadar Tóibín: Ministers never get back to me on any questions I have asked from this side of the Dáil. The Tánaiste said the Minister, Deputy Donnelly, would get back to me on this question just last week and nobody ever comes back. It is purely for theatre and the frustration-----

Deputy Darragh O'Brien: I ask Deputy Tóibín to relax.

An Ceann Comhairle: The Deputy is out of order.

Deputy Peadar Tóibín: It is out of order for a Minister to say people will come back, when they never do.

Deputy Darragh O'Brien: Just to be helpful-----

An Ceann Comhairle: The Minister should not be helpful-----

Deputy Peadar Tóibín: They never come back.

An Ceann Comhairle: I wish Members would learn to read the clock. So many of them seem to be horologically challenged.

Deputy Mattie McGrath: The fanfare and dust has settled in Páirc Uí Chaoimh after the re-hash of the NDP. The Government picked a suitable venue to kick the ball around the place and kick it over and back between different parties and party leaders. The people of Tipperary Town are extremely disappointed. Jobs4Tipp, March4Tipp, County Tipperary Chamber and Councillor Anne Marie Ryan, and many others, are devastated the bypass for Tipperary town, on which the Taoiseach glibly answered me here last week, was ignored completely. There was no mention of it. We have to have the bypass of Tipperary town, based on the footprint of the new M24 from Limerick to Waterford, on which huge work has been done. It is almost shovel ready. The design stage is under way. One cannot live in the town. The Minister, Deputy Ryan, and the Taoiseach know that. We must get a mention of that. We cannot have the ball just be kicked around the can kicked down the road. Stay away from Páirc Uí Chaoimh, because it is sometimes not a good place for Dublin either. People have to get some certainty.

Deputy Darragh O'Brien: As Deputy McGrath will know, the NDP commits Government to an overall investment of €165 billion in infrastructure, throughout the country, which is unprecedented. I will raise the matter of the Tipperary town bypass, on the Deputy's behalf. This is the first time we have an NDP here that is fully funded. It is now about delivery of these projects, to which Government is really committed. I will raise the project the Deputy mentioned with the Taoiseach and the Minister for Transport.

Deputy Thomas Pringle: The Minister will probably be glad to hear I will not be raising mica today. I raised it yesterday during Leaders' Questions.

Deputy Darragh O'Brien: I heard.

Deputy Thomas Pringle: I will ask about respite care in County Donegal. On 25 May, I asked the Minister, Deputy Ryan, the same question on the Order of Business. He told me he would refer to the relevant Minister for response and, as usual, we have no response. I have heard nothing since. Is it a case there is no relevant Minister or that the Minister is not relevant? Either way, the issue is still an ongoing problem throughout Donegal. That day, I asked specifically about the restoration of a seven-day service, by operators Rehab, to Seaview House in Mountcharles. With regard to Riverwalk House in Carndonagh, people have contacted me who have not had respite in three years. This inadequate provision is compounded by other factors such as the lack of available supervision for ancillary services and families being refused the July provision. The knock-on, detrimental effects on the well-being and mental health of families is huge. I see it first hand in my offices every day. Will the Government please make adequate provision for respite care or at least provide straight answers to our questions?

Deputy Darragh O'Brien: I am sorry the Deputy feels previous questions he has asked on

respite care in Donegal have not been adequately answered. I will take his word on that and commit to talking to the Minister, Deputy Donnelly, and his officials today to make sure the Deputy receives a comprehensive answer on respite care. The Government has made significant strides in the past 12 months on the provision of respite care and additional resources. That has, obviously, been hampered by Covid as well, but I will ensure the Deputy gets a comprehensive answer on the questions he asked. At least, he will be aware of what information is in that space. I will do that today.

Deputy Neasa Hourigan: Approximately one in 20 people in Ireland lives with diabetes. Despite this, we do not have a good handle on clinical outcomes or prevalence rates at a geographical level. This means we cannot provide the appropriate services where they are needed. University Hospital Limerick is one of the few model 4 hospitals that does not offer a DAFNE course for managing type 1 diabetes. Without this training, patients run the risk of developing life-altering complications. This is a terrible outcome for the patient and much more expensive for the State to manage in the long run. I am aware work on the national diabetes register was paused due to Covid and there is no timeline for when that work will be restarted. When might we expect a timeline to be published for the resumption of work on the national diabetes register?

Deputy Darragh O'Brien: I thank the Deputy for her question on diabetes care. I have visited a centre in Santry that is providing significant new treatments for diabetes and treating people with difficult health issues and having a really positive effect. The community-based treatments needed for managing chronic diseases are clearly highlighted in Sláintecare, as to how that roll-out happens. As best as possible, we need to see an expedited delivery of that for diabetes and others, which are prevalent throughout the country. That is something the Government is committed to doing in this space, in particular. We have seen some advances, especially in diabetes care, in the past few years, on which we intend to build.

Deputy Jennifer Murnane O'Connor: I raise the confusion arising from Revenue sending letters to homeowners about the changes to the local property tax, including the need to reassess their homes. I know homeowners have to value their properties in order for Revenue to set a new rate for the next four years, but they are being sent to *revenue.ie*, where a residential property price register is available. It is not working. There is huge confusion. Many people have come into my offices. There is confusion over the prices and confusion if one has a standalone home. To make it worse, there is only one helpline from Monday to Friday, for older people who do not go online to use the services. There is huge confusion here. Can we get the communication sorted? The last time local property tax forms were given out, there was a barcode at the bottom of it and one went into the Post Office and could pay whatever one could off it or pay in full. There is no barcode on it this time. I rang the helpline and they have been very kind and good to people. One can pay in the Post Office. None of this is on the form. Can we please get better communication?

Deputy Darragh O'Brien: What Revenue is involved in concerns legislation we passed before the recess on the review of the local property tax. One of the reasons for that is to ensure all those properties built since it was brought in are brought into the net, to fund local government. I know the Deputy supports that, in particular. Now is the revaluation period, when we ask people to submit what they believe is a true valuation of their property, within bands. We have widened the bands and decreased the rate. Most people will not see any increase in their local property tax, which funds local government to the tune of more than half a billion euro per year, which is very important. If anyone has any issues with the tracker online, which I have

checked, I will raise the matter with the Department of Finance.

Deputy Thomas Gould: In the national development plan, there was a section hailing the delivery of a new special school in Carrigaline in County Cork. The reality is the special school is not accessible for most of the children, because, 25 of the 32 children do not have school transport in place. Parents are very upset. Some parents are taking time off work.

1 o'clock

Most people cannot take time off work. Most of them are unable to bring these children to school because they have other children attending school nearer to where they are living. The education and training board, ETB, and Bus Éireann are picking up the pieces of Government's failed overpromising and underdelivering. Can the Minister commit to restoring insurance transport for some of the most vulnerable children in society? School started back six weeks ago and these kids need to get back to school.

Deputy Darragh O'Brien: I will raise the matter with the Minister for Education.

Deputy Colm Burke: In the area of social protection, the programme for Government commits to recognising the importance of ancillary benefits and eligibility criteria to vulnerable groups, while noting that we all have a stake in a strong social protection system. It also commits to improving and changing disability services through better implementation and collaboration. However, we currently have an anomaly in our social protection system. Disability allowance is means-tested. The payment of a mortgage by a person who is on disability payment is not taken into account. If this person lets out rooms in his or her house, that is treated as income. I have a case where a person is paying a mortgage of €1,000 a month but is only allowed to have €160 deducted from the rent that is coming in. That person, who has multiple sclerosis, therefore is only getting a disability allowance of €50 per week. This is the wrong way of dealing with it. The regulation is wrong and it needs to be amended.

Deputy Darragh O'Brien: I thank Deputy Colm Burke for his question. It is a timely one as we are coming into budget week. Post budget, we will have a social welfare Bill. I suggest that we could then raise these matters directly with the Minister for Social Protection to see whether any changes can be made to deal with them.

Deputy Mairéad Farrell: Galway city has been plagued with vacant sites and vacant homes for the last number of years. Just last week, I walked through Galway city centre and took a look at the number of vacant homes. At the same time, thousands of people are on the housing waiting list, thousands of people are paying huge rents and thousands of people are locked out of homeownership. Just this week, we saw the launch of the national development plan. One of its themes is about moving people and seeing populations grow in cities outside of Dublin and in rural areas. However, it has very little on specifics regarding infrastructure, be they roads, the western rail corridor or whatever. On the issue of vacant homes specifically, we cannot continue in Galway city to see these vacant homes and vacant sites lying idle, while so many people are locked out of secure accommodation. Can the Minister commit to stop this?

Deputy Darragh O'Brien: It is a fair question. There is an issue with vacancy right across the country. One of the pathways in the Housing for All programme deals with vacancy. We will be providing significant funding to our local authorities to deal with vacancy through the Croí Cónaithe cities and towns funds, as well as through a new compulsory purchase order, CPO, programme. We will manage that through the Housing Agency, that is, to compulsorily

purchase some of those vacant properties to get them back into use for first-time buyers. In addition, we will increase and expand the repair and leasing scheme, which I have already brought forward and is now in place. We have a detailed plan with regard to vacancy, backed by real finance, in Housing for All. That will apply to every city, town and village right across the country. There is no question but that current, existing stock that is not in use can be put to productive use. I intend to do that.

Deputy Pádraig O’Sullivan: While this is not necessarily the Minister’s area of expertise, I would like to talk to him about special education and of the case of Calum Geary, whose father, Andrew Geary, I met last week. The Minister might have seen them pour their hearts out to the nation a couple of months ago on “The Late Late Show”. Calum is profoundly deaf and has no access to an Irish Sign Language teacher or interpreter in class, as is his constitutional right. I ask the Minister what the Government will do to ensure the full implementation of the Irish Sign Language Act, and provide for the education and constitutional rights of these children?

Deputy Darragh O’Brien: I thank the Deputy for raising the case of Calum Geary himself, who is an example of many others in this position. Our own party and this Government have always prioritised special education, making sure that children who need assistance and help from the State to reach their potential will get it. We need to make sure that is done for Calum specifically. As for the Irish Sign Language Act, the provisions within it and when it is being rolled out and effected, I will take that matter up directly with the Minister for Education. If I can give the Deputy any assistance as he continues to advocate for Calum and his family, I certainly will.

Deputy Alan Dillon: I want to raise the serious issues and challenges raising farmers’ livelihoods and that of the agricultural sector. Irish farmers are facing some key challenges around the climate action Bill, CAP reform and eco-schemes, as well as in respect of Government supports for the agricultural sector. It is critical that the Government increases funding to deliver proper supports to our most vulnerable livestock, sheep and tillage sectors. I come from a rural constituency where suckler and sheep farming is of an enormous importance to our rural economy. Farmers need targeted payments of €300 per suckler cow and €30 per ewe. I ask the Minister that he relays this message back to the Minister, Deputy McConalogue, as well as to his Cabinet colleagues. We need to protect farmers’ incomes and the rural economy into the future, on the back of some serious reform.

Deputy Darragh O’Brien: The rural economy and agriculture remain, and will continue to be, an important part of our economy. More importantly, they will remain important parts of rural Ireland. I will raise directly with the Minister the matters Deputy Dillon has raised regarding farm incomes, how these will be struck with regard to a new CAP deal and the flexibilities that will be allowed around alternatives to supplement farming income. The Government will seriously look at these. I will raise the points that the Deputy has brought up here directly with the Minister, Deputy McConalogue. I will ask him to respond to the Deputy.

Deputy Martin Kenny: In the programme for Government there is a clear commitment to integrity, high standards and transparency. In recent days, we learned that the Attorney General has been doing private work while at the same time working for the Government. That was going on for almost 18 months after his appointment. I suggest that in the interests of that commitment to integrity in the programme for Government, some regulation needs to be put in place. There should be, at a minimum, a time limit as to when the Attorney General would dispose of private work of that nature-----

An Ceann Comhairle: There should not be any inference in what the Deputy is saying-----

Deputy Martin Kenny: There is certainly no inference.

An Ceann Comhairle: -----that questions the integrity of the Attorney General.

Deputy Martin Kenny: I am speaking about the Government's integrity, regarding how it deals with this matter and such matters.

An Ceann Comhairle: All right.

Deputy Martin Kenny: In the interest of transparency, it would be useful were the Government to publish and make clear what work the Attorney General was undertaking during that time, in order that there is no inference from any side as to the integrity of the Attorney General or, indeed, of the office he holds.

Deputy Darragh O'Brien: The irony is not lost on me that the Member opposite from Sinn Féin is raising the issue of transparency and integrity with us. Leaving that aside, the role of the Attorney General is to advise Government in matters of law and legal opinion. He is exceptionally hard-working, as the Deputy knows. He serves the Government extremely well. The Deputy will be aware that this is second time the Attorney General has served in this particular role. The matters the Deputy has raised have been dealt with quite clearly. They have been raised in this House and they have been dealt with publicly.

Deputy Marc MacSharry: Taoiseach - my apologies - that was a Freudian slip. The question was for the Taoiseach and the Minister looks comfortable in the role.

To follow on from previous Members, page 85 of the programme for Government refers to the reform of the judicial process and courts, while page 120 refers to transparency and enhancing democracy. I ask the Minister to raise a matter with the Taoiseach for report to the House. Given the role of the Attorney General in the Judicial Appointments Advisory Board, in the appointment of judges and in the promotion of judges to higher courts, can the Minister advise the House whether, in the course of the Attorney General's concluding of his private work of which we have been informed in the media, any judges before whom the Attorney General appeared in his private capacity since his appointment have since been promoted to a higher court? Could he inform the House of that?

An Ceann Comhairle: I am decidedly uncomfortable with this line of questioning. I call on the Minister to briefly respond.

Deputy Darragh O'Brien: I advise the Deputy that in relation to judicial appointments themselves, the judicial appointments commission Bill will be published in this session. We intend to do that in this session. That can be debated fully at that stage. We are committed to reforming-----

Deputy Marc MacSharry: Will the Minister get the answer to the question? It is very specific.

Deputy Darragh O'Brien: The comments made by the Deputy are on the record of the House. We will certainly make sure the Department of the Taoiseach receives a copy of them.

Deputy Marc MacSharry: Will the House be informed of the response?

Deputy Michael McNamara: The exponential rise in the use of data has led to an exponential rise in the number of data centres. Some people think data is stored in clouds but it is not. It is always stored in centres. The solution proposed by some is to transfer the data to another country that may use even more energy to store it. The Government's response to this is "Problem; what problem?". There is a problem. All of these data giants are headquartered in Ireland. Does that not give Ireland a unique opportunity, if not a responsibility, to consider how the growing need for data can be addressed and met? Will the Government meet with environmental groups and the data giants - these huge companies - in order to identify how this issue might be addressed? Moving the problem to another country is not going to solve it as long as all of us use more data every day.

Deputy Darragh O'Brien: The Deputy has raised a fair point. Some people are of the view that we should ban data centres from the country and not allow any more to be built. However, we have to work with them to ensure that we improve our energy security. The Government continues to make major strides in that area in order to ensure our energy supply is secure and, indeed, diverse. Measures such as the Maritime Area Planning Bill, which has passed Second Stage, will help us harness our offshore renewable resources in a more efficient manner. Deputy Howlin is well aware of that too.

To answer the Deputy's question, I will relay his concerns directly to the Minister for the Environment, Climate and Communications. The Deputy has made a good suggestion.

Deputy Michael McNamara: If the Minister were to become Taoiseach, would he take it up?

(Interruptions).

Deputy Richard Bruton: I refer to the cities fund the Minister has announced in House for All. This is really important in a constituency like mine where there are 11,000 homes in the pipeline, many of which will be more than four stories tall. Will the Minister give an indication of the scale of support he plans under the scheme, the number of homes involved, the level of subsidy that is likely to be applied and the starting date for the scheme?

Deputy Darragh O'Brien: I thank Deputy Bruton for his support, for his contribution on matters relating to housing and for his commitment in his constituency to delivering affordable homes for people in his area, across Dublin, and the country. Croí Cónaithe is an important fund that will help unlock and deal with the viability issue. We are working through the specific mechanisms around how subsidies will work. The subsidy will be passed on to the homeowner. It will be for owner-occupiers only and will be equivalent to the VAT amount that would have been paid on a particular apartment. Many people have sought a VAT reduction or cancellation, but we believe this is a better way of doing it. We will open the fund up to a call. We will manage specific calls that come to us through my Department. They will be considered in regard to value for money and ensuring there is delivery of housing because we need to achieve the level of building 33,000 homes a year, which we will achieve with the assistance of the Croí Cónaithe fund.

Deputy Paul Murphy: I wish to raise a case about an Irish citizen who fled here from Iraq after the Islamic State in Iraq and Syria, ISIS, took over Mosul. His father and other close family members were murdered. He is currently in Ireland, but his mother remains in limbo, effectively, in Turkey and has been for years. This is the third time I have raised this case in the

Dáil. I previously raised it with the Taoiseach and the Tánaiste and I am now raising it with the Minister. I have asked multiple parliamentary questions and sent multiple letters to the Minister for Justice, with many going unanswered. The answer is very simple: the family must be allowed to be reunified on a humanitarian basis. I ask the Government to do this. It is a simple humanitarian request.

Deputy Darragh O'Brien: I am not familiar with this specific case; I genuinely am not. The Deputy knows of the Government's response to the recent, and continuing, crisis in Afghanistan and other countries. We have been open, and rightly so, to giving people safe harbour here. On the repatriation and reunification of families, this is something that Ireland does pretty well. In regard to this specific case, I do not want to give the Deputy an answer he has received previously. I do not have the details but if the Deputy provides them, I assure him that I will raise the matter specifically with the Minister for Foreign Affairs and the Taoiseach.

An Ceann Comhairle: I thank the members for their co-operation. On the point raised by Deputy Tóibín, it is important that if a Minister gives an undertaking on behalf of the Government to come back to a Member, they should do so. I am anxious to hear from Members who have not received replies they were promised in order that we might investigate the matter and see what can be done.

Irish Corporate Governance (Gender Balance) Bill 2021: First Stage

Deputy Emer Higgins: I move:

That leave be granted to introduce a Bill entitled an Act to make provision for the regulation of gender balance on the boards and governing councils of corporate bodies and related matters.

This Bill will make provision for the regulation of gender balance on the boards and governing authorities of corporate bodies and related matters. In so doing, it will provide for gender quotas to be introduced at boardroom level. It will require all companies to have 33% of each gender on their boards within a year of commencement of this legislation and 40% within three years. It will compel companies, as set out in the Companies Act 2014, to submit an annual report to the Companies Registration Office on the gender balance within their boardrooms. This Bill will not apply to unincorporated associations, partnerships, limited liability partnerships or single director companies. It will also not apply to micro-companies, as defined in the 2014 Act, or other corporate bodies with an annual turnover of less than €750,000, or that employ fewer than 20 employees, or both.

The 33% and 40% gender quotas will be mandatory, but will be built on a comply-and-explain mechanism. This means companies that do not meet the gender quotas will have the opportunity to explain why they could not meet the quota before any action is taken to compel compliance. The law will include a statutory right that will allow any interested party to apply to the High Court for an order to compel compliance where companies' explanation for non-compliance is deficient. All companies that do comply can also apply for a certificate of compliance from the Company Registration Office. This will help them attract and retain talent and it will showcase the companies that lead on the issue of gender balance.

It is my ambition that this Bill will pave the way for balanced representation of both men and women in leadership roles in business. Currently, we use soft targets to measure and drive the representation of women in the boardroom. It is a welcome start, and I commend the work done by bodies such as Balance for Better Business and the 30% Club. Unfortunately, however, gender balance in our boardrooms is not improving quickly enough. Women accounted for only 22.4% of board members in Irish listed companies as of September last year. Shockingly, one in five Irish listed companies have no female directors at all.

Boardroom gender quotas have been successfully implemented in a number of European countries. They are advocated at EU level and were a recommendation of the Citizens' Assembly on gender equality earlier this year. A recent report by the National Women's Council of Ireland shows the impact they could have in Ireland. Gender quotas are shown to broaden the talent pool available to employers and ensure boards think outside the box when it comes to replacing board members, rather than repeatedly replacing them with people of the exact same profile. Companies with balanced boardrooms make better business decisions. They are shown to perform better financially, and that leads to trickle-down benefits for women at all levels in all companies. This Bill will create the opportunity for men and women to be fairly represented at the top table of business and, ultimately, to a better balance in the boardroom being achieved.

I thank William Aylmer from the Kevin Jacob-Bernard McCormack branch of Fine Gael in the Dublin Mid-West constituency for his assistance in drafting this Bill. I also thank the Bills Office and the Office of Parliamentary Legal Advisers. I am grateful to the Fine Gael Women's Network for its support and to the National Women's Council of Ireland, which collaborated with me on the Bill and which has been a driver for change in this and all other areas of female representation.

Our boardrooms must be a better reflection of society. We all have a role to play in breaking down the unconscious biases and the reinforced stereotypes that exist. It is my ambition that both men and women will have equal opportunity to not just get their foot in the door but to earn a seat at the boardroom table. I am grateful to the Ceann Comhairle for the opportunity to bring this Bill before the House today.

An Ceann Comhairle: I congratulate the Deputy on bringing it forward. Is the Bill opposed?

Minister of State at the Department of the Taoiseach (Deputy Jack Chambers): 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 Emer Higgins: I move: "That the Bill be taken in Private Members' time."

Question put and agreed to.

Betting (Prohibition on Use of Credit Cards) Bill 2021: First Stage

Deputy Thomas Gould: I move

That leave be granted to introduce a Bill entitled an Act to amend, in the interest of the common good, the Betting Act 1931 so as to prevent the placing of bets or otherwise dealing in bets that involve the use of a credit card, and for that purpose to prohibit the acceptance of such bets or dealing in such bets by providing that no licence shall be issued by the Revenue Commissioners under that Act unless the applicant for the licence has given them an undertaking not to accept bets or otherwise deal in bets that involve the use either directly or indirectly of a credit card, to amend sections 5C and 16 of that Act and to provide for related matters.

I extend my sincere thanks to the Office of Parliamentary Legal Advisers, the Bills Office and my team, all of whom put in a huge effort in working with me to bring forward this vital legislation.

Approximately 55,000 people in this State are engaged in serious problem gambling. Many more people are at risk and need protection. The aim behind the Bill is to provide just one of the protections required for these people. It would completely ban the use of credit cards for gambling online and in betting shops. Failure to do so would result in the companies concerned losing their licences. This Bill would not affect those gambling for fun or gambling safely, but it will provide some protection for those at risk.

I am disappointed that I need to stand here today to introduce this legislation. The only reason that this Bill is needed is that once again Fianna Fáil and Fine Gael have broken their promises to introduce a gambling control Bill. In the eight years since the general scheme of the gambling control Bill was first published. In the interim, numerous deadlines have been missed. The last of those was only six days ago, at the end of quarter 3. Once again we had been promised that the Bill would be published, but that did not happen. A strong independent gambling regulator would introduce this much needed protection for vulnerable people. Such a regulator could introduce numerous regulations, such as those to which I referred and others, and each of those elements would come together like a jigsaw to provide real protection for those at risk of or currently engaged in problem gambling.

In August, I published a comprehensive gambling strategy for the Twenty-six Counties. Today's legislation is the first step in making that policy a reality. While Fine Gael has had legislation gathering dust since 2013, Sinn Féin is taking positive steps forward to finally regulate gambling and to protect those at risk of or who are in gambling addiction. A ban on the use of credit cards is a no-brainer. It has been recognised by the gambling industry itself that this must happen. The national lottery has taken steps to introduce such a ban and some bookmakers are bringing forward optional bans in limited situations. The problem with optional bans is that they can be withdrawn as easily as they can be introduced. If bookmakers are losing money or customers due to these bans, then where does that leave vulnerable people?

We need a blanket ban to ensure that those with problem gambling behaviour or those in the throes of addiction are not gambling away money that they do not have and they cannot afford. For far too long, the attitude of various Governments to gambling regulation has been represented by a shrug of the shoulders. As we heard discussed in recent days and also regularly in the media, the spiral of gambling addiction can be well hidden until the consequences are so

severe that a person's life has been changed catastrophically. I have helped people who have lost their marriages, their homes, their jobs and their relationships with family and friends. I am not pretending that this legislation will prevent all that happening, but it will be a start and it will help to reduce some of the harm being caused. I call on Members from all parties and none to support this legislation to ensure that we see true protections for some of the most vulnerable people in our society.

An Ceann Comhairle: I congratulate Deputy Gould on bringing forward his legislation. Is it being opposed?

Minister of State at the Department of Justice (Deputy James Browne): 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 Thomas Gould: I move: "That the Bill be taken in Private Members' time."

Question put and agreed to.

Maternity Care (Covid-19) Bill 2021: First Stage

Deputy Peadar Tóibín: I move:

That leave be granted to introduce a Bill entitled an Act to ensure that mothers receiving maternity care may be accompanied in hospital during childbirth and on occasions prior and subsequent to the birth; and to provide for related matters.

As I said in the context of the previous business, it is frustrating when we put questions to Ministers. On six occasions in recent months, Ministers stated that they would come back with responses but they have not done so. It is my job to keep Ministers true to their word in this regard.

Turning to this proposed legislation, in maternity hospitals around this country today, mothers are giving birth and their partners are in a car in the car park below and not with them. As Ministers leave Leinster House, they will hear the voices of thousands of women protesting outside the gates. They are there because a cruel and inhumane restriction policy is still in place in some hospitals. The Minister expressed criticism of those restrictions as recently as this morning. He stated that the Government does not agree with them. Then, however, those in government just shrugged their shoulders and said they could not do anything about the situation. Worse than that, when Ministers are pushed on why they are not doing something about this issue, they state that there may be health reasons to explain the restrictions. They cannot have it both ways. Either this practice is wrong and needs to stop or it is right and the Government is allowing these hospitals to continue doing it. Saying it is wrong and then not following through to address the issue is the Government speaking out of both sides of its mouth. Any suggestion that the Minister cannot do more is grossly misleading. We in Aontú are introducing this legislation, which, if passed, will ensure that from now on mothers can always be accompa-

nied during childbirth, or on occasions before and after, by a partner of their choice.

Several emails were released to me last year by the Department of Health under the freedom of information legislation. These were a selection of emails sent to the Minister by women who were pregnant during the Covid-19 period. These are heartbreaking emails. I will put a few of them on the record. One woman recounted her experience in her email to the Minister. She stated that she:

... had to sit in a room alone to be told that my baby had died. I was sent from this room alone reeling from what I had just heard to sit on a busy ward corridor sobbing alone. This is simply unacceptable. At no point was I allowed to have my husband present to provide any sort of comfort. I sat for hours alone and broken in one of your maternity hospitals. Not a single person to offer me the comfort I craved and needed.

In another email sent to the Minister for Health on 5 October 2020, a woman recalled a miscarriage that she had. She wrote:

... the monitor turned dark and the midwife told me there was no heartbeat. It was an unexpected and earth-shattering experience that no woman should have to go through [especially] alone and it is a scandal of our time that women are ... forced to endure this [by themselves].

Separately, another person sent an email to the Taoiseach and he then sent it to the Minister for Health on 28 September 2020. In this email, the individual stated:

My wife ... [has] experienced 9 miscarriages in the past 6 years and my wife is in early pregnancy at the moment. While this is great news and we are delighted we are also really nervous and anxious due to our history ...

When the Minister listens to those excruciatingly difficult personal stories, how can he reconcile such situations with the fact that nightclubs will be open without restrictions in this State on 23 October? How can he reconcile the experience of these women with the fact that all areas of the hospitality industry will be back to normal in a few weeks? I am always concerned when I hear the Government state that there is only so much it can do on a particular issue. The Minister for Health has indicated that he wants the restrictions in question lifted but that individual hospitals are responsible for their own restrictions. That is a cop-out. The Minister is in government. The Government has the majority and it creates the laws and rules which exist in this country. The Minister cannot say that he and the Government are in some way passengers on this ship. The Government is sailing the ship of State now.

How is it that a small Opposition party such as Aontú can develop a Bill that gets to the heart of the issue, that seeks the safe accompaniment of mothers by a partner in their time of need and that seeks to do this safely? Our Bill states that people must prove, through an antigen test or some other test, that they do not have Covid-19 and that they do not have any symptoms. If the tests prove that it is safe for people to go in and accompany their partners, then they should be able to do that. I urge everybody to support the Bill and to help it go through the Dáil as quickly as possible.

An Ceann Comhairle: Is the Bill being opposed?

Minister of State at the Department of Justice (Deputy James Browne): 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 Peadar Tóibín: I move: "That the Bill be taken in Private Members' time."

Question put and agreed to.

The National Youth Justice Strategy 2021-2027 and Supporting Community Safety: Statements

Minister of State at the Department of Justice (Deputy James Browne): I wish to share time with the Minister of State, Deputy Hildegard Naughton.

An Ceann Comhairle: Is that agreed? Agreed.

Deputy James Browne: I am very happy to have this opportunity to address the House on the progress which is being made within the criminal justice system on interventions and initiatives to divert vulnerable young people away from criminal activity and to assist them with options for a better and more fulfilling life.

I was pleased to be able to publish the Youth Justice Strategy 2021-2027 on 15 April 2021, which is the successor to the Youth Justice Action Plan 2014-2018. I acknowledge the work of the previous Minister of State, Deputy Stanton, for his work in initiating the youth justice strategy. It is often easy to focus our efforts on the immediate, quick-fix solutions and to try to address long-standing socioeconomic issues affecting the most disadvantaged areas of communities and society with short-term programmes. The youth justice strategy is an opportunity to take a broader, more detailed look at these issues and to address the challenges.

Youth justice is not an isolated term. There are complex, interwoven, underlying reasons why children and young people come into contact with the criminal justice system. These reasons are many and varied, from sociological and economic pressures to psychological factors. Recognising that there is no one-size-fits-all approach to these issues is a key aspect of the strategy's methodology.

While we still need to focus attention on children in contact with the justice system, we must also examine more closely why a proportion of young offenders go on to become adult offenders, and how this can be better addressed. Research shows strong links between youth offending and socioeconomic circumstances, as I indicated, as well as child and family welfare issues. Offending behaviour cannot be considered in isolation. A key focus of the youth justice strategy is considering how youth justice policy might be more closely aligned to other child and youth policies and to promotion of community and local development.

Ideally, we should be engaging young people at risk before they enter the justice system. Young people should have the benefit of a no-wrong door experience. If a family or a young person engages any service, there should also be accessible pathways to other services and supports that they might need. We have all heard the saying: "it takes a village to raise a child", and

one of the key challenges we face at the moment is the fragmented delivery of services. The general scheme of the landmark policing, security and community safety Bill that the Minister for Justice published recently, recognises that community safety is not just the responsibility of An Garda Síochána alone, but of the wider community itself. This approach is also at the heart of the youth justice strategy, recognising that seeking positive outcomes for young people who interact with the justice system is a whole-of-government, and a whole-of-community responsibility. To complete the jigsaw, all the pieces in the puzzle must fit together. More, better services and better interagency co-operation at local level will deliver better, and more sustained outcomes.

The strategy includes consideration of the full range of issues connected to children and young people at risk of coming into contact with the criminal justice system. They include early intervention and preventative work, family support and diversion from crime, court process and facilities, supervision of offenders, detention, reintegration, and support post release.

The strategy strengthens and expands the role of the Garda youth diversion projects, GYDPs, which are a fundamental support to the operation of the statutory Garda diversion programme and which provide a vital ingredient in enhancing community policing partnerships. The strategy also promotes appropriate linkages and alignment with other community-based initiatives, including those supported by the Probation Service. Bringing the full range of relevant interventions together in a coherent and holistic response to youth crime will support the objective of diverting young people from crime and anti-social behaviour. It expands the remit of the GYDPs to provide a broader range of services for communities, families and children at risk, including family support and early intervention with children aged eight to 12 years, as well as developing enhanced approaches to engaging with children and young people that are harder to reach, who may have more entrenched patterns of offending.

A key priority in the strategy is tackling serious and ingrained patterns of offending. This means engaging more productively with the very small proportion of young people who are habitual offenders. That is complex and painstaking work and will require that we adopt a never-give-up approach to challenge and assist young people to turn their lives around.

There are currently 105 GYDPs nationally and the intention is to further develop this service so that it is available to every child in the State who could benefit from it, through an ongoing expansion of existing services and the foundation of new projects where necessary. Funding for GYDPs has increased every year since 2015. A total of €15.3 million was provided in 2019 and €15.6 million was provided in 2020. Some €18 million in funding has been provided for 2021, with a further allocation of €3 million for the Greentown pilot initiatives and the bail supervision scheme. These are cutting-edge measures to tackle serious offending.

The bail supervision scheme provides nationwide availability of its internationally recognised approach as an innovative programme for engaging with those with entrenched patterns of offending, supported by the research evidence into policy programmes and practice, REPPP, project in partnership with the University of Limerick. The scheme is designed to achieve bail compliance and the service is already being expanded beyond the initial pilot in Dublin to Cork and Limerick.

The Greentown initiative is a broad, community-based programme to support children, families and communities most affected by criminal networks, and its development is strongly supported by An Garda Síochána. The initiative won the European crime prevention award

in 2020, having been selected ahead of competing projects from across the European Union. The Greentown report recommended the design of a programme to include interventions with children and their families to help them withstand the influence of criminal networks. The Greentown programme has been designed by the REPPP project team with the input of leading international expertise on crime and criminal networks, together with Irish scientific, policy and practice expertise in child protection and welfare, drugs and community development. Pilot applications of the Greentown programme, developed by the REPPP, commenced in two locations in 2020 and will run for three years. The learning from these pilots will then be incorporated into mainstream GYDP practice.

This specially-designed intervention programme was developed, as I have mentioned, with international expert advice, to tackle coercive control of children by groups which entraps them in offending situations. Funds are already available for the initial pilots from the Dormant Accounts Fund, with a total of €4.2 million allocated over three years. The implementation of the Greentown pilot programme is part of the strategic objectives of the youth justice strategy. This implementation process began with the establishment of the governance and strategy group and the youth justice oversight group. Both groups are chaired by my Department, which will provide oversight arrangements for youth justice initiatives to ensure that there is a cohesive response in practice to the needs of particular cohorts of children and particular communities.

The measures in the strategy are premised on the need to maximise opportunities to promote positive behavioural change and desistance from offending. This will require a sustained commitment to collaborative working between State agencies and community partners, as well as a commitment to prioritise resource allocation to address factors connected to early involvement in criminal activity and more serious offending patterns.

The strategy document, as published on my Department's website, includes a comprehensive implementation statement, laying out the key objectives and actions of the plan, and the lead agency for each deliverable. The strategy commits to the publication of an annual implementation update. However, I can share the following update of actions that are already in progress. Since the launch of the strategy in April, we have established dedicated inter-agency oversight and co-ordination groups at national level, led by my Department. We have established a stakeholder advisory group, which I chair, to ensure that we maintain a strong working relationship with the community sector as we go about implementing the strategy. We will shortly convene a REPPP advisory group, which will engage with the wider research community to inform implementation of the strategy and further development of youth justice policy.

Very shortly, we will open a public consultation process on approaches to diverting young adults in the 18 to 24 age group away from crime, with a view to developing more effective measures that will lead to behaviour change. The aim is to steer young adults away from repeated offending, and towards more positive life choices. Statistically, the 18 to 24 age group accounts for a significant volume of offending, so we need to engage more effectively to promote behaviour change as well as confronting the immediate effects of criminal acts. By the end of the year, we will open a detailed consultation with stakeholder groups on updating the Children Act to ensure that our legislative provisions on youth justice support effective systems based on the best available evidence.

We will not stop there. We protect victims and increase community safety by reducing future offending. Prevention, early intervention and diversion are key elements of this approach. The youth justice strategy is a medium-term plan to tackle these challenges in a way that will

lead to substantial and sustained improvement for both young people at risk of involvement in criminality and, importantly, the victims of crimes.

In line with a commitment in the programme for Government, an expert forum on antisocial behaviour, which I chair, has been established in the Department of Justice. This forum is considering the effectiveness of existing legislation and will seek to propose new ways forward, including new powers for An Garda Síochána, if required, and additional interventions to support parenting of offenders. The group includes representatives of the Department of Justice, An Garda Síochána, the Probation Service and a range of community and other stakeholders. The antisocial behaviour forum has already delivered a community-based approach to tackling the misuse of scramblers and similar vehicles, with almost €200,000 in funding secured. I have formed a subgroup of the forum to comprehensively examine issues surrounding knife crime and knife carrying, the first meeting of which was held on 20 September.

These are the practical responses that I want to encourage. The strength of a community-based response is that it is directly informed by an awareness of the root causes of criminality and antisocial behaviour, and how that manifests in local communities. I view the youth justice strategy as a mandate to lead to early intervention, diversion, family support and a whole range of supports for young people at risk of crime and antisocial behaviour, and to protect victims from crime. As Minister of State, I am determined that the Government will deliver on this. I thank the Ceann Comhairle. I will now hand over to the Minister of State, Deputy Hildegarde Naughton.

Minister of State at the Department of Justice (Deputy Hildegarde Naughton): I thank the Minister of State, the Ceann Comhairle and Deputies. Community safety is about people being safe and, importantly, feeling safe in their community. At its heart, community safety is the principle that every community has the right to be and feel safe in order to thrive and flourish. Ireland is generally regarded as a safe country in international terms, with relatively low crime rates and a general feeling of safety and security. However, we recognise that this is not always the case in every community and that people living in disadvantaged areas can experience a different reality.

The Commission on the Future of Policing in Ireland report recommended that reform of An Garda Síochána be undertaken to free up experienced trained members of An Garda Síochána for front-line policing duties, where their expertise would be most utilised. The report also recommended that community safety be viewed as a whole-of-government responsibility, and it recognised that simply putting more gardaí on the beat does not address the underlying issues that impact on community safety. This is why, under the Policing, Security and Community Safety Bill, we are advancing a number of reforms to policing in the State, but also putting community safety measures and structures on a statutory footing, as well as recognising in law that community safety is not solely the responsibility of An Garda Síochána. It is the State's responsibility as a whole and each State service has a role to play.

The new local community safety partnerships, LCSPs, will, when the Bill is enacted, replace the existing joint policing committee structures. The LCSPs will be supported through a national governance structure and will ensure communities are safer and feel safer by making community safety a whole-of-government responsibility and priority. This structure will ensure that communities are empowered to have a strong say in what actions are prioritised by the services operating in their area, and will also have a key oversight role in ensuring those actions are followed through. This will enable the local community safety partnership to function

as a forum for dialogue between the community and service providers, and should strengthen trust in the people providing services. The local community safety partnership will also work to identify specific initiatives where the community can support local services and An Garda Síochána in their community safety work, including outreach programmes.

The Ministers, Deputies Michael McGrath and Helen McEntee, agreed in principle to establish a new community safety innovation fund in April of this year. The scheme, when established, will consider applications to allocate funds to community safety projects and other policy initiatives in the area, including the work of the new local community safety partnerships. This fund will reflect the significant successes of An Garda Síochána and the Criminal Assets Bureau in disrupting criminal activity and seizing proceeds of crime by providing additional funding for investment in community safety projects.

While State services carry out their individual responsibilities, too often their interventions rely on a reactive response to emergency and crisis situations. The aim of community safety is to focus all relevant Government services on prevention and early interventions, and the impact that a shared approach to problem solving can have in ensuring that situations do not develop to the point where they impact on the safety, or feeling of safety, of the community at large. This will mean State services working with each other and the community to ensure there is better co-ordination between services, such as educational and youth work with young people, the availability of local health and mental health services, drug prevention, housing and the built environment, and actions taken to combat alcohol and substance abuse, domestic abuse, youth crime, antisocial behaviour and hate crime. This approach has had positive results, for example, in Northern Ireland, where policing and community safety partnerships bring together members of the community alongside representatives from policing, probation, housing, youth, emergency and education services.

Often, the risk a person poses may be to themselves, but their behaviour can also negatively impact on the sense of safety of those within their community. Ensuring that people in these situations can get the right support at the right time is vital. This means harm prevention and interventions delivered proactively by the service best placed to deliver it, and doing so in a joined-up, integrated way, with other services. This will include addressing individual mental health and addiction needs, services and supports for homeless people, reduction strategies for childhood trauma and ensuring older people and other at-risk groups have access to effective supports and advocates. These are some of the key underlying issues that make communities unsafe or feel unsafe, and dealing with them in an effective way, before they reach the point where an emergency or crisis develops, is central to community safety.

Clearly, this approach goes far beyond the traditional policing response and requires all relevant State bodies and voluntary organisations to work together in a joined-up way in partnership with the local community to prioritise and address issues in their own area. Each community's issues will be different and that requires solutions tailored to the needs of that community. The local community safety partnership will be responsible for developing a tailored and prioritised local community safety plan in conjunction with both community and public services. The intention is to build the capacity of local residents to enable them to engage meaningfully in the local community safety partnership and grow local community leadership and participation. Developing this will be a key aspect of the role of the community safety co-ordinator, whose role is to support the partnership, engage the residents in the community on safety issues and link them in with the work of the partnership.

There are currently three pilot LCSPs - in Dublin's north inner city, Longford and Waterford - working to develop structures and processes to address the issues mentioned. These pilots will run for two years and the lessons learned from them will inform the eventual roll-out of a community safety partnership in every local authority area.

As Deputies will recognise, the Government is committed to improving community safety, not only through increasing the number of gardaí on our streets, but also through giving communities the structures and supports they need to feel safe and be safe. I thank the House for the time to address this issue.

An Ceann Comhairle: We move to Sinn Féin. I call Deputy Martin Kenny, who is sharing time with Deputies Daly, Andrews, Cronin and Patricia Ryan.

Deputy Martin Kenny: I thank the Ministers of State for their statements. The issue of a youth justice strategy goes to the very core of much of what has been in the media in the past couple of days and the incidents we have seen, particularly in Dublin. We have had many examples of situations where people feel afraid, violated or unable to walk the streets at night, particularly in urban areas and on public transport. A lot of it, although not all, is around young people behaving very badly and threatening and attacking people.

It is an issue we need to focus attention on in terms of how we deal with it. Early intervention is key to diverting young people from crime and that kind of behaviour, as we all recognise and understand. I am glad the Government has accepted that the level of disadvantage does lead to crime and antisocial behaviour, drug use and all of those things. That disadvantage is something we need to tackle, which means we need to tackle people who live in these communities. The incomes they have to live on are a key issue. Poverty and its impact, not only on the material things that people can buy and how they live their lives but also with regard to the mental pressure it puts on people and its role in the formation of attitudes among young people, is one of the key aspects of all of this. We have to work out how we can resolve that issue.

There is multiple disadvantage across the State. We have children who suffer from trauma in their formative years. This affects their development as they go through life. Disadvantages affects socio-economic status. As for the parental figures in their lives, if children grow up in a family where there is addiction or other serious problems, they will naturally tend to lead a chaotic life. There can be child neglect and emotional abuse. Domestic violence is an issue Deputies regularly come across. Many children grow up with it as part of their lives and then, naturally enough, it takes over. Children may have parents or older siblings who have been through prison and have continuing contact with the Garda and criminal justice system. That also has an impact. All of these areas have to be worked on. They can all be traced back to social disadvantage and where it leaves us.

The failure of the State to do its job for so long is what got us into this situation. For a long time, it has been left to market forces to develop and work out how we will resolve these issues. We need to intervene and the State needs to take a much greater role in respect of that. It is not only an issue for the Garda. I welcome the comments by the Ministers of State that a range of organisations, both State and voluntary, and communities all have a role to play here. Their first task is to build up trust among themselves so that they can work together to deliver.

I welcome the Greentown pilot programme, what it is doing, how that work is progressing and how we can develop it. At the centre of all of this is that we can have all the plans in the

world and come up with the correct strategies, but will they be funded and resourced and have sufficient commitment from government and senior management on various projects to deliver? That is a key issue in resolving much of this problem.

Everyone agrees with the need to consider detention as a last resort, up to a point. I have come across the youth diversion programme a number of times. It does excellent work and is very good, but I have also come across its negative side. In one case involving a girl who was the victim of a serious sexual assault the perpetrators were sent down the route of the youth diversion programme. That was not appropriate and caused further harm to the young woman as she could not understand how the people who did this to her were, in her mind, let off. That is how she felt about it. It needs to be understood that a strong and effective deterrent must be in place for serious crime.

We had a reprehensible attack recently on one of our Olympians, Jack Woolley. That incident drew attention to the issue of antisocial behaviour but it did not happen in a vacuum. Antisocial behaviour has been ongoing in many areas, particularly in the inner cities. An incident of antisocial behaviour was shown on “Claire Byrne Live” the other night. Deliveroo cyclists, who deliver food to people, are often attacked. The racial abuse they have to endure also needs to be addressed as part of all of this.

There is a correlation between these types of behaviour and the low presence of front-line gardaí on the streets. When I left Leinster House last night I had to drive to an area in the south inner city and then back to the north inner city. During that drive, which took ten or 15 minutes, I did not see one patrol car or garda, and I was watching out for them because I had this debate in mind. I saw nobody on the streets. That is the experience of the vast majority of ordinary citizens and it is an issue we need to address. The Garda has officially stated it has record numbers of gardaí, it has resources and is responding quickly. That is not what we hear from the general public. I am sure the Ministers of State and every Deputy in the House will be aware of that. Many people, when they are in trouble, telephone An Garda Síochána. They could wait a long time for a reply or response. That is part of the problem because it breaks down trust and we need to build up trust.

We need to deal with these issues in a targeted way. I want to focus on people who are slightly older than 18, those in their late teens and early 20s. We need a programme which recognises that many people do not reach mature adulthood until quite late in life, certainly not before their mid-20s. The focus on a youth diversion programme needs to recognise that as well. The mental capacity and mental health of many of those who are involved in these situations also needs to be borne in mind.

We have an idea of where we need to bring all of this and how this plan can resolve these issues but the plan will only resolve them if it is funded properly and has the right level of commitment from everyone involved. That will only come through leadership by the Government.

I broadly welcome the direction in which we are going. We can deliver if we have commitment. We need to see a commitment from the top, the higher echelons of An Garda Síochána and Department of Justice, and the Ministers of State, to dealing with this issue once and for all.

Deputy Pa Daly: As Deputy Martin Kenny said, Sinn Féin broadly welcomes this strategy. It takes the right approach and, hopefully, will be backed by investment.

The key is that the strategy mentions the need for contact with vulnerable youth to take

place at an earlier stage than when they have offended. Providing supports at that age is all well and good, but it is often too late. The links between socio-economic circumstances, child and welfare issues, and offending are also examined in the report.

The policies of austerity deprived many poorer communities of jobs, resources and capital. It is somewhat ironic that those who implemented those policies are spearheading a strategy in this area that acknowledges how detrimental those wider economic and social policies were. There is no substitute for decent working conditions, fair employment and well-resourced schools. We should not be in a position where interventions are only available once the offending takes place, even though that is the correct approach in isolation. We must also identify and help children who are exposed to trauma at an early age.

On its own merits, the strategy is a good one. The first part of it relates to the focus on diverting young people from the formal youth justice system, if possible, and the use of detention as a last resort. In my years working in the Bridewell courts and Tralee, I saw the good work that was done in keeping people away from the courts and ensuring they did not get a criminal record which would hamstring them for the rest of their working career. Detention is something we should avoid no matter what age the person, if at all possible, but it has a particular effect on minors. Their development may be stunted and their future severely compromised as they struggle to adapt away from wider society and educational opportunities.

The second part deals with restorative justice, which the strategy mentions numerous times. This is welcome but lacks detail. With adult offenders, restorative justice is much underused officially and should be promoted further and institutionalised. Without a solid track record with adult cases, it would be interesting to see how this is implemented for children. The rights and voices of victims are important but it is fair to say that given the nature of most crimes committed by minors and their potential to turn themselves around, many victims would support and accept restorative justice measures. It is a rhetorical sleight of hand to always equate the victim's voice with harsher and more punitive measures. I hope this strategy will undermine that practice somewhat.

The language of the document is largely positive but it will need to be backed by proper intent. For instance, the youth justice oversight group seems good on paper, but why is there not an ambition for a proper youth justice agency such as there is in Scotland? Co-ordination between agencies is fine in principle but in practice budgets, reporting lines and functionality all matter.

2 o'clock

A strategy to which all adhere is good, but more of the actual responsibility falling on a specific body would have been progress. The fact that some youth justice functions transferred from the Department of Justice to the Department of Children, Equality, Disability, Integration and Youth last year is a case in point, as this strategy presumes greater co-operation while leaving much of the structure untouched. The transfer is also of concern because it could end up with youth justice as an afterthought within adult justice systems, something that a more comprehensive reform would have changed.

Although the strategy is a step in the right direction, we will eagerly await its implementation.

Deputy Chris Andrews: I represent an area of Dublin that gets a significant proportion of

the coverage of the criminality and antisocial behaviour that occurs on our streets, that is, the south inner city. The people causing this ongoing trouble need to be tackled and challenged. We talk about rights, and it is important to remember that families have the right to live in their homes without fear. Garda resources need to be increased, particularly the number of community gardaí, who do a fantastic job. In the context of these statements, it is important to remember that the vast majority of people living in the inner city are hard working and many have spent the past 19 months of the pandemic working on the front line.

According to the strategy, research shows links between youth offending and socio-economic circumstances. This has been known for years and there have been many strategies, yet we have not diverted resources to where they are needed. Services are fragmented, as was accepted by the Minister of State, Deputy James Browne, in his opening statement. An example of that fragmentation is the division of the north and south inner cities. They are one community - an inner city docklands community - with more in common than separates them. The IFSC came into the north inner city and displaced a large section of the community. Today, high-tech companies like Facebook, Google and TikTok have arrived in the south inner city, displacing large sections of that community. The north inner city has had its challenges and resources have been directed towards its community under the umbrella of the Mulvey report. The south inner city needs and deserves the same process and resources that the Mulvey report secured for the north inner city.

Another example of where services are fragmented is in the delivery of youth services. Talk About Youth is a great youth service covering the Pearse Street area, but it does not have a dedicated youth space. We can have all the plans and strategies we want, but if we do not get the basics right, they will not deliver change for young people in working class communities. We need to ensure that youth services like Talk About Youth have the basics and their own spaces.

The strategy mentions early intervention, but I see little evidence of such intervention in my constituency. I see new parents struggling with parenting. That is where there needs to be intervention. I see children of ten or 11 years of age running drugs in the community. Working with families needs to be a priority. We need to develop assertive youth work teams that tackle and challenge hard-to-reach young people.

This strategy is welcome, but unless we get the basics right, it will do nothing but gather cobwebs.

Deputy Réada Cronin: In addressing the national youth justice strategy, we must do two things as legislators. First, we must recognise how it involves young people who have barely started to live their lives but who are already suffering deep and multiple disadvantages in society - financial, social, educational, emotional and, sadly, sometimes parental disadvantages. Too often, these young people are battling backgrounds of neglect, trauma, violence, addiction, coercive control or having relatives in prison. They desperately need supports that are not there.

Second, we need to tread safely and check our privilege as we consider what these disadvantaged young people are seeing in their own State. This week alone, past and present members of An Garda Síochána are under arrest, suspicion, suspension or investigation for an array of serious offences, from the possession of drugs to passing information to a violent gang or the sexual abuse of their children. Here, where we make the laws that make or break these young lives, the Tánaiste is under active criminal investigation for actions taken while Taoiseach. Gardaí and holders of high public office have immense power, privilege, opportunity and status.

By contrast, the boys and girls for whom this strategy has been devised have none. Unlike the makers and upholders of the law, they are at the mercy of a system that has instituted disadvantage, poverty, homelessness, division and uncertainty at a rate and level previously unseen in the history of the State. This is their Dáil, too, so it is important to say this here.

There are some very good aspects to the plan. Of course, whether they will be properly funded and carried through is another matter. As the daughter of a member of An Garda Síochána, I saw at first hand the difference that a known and trusted garda can make to fragile young lives. Early intervention is critical, but there is no commitment to community policing, which is vital to picking up the danger signs for young people and which we need in areas in my constituency, for example, Naas, Clane, Prosperous, Celbridge, Kilcock and Maynooth, and all across the State.

Regarding the strategy's specifics, and as my colleague has mentioned, the detention as a last resort aspect is something that we need to examine. In the case of serious crimes such as murder and manslaughter, detention must be a serious consideration.

It is ironic that the strategy adheres to the best child welfare principles and the UN Convention on the Rights of the Child, given how it is too often the prolonged failure of these very principles in health, housing and education that necessitates this strategy at all.

Deputy Patricia Ryan: I welcome the opportunity to speak on the national youth justice strategy. It is my hope that it will enhance criminal justice processes, detention and post-detention measures to discourage repeat offenders. I particularly welcome the strategy's focus on preventative measures for children below 12 years of age who had previously fallen through the cracks owing to the age of criminal responsibility being 12 for most offences.

As Deputy Andrews stated, the strategy document shows strong links between youth offending and socio-economic circumstances as well as child and family welfare issues. These underlying issues need to be addressed if we are serious about addressing youth crime. We also need stronger penalties for adults who take advantage of children when they involve them in crime. We must consider how youth justice policy could be more closely aligned with other child and youth policies and the promotion of community development. As the old saying goes, prevention is better than cure, as the Minister of State alluded. There must be a strong emphasis on diverting our youth from offending. Early intervention is a key element of this. We must bring all of the relevant agencies together and provide supports for schools and parents to ensure that we provide an holistic response to the needs of children and young people who are at risk. Garda youth diversion projects across the State are making a big difference, but we need to see more investment in them. While there are 105 in total, there are just two in County Kildare and two in County Laois. Many areas do not have a Garda youth diversion project service. The strategy proposes to achieve full national coverage within two years by extending the operating area of existing projects. This cannot be done properly if we do not significantly increase their budget.

We must ensure that there are enough sports and recreational facilities in our towns for young people. Sports and hobby facilities must be inclusive and for everyone, not just high performers. We cannot just keep building large housing estates without providing infrastructure at the same time. There must be community buildings and municipal sports campuses. If we do not provide these, we are making a rod for our own back. Boredom and disaffection are at the root of many crimes and must be addressed if we are to see improvements in this area.

Deputy Brendan Howlin: I strongly welcome the opportunity to speak on the youth justice strategy. I pay tribute to the Minister of State, Deputy Naughton, and the Minister of State, Deputy James Browne, who addressed the House earlier. I also pay tribute to the early and ground-breaking commitment of Deputy Stanton when he was a Minister of State.

As a former teacher, I know that early intervention is critical for positive outcomes - for education certainly, but equally for other societal outcomes. It is often said that early childhood teachers can predict the ultimate education outcomes of most of their students such is the effect of socioeconomic and household circumstances on their educational journey. Equally, as this strategy well recognises, the likelihood of young people interacting with the criminal justice system is too often set in train from an early age. A strategy that involves the whole of society, and not simply the criminal justice system or the Department of Justice or An Garda Síochána, is the only one that has any prospect of success. In his foreword to the strategy, the Minister of State, Deputy Browne, sets this out clearly enough. The analysis is well grounded and well done. The evidence is abundant and clear. The real and difficult bit is implementation to ensure the silos that have always existed are broken down and that a truly integrated youth justice strategy is not only devised but resourced and put into effect.

The first important principle, underscored throughout the strategy, is respect and the inclusion of the child. Our attitude to children has evolved remarkably over recent decades. Our historic attitude to children and our record has been shocking. The way we dealt with children in the past, particularly vulnerable children, has been cruel and unacceptable to which a multiplicity of inquiries and reports we have debated in this House bear ample and awful testimony. The voice of the child and young person, therefore, must be heard, as must the voice of advocates for vulnerable children who are not in a position to articulate their own position.

The second critically important issue relates to what I said earlier, namely, the tackling of disadvantage. Poverty, dreadful or no housing, the lack of any community support and lack of access to sports facilities, the arts and even more fundamental and basic services such as proper healthcare, including mental healthcare, are critical. The statistics are shocking. A snapshot of a breakdown of the children detained in Oberstown Detention Centre for the first quarter of 2019, which are the most recent figures I have, shows 19% were members of the Travelling community; 31% had suffered the loss of a parent through either death, imprisonment or no long-term contact; 41% were either in care or had significant involvement with Tusla; 23% had a diagnosed learning disability; 41% had mental health needs with 25% prescribed medication for a mental health concern; 71% were considered to have substance misuse problems; and 57% were not engaged in education prior their detention. If we want a snapshot of the most vulnerable of children, there we have it. Those are the people we have detained. We really must do better. Are we not all shocked and appalled by the litany I have just recited?

Young people who come into conflict with the law must be treated as children first. That is underscored in this document. The truth is their level of maturity and development must be recognised and embraced in planning a way forward that helps them on a positive development path. I note the foreword to the Minister's speech, includes the words - taking a better path - supporting young people and communities to make positive choices for themselves. In truth, what positive choices can those children I have just described make for themselves? It is not as if we are all equal. Some people can say, "I will take this path". If you come from the kind of environment we know populates Oberstown, as I have indicated, those choices do not exist. We as a society have to understand that and intervene in a way that allows that pathway to be different.

None of this implies a Pollyanna approach to youth crime nor does my analysis seek to minimise in any way the harm inflicted by young people who are engaged in crime. We all know the impact on the victims of crime, particularly what is regarded as low level crime, in communities where people are terrorised in their own homes and do not feel free to walk their own streets. The impact on those victims is horrendous. It is life-limiting and sometimes catastrophic for their life expectations. We must give protection to those people. We must also be robust and clear in ensuring they are allowed, as victims of crime, to live a proper and decent life as we would all expect.

I am deeply concerned about a number of issues. We might have a further opportunity to debate this. There has been an increase in the number of racist attacks and in racist graffiti issues that are now appearing in places such as Minerine Park, which is a brand new beautiful park in my own town in which some gobdaw decided to put horrendous, racist graffiti. We need to tackle these issues at source. As I said, I do not have a Pollyanna approach to any of this.

The detailed strategy is broad and comprehensive. It is built on wide foundations, which, if driven properly and appropriately and resourced adequately, can make a real difference. Clearly, not all actions fall on the Department of Justice to make; just like our understanding of policing reform, as the Minister of State will know, it requires a whole of community buy-in and every agency and department of State playing its part. The work to be done by the Governance and Strategy Group, supported by the Youth Justice Advisory Group and Youth Justice Oversight Group, will determine its success or lack of it.

It would be helpful if the Minister of State when replying to the debate could advise who is populating those critical bodies, namely, the Governance and Strategy Group, the Youth Justice Advisory Group and the Youth Justice Oversight Group. How often do they meet and to whom do they report? Do they report to the Minister of State regularly or to the Minister for Justice? Is the implementation of this important strategy an agenda item on the Cabinet sub-committee that monitors justice matters? If it is on the Cabinet subcommittee reporting list, as I believe it should be, then, I believe, we could see action. I know from my time in government that having an agenda item regularly coming before a group of Ministers, including the Taoiseach, with requirements for timeline reporting really makes a difference. I hope that the Minister of State, in her concluding remarks, will say this is a fine strategy but its implementation will determine whether it is worth the paper it is written on. I would like her to address those particular questions to give us all confidence that the strategy will indeed be implemented.

Deputy Alan Farrell: I welcome the opportunity to debate this strategy. I acknowledge the work of the Ministers, Deputies McEntee, and Humphreys and the Minister of State, Deputy Browne, but, as my colleague opposite mentioned, Deputy Stanton also played a significant role in this area both as chairman of the justice committee and as a Minister of State in the Department.

I welcome the opportunity to discuss this strategy focused on taking significant and important steps to tackle anti-social behaviour in our town, villages and cities across the State. I am sure all Members will have seen numerous videos of antisocial behaviour over the past weeks, months and indeed years. Many people will have witnessed antisocial behaviour themselves. Every week new videos emerge highlighting antisocial behaviour and violence on our streets and our public transport networks. These videos and indeed this experience contribute to a culture of anxiety, particularly for commuters, the elderly and people in their workplaces.

Over the summer in my own constituency we witnessed numerous antisocial behaviour events leading to damage of property and local amenities which in certain cases damaged brand new facilities. Deputy Howlin mentioned this also happened in his constituency. It is particularly galling to those who put such effort into the community to deliver them. It is an intolerable situation and one we should not have to worry about. We should not have to worry about letting our children play in local greens and community spaces and no one should fear taking public transport, especially at night, or indeed even in the evening. No one should have to avoid whole sections of the city due to personal safety fears yet here we are. Our communities and public spaces are there to be enjoyed by everybody, not to be hijacked by a cohort of people who have no respect for the community or indeed general society.

While this kind of behaviour is not the exclusive preserve of young people, nor do the vast majority of young people engage in such behaviour, we must recognise there are a significant number of incidents involving people from this age group and we must restore confidence within the general public that our communities are there for everybody and that they are safe. The strategy is a starting point in our efforts to achieve this goal and I am pleased to see the development of the strategy's stakeholder engagement agenda was given priority. It is vital for the development of sustainable policies that local communities, gardaí and other groups at the coalface are engaged together because they know where the fault lines are and where solutions can be found to remedy them.

The strategy rightly recognises that to successfully implement this kind of change requires cross-Department co-operation. Importantly the development of an expert-led forum on anti-social behaviour will inform future legislation, including the examination and introduction of powers for the Garda and new interventions and support measures for the parents of offenders. It is also important this forum consider the sources and reasons behind antisocial behaviour, some of which will not be new such as, for example, economic advantage or indeed lack of opportunity. However, more deep-lying issues may be at play, including mental health, and we must explore these avenues appropriately. Only through understanding the problem can we reduce properly the incidence of antisocial behaviour and introduce solutions to solve the problem. There has been progress on the issue in recent months including action on scramblers, which have been the scourge of many communities for many years. We have also seen progress in getting more gardaí out of their offices and onto the beat. This will result in significant improvements and already has done in certain communities, allowing gardaí to carry out their duties and be present in a community rather than being kept behind desks dealing with administrative work. While these are important steps that will make a difference to communities across the country, we must build on these advancements. Combined with an ambition within the national youth justice strategy, particularly with respect to early intervention and family supports, we can begin to turn the tide on antisocial behaviour.

Consideration is also being given it given to criminalising adults who groom children to commit crimes, and this is most welcome. It is a sad reality that adults engaged in criminality in Ireland, especially those in gangs, will attempt to pressurise and force young people to carry out criminal acts on their behalf. Moreover, the examination of increasing the age limit for applications for the youth diversionary programme to 24 years could help expand the net in which we can help and hopefully rehabilitate vulnerable young people, thus breaking the cycle of violence in their lives. I must of course mention organisations such as Youthreach and other service providers who are a link in the chain and a pathway to these diversionary projects, or indeed avoidance of these diversionary projects in the first instance. I urge the Ministers of State

to ensure these programmes and initiatives have the resources needed to be successful. This is true too of An Garda Síochána. While I welcome the significant level of funding increases in recent years - totalling approximately €1.9 billion in 2021, which has also allowed for an increase in numbers of gardaí and staff - statistically speaking, when we compare ourselves to our near neighbours, the number of members in AGS is quite low. As society changes the policing model must change with it and that clearly means greater numbers.

I welcome continued investment in this area, as I have done since I joined Dáil Éireann in 2011. These problems will not be solved overnight and require long-term planning and investment to ensure all those who play a part in the justice system are properly resourced. It would be remiss of me not to mention the Courts Service, which is under-resourced *per capita* when compared with other jurisdictions, especially common law ones. That is something that must be addressed as well. I welcome the publication of this strategy. I look forward to assisting in its implementation in whatever way I can. I again express my appreciation to the Ministers and Ministers of State responsible.

Acting Chairman (Deputy Sean Sherlock): Deputy Calleary has three and a half minutes, to be followed by Deputy McAuliffe who has three.

Deputy Dara Calleary: I thank the Acting Chairman. I wish him good luck in the new gig. He looks very comfortable in that chair.

I welcome the debate on the strategy. I commend the Minister of State, Deputy James Browne, on the huge work he has put into the strategy. I join others in commending Deputy Stanton. Way back, we were both on the justice committee and I know he has taken an interest in this. I say well done to my colleague, Deputy McAuliffe, who has led the way on scrambler legislation. I was listening to Deputy Howlin's speech and I fear the strategy will get lost in the silos our civil servants love, so as to avoid action and radical change. We cannot let that happen on this occasion because by avoiding action and radical change, lives will be wasted. Opportunities will not be taken. Communities will be wasted. There are so many linkages here. It is with the Department of Justice but this must link into an apprenticeship strategy, education strategy and to school completion; it must look at the serious challenge of addiction, the completely underestimated and misunderstood scale of the drugs challenge facing every single community on this island and every single member of those communities, but especially young people. There are the issues around social media and the impact that is having on our young people. I too commend An Garda Síochána on its work on the youth diversion programme and the youth awards. However, they need far greater support. There must be far greater co-ordination and cohesion. There are so many Departments which keep washing their hands of this challenge. Now the strategy is there it must be driven hard. Deputy Howlin is right in saying there must be a Cabinet committee driving this on because otherwise this will not happen, no matter how good our intentions are in the House this evening.

We also must be realistic about integrating our new communities and the new Irish communities into this strategy and ensure they have the same opportunities. How does somebody who is in direct provision get the kind of opportunities we envisage for all our citizens with respect to education and healthcare? We must be proactive and aggressive in presenting the opportunities to those communities as well. In the last number of months, there has been a far greater focus and concentration on antisocial behaviour as we come out of the pandemic. We must wake up to that before something serious happens. Right around this country people are being injured on a nightly basis. However, it is not just the preserve of young people. There

are older people involved too but young people seem to get branded with this tag at all times. Unless this strategy is driven and driven hard I am afraid another Dáil will be here again in ten years, discussing the same problems, which will by then be deeper; there will be the same lack of opportunities, which may be worse, and the same challenges facing our country. This must be driven on a cross-departmental basis. No Department and no agency can hide.

Deputy Paul McAuliffe: This is one of the first debates I have had the opportunity to sit and listen to given the restrictions we have had since I was elected. I acknowledge all the contributions and particularly the commitment of the two Ministers of State, Deputies James Browne and Naughton. I welcome the publication of the strategy. I do so because many of the communities we discussed in this report are ones I represent in this House. They are proud communities. They hate the stigma that much of this brings on them but they know that within those communities lives a scourge. Deputy Howlin's warning is important because we must be cognisant of the scale of that problem. The largest economic generator in my community is probably the drugs industry. When people in the community see it, they do not see the industry itself because it is hidden. Instead, they see the physical evidence of the people who are impacted by it. They see people who have an addiction injecting, defecating or urinating at school gates as children go in and out. They see aggressive begging at shops and open drug dealing or as one resident called it, the "supermarket". They see children being used as drug mules in exchange for a curry tray or a pair of runners. They see businesses operating in plain sight that clearly have links to that drugs industry. We have to know the scale of the problem because that is the industry that our young people are being subjected to and targeted by. It is as much a threat to the security of the State as paramilitaries, Covid-19 or Brexit and we must look at it in those terms. It is too easy to demonise the people who are impacted by the drugs industry, those with an addiction but those people who we do not see being impacted by it, particularly young people, are also a threat.

I welcome the strategy and the fact that we have already started to see implementation. I particularly welcome the antisocial behaviour forum which is really important in terms of project managing solutions. I also welcome the action on scrambler bikes, the implementation of the so-called Fagan's law to stop children from being exploited by criminals and the community safety partnerships. I welcome in particular the community safety fund which seeks to reflect the seizures that are happening in communities in terms of the funding made available to those communities.

In terms of the community safety partnerships, we need to move very quickly from the pilot phase to implementation and I will make no bones about the fact that Ballymun and Finglas will be first in the queue to avail of those partnerships. However, the HSE and Tusla must also be involved. For too long when partnerships were established by previous governments, the HSE and Tusla were absent which is why they have not been able to respond appropriately. I am very worried that the UBU, Your Space, Your Place contract, which is the responsibility of the Minister for Children, Equality, Disability, Integration and Youth, is not doing enough to target disadvantage, unlike previously under the Young People's Facilities and Services Fund. Finally, on the issue of commitment, the Taoiseach sat down with me for an hour this week to review the Ballymun - A Brighter Future report and I appreciate the time he gave to that. Senior leadership is needed to tackle this in every community that is impacted by it.

Deputy Denise Mitchell: I welcome the opportunity to speak on the National Youth Justice Strategy this afternoon. Youth justice responses have always been seen as a reaction to young people involved in crime. As communities, we need to come together to find ways to assist our

young people, guide them away from a life of crime and enable them to meet their full potential. Detention must be seen as a last resort. I welcome the fact that this strategy seems to be more proactive and acknowledges the reality of our young people's lives. Expanding the youth justice programmes and funding them properly can only have a positive impact on our communities. Garda youth diversion projects had their funding slashed over the years of austerity and have not come close to full recovery. We need to see a serious investment in this area. Community policing is an issue we have raised in this House many times because it is really important when it comes to engaging with young people. The football street leagues, for example, have had a lot of success in certain areas in Dublin. Good community gardaí can make a real difference and we need to see more of them.

This strategy does not just fall to the Department of Justice. A number of State agencies need to up their game. I hope we can see an improvement in how agencies interact with each other when it comes to making timely and important interventions in young people's lives. We need everybody working with young people to do so in a co-ordinated way to make sure that the best interests of our young people are front and centre.

Deputy Ruairí Ó Murchú: While I welcome much of what has been said today on the National Youth Justice Strategy, we can have all the plans that we want but unless adequate resources are provided, they will not mean anything. I agree with previous speakers that this State has a history of conducting pilot projects. Those pilot projects, if successful, need to be reviewed, best practice must be put in place and the projects must be operated across the State, particularly in those urban settings that suffer most from the type of crime we are discussing today.

I welcome the strategy's references to early intervention, diversion and family support. We need to look at this holistically. Family support is not just about dealing with situations when people are already in difficulty with the criminal justice system, are falling into criminality or are well ensconced in it. At that stage, young people may be committing serious crimes, may find themselves being used by criminal gangs and so on and we need criminal justice action that deals with that, particularly when we are talking about serious crime. Long before we get to that acute stage, however, we need to use real early interventions. We need to intervene in the lives of kids who are growing up in areas that have huge levels of deprivation, that suffer because of the actions of criminal gangs and whose families may need more supports. We need to offer such supports at a very early stage so that these kids can benefit from the education system and move on into employment. Education and employment are things that many of us benefit from without thinking twice about it.

I welcome the fact that we are discussing the National Youth Justice Strategy in the context of the wider justice strategy. Reference has been made to the community safety forums which would mean bringing more State agencies together to combat crime and protect our communities. We need this to happen. I welcome the Guerin report and the implementation board that has been put in place for Drogheda. However, I am very wary when I see that the family addiction support network in Dundalk that deals with Louth, Meath, Cavan and Monaghan, which offers real solutions and which is often used by An Garda Síochána, is having real difficulties drawing down funding to stay afloat. We really need to look at this holistically. We are dealing with areas in our constituencies, particularly in urban settings like Dundalk, that are being run by fiefdoms, with kids being used by capos. We need solutions that deliver for those people and we need to protect our communities.

Deputy Catherine Murphy: I broadly welcome the National Youth Justice Strategy and commend the work of the expert steering group in putting it together, as well as the work that went into it at ministerial and departmental level. There is a very welcome focus on children's rights throughout the document. The strategy places an emphasis on early intervention, prevention and diversion, with the use of detention acknowledged as a last resort and we would all agree with that. A lot of work has gone into the development of this strategy. If enacted, and I underline "if", the policies being presented by the Minister today will help a lot of young people in this country who are in need of support. However, there have been countless strategy documents published over the years but few, if any, have been fully implemented. It is fair to say that we need assurances about implementation. There is no point in putting together a very good strategy document if there is no commitment to implement it. The key question is how this strategy is taken from paper into practice. What timeframes and key performance indicators will be set out and who will be responsible for ensuring they are adhered to? We need this strategy to be delivered in practice.

The youth justice oversight group is a very welcome aspect of the new justice strategy and, if done correctly, this group could be the key to ensuring that the document does not become yet another set of very good ideas that are not implemented. It is vital that membership of this group represents the lived experience of young people and youth workers. It has to represent the situation on the ground rather than what people think it is. There is often a tendency to stack the boards with departmental officials, policy advisers and so on, but doing something behind a desk is very different from people who have a working knowledge of what needs to be done and where the priorities need to be set. Meaningful oversight will be really important. The saying in disability activism is "nothing about us without us". There is a very strong argument for including some young people on this oversight and I am not talking about one token person. That would be extremely beneficial.

Will the Minister of State outline at what stage the formation of the oversight group has reached? Who will sit on it? When will it meet? That will be the difference. I very much support the work of the Garda youth diversion programme around the country. Those involved take a youth work approach and play an essential role in keeping young people out of the justice system. It is not every youngster who will be suitable for the youth diversion programme. The nature of the crime is relevant. If it goes beyond antisocial behaviour and is something covered by the criminal code, then the person might not be suitable for the programme. The Garda carried out an audit between 2010 and 2018 and discovered cases involving upwards of 7,000 youngsters where there was no follow-up in respect of crimes that were not considered suitable in the context of the youth diversion programme. These included serious assault, theft and criminal damage. Too often we hear it said that someone is under 18 years of age and you really cannot do anything. Not doing anything invites those who have committed serious crimes to move up the food chain. It is unacceptable that that number of crimes would not be progressed because it sends out a bad signal and is not good for those individuals either.

Far greater resources are needed. Earlier this year I carried out an analysis of Garda staffing and resources across the country and found that, with only two exceptions, the number of Garda youth diversion programmes in each division was unchanged since 2016, and the majority retained at 2013 levels. That has to be looked at. It is a very good programme but it cannot be so sparse that it is not meaningful. With fluctuations in youth crime, it is really important that there is a response and it is updated routinely.

The Department of Justice has stated its intention to develop the service, but the expansion

of existing services has been slow and a greater degree of urgency is required. Every item of policy contained in this document needs to be backed up with a lot of evidence, not just from the Garda but also from youth workers and child psychologists. I have to question the rationale behind the extension of the Garda youth diversion programme to children between eight and 11 years of age. I am concerned as to whether that is an appropriate response for people in that age group. The Irish Penal Reform Trust has pointed out the importance of not labelling children as possible offenders at a very early stage because it becomes very problematic as people assume that behaviour. Have other avenues of support been considered for this age group, such as after-school programmes or other resources? I carried out an analysis of the funding that went into a youth work programmes. It is very patchy throughout the country. There is no evidence to show that when an area grows, the services in that area, which might have a very young demographic, grow too. There is no evidence that money follows population or demographics. That needs to be looked at because that is where you will do some of the diversion before you get to Garda diversion. I have seen it work very well with a small number of people in my area who were identified very early on and diverted into very positive activities rather than becoming a problem for the youth diversion programme.

We have to be very careful. You often see articles in the media about young people that are very negative. That has to be balanced up because the vast majority of youngsters would never give five minutes of trouble but they do feel labelled by the them-and-us presentation. It is very important that we foster good role models and that for all the negative things there are positive things said as well. There is no shortage of positive things, but they are not highlighted. I recall one diversion programme in my area whereby youngsters were in a scheme that led to them being involved in a lot of positive activities. A couple of them said to me “Do I have to do something wrong to get to do some of those things?” Not providing the other services presents a real problem. We must look at this matter in its totality. The very small amount of money that goes into youth work is a really good investment when you consider the cost, for example, of incarceration later on, the nuisance that certain behaviour causes if it is at the antisocial level and what happens when it goes beyond being a nuisance when it ends up being contemplated by the criminal code. As I said, a significant number of people end up in the very serious category and their crimes have not even been followed up on. That needs to be addressed.

Deputy John Lahart: I welcome the opportunity, as do my colleagues, to contribute to these statements on youth justice strategy. I welcome the Minister of State, Deputy Hildgarde Naughton, and commend both her and my colleague, the Minister of State, Deputy James Browne, on the energy they have brought to their particular portfolios since their appointment last year. They have made a difference.

My constituency, Dublin South-West, is colourful both politically, in terms of the representation it returns, and demographically, in the context of the reasonably and moderately wealthy suburbs to suburbs with significant challenges and needs of which it is made up. I do not mean to stereotype these places because there are challenges in every community, but I often wonder what it is like to be Irish in 2021 if you are from the parts of west Tallaght that I represent. If you were defining what it is like to grow up in Ireland or setting out how you see Ireland as a young person growing up in these areas, how would you describe it? Descriptions in this regard are certainly worth eliciting. Perhaps this is a project that the Minister of State might fund for young people in these areas to allow them to articulate answers to questions such as: “What it is like for me to be Irish where I live?”; “How do I see the world?”; “How does the world see me and how does it respond to me?”; “What are my chances and my opportunities here?”; “What

are the obstacles to me fulfilling my potential here?"; "What things get in my way?"; "What are the institutional pieces of architecture that support me hugely in my youth?"; What is lacking and where am I let down?"; "From where do I not get support?"; "Who stands in my way?"; "Who abuses me?"; "Who understands me?; and "Who is it that does whatever they can to ensure that I can achieve my potential as a human being?"

I have no doubt that there would be incredibly positive answers in there as well as some surprising and very challenging answers for society. For that reason, I believe that there needs to be a much stronger voice from children and young people in this strategy and that it needs to be tapped into on a pretty continuous basis. There is a lot of top-down stuff, notwithstanding the best will in the world of the agencies involved. We need those agencies to engage more with the young people they are trying to support. There are increasing supports in this approach of the national youth justice strategy, which I welcome. Any increase in supports for young people, and particularly in my constituency, are to be welcomed.

Reference was made to the Garda youth diversion project. It is hugely welcome that this is to be enhanced to cater, in particular, for children with additional and more complex needs. As a public representative, one also comes across the other tools that are open to the Garda, such as antisocial behaviour orders - the famous ASBOs. There are a lot of gardaí, and newer recruits in particular, who do not know what an ASBO is. It is one of those measures to try to intervene with the family and to educate its members to the effect that they have responsibility. As the Garda superintendent, the chief superintendents and the sergeants on the ground will tell us, these will actually work where there is a good strong family structure and where the parents and guardians are on the same page as the Garda. These measures, however, simply will not work for those kinds of structures are not in place and where the family fabric may not be as strong and needs a lot more support. I would like the Minister of State, Deputy Hildegard Naughton, to bring this back to the Garda Commissioner. I have encountered this, not once but twice, and it was used. In some cases, it is used quite effectively. It is a tool that is there to be used, and not just during Covid. We are coming up to Hallowe'en, a time when antisocial behaviour can occur when youngsters are gathered together. This is where community gardaí come in because they know the communities. We need a lot more community gardaí. They are able to separate the leaders from the herd. There are usually just two, three or four leaders in a group and gardaí on the ground who have the relevant knowledge know who they are. It is about engagement with younger people and the Garda and other bodies being aware of the powers and tools that they have available.

Over the course of four years in opposition as my party's spokesperson on Dublin, I raised the issue of scramblers. Finally, the Government is getting to grips with this. I welcome that and it is now up to the Minister for Transport to provide that last little piece of meaningful legislation. That is the stick, but there also needs to be a carrot. Why not have a diversionary element to that? I am aware that the Minister of State, Deputy Browne, has funding available for projects in a number of communities that have been badly affected by those using scramblers in different ways. I am aware that in Deputy McAuliffe's constituency it was happening on the streets and in my own constituency was happening it is in fields and parks. It has manifested itself in different ways.

The final issue I will raise is Garda numbers. I do so specifically in the context Tallaght Garda station. Tallaght is the same size as Limerick. This is an old chestnut. I do not know how many Garda stations there are in Limerick city and Limerick county. While I do not want more Garda stations, I do want more resources.

The final point I will make, and I thank the Acting Chairman for his forbearance, is about the visibility of drug use and drug distribution, which undoes every measure that the Government and statutory agencies bring forward. It is a theme I will return to again.

Deputy David Stanton: I acknowledge the fact - this has been mentioned a few times already - that I was very anxious when I was the Minister of State that we would have a strategy and plan. We pulled together the experts in 2019. There were 26 people who worked extremely hard on the strategy for more than a year. I acknowledge their work. They were led by Deaglán Ó Briain, a very impressive official in the Department of Justice. Really and truly these people put their hearts and souls into this because they knew they were doing something very important.

Colleagues mentioned the importance of resources. This cannot be understated. It is hugely important. In the context of resources, throwing money at something without having a proper strategy, plan and underlying philosophy can be a waste. We have seen this over the years.

There were a few things we were very anxious to have included in the strategy, the most important of which were prevention and early intervention. It is hugely important to get in early. Primary school teachers, and teachers in crèches, will tell us that they can identify children at a very young age who are suffering from adverse childhood experiences. Deputy Howlin mentioned trauma. This includes abuse, neglect, community violence, homelessness and growing up in a household where adults are experiencing mental health issues or harmful drug use. All of these can have long-lasting impacts. From my work in counselling some years ago - and I know that Deputy Lahart has been involved in this area also - I discovered that very early trauma can have a massive impact way down the line. This is why we must intervene early.

Collaboration between agencies is hugely important. Schools can often identify children who are really impacted by trauma and troubles. The youth agencies are out there, as are the Garda and the health service. They all need to work together and collaborate at a very early stage and right up along the way. We were very anxious that this would happen, and I am very glad to see it in the strategy.

I pay tribute to the Ministers of State, Deputies James Browne and Hildegard Naughton, for launching the strategy. I was afraid that might not happen. It has happened, however, and that is great to see. There is agreement across the House that we need to drive it on now. There is a lot of good stuff in there, but it is a living document and we must work with it.

The best interests of the child must be at the forefront here. I could talk all day about this. Youth justice workers and community-based organisations are hugely important. I have been out there, and colleagues mentioned seeing communities in trauma and in conflict, with young people who are really and truly caught up with this violence and trauma, and communities that are lost. In the middle of those communities, however, quite often there are youth services, youth workers and Garda diversion projects that are doing amazing work. I have seen them. I have met with young people who have been diverted away from a certain life of crime because of the work of a significant adult in their lives. This can be the mentor who stepped in and took the place of the parent who was not there very often. That is hugely important. It is very interesting that sometimes these young people can become leaders themselves in a positive way in their own communities. I have seen where they have stepped up to the mark and started to lead their peers away from antisocial behaviour. We do need to provide services and places where our young people can go and meet because being on the street is no place for them. This is why

sport is hugely important also. The Acting Chairman, Deputy Sherlock, and I have been calling for the funding relating to the sports capital programme to be at least doubled this year. This is something we really need to see happening, with more money being put into sport and young people in and outside should be encouraged to get involved in positive activities such as youth work, art and music. In my constituency, we have children for whom the system has not worked. They are now learning through music with the East Cork Music Project. It is amazing to see how they are coming on and developing. There are ways and means of doing this.

The youth services need all the support we can give them. Very often they are operating on a shoestring. They need support. They are out there at the cutting edge, meeting these young people on the streets and elsewhere and engaging with them in a very positive and proactive way. The services need to be supported and encouraged. If we can divert one child away from a life crime, we are saving that child's life. We are diverting that child from misery, hopelessness, suffering and prison further down the line. If we can start early and get in early it makes a massive difference. Positive leisure time, sports, outdoor skills, arts and cultural activities are vitally important.

3 o'clock

The Commission on the Future of Policing in Ireland mentioned co-location of services. That is something we should work towards.

I also want to make reference to the Youth-JARC programme, that is, the Joint Agency Response to Crime, which focuses on the prolific offenders. The Youth-JARC programme is a pilot project we established a number of years ago in counties Cork and Dublin and it has been quite successful.

Again, however, these are not easy answers. If there was an easy answer, we would have found it a long time ago and there is not. It is hard work. It is never giving up and staying there all the time. The doors have to be open for these children no matter where they are. I believe this strategy has huge merit.

I will also just speak for a moment on the other issue of community safety, on which I commend the Minister of State, Deputy Naughton. This is vitally important. It is something I raised recently when we had the joint policing committees. The Acting Chairman, Deputy Sherlock, and I were involved, I am sure, in quite a number of those at the start when they were in towns. The town councils disappeared, for good or for ill - that is another debate - but the joint policing committees that were established locally in the towns also went. I suggest that the Minister of State might look at her municipal districts where there is a structure in place. If the municipal districts and community safety committees could be co-located geographically, if you will, it might be a good start.

Acting Chairman (Deputy Sean Sherlock): I thank Deputy Stanton. I now call Sinn Féin. Deputies Quinlivan and Tully will share a five-minute slot.

Deputy Maurice Quinlivan: I welcome this strategy, which is quite good. It is important that we recognise that many juvenile offenders suffer multiple disadvantages and that early intervention is the key to reducing the number of juvenile offenders. That is really a critical and important thing to say.

When I read the strategy and its accompanying notes, I was thinking about how this will

work in my constituency of Limerick. As the Minister of State is probably well aware, we have huge problems in parts of our city. Some parts suffer from massive disadvantages, whether that be poverty or where parents in families have addiction problems. Youth unemployment is off the scale in Limerick. Eight of the top ten unemployment black spots in the State are in my city of Limerick. Obviously, there are other factors which contribute to youth criminality or whatever they are up to. People might come from backgrounds of domestic abuse or where there is a failure of parenting in a family.

I commend the strategy. I think it will really work well if we are serious about this. We can make those interventions that can save lives, families and communities. The flip side is that if we do not, we will be back to where we are. We have seen it across communities and we had difficult problems in my own city a number of years ago. Thankfully, we are not exactly there but I am concerned that we are on the tipping point where it might be coming back to that scenario. The impact it has on people and communities can be dramatic. People have a right to live free and safe in their own homes and sometimes it does not happen. It is, therefore, important.

One of the biggest things we did in Limerick, which was hugely successful a number of years ago until, unfortunately, the numbers were cut, was to have community gardaí on the streets. They really got involved in communities and spoke to young people. They were involved in the sports clubs in the local communities and in residents' associations. Unfortunately, however, the numbers dropped. I have the details of the cuts to community gardaí in front of me. In 2008, there were 92 community gardaí in Limerick city and in July 2020, there were 31. That is a huge drop-off in community gardaí in Limerick, who genuinely did a massive amount of work and made a massive contribution to making our community safe.

Youth crime has an impact on communities, whether that is drugs, scrambler motorbikes or small incidents of antisocial behaviour. It is really upsetting people. In the short time I have, I will emphasise the fact that the vast majority of young people are very good kids. They have done a really good job, especially in the last number of years with the pandemic. They have done fantastic work and it is important that we mention that as well.

Deputy Pauline Tully: I welcome the Youth Justice Strategy 2021–2027. It is a very good document and I do not believe there is anything in it that I or anybody else could disagree with or argue against. None of this will work, however, unless adequate resources are put into the various organisations and clubs that are mentioned in the document, and that we ensure there is cross-departmental and agency co-operation when working together. It is very important.

When I think about or discuss crime, whether it is youth crime or crime in general, there is an imbalance between what is invested in prevention and early intervention and what is put into the Prison Service at the other end. It is unfortunate because we have to try to keep as many people as possible from getting involved in crime.

My background is in teaching. I spent almost 30 years teaching in a DEIS school in County Cavan. Like others have mentioned, the vast majority of young people I encountered over those years were absolutely brilliant. If one investigated a little into the backgrounds of the few who did present with issues, that is where the problem was.

When I first started teaching, because I was only teaching part time and not full time, I worked in a pub during the summer. It was an eye-opener and an education for me. I witnessed

parents coming in and perhaps spending the whole day drinking in the pub, with their children running around the street doing God knows what or mixing with God knows who. It made it clear that some of these children have very poor backgrounds. In fact, not that long ago, before I left teaching, I heard of students going into a different pub in their school uniforms and sitting at tables doing their homework because the parents were at the bar drinking.

A common denominator for a lot of young people who get involved in crime is poverty and deprivation. Those issues need to be tackled. Addiction is another huge issue and, again, proper services need to be put in place to deal with that. Mental health is the other issue. We need many more mental health supports as well.

When I was teaching, the school completion programme was excellent in trying to keep those in danger of early school leaving in school. It is vitally important to keep young people in education and training. That was probably around the time of the recession and the next thing was that the budget was slashed. The programme was not done away with but the resources were greatly curtailed. It is an awful pity. It would be great if more funds could be put into the school completion programme to bring it back to life and work with many of the young people.

I want to echo comments about the Garda youth diversion programme, which does excellent work. Again, additional resources that could be put into that and into community policing would be more than welcome. The need for additional funding for sports other youth activities is also vitally important.

Acting Chairman (Deputy Sean Sherlock): I thank the Deputy. I now call on People Before Profit-Solidarity. There are ten minutes in the slot. Is Deputy Gino Kenny taking the entirety of the ten minutes?

Deputy Gino Kenny: I probably will not. We will see how it goes.

Acting Chairman (Deputy Sean Sherlock): Deputy Boyd Barrett is due to share the slot.

Deputy Gino Kenny: I do not normally take ten minutes. Less is more, as they say.

I welcome to the debate today with regard to the national Youth Justice Strategy 2021–2027. It is a good document but as with any document, its implementation is the most important thing.

I commend the Minister of State, Deputy James Browne, on the community approach regarding the misuse of scrambler motorbikes in particular areas. There is particular problematic issue around scramblers where I live. A holistic approach that turns an antisocial activity into a prosocial activity is a very good strategy. Hopefully, it works out. I know a number of young people who have put in an application regarding funding. They are very enthusiastic and when that happens, they bring other young people in with them.

This all depends on resources. The strategy of dealing with legacy issues such as marginalisation, inequality and disadvantage was not in the document. That is a different remit. Those kinds of cutbacks were very evident in the economic crisis of 2008-10 and afterwards. I believe more than 50% of cuts were made to youth services over that time, and still, to this day, youth services are trying to recover from those cuts. They have clawed back a good percentage of them but there are still huge legacy issues. If we do not have the resources then it is going to be very difficult to engage with young people.

Lucan has one of the biggest youth populations in Ireland, if not Europe. This is a huge de-

mographic. There are many young people and a lot of new houses have been built in the last ten to 15 years. The resources for agencies are just not there, however. They have a small amount resources but they cannot do what they are professedly trained to do, which is to engage with a lot more young people. If we do not engage with young people then the outcomes are not good.

It is the same in Newcastle which, again, has a lot of new builds and many young people who want things to do. We were all young once. Young people sometimes gather in places where they should not be gathering but, generally, they want to do things. They do not want to do bad things; they want to do good things. If we have things for them to do, however, then the outcomes are very good. This is seen not only in Ireland but in Scandinavia where, rather than taking a criminal justice or policing approach, the best approach is through youth work, diversion and so forth. That is the way to tackle certain issues around young people.

I read with curiosity about the Greentown initiative, which I had never heard about. It is a good critique of how young people are drawn into serious criminality. I can tell the Minister it is a losing battle, especially in the areas I know. It is depressing to see people as young as 12 or 13 years being drawn into criminality, generally around the distribution of drugs. It works like clockwork. These kids are groomed by adults. Money is provided and these young people are used for the distribution of drugs. As I said, that battle will be very difficult to win. Can it be addressed? It can. I probably will not have time to address all of the issues but the issue of 12-year-old children selling crack cocaine to adults is one I and most people find abhorrent. It is unbelievable. I would have known these young people from different activities. We want to do something about it but that is up to the authorities and the relevant people.

These are issues this strategy is trying to address. It is not perfect, by any means, but it will have better outcomes for young people. Engaging with young people leads to better outcomes for them, their parents and siblings. The Garda youth diversion project is a very good one. It diverts young people from engaging in activities they should not engage in and is worthwhile. Midnight leagues football is a brilliant project. Community gardaí tell us it diverts young people from activity they should not be engaged in. Engaging in other activity leads to a better outcome.

This is about resources. The majority of the aspirational aspects of this strategy can be resourced but, again, is all about outcomes. We need to engage with young people in the right way and avoid speaking down to or demonising them, as happens in society, especially in the media. We have to try not to demonise young people. If people are told they are stupid or smelly, that will get into their heads and they will think that way. If we tell young people they are good and do good things, the outcomes will be good for them and society as a whole.

Deputy Patrick Costello: Like many areas of youth work and many areas in general, the Garda youth diversion projects have been under significant strain in the past 18 months or so as a result of Covid. This has allowed many of these projects to reach out and find new ways of working. Much of this outreach was effective in reaching out to young people who might not have been involved previously in the centre-based work of youth projects.

I am on the board of a Garda youth diversion project in Crumlin called CLAY. The project did assertive outreach to hard-to-reach young people who were causing trouble in the neighbourhood and were not engaging with any of the centre-based services. This focused piece of outreach allowed CLAY to reach out, build relationships and start the work, accepting where these young people were at and start pulling them back into the centre or even trying to divert

them from where they were, while working on the street.

As things return to normal, many of the services are faced with the challenge of choosing between outreach, which is proven and effective and reaches very difficult-to-reach young people, and centre-based work, which is also proven and has good outcomes for young people. To force services to choose between outreach and centre-based work is deeply unfair and, ultimately, unfair to the young people.

We need fund dedicated outreach workers and services to reach those young people who are so far refusing or unwilling to engage with centre-based programmes. It allows a street-level response to the crime and antisocial behaviour the projects are not able to bring, notwithstanding the good work they are doing in the centres. It is not either one or the other; we need both. To do the outreach properly, we need funding to go with that. There is no mention of that kind of specialist outreach in the strategy. We need to start resourcing and developing policies around that.

Speaking of youth and hard-to-reach groups, I share the concerns raised by other Deputies and the Irish Penal Reform Trust on the inclusion of children aged between 8 and 11 years. Bearing in mind the age of criminal responsibility begins at 12, I am concerned that scooping up children aged between 8 and 11 and including them in a criminal justice response will stigmatise a whole bunch of young people who should be receiving generalised rather than justice themed support services or support services around offending.

I know there is offending behaviour among young people of that age. Gangs are looking to groom children of that young age, partly because of the lack of criminal responsibility that applies to them. We need a response to them but a criminalising response or one that scoops them into justice programmes will create problems of stigmatisation. There are huge problems with stigmatisation. Many young people in disadvantaged and marginalised communities feel they are picked on, simply by being a member of that community and feel the gardaí are out to get them because they are poor. This creates an us-and-them attitude and a resistance to the kind of youth justice work that is successful. This can be fatal to much of the youth justice work we are all praising. We need to be conscious of and careful around that stigmatisation and of how many of the youth offending problems we are talking about grow out of a background of inequality, marginalisation and poverty.

While a youth justice strategy is very important, it must have a fundamental grounding in that world view. The Minister of State, Deputy James Browne, spoke about the need to be holistic and community focused, but we need to be naming marginalisation, poverty and social exclusion and actively addressing them. Previous speakers referred to the need to include Tusla and the HSE and this is all part of that. While I commend the strategy, that is one point that occurs to me.

One related issue, which was also raised by Deputy Gino Kenny, is direct consultation with young people. We need to find ways to directly communicate and consult with young people and have them feed into these projects. Much of the youth justice work comes from that youth work perspective of consultation, empowerment and engagement. Much of that work is being done, but I look at the all-party parliamentary group on knife crime and violence reduction in the United Kingdom and on encouraging and supporting direct consultation with young people and children from many of these marginalised communities which are often over-policed and will be on the receiving end of this strategy. Finding ways to do that direct consultation will

also help break down the stigmatisation and the us-and-them attitude between young people and gardaí. I thank the Minister of State for his support.

Deputy Bernard J. Durkan: I am glad to have an opportunity to speak on this legislation. Similar to my colleague, Deputy Costello, who just spoke, I believe we have a particular situation arising in the aftermath of the lockdown that is more serious than it was previously. There are a number of issues we need to take into account and a number of initiatives we need to take. This legislation is one of them. We have to learn how best to deal with this matter. Confrontation is not the way to do so, in the first instance. We have to establish a system that young people will have confidence in and can approach on the basis that they will come to no harm, their circumstances will improve, they can rely on it and they will not become victims of the circumstances.

There is, however, a need to take people off the street. The situation, as it is now developing now, is that many people are concerned for their safety just walking along the footpath. That should not be the case. We can say that the youngsters concerned are deprived and have not had a proper chance, which is true. However, the fact is people, including other children, women and older people, are also being deprived by virtue of having their rights impinged upon, in a serious fashion, to the detriment of society and the good name of the country.

We should concentrate, in the first instance, on ensuring that a proper service is available and gardaí are specifically trained to deal with such circumstances as they emerge. This is not a normal situation. Gardaí may well be faced with youngsters who are confrontational. That will not solve the problem or make it any better. It will not solve the problem for the Garda, society or the youngsters themselves. We need to put a lot of thought into how we deal with the issue but we have to deal with it.

Another group we need to recognise - I have raised it on many occasions in the past - is first-time offenders. This is assuming they have not gone past the stage where they can be hauled ashore. We need to ensure first-time offenders are treated properly and there is a way to bring them onto the straight and narrow path. However, if they go to prison, it is hugely important that they do not find themselves in the company of hardened criminals on a daily basis and subject to the same regime all the time. They should get the first possible opportunity to have their educational needs and recreational needs met, and to have their character built up within the prison system. In other words, they should be able to become confident that society is not their enemy, they can improve society and that society can contribute to their situation in a meaningful way that is neither confrontational nor aggressive. That has to be done.

I followed many questions over the years on this subject. I discovered – although I do not know how much has changed - that certain groups are formed within the prison system. There may be an attitude that allows these groups to dominate who gets educational training and who gets proper treatment inside the system. It can deprive those who need that training most to ensure they do not fall further and further down the criminal league or create a problem for themselves that is much more serious than mere delinquency, for want of a better description.

There are three elements to this. First, we need to deal with it. Second, we need to deal with it in an appropriate fashion. Third, in the event of all systems failing and the youngsters finding themselves in prison or juvenile prison, we need to ensure they do not fall under the influence of professional criminals who will adopt them, recruit them and use them for their own ends in pursuit of their own objectives every time. It is not just that they are in danger doing it. It al-

ways happens and will happen every time. Those kids then find themselves in a situation where there is no redemption for them in the future. They are ostracised by everybody. They feel themselves rejected by society, and they are. They feel that there is no hope for or faith in them.

We need to have a system that responds to the situation, from the point of view of the youngsters and society. Society should not harshly treat people who find themselves on the wrong side of the tracks. It is important it does not do so. There is everything to be gained from approaching that kind of situation in a thoughtful, caring manner, which will be of benefit to society

Deputy Paul Donnelly: I welcome the strategy and commend all those involved in producing it. If implemented, it will have a significant impact on young people at risk and help to divert them from criminal and antisocial behaviour. As a former co-ordinator of Meitheal and the child and family support networks, CFSNs, with Tusla, in the Dublin 17 area, I saw incredible results yielded by a parent and child led process that puts the young person firmly at its centre. However, the process fell down regularly because of the serious resource pressures that many of the agencies we worked with were under. There needs to be – and I know it has been mentioned on several occasions because it is such a critical piece of the jigsaw – a significant increase in funding to all of the agencies involved in working with young people. This is to ensure that the agencies will have time to attend agency, inter-agency or Meitheal meetings. This was a significant issue when I was organising such meetings in the Coolock and Darndale areas.

I highlight the need for supports for young people and their families so that they can access services in a timely manner. This topic is brought up pretty much on a daily basis in this Chamber. Children, particularly young people with additional needs, have huge problems in trying to access services. I have just finished a meeting about services for dyslexia. Children often have to wait two to three years to access these services. Many of the problems start at the ages of three, four, five or six years. It is at those points that the children start to disengage from education. In my direct experience working in the Coolock and Darndale area for nearly 20 years, and as a representative for many years in Dublin West, I saw many young, vulnerable people who did not get access to services when they needed them. They were gradually drawn into criminal and anti-social gangs because they were vulnerable, out of school and not engaged because they were on the streets without something to do.

The cuts to youth services, drugs support services, autism spectrum disorder, ASD, services, child mental health services, adolescent health services, and community addiction teams are still being felt today. I know that. I have seen and experienced it. These people will experience it on a daily basis when they are trying to access these services. Yesterday, attending a conference for Travellers on Travellers in prison, I was reminded of the visiting teacher service that was provided for Travellers. We had one of the most incredible visiting teacher services for Travellers in the Coolock area before it was cut. The Traveller community makes up only 1% of the entire population, yet its members comprise 10% of the prison population. The visiting teacher service for Travellers, which was tiny and cost very little money, was cut. I saw the devastating impact that cut had on the Traveller community.

It would be remiss of us not to discuss community policing because it is also a critical part of this strategy. I speak to community gardaí regularly. They tell me all the time that their service is on its knees. They do not have the resources or people on the ground to be able to deal with what they face. If we are asking these gardaí to work with and engage with young people on the ground, attend inter-agency and Meitheal meetings, and meet community representatives

and residents associations, then we have to resource them on the ground and put people into Garda stations to ensure they can do that job. If we do not then, unfortunately, the strategy will be doomed to failure and will become another document that is put on a shelf. I welcome the funding of community-based interventions for the most serious and prolific young offenders and their families, and for those who are at significant risk. I agree that in most cases detention should be the last resort. To ensure community buy-in, the system must be well funded and resourced with highly skilled youth and family workers who should be given everything they need to divert these hard-to-reach young people away from crime and antisocial behaviour.

In appendix 1, section D indicates how bad the situation is. One of the principles of this document states, “that criminal proceedings shall not be used solely to provide any assistance or service needed to care for or protect a child”. It is appalling that, in a youth strategy, we are asking people as a principle not to bring children to court or engage them in the criminal justice system to access services. That shows us how bad the situation is. This strategy concerns the people who are most at risk. I am concerned that the youth services will be diverted from those who are considered “at risk” and that they will not get the service which prevents them from getting to the stage where they are considered “most at risk”. I ask the Minister to review that part of the strategy, because I am concerned about the young people who are on the road of crime but are not considered at serious risk, so that they can engage with some services.

An Ceann Comhairle: I now go to the Regional Group where Deputy Fitzpatrick is sharing time with Deputy Shanahan.

Deputy Peter Fitzpatrick: I welcome the opportunity to speak today. I thank those responsible for the development of the new Youth Justice Strategy 2021-2027. It is a comprehensive report and contains some good points and suggestions on how we tackle the ever-growing problems of youth crime. Unfortunately, those who get involved in crime are becoming younger and younger. It is worrying that crime is seen to be appealing to the younger generation. I firmly believe in taking the approach that prevention is always better than cure. I have said many times in this House that the key to prevention of youth crime is education at an early age. In my role as a politician and in the GAA, I have come into contact with many young people who, unfortunately, became involved with the wrong people and ended up coming before the courts. As a society, we must always ensure that crime never pays. We have seen in recent times, particularly in my own county of Louth, where criminals get children involved in drug crime with the lure of designer clothes and shoes to begin with. Once these children get involved, it becomes almost impossible for them to get free from the criminals. This is where we have to start. We must work on these vulnerable children at an early age and we need to start as early as primary school. Committing crime must be shown as the wrong thing to do and not highlighted as cool. Kids at an early age are exposed to the so-called rewards of crime and think it is a way forward for them. Education is the key to stopping children entering into a life of crime. The strategy we are discussing today speaks about supporting the youths once they have entered into the system. This support is needed. However, we need to concentrate more on prevention measures.

We need to start in primary schools and work with the teachers and other staff who deal with the students daily. We need to help front-line workers and provide them with more training and access to best international practice on how successful countries are dealing with crime. The measures should be seen as part of the curriculum in the same way as mathematics and Irish. It should be normal for children at an early age to be taught their core subjects in addition to how wrong crime is and the dangers which it can lead to.

In my constituency office in Dundalk, I have dealt with a number of vulnerable kids who, unfortunately, got involved in crime at an early age. In these cases, it was evident that if these kids were shown better guidance at an early age, there would have been a good chance they would not have got involved in crime. Apart from working with schools, it is also important that the parents of these children are helped. I know this may not be practical in all cases, but in some situations, parents are crying out for help. This help should be available to those parents. No one knows a child better than the parent does. If we can put support structures in place at an early stage for these parents, I strongly believe we can have better outcomes.

This strategy, it is fair to say, is largely a developmental framework which will provide a starting point for a range of actions and initiatives. We need this strategy to work and it is important in this regard that we work closely together to quickly get this initiative, as detailed in the strategy, off the ground. The time for talk and discussion is over. We all know the importance of this and it is fair to say the solutions are obvious. Therefore, all we need now is implementation.

I come from a sporting background and, being honest, if I was not involved in sport, I would not be here today. People think sport is for elite people; it is not. I was lucky to have played many sports. I played GAA, soccer, rugby and running, and swimming at a time when we did not have a swimming pool. We had a swimming river. Even if the facilities are not available, we should still be able to help. Last night I went to a GAA blitz in Darver, County Louth, where there were at least 300 children present with their parents and grandparents. This happens not only in the GAA, but in soccer, rugby and all sporting organisations. We should invest more money in these sports organisations. I mentioned earlier that the younger generation needs support and guidance, and who better to provide that help than their parents. Is there any way we can get more money into sports? I know people who say that they are not a good footballer, not a good runner or not a good athlete, but they can be a volunteer such as a referee or a coach. People can be in different positions when doing sport. When I was growing up, we had two options: go around the corner and start smoking behind the wall like everybody else or play sport. The type of people one hangs around with has a big influence on one's life.

People think this concerns money and everything else, but this is not just about money. I have been elected as a Deputy on three occasions. I recall when knocking on people's doors while canvassing, I saw numerous children, through the window, playing with their PlayStation or computer games. Years ago, that never happened. People were told to go out into the fresh air and get a bit of exercise. I am a firm believer that a healthy body is a healthy mind and it is important to get as many people involved in sport as we can.

I would not like to think that in two years' time we may be back here discussing the same situation. I welcome this strategy, but I would prefer if we had a defined timeline on how we will implement these measures. We need actions and not words to solve this problem. Teachers in primary schools can play a big part in this, as can parents and grandparents. All these people are putting their hands out looking for help. This is a fantastic start, but I asked the Minister to ensure that we do not return to this stage in two years' time talking about the exact same issues again. I keep saying that prevention is better than cure. From my own experience as a politician and in the GAA, people need support and guidance, and there are many others who want to help them.

As people in my constituency will know, my constituency office is next door to the courthouse. If people come to my constituency office on a Tuesday, Wednesday or Thursday, they

will see the many handcuffed young people taken into the courthouse, with their parents and grandparents crying. Now is the right time to start. Prevention is the cure when they are at a young age. Let us not continue down the road and say that every other time is right. Now is the right time.

Deputy Matt Shanahan: My constituency office is also across from the courthouse in Waterford and I reiterate exactly what Deputy Fitzpatrick has said about that. It is terrible to see the number of young people involved in the courts.

It is a fact that people in our general community feel vulnerable and unsafe at times, particularly when they are outside their homes. However, it is a fact that people who live in disadvantaged areas certainly feel vulnerable, for themselves and their children, whether they are inside or outside their homes due to gangs and antisocial behaviour, drugs and substance abuse, or the danger of them and their children being coerced or exposed to criminality, and low- and mid-level crime. We know disadvantage leads to further disadvantage. Due to a lack of education, a lack of role models, and a lack of employment with no career choice, ongoing disadvantage will, most likely, be repeated in the family cycle.

The strategy we are debating proposes to involve the community and build around that. I ask the Minister to outline how we get the youth and chaotic parenting to engage with us. School clubs, school breakfast clubs and school dinners need to be resourced in every part of the country. I have some experience of these in the past and they do tremendous work. If children go to school hungry, they have no chance of being taught and, furthermore, they feel deprived when they compare themselves with other children in the school. The teachers want to support this endeavour. In my area though, I know of a school club that was getting very little resourcing other than the private moneys being put into it. GAA and other local sports and community clubs are an absolute must in this regard. Such community-level organisations must be included in the allocation of sports grants now be considered. I refer especially to those that are poorly funded.

I welcome the local community safety partnerships initiative. Mr. Sean Aylward, a former Secretary General of the Department of Justice, is leading that undertaking in Waterford and I wish him the best of luck. I spoke here recently about the resources being provided to the Garda. I mentioned that in Waterford, the site of the new divisional headquarters, officers do not even have a locker room to put their bags into and in which to change their clothes. The monitoring room in that station serves ten counties for all 999 emergency calls and yet the people there are sitting cheek by jowl in rooms that barely have ventilation or windows. It is a ridiculous situation. The station is understaffed. It lacks 16 full-time gardaí and no sergeants have yet been promoted, even though they were allocated to the station in the last two years. These matters need immediate attention.

We also need a new drugs strategy and we must determine how to tackle the drug barons, the mules and the dealers. How the Criminal Assets Bureau, CAB, is engaging at this level must also be examined. In addition, we need community intelligence and that cannot be developed without getting the community involved with community policing. It will require the building up of trust. How does a community-based organisation, allied with public services, support and engage with families who have little in the way of such trust? A bridge must be built between local welfare offices and the Garda. I am not sure what communication goes on in that regard, but my experience has been that there is very little. We must build community trust that will in turn bring about development for the people in those communities.

We need early targeting and intervention by the support services of the State in respect of vulnerable families and young children. Voluntary support services must have a co-ordinated vision. I will not go into detail about a case in Waterford but I will outline the situation. Volunteers were going into a family in Waterford where small children were experiencing incredible hardship and distress. The volunteers tried to engage with Tusla but they were told that they could not and that Tusla was already engaged with the situation. Those volunteers, however, were visiting that family week after week and seeing no remediation of the situation. That is no longer acceptable. If this initiative is to work, then this aspect is something that the Minister of State must examine.

More Garda resources must be involved in combating crime. Criminals must also be properly profiled. If the intelligence exists, and the resourcing is provided, then that can be done. We must start to have a zero-tolerance approach to antisocial behaviour and vandalism. Whether those responsible are living in disadvantage or students attending third level, there is no difference in my mind. They are all equally culpable in this regard. Evidence is also needed to show that success is possible for disadvantaged communities. I ask the Minister of State to look at investment in capital initiatives and at investment in maintaining the public realm in disadvantaged areas. Equally, education is required. We must bring in role models to talk to young people about the poverty trap of unplanned pregnancy and to try to give them an example of a different model that will allow those young people to see where their future might lie.

A social welfare answer is required in respect of those fathers who refuse to pay child support. I raised this issue before I entered politics in Waterford and perhaps the Minister of State will respond to me on this matter. It was my understanding then that there was no obligation for the names of fathers to be noted on birth certificates. If the names were not noted, then there was no way for social welfare officials to track those fathers. I ask the Minister of State to get back to me and to let me know if that situation has been rectified. The situation in Australia at the time was that if a father was not registered on a birth certificate, then 30% less family income was provided. That ensured that a father was named and that the representatives of the State knew where to go to get family payments. Resources with guaranteed funding streams are required in order that future planning can be assured in this area. We need buy-in from all public bodies and agencies to deliver on this plan. I hope this new youth strategy that the Minister of State is planning will provide the answer. I hope as well that this House will not have to wait too long before we are advised about whether this policy is having an impact on the ground.

Deputy Jennifer Murnane O'Connor: I support the National Youth Justice Strategy 2021-2027 launched earlier this year. I welcome the opportunity to discuss the policy. We have all witnessed the rise of antisocial behaviour in Ireland, but we must also be careful not to demonise the young people of our country. We must offer solutions and measures that can be extended to divert young offenders away from the criminal justice system beyond the age of 18. Our most recent census recorded almost 500,000 youths aged from 12 to 17. Garda figures revealed that approximately 3% of them will commit an offence annually. We must help those young people to avoid that fate. Early intervention and holistic wraparound policies may well be key, but we must also ensure that there is joined-up thinking and that one strategy in one Department is not undone in another because of issues with funding or resources. We see this happening time and time again. Great initiatives are started but then no funding or resources are forthcoming. This will be the game-changing aspect in this regard.

Therefore, when we talk about joined-up thinking and wrap-around policies we must see interdepartmental co-operation. We must all be on board and working together. I receive many

calls involving antisocial behaviour. It can have a major impact on our communities and pose challenges for the Garda and other youth justice agencies. Sometimes, this antisocial behaviour can lead to serious crime and we must tackle it. It is important that we have a plan to do so. This strategy is welcome in addressing these challenges, as well as new and emerging issues in the youth justice area. Not only must we prevent offending behaviour from occurring, we must also have better ways of diverting children and young adults who commit crimes away from further offending and involvement with the criminal justice system. Youth crime has significant implications across a range of policies and aspects of service provision, including in the areas of child and family services, health, education and local authority functions. We are all affected, even if such crime is not necessarily happening on our street.

Research shows a strong link between youth offending and socioeconomic circumstances, as well as child and family welfare issues. We must examine this aspect carefully. If we do not put the supports required in place in those targeted areas, then tackling other challenges will surely be more difficult. We can do this and be successful by helping one youth at a time. However, we must work together and ensure that everyone is on board to provide better outcomes and better options for those who wind up in the justice system at a young age. Vulnerable people need a helping hand and support at all levels. That is the benefit of the Garda youth diversion project. We must work in our schools and in our communities to engage with young people and ensure that they are part of the solution instead of being seen as the problem. This is the major issue. Young people must be viewed as the solution and not the problem. We must adopt that perspective in future.

We are crying out for gardaí in my area of Carlow and in my wider constituency of Carlow-Kilkenny. I spoke about this matter recently. We need more gardaí on the streets and more community policing. I go to all the joint policing meetings but if the required funding and resources are not provided to An Garda Síochána, then our strategies are not going to work. One thing I have learned, and that we must always remember, is that we must start from the ground. We must work with the gardaí on the ground through community policing and that is how we will solve this problem. I again mention the Garda station in Leighlinbridge, which is another issue that I would like the Minister of State to address. I welcome this strategy and it is a start. We get moving on it straight away, because we do not want to be back here next year and find out that it has not progressed.

Deputy Neale Richmond: I appreciate the opportunity to contribute to these statements and I am grateful to the Minister of State for being here. I thank him and the Minister for Justice, Deputy Humphreys, and before that, the Minister, Deputy McEntee, for the consistent and vitally important work they have done in this area. I have raised several issues in this context before and I do so again. They must be and are central to this strategy. First, there is a requirement to tackle the rise in knife crime across the country. Second, we must address the worrying scenes of antisocial behaviour that have been witnessed in recent months, especially in Dublin. One area of this strategy that I am heartened by is the deliberate focus on those criminal gangs that invest in and groom young people to play a part in their evil activities across our country. It is an approach that is key to any strategy and it offers the biggest outreach.

We talk about the importance of high-visibility policing, which I agree with, and about sentencing and structures, but the key area that must be placed at the heart of any strategy is the ability to introduce a scheme of genuine early intervention. In that regard, it does not matter if such an approach involves officials in the Department of Justice, members of An Garda Síochána, or, more importantly, people in our communities such as teachers, youth workers,

parents, guardians, sports coaches and everyone else concerned.

I have spoken with the Minister of State and others many times regarding the issue of knife crime. Looking at the approach taken in Scotland, the Scottish model has worked. It has drastically reduced violent crime and knife crime across Scotland, and especially in Glasgow, which at one stage was the capital of knife crime in Europe. The issue was not approached there as simply as a criminal justice matter but also as a public health matter. All facets of society were included in the model used in Scotland, from youth workers to teachers. It is something that can and will work and it really is the only solution to addressing a rise in crime numbers, particularly among our young people. When we talk about early intervention, which could be from so many different avenues, as we look to the budget next week, one point that is so important is to ensure that the new community safety fund being set up by the Minister for Public Expenditure and Reform, Deputy Michael McGrath, in tandem with the Minister of State, Deputy James Browne, is fully resourced. An Garda Síochána seized €11.2 million from criminal gangs last year. That does not include the funds seized by the CAB. We need to see every cent of that money being ploughed into the communities that need it most for early intervention services to make sure that the knives do not get into young people's hands. We know that young people between the ages of 12 and 17 are the ones most acutely exposed to knife crime. If one carries a knife, one is far more likely to be a victim of a knife crime. The money must also be pushed into providing juvenile liaison officers, JLOs, and everything else to have the facilities to ensure that young people do not get led astray by the drug lords and the gangsters who make our streets a nightmare, in particular in the capital.

A youth justice strategy is acutely different to a wider justice strategy, because what must be at the heart of it is not society in general, us as politicians or members of the Garda, it is the young people of the country. We must ensure that we provide the diversions and opportunities in order that regardless of people's postcode, they have equality of opportunity in life. That is the best approach to any youth strategy, namely, to give them equality of opportunity to pursue whatever they want to do in life and to ensure that we have given them benevolent and worthwhile opportunities in life so that they are not lured into a life of criminality by nefarious actors.

Deputy Pádraig O'Sullivan: I will open my brief statement with a statistic. The 2016 census indicated that 375,000 or 3% of young people committed an offence annually. More than 50% of the cases before the courts involving youth crime are dismissed or struck out for being of a minor nature. That said, the kernel of the issue is that one's propensity to commit an offence is linked to one's socioeconomic status and, as such, there is a likelihood of reoffending. To tackle youth crime and associated issues, we must first combat poverty and deprivation.

When gathering my thoughts, I listened to other speakers and I heard many key words that are always used in such debates. I refer to "prevention" and "early intervention". I commend the strategy. The Minister of State, Deputy James Browne, has emphasised that children who have been identified as being hard to reach are the focus of the plan, and that a never-give-up strategy will be adopted. It is very important to acknowledge that the Minister of State is trying to reach out to those who are worst affected.

From my perspective as a teacher for many years, the issue is intertwined with education. From teaching for 12 years in the town of Fermoy in east Cork, I can see the benefit of a good community garda and a good sergeant in the area who used the school to his advantage to access children, get their attention and deal with them, not necessarily on any criminal issue, but to touch base with them and to keep in touch. It is very important as part of any strategy that we

emphasise the importance of education in preventing or solving any of these problems.

We have Garda diversion programmes in Cork city. On my side of the city, Knocknaheeny-Hollyhill is unfortunately the location of one of those programmes. Given the issues that we have on that side of the city, we could use more such programmes. We are lucky enough in that we have five or six such programmes across Cork, but the fact that there is only one in Knocknaheeny-Hollyhill must be addressed.

As a teacher, I understand the importance of the school completion programme and the home school community liaison officers we have in schools. If we were to ask any of the children involved with those teachers, many of them would acknowledge the importance of having the one good influence or teacher at school that is looking out for them. In many cases, it is the one good adult those children might have in their lives. It is important that the programme would continue to be rolled out and expanded in the future in disadvantaged schools participating in the Delivering Equality of Opportunity in Schools, DEIS, programme.

Several Deputies mentioned the sports capital grant. My understanding is that in next week's budget, the Minister for Public Expenditure and Reform, Deputy Michael McGrath, and the Minister of State, Deputy Chambers, will announce a substantial increase for the sports capital fund. That will be most welcome. Many of the interventions will be targeted at urban settings and inner city areas, which would be great. The one plea I make, not just to the Minister of State, Deputy Browne, but in particular to the Minister for Education – I have done this repeatedly – is about schools and community buildings. They are large recipients of State funding and we do not get bang for our buck in that regard. The buildings are not utilised as best they could. Schools must make facilities available in order that local children can come in to use a facility or a building that is ancillary to a school, be it a sports hall, swimming pool, pitch or AstroTurf pitch. The buildings should be accessible at all hours of the evening and not just close at 3.30 p.m. in the day when the schools close. That is something we must address.

For me, the visibility of drugs is a massive issue. It became more apparent during lockdown when it was more visible on the streets. If a young person of 12 or 13 can see that happening around the corner in their local area, it will have an impact on him or her. It is vital to reduce the visibility of drugs on the streets. Previous speakers, from Dublin in particular, have spoken about obvious drug taking on the streets and children being used as mules. Those issues are also impacting young people in Cork.

Knife crime was mentioned and gratuitous violence. I heard Deputy Jim O'Callaghan on television during the week. He put it quite eloquently. He said that as a society we must tackle why young boys in particular feel the need to show bravado or machismo by carrying or wielding a knife, inflicting violence or pain or targeting somebody in some way. As a society, we have a lot to ask ourselves about how we address that issue and why a certain sector of society seems to think that is acceptable behaviour.

The Minister of State and I have had private discussions on knife crime in the past 12 months. A zero-tolerance policy is the best approach when it comes to knife crime. I accept that sentences for knife crime have increased from one year to five years. There was a serious incident in Cork last week where a 15-year-old was stabbed at 2 a.m. on Saturday night. The issue is becoming more prevalent. The crimes are becoming more violent and the repercussions on the victims are lifelong and, in many cases, visible for all to see.

Many of these children are the first to fall out of education. Given the current building crisis and the problem we have with trades, there is a perfect opportunity to try to direct as many affected youths as possible towards getting a trade and becoming, for example, a plumber or electrician. That could help matters in the future.

Deputy Mark Ward: I am pleased to have an opportunity to speak about the national youth justice strategy. I put the question: what is youth justice? In a real republic, youth justice would be seen to be giving all the young people of this island an equal chance to reach their full potential but in a State that has known nothing but flip-flopping Governments of Fianna Fáil and Fine Gael for more than 100 years, many of our young people just never had a chance.

Policies that are designed to limit the opportunity of young people are like virtual handcuffs that impede them from availing of the same access to housing, food, education, job opportunities and the right to a fair and equal chance in life. We had a passionate debate on child poverty this week in the Dáil. We are seeing the fallout today of the intergenerational societal problems that are underpinned by poverty. We have areas with high levels of disadvantage right across the State. Over the years, community services tasked with rebalancing the differences between those who have and those who have not, have seen their budgets cut to the bone. Sinn Féin has gifted the Minister of State the solution to somewhat redress the balance. The Proceeds of Crime (Investment in Disadvantaged Communities) (Amendment) Bill 2021 passed Second Stage in this House. The Bill would ensure money seized by the Criminal Assets Bureau was put back into disadvantaged communities. While it was not opposed by the Government, there are probably ideological differences in terms of how it considers the money should be reinvested. The indication is that the Government wants to restructure existing community safety programmes such as the community safety forum and the joint policing committees. While I would not be opposed to that, and I would welcome any additional funding for these community structures, the funding should come out of existing budgets and not be funded directly from money seized by the CAB. What Sinn Féin would like to see is the money seized from the criminals put back directly into the areas where the criminals are most active.

4 o'clock

What we want to see is the money put back into community services that have seen their funding cut. We want to see family resource centres, youth organisations, unemployment services, sports clubs, drugs task forces and others being able to benefit from this fund. This was the money that was ripped from our communities in the first place. There is no better way to tackle community safety than increasing communities' resilience to tackle criminality. If the Government is serious about rebalancing between the haves and the have-nots, then it should progress the Proceeds of Crime (Investment in Disadvantaged Communities) (Amendment) Bill 2021 through the Houses of the Oireachtas.

I support the focus of the strategy that will help our young people from falling into criminality. As was mentioned, early intervention is key to building resilience in our young people in order that they do not see a life of crime as an attractive proposition. In an area of high poverty, it is very easy for young people to become attracted to criminality. They see the lads with the flash jackets, the new runners, the top-of-the-range cars and the seemingly endless supply of money. There is also an attraction in becoming a somebody. However, as the Minister of State knows, these criminals are nobodys. They groom our children, they suck the lifeblood from our communities and they offer nothing in return. Garda diversion projects can help and do help but, sometimes, they are too late, as by the time the young people are engaged with the projects,

they are already caught up in a criminal lifestyle.

I have been engaging separately with residents in my own area who feel they are hostages in their own homes because of the behaviour of some people in their area. These residents are experiencing open drug dealing, open drug use, intimidation, vandalism and threats on a daily basis. It is very easy just to throw a blanket over this activity and call it antisocial behaviour. When ordinary citizens are subjected to this barrage of abuse on a daily and nightly basis, it is much more than antisocial behaviour. Drug dealing is a crime, intimidation and threats are crimes, as is wanton vandalism, and they need to be treated as such.

The problem is twofold. First, we do not have the community structure in place to stop these issues from arising in the first place and, second, we do not have the Garda resources to respond to crimes when residents call the Garda. Parts of my area in Dublin Mid-West feel abandoned by the Garda, but from speaking with gardaí, they are also frustrated as they feel they cannot respond in the way they would like because of the lack of numbers and lack of resources. Strategies like this are all well and good but unless there is political will to resource our communities, then this cycle of psychosocial problems that our young people are experiencing will continue.

An Ceann Comhairle: I call Deputy Richard O'Donoghue, who is sharing time with Deputy Michael Collins and Deputy Danny Healy-Rae.

Deputy Richard O'Donoghue: I acknowledge the work that the Minister of State, Deputy James Browne, is doing in regard to putting together a youth justice strategy. I spoke to gardaí in several Garda stations in this regard and they acknowledged it was difficult during Covid to have meaningful engagements with youths. However, now that sports are back and they are liaising with organisations like the GAA clubs, the schools, soccer clubs, camogie clubs and other groups outside of sport, they are having conversations and supporting many of the youth groups.

I know the strategy is designed to provide a development framework to address challenges, as well as new and emerging issues in the youth justice area. However, I am concerned that integration in communities is key to its success. Garda youth diversion projects throughout the country are working well but it is difficult to get exact numbers on how many have been set up and are operational. I would appreciate it if the Minister of State could come back to me with the numbers on that.

In Limerick, Kilmallock has seen great success recently with age groups from 12 upwards involved in the Garda youth projects. Members of the Garda work with all stakeholders to ensure they have the best support for the young people they work with. There is, however, a massive shortage of youth workers in the Limerick area. The juvenile liaison officer does amazing work for young people who fall into the category of first offender, and works well with them.

Interestingly, all of those in the Garda stations that I spoke to referred to the isolation that many young people feel in their communities, with marginalisation and exclusion of those from certain backgrounds. For young people to be integrated into their communities, we need to be mindful of that. As I and others were growing up, we had peers in our communities who we looked to. If there were incidents or first offences or if a family member got into trouble, the first person people turned to was the garda. They could speak to the garda and that garda was able to relate to them, knew the person, knew the community, knew the families and knew ev-

everything about them. However, with the new Garda divisions, a lot of that has been lost because we do not have local gardaí in our areas. That goes to the resourcing of the Garda.

There is a massive problem at the moment with drugs in many of our cities, towns, villages and rural areas. We have seen that people are driving around in their big flash cars and they are even setting up businesses but they are drawing young people into this and letting them believe it is a life they can grow in. However, it is not a life they can grow in because they are going to be constantly watching their backs. These people are doing fierce damage to youths who are trying to get on with education or a trade. It is very hard for them to look at this and see them get away with it. That comes back to the number of gardaí we need on the ground to target such activity and to make sure that if people are involved in criminal activity, they will be dealt with. That then gives the other person a chance.

We spoke earlier about the discretion of a garda. The discretion of a garda in communities is huge when it comes to the first-time offender. Again, that needs to be looked at positively going forward.

Deputy Michael Collins: Earlier this year, the National Youth Council of Ireland called for a national task force to assist young people to get back into jobs and education as soon as the economy was allowed to reopen and I fully support this call. There has been a lot of talk about young people. There are great young people in west Cork. Obviously, young people go a little astray at times but there are great young people there. I have seen it down through the years with the Garda youth awards, an initiative that was started up by gardaí in west Cork. Young people have won awards for the great things they have done in working with the underprivileged, working with the elderly and helping in so many good ways. There are truly great young people out there.

The best way to bring the best out of a young person is to look at the local garda, the community garda, and the way such people work in the local community. Some community gardaí in west Cork are second to none at bringing the best out of young people, and they have been down through the years.

The State has a lot to answer for, however. If a young person is living in rural Ireland, they need a car to get from A to B. As we have no public transport, there is fierce frustration among young people. Members of the younger generation need to be able to drive. All of us have seen at first hand the disaster it is to try to get a theory test and then to try to get a driving test. Our younger generation want to get up in the morning and go to work or to college but when they live in rural Ireland, where there is no transport, they are relying completely on other people to get them to where they want to go. That leads to savage frustration among young people, which has to be looked at in a fair way. We need theory tests and driving tests to be expedited to let these young people, who have suffered enough through Covid-19, get on the road. We need to let them get on with their lives, not that many of our students will be able to afford to buy a car, unfortunately, with the price of insurance, car tax and now, of course, the carbon tax that the Government is belting down on young people's backs and which is going to hurt young people the most.

The Union of Students in Ireland has said that students have been asking for the same three things for years. The first is affordable accommodation. We were outside the Dáil recently with students who showed Deputies, myself included, that some students have to live in tents to get access to education. We have to also get rid of the €3,000 college registration fee. Despite the

three calls from the Union of Students in Ireland, who are the next generation of leaders, action from the Government is not occurring and, in fact, the plight of young students has got worse, with higher accommodation costs and lack of student accommodation impacting on all students this year. The entire situation is leading to an awful lot of frustration. Do not get me started on how badly student nurses were treated during the recent pandemic. It was not good enough by a long shot.

Earlier this year, the Government published Pathways to Work 2021-2025, which has actions across the Government to tackle youth unemployment, to increase access to training and, in particular, to progress apprenticeships, which need to be looked at. We need to help young people a lot more than we have been to date.

Deputy Danny Healy-Rae: I thank the Minister of State, Deputy James Browne, for giving us this opportunity to discuss the things we need to do to help youngsters.

In 1956, my late father started operating a school bus service to Kilgarvan National School. Since he gave it up, I have been doing it. It has given me great pride to see them starting out so small getting onto the bus or, as it was then, the school car and the way many of them have finished up - accountants, solicitors, teachers, you name it. You would be proud to have assisted them in any way back along the line.

What we are talking about is to do more for children. I suppose the main thing is to keep them occupied. You find that may be easier on a farm or whatever, where they all have jobs to do. It is very important that youngsters are allowed work. There is an obstacle that bars restaurants and hotels from employing 14-year-olds, 15-year-olds and 16-year-olds. We do not want to kill them with work or anything, but they would be all the better for it. They would be learning something - how to do the different jobs or whatever.

Sport is very important. I see young fellows who I brought to school a few years ago playing hurling at the weekends. They are fine men and doing a great job. You would be proud of them.

There are issues in respect of affordable accommodation for students going to college. A group of girls and boys from Killarney came up here outside the Dáil on Thursday of week last. They have to drive from Kerry up to Cork because they cannot get accommodation. That is a desperate strain on them to drive up in the morning before college and drive back down after it, and try to study, get ready and get out on the road the next day. That is very hard on them.

The other issue is that they are deprived of the opportunity to work during their holidays because they are not allowed to earn more than €4,500. It is very wrong to stop youngsters from working. If they earn a bit more than that, there should be no regulation stopping them from doing so. Whatever they earn at that age should not be counted when they are applying for the Student Universal Support Ireland, SUSI, grant. It is important to get fellows to work when they are young because if they go on after college and they have not worked a little bit, they certainly will not start then. It is very important that obstacle be removed and taken out of the SUSI grant equation. I appeal to the Minister of State, Deputy James Browne, to look at the matter.

An Ceann Comhairle: We go to a Government slot now. Deputy Carroll MacNeill is sharing with Deputies Bruton and O'Dowd.

Deputy Jennifer Carroll MacNeill: How much time do I have? Is it five minutes?

An Ceann Comhairle: That is up to yourself. It says here that it is five minutes.

Deputy Jennifer Carroll MacNeill: Thank you for the opportunity to speak on this important strategy.

Youth justice is something I have worked on for more than 15 years. In 2007, Emer Meehan and I published *The Children Court: A National Study* on behalf of the Association for Criminal Justice Research and Development. In it, we profiled the young people who were before the Children Court. I raise the 2007 study because it is the same 7% or 8% of children today who we know are most likely to become serious offenders. They are also the children most at risk in the State. They have a shorter life expectancy. They are exposed to violence. They are more likely to commit violent acts and more likely to end up in prison. They are the children most likely to commit offences but they are also extremely vulnerable.

These are not my concerns alone. They have also been articulated by people such as Eddie D'Arcy, who has worked in youth work for 30 years, and Chief Superintendent Colette Quinn, who has run the Garda diversion programme many years. These are two of the most experienced and committed people in Ireland in the context of helping children stay out of the criminal justice system and move into appropriate welfare-based referral pathways. I am honoured to have worked closely with both of them for more than five years on the committee to monitor the effectiveness of the youth diversion programme. Thankfully, both of those excellent people were on the steering group for this strategy. I am very glad that they were.

The strategy is welcome. What needs to be addressed, though, is implementation. There are things that we need to make happen. We have always dealt with this matter in the context of youth offending - in terms of crime only. I would prefer it to be looked at from a more hybrid health perspective, not just as a crime-justice issue. I would like it to be treated as a welfare issue. We need to change the narrative in the public mind, in the media and with victims. We need to be focused very much on restorative justice and ensuring that victims are brought into the process where we see that their needs are met way beyond their expectations within that process. When we do a good restorative process, victim needs are far better met.

We also need to look at vetting. We have a lacuna in the legal environment where potentially every child subject to diversion could be subjected to vetting down the road. The whole purpose of diversion is to give them a safe place - a clean slate - but we find down the road that vetting legislation has taken no account of the Children Act and those children go on to find, for example, when they come to apply to become a teacher or a social worker, they meet the challenge of vetting. These are issues because the alleged crime was never tested to the criminal standard because of the diversionary approach. It does not take into account their age at the time, including the fact that they have a lesser capacity. Why are we committing them to a vetting standard of an adult when the incident occurred when they were a child?

There are two other areas of significant concern. On the impact of social media on young people, the Child Trafficking and Pornography Act 1998 is totally unsuitable. It was developed in the context of adults grooming children but it did not provide for developments in social media. It is not great legislation when one considers the issues that arise day in, day out. For example, one case I am aware of from my work in youth justice involved a boy and girl, aged approximately 12 or 13, who had a quasi-sexual encounter. To all intents and purposes, it was

an exploratory. It was not an issue of grooming or coercive control; it was more a matter of a night out and an inappropriate amount of drink taken. Because of mandatory reporting - a whole other issue that needs to be contextualised - the matter was referred to the Garda. Of course, the Garda is mandated to investigate such matters. The young people involved accepted responsibility and they became involved with the Garda youth diversion programme. Let us say they both grow up to train to become teachers. The girl will be vetted with no issue. However, the boy's application will be held up as a result of this matter. It is a serious risk. Gardaí are well capable of deciding, based on risk factors, which cases involve age-and-stage behaviour and which are criminal matters. The existing legislation is too blunt an instrument and it means that children in the diversion programme are included in the vetting programme later on. It is done to a civil standard, not a criminal standard. People are being admitted to a programme based on no legal advice and admitting to something really because they fear if they go to court, they will get a conviction and then face challenges with vetting later in life.

We need to look at the 18-24 cohort. Neuroscience has taught us so much. We need to be much more attuned to this age in behaviour because we know this is the most at risk group. What we are finding is that we are picking up children at 16 in circumstances where they are already involved in very serious offending and living very chaotic lifestyles. It is way too late. We need to identify those people at a younger stage. I welcome the Garda youth diversion programme working with children at a younger age but we need to be careful about how that is worded and how it is approached. We do not need slippage - moving away from those children who are committing the more serious offences.

There is a strong link, as we know, between exclusion from formal schooling and moving into serious offending. When Deputy Stanton was Minister of State, he was very concerned about that. There is a review of the timetables and suspensions in the youth justice strategy, but I would like it to be much stronger. There is a very clear link between exclusion from the formal schooling system and those people who end up in the criminal justice system. The threshold is changing. The cohort that are the most serious offenders often move out of education at a very early age. Obviously, convincing schools to hang on to those young people is difficult. They may need extra resources to do that. At some point, the youth services in schools give up and hand the cases over to the Garda youth diversion programme. The services often withdraw. For example, one case involved a young person who was homeless and in drug addiction. Every service had already withdrawn by the time the child was 13. The only one that had not was the Garda. That is because it cannot withdraw. The strategy is about integrated approaches rather than only a justice approach. It is also about making sure that mechanisms are put in place to ensure that support is not withdrawn just because they have become the responsibility of the Garda youth diversion programme.

As I have said previously in this House, over many years the monitoring committee called for a social worker based in the Garda office because in many cases welfare referrals were made but were not necessarily followed up. My apologies, I think I am over time.

Deputy Richard Bruton: It would be a good idea if we could read material into the record so that we do not lose contributions that people want to make.

I have a few points. First, I welcome the human rights focus of policing strategy - the right to feel safe in your home and on your street but also the right to have a chance to progress from a very difficult start. Many of the young people we are talking about here have such a very difficult start.

I am worried about the decision to leave outcomes vague in this strategy. There are 31 objectives and 63 actions, but outcomes have not been specified. We need tangible measures to concentrate the mind and move away from a focus on process to one on delivery. The outcomes measured could include recidivism, breaking the grip of gangs on vulnerable communities and instances of certain types of offence, for example, knife crime and drug dealing. The focus on process is overwhelming the targets that we need to deliver.

Wider community commitment to supporting the police is crucial. We do not have a good track record of having that type of cross-silo work. To see a senior officials group established whose membership is not yet specified does not give me confidence that Departments, for example, the Departments of Education and Social Protection, and other entities that have a crucial role to play, for example, councils, are not named and their responsibilities committed to. It leaves me concerned. We need clear targets, we need defined responsibilities given to leaders, we need assigned budgets and we need authority. If those are not there and do not get developed quickly, we will fall short.

I support the area-based initiatives in the programme for Government. That approach is taken towards health, and what is happening in the north inner city and can be replicated in other communities. There are numerous communities that need it. The Greentown initiative is welcome, but we need a wider perspective. This cannot just affect criminal justice arrangements.

We should not confound the community engagement and community policing that the Minister of State, Deputy Hildegard Naughton, outlined with the focus on acutely impacted communities. They are separate problems and we need separate approaches.

I do not have the time to address the matter in detail, but I refer the House to how the former assistant Garda commissioner, Dr. Jack Nolan, outlined the intimidation and fear that was gripping the community in one of our disadvantaged areas in Dublin 17. Gangs have a grip on the community, undermining confidence and people's ability to progress. We must break that grip before some of the other initiatives can work. Dr. Nolan's focus on disrupting gangs, diverting people with tailor-made programmes acutely related to the community's needs, dividends, recognition and successful people acting as role models is important. We need to build on the community services that are in place, for example, Sphere 17 in my area, and many other similar services in communities that are acutely disadvantaged.

I wish the Minister of State well and congratulate him on this initiative. It is an important area. He needs to let this policy evolve and put more effective delivery and implementation techniques in place than have been initially outlined.

Deputy Fergus O'Dowd: I agree with much of what Deputies Carroll MacNeill and Bruton said. Listening to "Morning Ireland", I heard the sweet, melodious voices of the members of the Loving Life Choir in Drogheda, which is made up of people from a community like the ones we are discussing. Among those who sang were Kara, Kate and Teagan. A former local councillor, Mr. Ken Ó Heiligh, is the person who organised them. It is from an area that has seen the most abuse, criminality and appalling violence. My town has suffered greatly in that regard, which is why the Geiran report must be acted upon and funded. I welcome the Government's decision to prioritise all applications that have gone through the assessment board from the areas of Drogheda in question. I also welcome the involvement of community members, for example, Community House in Moneymore, the Garda youth diversion project and the Family Resource Centre in Moneymore. Mr. Martin O'Brien, CEO of the Louth and Meath Educa-

tion and Training Board, is providing offices to help a full-time officer work in the community and assist these people. I acknowledge the fantastic work that people like Chief Superintendent Christy Mangan, Superintendent Andrew Waters and the people on the ground have done. People have been waiting for delivery. The Minister of State has a job to do in the context of the upcoming budget. Thanks to the Ministers, Deputies McEntee and Humphreys, he has a Department that is committed to funding the Geiran report in Drogheda.

I fully support the proposal on the proceeds of crime going directly to the communities that have suffered the most. My colleague, Deputy Richmond, mentioned €11.5 million in community safety funding. A significant amount of that will have to be invested in Drogheda.

We are going the right way. Communities are being supported and their voices are being heard. The Loving Life Choir will record its song, “Another Day”, soon. We need another day in this country. We need to hold our heads up and acknowledge and support in every possible way all those young people who are finding a way to rise above criminality and the appalling situations in which many of them live. There is a great deal of hope and many good things are happening.

We will be watching the 70 actions that were enumerated in the Geiran report on Drogheda. On radio, Mr. Michael Reade told me that he would be watching the budget. I know that some of my colleagues have experienced his probing mind. After the budget, we will be asking what exactly is being done for Drogheda and disadvantaged areas and what progress has been made on the Geiran report.

We are on the road to change and every Deputy on all sides knows what has to be done. Let us all step forward, and let the Minister of State and the Department provide the promised funding to ensure that, as with the Loving Life Choir, there will be another day and a good and bright future for all of the young people in our town.

Deputy Thomas Pringle: I thank the Ceann Comhairle for the opportunity to speak on the National Youth Justice Strategy 2021-2027. I welcome its attempt to address youth crime in an holistic, multi-agency and proactive way, focusing on early intervention and preventative work. This type of work, although effective, is often overlooked and the Government has a history of only addressing issues after they arise instead of putting the supports in place to effect real and meaningful societal change that would prevent such issues in the first place. This Government, as well as successive Fianna Fáil and Fine Gael Governments, has often failed in making proactive policy decisions, forcing a reactive approach to almost every area of policy. It constantly fails to consider the fact that steps and measures can often be put in place to avoid such issues and situations. The mica issue in my constituency of Donegal is a prime example of the detrimental effects of reactive rather than proactive and preventative policy approaches, as was the National Youth Justice Strategy 2008-2010, which focused solely on children who already had some contact with the criminal justice system.

Early intervention and preventative work such as family support is important. I support the strategy’s focus on diversion, prevention and early intervention, underpinned by the UN Convention on the Rights of the Child. Youth detention has a profoundly negative impact on young people’s mental and physical well-being, education and employment. As such, I agree that detention should only be considered as a last resort. Literature on longitudinal health effects of youth incarceration suggests that any incarceration during adolescence or young adulthood is associated with worse general health, severe functional limitations, stress-related illnesses

such as hypertension, and higher rates of depression and obesity during adulthood. Economists have shown that formerly detained young persons have reduced success in the labour market and educational researchers have found that detained young persons will face significant challenges returning to school after they leave detention. Of the children detained in Oberstown in the first quarter of 2019, 23% had a diagnosed learning disability, and those were only the ones who got diagnosed. There is credible and significant research that suggests that the experience of detention may make it more likely that young persons will continue to engage in delinquent behaviour and that the detention experience may increase the odds that they will recidivate. Congregating delinquent young persons together negatively affects their behaviour and increases their chances of re-offending. Detention pulls them deeper into the juvenile and criminal justice system and can also slow or interrupt the natural process of ageing out of delinquency. The negative effects are endless. At best, detained young persons are physically and emotionally separated from the families and communities that are most invested in their recovery and success.

A serious concern of mine, which is shared by the Irish Penal Reform Trust, is the suggestion that Garda youth diversion projects target children aged between eight and 11 years for preventative measures on the basis of their possible future criminal involvement. I find this suggestion very worrying and I believe it would be neither an effective nor a welcome strategy. To label children as young as eight years of age as potential criminals is not only extremely damaging but could potentially serve as a self-fulfilling prophecy, causing a divide and resentment due to its accusatory nature, rather than an effective preventive measure. How can we create a society of mutual trust while forcing such serious and damning labels on children so young? This is the wrong approach and I urge the Minister of State to completely review and reconsider this strategy.

As the Irish Penal Reform Trust stated:

We are acutely aware, from both research and practice, that labelling children as ‘criminal’ or ‘offender’ creates additional risk factors for the child and can further drive them into long-term offending behaviour. We are further concerned by the inclusion of any initiative to support children as young as 8 within a Justice-led strategy, and we believe there are more appropriately placed social and educational services that could offer meaningful supports to these children and their families.

Although I agree we should be engaging young people at risk before they enter the justice system, there is a way to do this through communities and through schools without the need for targeting individuals or groups. The importance of positive participation in community life cannot be underestimated. I have seen in my community of Killybegs the profound impact community participation has on young people and how much this participation shapes them throughout adolescence. The Minister said “it takes a village to raise a child” and I agree with him on that. However, we need additional funding and resources for young people and youth work in my constituency and nationally. I strongly support the National Youth Council Ireland’s #YouthWorkChangesLives campaign. I hope this need for funding is addressed in next week’s budget, as it is sorely required.

Most importantly, youth justice policy, like all policies relating to young people, should be informed by the voices of young people. These voices need to be heard and respected if we truly want to make positive and progressive changes in this country. That is vitally important. I wonder sometimes whether the Department of Justice is the appropriate place for a youth di-

version policy like this one. The Department of Justice, in my experience, has focused on the protection of the State. It is not focused on young people and the need to protect them. That is what is vitally important. We should be devising policies to protect young people. I would like responsibility for this strategy to be moved to the Department with responsibility for children rather than remain with the Department of Justice because that Department does not provide justice. That is the reality. That point should also be taken on board.

Minister of State at the Department of Justice (Deputy James Browne): I thank the Deputies for the great interest they have shown in this matter. We have had just over three hours of a debate and nearly all the speaking slots were taken up. Given the demands on Deputies' time with committees and other work in the Houses, the fact that so many Members came in to express their views is testament to their interest in youth justice and the issues underlying it.

I acknowledge the work of all those in our Garda youth diversion projects across the country: youth workers, family liaison workers and juvenile liaison officers in An Garda Síochána. The challenges they faced during the Covid period in continuing to interact with those young people who were coming into contact with the system were not easy. I had a good degree of engagement and conversations with those youth workers on the challenges they were facing. I acknowledge the great work they are doing on the ground. I also acknowledge the work my Department officials have done in bringing together this youth justice strategy and working with the various NGOs, experts and researchers across the country.

There are many similarities between the approaches to youth justice and community safety, which have been outlined today. Support, intervention and diversion are key aspects of both. As mentioned, there are many and very complex reasons young people are drawn into criminality and also why people feel safe within their communities. This means there is no simple solution to the underlying causes. What we as a Government hope to achieve is to build safer and stronger communities. However, that does not simply mean more gardaí on the streets. That is only one aspect of the approach we must take. What we are doing is moving back to the original concept of policing, which involves community policing, engagement and safety and not simply more gardaí to bang more heads together. Engagement with young people, in particular, in our communities by An Garda Síochána and supporting community groups is important. Policing is one only aspect of what we need to do.

As mentioned by the Minister of State, Deputy Naughton, Ireland compares favourably with international standards on safety. We recognise, however, that for many in our communities that is not the reality of daily life. That is why the youth justice strategy and the community safety policy of the Department of Justice both focus on community engagement and community-based supports. It is no accident that the most disadvantaged communities suffer disproportionately from problems of crime and antisocial behaviour. While the community itself is an essential part in developing local solutions, that legacy of underinvestment and neglect must be addressed. Solutions to address the needs of the community should rightly rest with the community. It is our place in government to provide those necessary and proper resources and supports in the right place at the right time to address the needs of the community and support communities and young people across the State.

A large number of issues were raised by Deputies and while it would not be possible to address them all I will address some of them. If Deputies want to contact me directly I will be happy to answer any of their questions. A number of Deputies asked who populates the various bodies that were mentioned in the Minister of State's opening remarks on the strategy. Our youth

justice oversight group is chaired by Deaglán Ó Briain, principal officer, while the governance and strategy group is chaired by Ben Ryan, assistant secretary general. Both are members of both groups. The membership of both groups includes the Probation Service, Prison Service, An Garda Síochána, Tusla, Department of Health, Department of Education, Department of Further and Higher Education, Research, Innovation and Science, Department for Rural and Community Development, the HSE, Oberstown Children Detention Campus and the Department of Children, Equality, Disability, Integration and Youth. There is a broad spectrum represented on these oversight groups to ensure they do not have only a Department of Justice focus. We have sought to adopt a cross-departmental approach unlike Governments in the past which have been rightly criticised for having silos in different Departments. What we have done here will hopefully become a template for future strategies in involving the various Departments and getting ownership across them for solving these types of issues.

Deputy Catherine Murphy raised the issue of the oversight group and its membership. I have addressed that. She also emphasised the importance of involving lived experience and that children would have a voice in what we are doing, a point which was also raised by a number of Deputies. That has been extremely important. The voices of children, both those in the system and those who have been through it and left it, should be heard in helping to engage with and direct what is happening. Ultimately, this is about changing those lives and establishing whether what is in place has or has not been effective, what has and has not worked and why certain strategies have not worked in the past. The experience of the NGOs has been greatly involved in developing this strategy.

Regarding the extension of involvement to eight to 12 year olds, I appreciate some Deputies have questioned why they are being involved. We have been very careful about this. We are not extending the Garda diversion programme to this group *per se*. The Garda youth diversion project is a specialised youth service. Where those youth workers can identify young people aged between eight to 12 who are at risk or heading towards entering the system, they can bring their experience to bear. However, we are very careful this is not bringing them into the criminal justice system and in ensuring there will be no stigmatising around this. They are not being brought into the full system. Where we have youth workers on the ground - unfortunately, currently there are not those other services that should be in place to do that role - they can intervene to help try to divert those young children from criminal behaviour. They will be known to those youth workers. Unfortunately, often their older siblings may already be in the youth justice system. We are handling and treading very carefully in how we do that. The youth justice strategy is very much a living document that can be adapted. That is why we have many oversight groups, whose membership is overlapping to ensure what we are doing is being done right and that there are feedback loops. For example, the researchers in the Research Evidence into Policy, Programmes and Practice, REPPP, project in Limerick and the youth workers are constantly feeding into the system. They are part of the oversight strategies to ensure that we are doing this right but adapting as we go along. That is why some of our programmes such as the Greentown project has won a European award. We can become a world leader in our youth justice strategies. However, that can only be done through research and having the various feedback loops from those who are engaged in the system on a daily basis.

The question as to why we do not also extend other-use services was asked. That is certainly something that must happen and that we are doing as well, and it is why those other Departments are also involved in the oversight groups. Young people need to have those outlets. This is what we are trying to do through the antisocial behaviour forum as well, where we have tried

to tackle scramblers and we are now looking at youth knife crime, which is very serious. We are trying to find ways to put supports into the communities as well so those young people can have other youth services and not simply those involving the criminal justice system. I have had engagement with the Minister for Further and Higher Education, Research, Innovation and Science, Deputy Harris, to try to unlock any blockages which may also be there for early school leavers trying to access various training programmes. It has in the past been a requirement that an applicant have junior certificate maths to do an apprenticeship, for example, but many young school leavers do not have it because they left before they did the junior certificate. Thus when they get back onto the right path, if you like, and a lot of intensive work has been done and they are getting some work experience, they suddenly find their path blocked. Little things like that can make a huge difference by unlocking those blockages for young people who are changing their behaviour and want to do apprenticeships and other training.

Deputy Lahart raised the issue of having young people's voices heard and I have addressed that.

Deputy Daly raised the issue of restorative justice. I absolutely agree restorative justice is a huge part of this. We have partnered with Ulster University to train the trainers around the importance of this and how to use restorative justice in a careful way to help young people confront their crimes. Very often, part of the problem is young people engaged in crime do not realise what they are doing does not begin and end with one night's criminal activity and that the impact for the victims can be ongoing and life-changing. Allowing them to understand and witness the impact of what they have done is where restorative justice comes into it.

Deputy Costello raised the issues around eight-year-olds to 11-year-olds. I tell the Deputy language like "scooping up" young people and bringing them into the criminal justice system certainly does not relate to what we are doing. I encourage the Deputy to engage with myself or the officials because language like that is deeply unhelpful.

Deputy Paul Donnelly touched on the issue of visiting teachers for the Traveller community. I will certainly raise that with the Minister for Education.

An Ceann Comhairle: I thank the Minister of State. I am afraid we are out of time.

Deputy James Browne: If there are any other questions Deputies want me to respond to I am happy to do that.

An Ceann Comhairle: That concludes statements on the National Youth Justice Strategy 2021-2027. We welcome the Minister of State's offer to respond to any questions Deputies have individually.

Sitting suspended at 4.43 p.m. and resumed at 5.44 p.m.

Criminal Justice (Amendment) Bill 2021: Committee and Remaining Stages

Sections 1 to 5, inclusive, agreed to.

SECTION 6

Minister of State at the Department of Justice (Deputy James Browne): I move amendment No.1:

In page 5, to delete line 5.

This amendment proposes to delete section 6(b) of the Bill as published. Section 6(b) of the Bill repeals subsections (3E) and (3F) of section 27 of the Misuse of Drugs Act 1977. These subsections provide for a mandatory minimum sentence of not less than ten years imprisonment for a second or subsequent possession or importation of drugs offence. I am advised that in June of this year, subsequent to the publication of this Bill, the High Court ruled in a further case, that of Sean McManus v. the Minister for Justice and Equality and others, that sections 27(3E) and (3F) of the Misuse of Drugs Act 1977 were unconstitutional. The ruling was made on the same grounds as those in the 2019 Ellis case that motivated this legislation. As it is not standard drafting practice to repeal provisions that have already been struck down by the courts, I propose deleting section 6(b) of the Bill. However, on legal advice, I propose to proceed with sections 6(a), 6(c) and 6(d) as published as these contain secondary references to section 27(3F) of the Misuse of Drugs Act 1977 which were not struck down by the High Court in the McManus judgment.

In effect, the proposal in the original drafting was to include an amendment to repeal various subsections of the Misuse of Drugs Act as the McManus decision now effectively finds them unconstitutional. The practice appears to be that one does delete a section that has been found to be unconstitutional.

Deputy Brendan Howlin: I have a technical question for the Minister of State. He is proposing the deletion of section 6(b). How stands then the lettering of the other sections 6(a), (c) and (d)? Will they be renumbered or relettered? How does that work?

Deputy James Browne: The Bills Office will amend the Bill so that we will have sections 6(a), (b) and (c).

Deputy Brendan Howlin: Is that the way it works?

Deputy James Browne: Yes.

Deputy Brendan Howlin: We do not need any further amendments on that section.

Deputy James Browne: No.

Deputy Brendan Howlin: What exactly is the import of the decision of the Supreme Court in terms of the existing law?

Deputy James Browne: Effectively, what the court has found in both the Ellis case and the McManus case is that a mandatory sentence for a second or subsequent conviction is unconstitutional because it is only applying the criminal law to a very small subset of people. That is the basis on which the court found it to be unconstitutional. A provision in criminal law should effectively apply to everybody.

Deputy Brendan Howlin: There must be uniform application

Deputy James Browne: Exactly.

Amendment agreed to.

Section 6, as amended, agreed to.

Sections 7 to 9, inclusive, agreed to.

NEW SECTION

Deputy James Browne: I move amendment No. 2:

2. In page 5, between lines 19 and 20, to insert the following:

“Retrospective application of certain amendments

10. (1) Subject to *subsection (2)*, the amendments effected by this Act (other than those effected by *subparagraphs (i) and (iii) of section 5(c)* and by *section 6*) shall apply in

respect of a relevant offence committed before the date of the coming into operation of this Act, including a relevant offence in respect of which proceedings had commenced before that date.

(2) *Subsection (1)* shall not apply in respect of a relevant offence committed prior to the date of the coming into operation of this Act where final judgment was given before that date in the proceedings in respect of the relevant offence.

(3) In this section “relevant offence” means—

(a) an offence to which section 49 of the Dublin Police Magistrates Act 1808 refers,

(b) a subsequent offence referred to in section 40 of the Illicit Distillation (Ireland) Act 1831,

(c) a third offence referred to in section 32 of the Refreshment Houses (Ireland) Act 1860,

(d) an offence to which section 15(8) of the Firearms Act 1925 applied, immediately before its repeal by *section 4(b)*,

(e) an offence to which section 26(8), section 27(8) or section 27B(8) of the Firearms Act 1964 applied, immediately before their repeal by *section 5*, or

(f) an offence to which section 12A(13) of the Firearms and Offensive Weapons Act 1990 applied, immediately before its repeal by *section 7(b)*.”.

This amendment involves the insertion of a new section 10 into the Bill which aims to deal with transitional issues in the form of the retrospective application of this Bill in certain circumstances. By way of background, the normal position under section 27 of the Interpretation Act 2005 is that any repeals or amendments of existing criminal penalties by way of new legislation only apply to offences committed after the new legislation has been enacted. Therefore, the proposed repeal of mandatory minimum sentences in the Bill as published would not apply to persons who have committed an offence before enactment of the Bill but who have not yet been charged, persons currently before the courts or persons who have been convicted of a relevant offence and are currently serving a sentence. I am advised that in these circumstances there is

the potential for further litigation and legal uncertainty in the cases of persons who may have committed offences or may have been convicted before the enactment of this Bill which could potentially engage the penalties for mandatory minimum sentences for second or subsequent offences that are to be repealed in this Bill.

Such litigation would potentially involve continued legal uncertainty and legal costs. In these circumstances, the Attorney General has advised that the State must be clear and explicit on the issue of the retrospective application of the repeal of sentences in the Bill. The net effect of the proposed new section 10 will be to ensure that persons who have already committed an offence, persons who have been charged with an offence or persons who have been convicted of an offence will also be subject to the repeal of the mandatory minimum sentences for second or subsequent offences. In any case where such persons will be sentenced, the mandatory penalties for second or subsequent offences would not be a sentencing option. In any case where such persons are already serving a sentence, they will have to seek a fresh sentencing hearing.

It is also important to note that the amendment provides that the repeal of sentencing provisions in the Bill applies in all cases, with the exception of those that have reached final judgment, that is, where cases have already proceeded to appeal stage and have been finalised or the time for appeal has expired. This approach is consistent with the case law of the European Court of Human Rights.

Turning to amendment 2, section 10(1) provides that retrospection shall apply only to relevant offences, that is, those listed in section 10(3). Section 10(2) provides that retrospection shall not apply in respect of a relevant offence that has reached final judgment before the Act comes into force.

Section 10(3) lists the relevant offences where retrospection will apply. It should be noted the amendment does not apply to the impugn provisions in the Ellis and McManus cases, namely, section 27A(8) of the Firearms Act 1964 and sections 27(3)(e) and (f) of the Misuse of Drugs Act 1977. This is because there is already a clear signal or clear legal pathway following these judgments for relevant cases.

Amendment No. 3 is the consequential amendment to the Long Title of the Bill which captures the effect of amendment No. 2. In effect, the amendment is necessary for those who are currently going through the system.

Deputy Brendan Howlin: Does the Minister of State have any idea of the number of people on which this will impact? Are there any cases or is this just an eagle and a brace, a belt-and-braces approach, in case there are some people caught in this because we cannot know if there are people who have committed an offence and have not been charged yet.

Deputy James Browne: I do not have any numbers on that. It is a belt-and-braces approach. There may be no cases affected but considering the relevant pieces here, it is possible or even probable that there will be a couple of cases going through the system. We have to make sure.

Deputy Brendan Howlin: For clarity, this affects retrospectively anyone who has committed an offence before the date of the enactment of this legislation, which is, I presume, the date on which the Minister commences the Act. The retrospection relates to people who have committed the offences relevant to the section prior to that date. Is that what the Minister of State is saying?

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Deputy James Browne: That is correct. The way the interpretation of retrospection works is that those people could still be subject to the law as extant at the time of a second or subsequent offence that carries a penalty of a mandatory minimum sentence. Therefore, such persons would have grounds for appeal and there would be all sorts of consequences from that. This is to ensure the provisions we pass here apply to those cases.

Deputy Brendan Howlin: Does that include those who are at the point of being sentenced now?

Deputy James Browne: Correct. It would not apply only in the cases of persons whose time for appeal has elapsed. They have run out of road and are either serving their sentence without further grounds for appeal or have completed their sentence.

Amendment agreed to.

Section 10, as amended, agreed to.

TITLE

Deputy James Browne: I move amendment No. 3:

In page 3, line 8, after “2019;” to insert the following: “to provide for the retrospective application of certain of these amendments in certain circumstances;”.

Amendment agreed to.

Title, as amended, agreed to.

An Ceann Comhairle: Pursuant to Standing Order 187(3) I have to report specially to the Dáil that the Committee has amended the Title to read as follows:

An Act to amend the Dublin Police Magistrates Act 1808, the Illicit Distillation (Ireland) Act 1831, the Refreshment Houses (Ireland) Act 1860, the Firearms Act 1925, the Firearms Act 1964, the Misuse of Drugs Act 1977, the Firearms and Offensive Weapons Act 1990, the Criminal Justice Act 2007 and the Parole Act 2019; to provide for the retrospective application of certain of these amendments in certain circumstances; and to provide for related matters.

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

Deputy Brendan Howlin: Will there be much more debate on the Refreshment Houses Act? It sounds like one of the more pleasant things that we could do in this place.

Deputy James Browne: We could bring the refreshment houses back, I think.

An Ceann Comhairle: It is a good thing we were not discussing them earlier in the year. It would have made things more difficult. I thank the Minister of State and all those involved in this work.

6 o'clock

Bille na dTeangacha Oifigiúla (Leasú), 2019: An Tuarascáil agus an Chéim Dheiridh

An Ceann Comhairle: Fearaim fáilte roimh an Aire Stáit. Tá leasú Uimh. 1 as ord.

Níor tairgeadh leasú Uimh. 1.

An Ceann Comhairle: Táim ag plé le leasú Uimh. 2, in ainm na dTeachtaí Ó Snodaigh, Ó Dálaigh agus Ní Fhearghail. Eascraíonn na moltaí seo as imeachtaí an choiste, is iad sin leasuithe Uimh. 2, 39, 46, 49 go dtí 51, go huile, 67 agus 305. Tá baint acu le chéile agus pléifear le chéile iad.

Deputy Aengus Ó Snodaigh: Tairgim leasú Uimh. 2:

I leathanach 7, idir línte 21 agus 22, an méid seo a leanas a chur isteach:

“(c) tríd an míniú seo a leanas a chur in ionad an mhínithe ar ‘cúirt’:

“ciallaíonn ‘cúirt’ aon bhinse de chuid comhlacht poiblí a gcumhachtaítear dó le dlí cearta agus dliteanais na bpáirtithe atá os a chomhair a chinneadh;”.

Is trua nach raibh níos mó ama againn muid féin a eagrú i gcomhthéacs an ghrúpa leasuithe seo, ach is é sin mar atá sé. Baineann na leasuithe seo ar fad - Uimh. 2, 39, 46, 49 go dtí 51, go huile, 67 agus 305 - le cúrsaí dlí agus cúirte agus aitheantas cuí a bheith tugtha don Ghaeilge os comhair na cúirte. Ní dhearnamar plé ar roinnt de na leasuithe seo ar Chéim an Choiste. Is trua nár ghlac an tAire Stáit leis an gcomhairle uainn mar a ghlac sé le roinnt de na leasuithe eile agus gur chuir sé a chuid leasuithe féin isteach. Tá roinnt díobh bunaithe ar an méid a bhí le rá ag an mbreitheamh sa chúirt mar gheall ar cheisteanna Gaeilge. Chomh maith leis sin, tá na leasuithe gafa lena lán de na cásanna cúirte atá tógtha agus á dtógáil maidir le cearta Gaeilge a fháil os comhair na cúirte. Tá saghas dabht ann maidir leis an seasamh nó an stádas oifigiúil atá ann sa chúirt.

Tá leasú Uimh. 2 simplí go leor. Is iarracht atá ann míniú a thabhairt ag tús an Bhille ar an méid go díreach atá i gceist leis an bhfocal “cúirt”. Is gá é sin a dhéanamh mar uaireanta ní bhíonn gach uile chúirt clúdaithe nuair a luaitear “cúirt”. Sa chás seo, táimid ag déanamh cinnte de go mbeidh an Coimisiún um Chaidreamh san Áit Oibre, a bunaíodh in 2015, clúdaithe in aon cheann de na cearta atá ag Gaeilgeoirí os comhair na cúirte - cearta a luaigh an Teachta Fergus O'Dowd in 2003, chun aitheantas a thabhairt dó anois. Dúirt sé an tráth sin - beagnach 20 bliain ó shin - go raibh fadhb ann. Ní cóir go mbeadh orainn é sin a phlé, fiú amháin, ar an gCéim seo ach ba chóir an reachtaíocht a thabhairt cothrom le dáta ionas go mbeidh, i gcás an leasaithe seo, an binse seo luaite agus clúdaithe ag na cearta teanga atá i gceist.

Baineann leasuithe Uimh. 39 agus 49 go 51, go huile, leis an méid a dúirt an Breitheamh Úna Ní Raifeartaigh. Níl mé chun é ar fad a léamh mar tá sé cuíosach fada ach impím ar dhaoine a bhfuil spéis acu sa cheist seo féachaint ar an méid a dúirt sí. Dúirt sí go raibh stádas oifigiúil ann ó thaobh na gcúirteanna de ach nach raibh aitheantas cuí á thabhairt don stádas sin. Tá sí an-eolach. Chuaigh sí chomh fada le rá go raibh na cúirteanna sa Stát seo ag cur i gcoinne na Gaeilge. Is rud mór é go ndúirt breitheamh an méid sin. Dúirt sí go bhfuil teipthe ar sheirbhísí do Ghaeilgeoirí os comhair na gcúirteanna de bharr an cur i gcoinne sin. Agus é sin ráite ag an mbreitheamh, ba chóir go mbeifear ag déanamh beart de réir an bhriathair. Is é seo an deis atá againn. Dúirt an tAire Stáit cheana go bhfuil áiteanna níos cuí don fhoráil seo

ach is é seo an bealach is tapa. Tá deis againn déileáil leis an fhadhb seo chomh tapa agus is féidir, seachas a bheith ag fanacht ar reachtaíocht eile agus seans ann nach dtiocfaidh sí riamh. Tá a fhios againn ón Dáil dheireanach cé chomh fada is a thógann sé reachtaíocht maidir le breithiúna agus a leithéid a réachtáil. Tógann sé i bhfad Éireann níos faide ná mar is cóir, b'fhéidir chomh fada is a thógann reachtaíocht faoin nGaeilge. In ainneoin tuairisc i ndiaidh tuairisce ag déileáil leis an gceist seo a fháil, ba chóir dúinn aithint go bhfuil fadhb bhunúsach ann. Níl aon leasú ag teacht ón Rialtas chun déileáil leis an méid a d'aithin an Breitheamh Uí Raifeartaigh. Ba chóir dúinn glacadh leis na leasuithe atá molta agam anseo. Muna bhfuil an tAire Stáit sásta é sin a dhéanamh, ba chóir dó féachaint athuair ar an bhfoclaíocht atá agam. Má tá fadhb ann, ba chóir dó leasú a mholadh sa Seanad chun déanamh cinnte de go bhfuil an cheist seo pléite agus go ndéileálfar leis sa deireadh thiar thall.

Déanann leasú Uimh. 39 cinnte de go bhfuil sé de cheart ag daoine ateangaireacht ó theanga amháin go teanga eile a bheith acu sna cúirteanna. Ní tharlaíonn sé sin. Níl an ceart sin ag daoine atá os comhair cúirte agus atá ag iarraidh go réachtálfar an cás trí Ghaeilge. Is ceart bunúsach é atá ann i mbeagnach gach uile thír eile san Eoraip ina bhfuil stádas oifigiúil ag teangacha difriúla. Go minic is teangacha nach bhfuil an oiread sin daoine á labhairt a bhíonn i gceist ach faigheann na teangacha sin stádas agus meas ó na cúirteanna go fóill. Ní tharlaíonn sé sin anseo. Impím ar an Aire Stáit féachaint athuair air seo. Dúirt sé go ndéanfadh sé smaoineamh ar an leasú a bhí agam mar gheall ar an gceist seo - Uimh. 39 atá i gceist anois - agus go dtiocfadh sé ar ais lena leasú féin ar an gCéim seo ach níor tharla sé sin. Níl a fhios agam ar bhuail sé leis an tSeirbhís Cúirteanna mar a bhí i gceist aige chun go mbeadh a fhios againn go cinnte go raibh athruithe ag teacht sna cúirteanna. B'fhéidir nach bhfuil gá leis seo más rud é go bhfuil na hathruithe sin ag teacht. Ní cóir go mbeadh gá leis mar tá aitheantas tugtha do stádas na Gaeilge sa Bhunreacht. Tá an leasú seo ar an mBille curtha chun cinn agam toisc nach bhfuil an t-aitheantas cuí á thabhairt in ainneoin an Bhunreacht. Tá súil agam go mbeidh an tAire Stáit sásta glacadh leis an leasú.

Déanann leasuithe Uimh. 40 go dtí 42, go huile, 47, 48 agus 305 déileáil le ceart daoine atá os comhair cúirte an cás a chloisteaíl ina dteanga féin, is é sin, go mbeadh ateangaireacht ann.

Deputy Pa Daly: Mar gheall ar leasú Uimh. 2, níl ach cúpla focal a rá. Mhol Teachta Dála de chuid Fhine Gael, an Teachta O'Dowd, é in 2003 chun an seanmhíniú ar "cúirt" san Acht a fheabhsú. Baineann sé seo le héagóir atá ann. Tá cearta teanga ann i mbinsí fiosrúcháin ar leith ach níl siad ann i mbinsí eile. Srianann an tAcht cearta teanga cúirte do bhinsí a bunaíodh faoi na hAchtanna a bhí i bhfeidhm roimh 2002 amháin. I gcás binsí nua fiosrúcháin a bunaíodh ó shin agus iad a bhunófar amach anseo, an Coimisiún um Chaidreamh san Áit Oibre a bunaíodh in 2015 ina measc, is cosúil nach bhfuil aon cheart ag Gaeilgeoirí labhairt os a gcomhair ina dteanga féin. Is fadhb í seo a d'aithin an Teachta O'Dowd beagnach 20 bliain ó shin. Ní cóir go mbeadh orainn í a phlé, fiú ag an staid seo, ach an reachtaíocht a thabhairt suas chun dáta ionas go mbeadh aon bhinse bunaithe ag aon chomhlacht poiblí ag am ar bith clúdaithe.

Mar a dúirt an Teachta Ó Snodaigh, nuair a deireann breitheamh chomh sinsearach leis an mBreitheamh Úna Ní Raifeartaigh nach bhfuil cearta cothroma ag dream amháin, b'éigean don Rialtas aire a thabhairt di. Dúirt sí go bhfuil na cúirteanna ag cuidiú le lingiúicid ina aghaidh na teanga agus nach bhfuil seirbhís leordhóthanach ar fáil in aon chor. Níl leasú ar bith ag an Rialtas chun an cúiseamh sin a fhreagairt ach go bhfuil sé ag amharc ar chinneadh statutory instruments a aistriú go Gaolainn in am réasúnta. Ní chreideann an Rialtas seo i gcearta teanga.

Táim bródúil leasú Uimh. 39 a thabhairt os comhair na Dála faoina mbeadh ceart ag daoine

seirbhísí aistriúcháin bhéil chomhuaineach a bheith acu. Dúirt an tAire Stáit sa chomhchoiste go gcreideann sé go bhfuil an córas ag obair faoi láthair in ainneoin na fianaise agus an méid a dúirt an Breitheamh Uí Raifeartaigh. Tá sé soiléir nach raibh aon teagmháil ag an Aire Stáit le daoine a bhí ag iarraidh a gcearta a fháil sna cúirteanna. Gheall an tAire Stáit go bpléifeadh sé leasú leis an tSeirbhís Cúirteanna agus go mbeadh sé ar ais le leasú dá chuid féin. An raibh aon chruinniú ann? Ní bheadh aon fhadhb leis na cúirteanna Eorpacha leis sin. Is trua nach bhfuil dearbhú anseo.

Baineann leasuithe Uimh. 40 go dtí 42, go huile, 47 agus 48 le cearta do dhaoine a gcásanna a phlé as Gaeilge. Fúthu, bheadh breitheamh nó giúiré in ann an Ghaolainn a thuiscint. Ba chóir go mbeadh cáipéisí cúirte sa teanga is fearr leis an duine atá os comhair na cúirte. Níl an t-éileamh sin míréasúnta. Dá mbeadh ar dhuine a labhraíonn an Béarla a chás nó a cas a phlé i nGaeilge, bheadh raic ann. I dtír inar crochadh duine sa Teach Dóite 250 bliain ó shin, cén fáth go bhfuil sé all right go mbeadh duine ón nGaeltacht curtha san áit chéanna inniu? Chuir an Rialtas na riachtanais go mbeadh leibhéal Gaeilge áirithe ag dlíodóirí agus aturnaetha ar ceal in 2008. Bhí ar gach dlíodóir beagáinín Gaeilge a bheith aige nó aici. Anois, níl Gaeilge shásúil acu agus tá fadhbanna againn le breithiúna a fháil a bhfuil Gaeilge acu. Tá an baol ann nach mbeadh Gaeilge ag breitheamh sa Chúirt Uachtarach, áit a bhfuil dualgais ar bhreithiúna Bunreacht na hÉireann a thuiscint as Gaolainn. Faoi leasú Uimh. 50, bheadh ar 20% de dhlíodóirí nua an Ghaeilge a bheith acu faoi 2030. Is é sin an aidhm chéanna atá ann do na seirbhísí poiblí. Molaim na leasuithe sin.

Deputy Catherine Connolly: Ba mhaith liom soiléiriú a fháil. Tá leasú ann, Uimh. 67, a bhfuil m'ainm air. Tá sé sa ghrúpa seo. Ach ní bhaineann sé leis an ábhar seo. Baineann sé le comhlacht poiblí má tá folúntas ann. Níl a fhios agam anois.

An Ceann Comhairle: Táimid ag déileáil leis anois agus mura labhraíonn an Teachta anois ní bheidh an seans aici níos déanaí.

Deputy Catherine Connolly: Is é an rud atá i gceist agam anseo ná go mbeidh sprioc ama i gceist, is é sin spriocdháta, an 31 Nollaig 2025. Ba mhaith liom an deis a thapú chun a rá go bhfuil gá le spriocdháta. Ghlac an tAire Stáit le cuid den chomhairle uainn go bhfuil gá le spriocdháta, agus ar a laghad tá iarracht déanta aige ach, tríd is tríd, tá easpa spriocdháta i gceist agus easpa dáiríreachta ó thaobh an Bhille seo a chur i gcrích. Bíim sa Chathaoir anseo agus cuirim brú ar na Teachtaí cloí leis na rialacha. Táimid ag tosú le leasú Uimh. 2. Tá leasú Uimh. 1 rialaithe as ord. Cuireann an leasú sin an rud i gcomhthéacs mar má tá leasú Uimh. 1 as ord, níl le déanamh agam ansin ach comhthéacs a chur ar an mBille seo arís, an fáth go bhfuil gá leis an mBille agus an rud atá á iarraidh ag an Bille seo a chur ina cheart mar tá an leasú sin as ord. Ní cothaíonn sé sin muinín ionam go bhfuil an tAire Stáit i ndáiríre in ainneoin go bhfuil cuid de na moltaí glactha aige. Tiocfaidh mé ar ais go dtí na pointí sin.

An Ceann Comhairle: Ba mhaith liom a shoiléiriú don Teachta an bealach ina láimhseáil-tear na rudaí seo. Tuigim go mbíonn teagmháil idir Oifig na mBillí agus an Roinn ó thaobh na leasuithe seo a chur le chéile i ngrúpaí.

Minister of State at the Department of Tourism, Culture, Arts, Gaeltacht, Sport and Media (Deputy Jack Chambers): Maidir le leasú Uimh. 2, beimid ag tógáil ar líon agus leibhéal na seirbhísí atá ar fáil trí Ghaeilge trí fheidhmiú an phlean náisiúnta agus trí chóras na gcaighdeán ar bhonn céimnithe tomhaiste. Caithfidh a bheith airdeallach agus muid ag tabhairt leasuithe isteach ar an reachtaíocht agus ar an tionchar a d'fhéadfadh siad a imirt ar

reachtaíocht eile. Ní shílím dá réir go mbeidh sé ciallmhar míniú ar an téarma “cúirt” a fhorbairt faoi láthair sa reachtaíocht seo. Tá tuiscint fhorleathan ann ar céard is cúirt ann agus níor mhaith liom é sin a chur as riocht. Mar sin, ní bheidh mé ag glacadh leis an leasú seo.

Maidir le leasú Uimh. 39, baineann an leasú seo le “ní mór” a chur in ionad “féadfaidh” sa mhéid is a bhaineann sé le córas ateangaireachta a chur ar fáil sna cúirteanna. De réir mar a thuigim, tá an córas seo i bhfeidhm cheana féin agus ní bheidh mé ag glacadh leis an leasú seo mar sin.

Tógfaidh mé leasuithe Uimh. 46 agus 49 le chéile. Is féidir leas a bhaint as ceachtar den dá theanga oifigiúil in aon chúirt, in aon phléadáil iontu, nó in aon doiciméad a eisítear ó aon chúirt. Tá dualgas ar an gcúirt a chinntiú go bhféadfadh aon duine éisteacht a fháil sa teanga oifigiúil is rogha leis nó léi. Mar a mhínigh mé ar Chéim an Choiste, má tá an Stát nó comhlacht poiblí mar pháirtí in imeachtaí sibhialta os comhair cúirte, bainfidh an Stát nó aon chomhlacht poiblí úsáid as an teanga oifigiúil, Béarla nó Gaeilge, atá roghnaithe ag an bpáirtí eile. Má tá níos mó ná páirtí amháin eile i gceist, beidh cinneadh le déanamh ag an Stát nó ag an gcomhlacht poiblí cibé teanga oifigiúil a bheadh réasúnach a úsáid sa chás sin. De bharr go mbeidh an tseirbhís trí Ghaeilge trasna an chórais Stáit i bhfad níos láidre faoi 2030, an Roinn Dlí agus Cirt agus an tSeirbhís Cúirteanna san áireamh, ní féidir liom glacadh leis an leasú seo. Má tá an Stát nó comhlacht poiblí mar pháirtí in imeachtaí sibhialta os comhair cúirte, bainfidh an Stát nó an comhlacht poiblí úsáid as an teanga oifigiúil, Gaeilge nó Béarla, atá roghnaithe ag an bpáirtí eile. Má tá níos mó ná páirtí amháin eile i gceist, beidh cinneadh le déanamh ag an Stát nó ag aon chomhlacht poiblí faoi cibé teanga oifigiúil a bheadh réasúnach sa chás, ach más rud é go bhfuil na dualgais seo á sárú ag comhlacht poiblí, ba chóir an duine nó aon duine é sin a threorú chun gearán a dhéanamh leis an gCoimisinéir Teanga mar go bhfuil sé de cheart acu faoin Acht é sin a dhéanamh. Ar an mbonn sin, ní bheidh mé ag glacadh leis an leasú seo.

Maidir le leasuithe Uimh. 50 agus 51, aontaím gur chóir go mbeadh líon leordhóthanach breitheamh inniúil sa Ghaeilge chun seirbhís dhátheangach d’ardchaighdeán a chur ar fáil don phobal. Mar atá ráite agam roimhe seo, ní dóigh liom gur chóir é seo a dhéanamh tríd an leasú. Tá cur amach ag daoine ar an bpróiseas atá ann chun breitheamh a cheapadh agus tá gealltanais sa chlár Rialtais go ndéanfar an Bille fá Choimisiún um Cheapacháin Bhreithiúnacha a achtú. Tá an-obair ar siúl maidir leis an mBille sin faoi láthair.

Anuas ar sin tugadh isteach Acht na ndlícheachtóirí ar an 9 Iúil 2008 freisin agus foráiltear le halt 2 den Acht go dtabharfaidh Dlí-Chumann Corpraithe na hÉireann aird ar bheartas an Rialtais maidir le dátheangachas agus go ndéanfaidh sé gach beart réasúnta chun a chinntiú go mbeidh líon leordhóthanach aturnaetha in ann an dlí a chleachtadh trí Ghaeilge. Bunaíodh clár Gaeilge in Óstaí an Rí agus i nDlí-Chumann Corpraithe na hÉireann faoin Acht seo chomh maith. Tá an clár seo cothrom le dáta agus tá sé ar fáil go poiblí ar shuíomh Idirlin na n-eagraíochtaí seo.

Tá oifig mo Roinne tar éis radharc fadtéarmach a ghlacadh maidir leis an gceist seo. Tá an-chuid oibre ar bun i láthair na huairé chun tacaíochtaí a chur ar fáil do chleachtóirí a bhfuil suim acu seirbhísí trí Ghaeilge a chur ar fáil don phobal. Déantar maoiniú a chur ar fáil do chúrsaí Gaeilge in institiúidí tríú leibhéal in Éirinn faoi Thionscnaimh Ardscileanna Gaeilge. Soláthraíonn an Roinn maoiniú do 12 chúrsa tríú leibhéal speisialaithe i réimsí eile aistriúcháin, léirmhíntithe, agus dlí. Luíonn sé le réasún go mbeidh na cleachtóirí seo ar fáil lena gceapadh mar bhreithimh amach anseo. Ar na cúiseanna sin ní bheidh mé ag glacadh leis na leasuithe seo.

Maidir le leasú Uimh. 66, ní bheidh mé ag glacadh leis an leasú seo. Tháinig an t-alt seo i bhfeidhm go huathoibríoch cheana féin i mí Iúil 2006 agus dá bhrí sin ní gá le dáta tosach feidhme.

Maidir le leasú Uimh. 305, mar a luaigh me cheana, tá sé de cheart ag aon duine an Ghaeilge a úsáid in aon chúirt sa tír seo cheana féin, is cuma cén fáth a bhfuil siad ann: mar fhinné, mar chosantóir, mar ghearánach nó mar íospartach. Faoin mBille, leasaítear na hailt a bhaineann le toghairm giúiréithe agus d'fhógair an tAcht i gcomhréir leis sin chun foráil a dhéanamh maidir le fógra dátheangach a eisiúint ar a dhéantar duine a thoghairm chun fónamh mar ghiúróir. Tá an fhoráil á lorg ag pobal labhartha na Gaeilge le fada agus mar sin ní bheidh mé ag glacadh leis an leasú seo.

Deputy Aengus Ó Snodaigh: Tá sé á rá ag an Aire Stáit go bhfuil sé de chead ag aon duine Gaeilge a úsáid os comhair na cúirte i gcás go mbeadh daoine ag tógáil an cháis nó má tá an cas á thógáil i gcoinne an Stáit agus gur féidir leo an Ghaeilge a roghnú sa chás sin. Tá breall ar an Aire Stáit. Má théim isteach sa chúirt, is féidir liom cas cúirte a bheith agam i mBéarla le moill agus tá moilleanna sna cúirteanna. Ach ó thaobh stádas na Gaeilge de, cuirtear leis an moill sin. Ní féidir liom, dá réir, go huathoibríoch dul isteach agus an ceart agus an stádas ceannann céanna a bhaint amach. Tá moill ann toisc nach bhfuil na breithimh ann le Gaeilge, nach bhfuil na dlíodóirí ná na habhcóidí ar fáil chomh flúirseach is gur chóir. Tá daoine agus breithimh den scoth ann agus tá daoine eile nach bhfuil amhlaidh. Tá daoine ar na binsí nach bhfuil Gaeilge acu. Tá roinnt eile freisin nach bhfuil tuiscint acu ar an mBunreacht i nGaeilge. Tuigeann siad an Bunreacht ach níl an tuiscint i nGaeilge acu.

Táim an-chúramach faoin méid atá á rá agam agus ní mise a bhí á rá an méid seo mar is é seo a bhí á rá laistigh den chúirt ag an mBreitheamh Úna Ní Raifeartaigh nuair a bhí sí ag caint agus ag caitheamh anuas ar an drochshlí a caitheadh leis an nGaeilge agus atá á caitheamh léi laistigh de na cúirteanna faoi láthair. Tá fadhb ann agus í aitheanta ní hamháin agamsa ach, mar a dúirt mo chomhghleacaí níos luaithe, ag an Teachta Fergus O'Dowd 20 bliain ó shin. Níor tharla aon athrú seachas a mhalairt agus is ag dul in olcas atá ceisteanna sna cúirteanna, ní hamháin ó thaobh na Gaeilge de ach ó thaobh a lán rudaí eile, ach táimid anseo ag déileáil le ceist na Gaeilge. Níl an stádas ná an t-aitheantas cuí á thabhairt mar is cóir don Ghaeilge. Is é sin ceann de na bunfhadhbanna. Ba chóir go mbeadh sé mar choinníoll nuair atá breitheamh á roghnú - is é seo ceann de na leasuithe - go bhfuil Gaeilge acu, go bhfuil siad inniúil sa Ghaeilge agus go dtuigeann siad í. Má tá breitheamh ann gan an tuiscint ar an nGaeilge, conas is féidir leis nó léi an dlí a aithint i gceart nó chomh tapa agus ba chóir dó nó di? Ba chóir don Aire Stáit féachaint athuair ar a bhfuil á rá agam maidir leis na breithiúna.

Deputy Jack Chambers: I ndiaidh Chéim an Choiste, labhair na hoifigigh leis an tSeirbhís Chúirteanna agus dúradh nach bhfuil aon fhadhb seirbhís a fháil i nGaeilge. Má tá an Stát nó comhlacht poiblí mar pháirtí in imeachtaí sibhialta os comhair na cúirte, baineann siad úsáid as an teanga oifigiúil, Gaeilge nó Béarla, atá roghnaithe ag an bpáirtí eile. Má tá níos mó ná páirtí eile i gceist, beidh cinneadh le déanamh ag an Stát nó ag comhlacht poiblí faoi cibé teanga oifigiúil a bheadh réasúnach a úsáid sa chás. Más rud é go bhfuil na dualgais á sárú ag comhlacht poiblí, ba chóir d'aon duine gearán a dhéanamh leis an gCoimisinéir Teanga, mar go bhfuil sé de cheart aige nó aici faoin Acht.

Deputy Aengus Ó Snodaigh: Luaigh mé roinnt de seo ar Chéim an Choiste. Fiú roimhe sin, ardaíodh an cheist seo leis an Aire Stáit ó dhreamanna eile chomh maith. Roimh 2008, bhí céim nó méid áirithe Gaeilge ag 100% de na habhcóidí agus na dlíodóirí anseo; ní raibh sé go

huile is go hiomlán cruinn ach bhí Gaeilge acu. Anois, níl ach 2% de na habhcóidí atá cáilithe in ann a n-obair a dhéanamh trí Ghaeilge. Tá sé sin tubaisteach. Tá leasú Uimh. 51 ar cheann de na forálacha trína bhfuilimid ag déanamh cinnte de go mbeidh 20% de na habhcóidí a bheidh á gcáiliú roimh 2030 inniúil sa Ghaeilge. Is é sin an príomhrud atá ag rith trí chuid mhór den stádas seo. Táimid ag iarraidh dul ar ais ar an mbealach ina raibh sé.

Tá seans ann, creid é nó ná creid, go mbeidh breitheamh ar an gCúirt Uachtarach nach mbeadh Gaeilge aige nó aici agus is í an chúirt a dhéanann an cinneadh maidir leis an mBunreacht. Tá sé sin an-dainséireach toisc gurb é an Bunreacht bundoiciméad an Stáit agus is é an seasamh atá ann ná go mbuann an Bunreacht as Gaeilge ar an leagan Béarla – it trumps the other one. Mura bhfuil tuiscint ag an mbreitheamh, tá sé i bhfad níos deacra tuiscint a fháil ar cad a bhí nó a bheidh i gceist nuair atá sé ina bhreitheamh nó sí ina breitheamh agus ag déileáil leis. Tá dainséar ansin. Ní smál é nó níl mé ag caitheamh anuas ar aon bhreitheamh atá ann faoi láthair. Sin mar atá. Caithfidh an fhadhb a aithint agus déileáil léi.

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

Deputy Mairéad Farrell: Tairgim leasú Uimh. 3:

I leathanach 7, idir línte 24 agus 25, an méid seo a leanas a chur isteach:

“ciallaíonn ‘inniúlacht’ i gcomhthéacs na Gaeilge san Acht seo, agus in aon reachtaíocht eile, líofacht de leibhéal B1 nó níos airde ar an gCreat Comhchoiteann Tagartha Eorpach le haghaidh Teangacha;”.

Tá sé dochreidte nach bhfuil seirbhísí Stáit fheiliúnaigh ar fáil i nGaeilge sa Ghaeltacht sa bhliain 2021. Is é sin an bealach a bhfuil sé faoi láthair agus tá a fhios againn é sin. Ar ndóigh, tuigeann muintir na Gaeltachta é sin go rímhaith. Lig an Stát Gaeilgeoirí agus muintir na Gaeltachta síos ar feadh na nglúnta cheana ó thaobh an cearta a bhí agus atá acu a dteanga dhúchais a úsáid ina Stát féin. Tá sé thar am an éagóir seo a chur ina cheart agus a chinntiú go mbeidh deis ag an gcéad ghlúin eile de chainteoirí Gaeilge a saol a chaitheamh trí mheán na Gaeilge más mian leo.

Dá bhrí sin, caithfidh an Rialtas a chinntiú go bhfuil na seirbhísí seo ar fáil sa Ghaeltacht agus tá sé ar an Aire Stáit a dheimhniú go mbeidh an bunleibhéal seo ann chun na seirbhísí seo a chur i bhfeidhm go huile is go hiomlán i nGaeilge sa Ghaeltacht. Impím ar an Aire Stáit glacadh leis an leasú seo. Tá sé rithábhachtach go bhfuil ardchaighdeán Gaeilge ag na hearcaigh sa státseirbhís agus go bhfuil dóthain fostaithe ann chun déileáil leis na daoine atá ag iarraidh seirbhísí Stáit a úsáid trí mheán na Gaeilge.

Faoinár leasú, bheadh iallach ar an státseirbhís cloí le leibhéal B1 sa Ghaeilge chun go mbeadh sé ag 20% d'earcaigh nua, ar a laghad. Is rud fíorthábhachtach é seo. Ní hamháin go gcuireadh sé sin le seirbhísí trí Ghaeilge a chur ar fáil do Ghaeilgeoirí ach chruthódh sé deiseanna fostaíochta dóibh agus spreagfadh sé ardchaighdeán Gaeilge i measc an phobail freisin. Má bhreathnaímid air go ginearálta agus má bhreathnaímid ar dhaoine atá agus a mbíonn ag caitheamh lá i ndiaidh lae trí mheán na Gaeilge - cuireann Raidió na Gaeltachta agus TG4 an nuacht agus go leor eile ar fáil trí mheán na Gaeilge - tá sé dochreidte nach bhfuil an bunleibhéal B1 seo riachtanach ionas go mbeadh ardchaighdeán ann.

Nílimid ach ag caint ar 20% de na hearcaigh nua ach dhéanfadh sé difríocht ollmhór. Léireodh sé do phobal na Gaeilge agus na Gaeltachta agus dóibh siúd atá ag tógáil a gcuid páistí

trí mheán na Gaeilge, rud a bhfuilimid ar fad ag iarraidh go dtarlódh sé, go bhfuil an Stát, an Rialtas agus an tAire Stáit dáiríre faoin leibhéal Gaeilge atá ag teastáil ón státseirbhís agus go mbeadh seirbhísí ar fáil trí mheán na Gaeilge do na daoine sin.

Is é an rud is tábhachtaí agus an bealach is fearr le cinntiú go leanfaidh daoine orthu ag labhairt Gaeilge lena gcuid páistí agus comhghleacaithe ná go gcaithfidh an Stát a léiriú go bhfuil sé sásta an teanga a úsáid; go gcreideann sé go bhfuil sé fíorthábhachtach go mbeadh an Ghaeilge ann; agus go bhfuil sé ina cheart bunúsach dúinn ar fad a bhfuil Gaeilge againn, agus muintir na Gaeltachta ach go háirithe, an Ghaeilge a úsáid pé uair atáimid ag déileáil leis an Stát. Is leasú fíorshimplí ach fíorthábhachtach é seo, atá curtha chun cinn agam agus ag mo chomhghleacaithe agus tá mé ag impí ar an Aire Stáit glacadh leis seo.

Deputy Aengus Ó Snodaigh: Mar a dúirt mo chomhghleacaí ansin, tá an leasú seo ag déileáil le bunchaighdeán inniúlacht an státseirbhísigh. B'fhéidir go raibh i bhfad níos mó daoine sa státchóras 30, 40 nó 50 bliain ó shin a bhí inniúil sa Ghaeilge agus in ann comhrá a bheith acu le daoine mar gheall ar pé gné a raibh siad ag iarraidh déileáil leis an Stát faoi. Tá titim thubaisteach ann le tamall de bhlianta anuas. Tá sé chomh tubaisteach sin gur gá don Stát cinneadh a ghlacadh chun déanamh cinnte de go bhfuil méid áirithe dóibh siúd a bheidh á n-earcú isteach sa státseirbhís ar chaighdeán ar leith.

Bhí díospóireacht chuibheasach fhada againn ar Chéim an Choiste faoi seo, agus nuair a bhí an plé a dhéanamh ag stad réamh-reachtach. Bhí grúpaí ar nós Chonradh na Gaeilge agus Ollscoil Mhá Nuad os ár gcomhair agus is í an ollscoil a dhéanann scrúdú ar an teastas Eorpach. Ba í an ollscoil a luaigh gurbh é leibhéal B1 ar chóir go mbeadh acu siúd atá os comhair an phobail. Is é sin atá i gceist ós rud é gur daoine iad seo atá ag tabhairt seirbhíse don phobal. Bhí díospóireacht ann roimhe seo agus B2 a bhí á lorg ag an am sin. Is caighdeán an-ard é sin agus bhíomar ag smaoineamh an mbeadh sé réalaíoch go mbeadh sé sin ann. Táthar ag caint faoi ardleibhéal na hardteistiméireachta agus onóracha a fháil. Ba chóir go mbeadh siúd atáimid ag iarraidh a bheith earcaithe le Gaeilge in ann labhairt linn as Gaeilge. Ba chóir go mbeadh tuis-cint acu ar an nGaeilge agus ba chóir go mbeadh siad in ann litreacha uainn i nGaeilge a léamh ach ní gá go mbeadh ardchaighdeán gramadaí acu ar leibhéal na hardteistiméireachta nó fiú na céime. Bheadh sé go maith dá mbeadh sé sin fíor ach caithimid a bheith réalaíoch.

Sa chás seo, rinneamar seasamh siar ón seasamh a ghlac muid ar Chéim an Choiste agus chinn muid an caighdeán a íslíú ach fós níl an tAire Stáit tar éis glacadh leis seo. Ba cheart don Aire Stáit smaoineamh go dúirt sé go ndéanfadh sé féachaint air seo agus gheall sé go ndéanfadh sé scrúdú ar an gceist seo. Bhí muidne ar fad ag tnúth le go mbeadh leasú uaidh ag déileáil leis seo. Aithnímid go bhfuil a lán leasuithe eile aige atá an-mhaith agus tá súil agam go dtiocfaimid chucu ar fad ach b'fhéidir nach shroichfimid iad. Bhí mé ag súil go dtógfadh an tAire Stáit ar bord é agus go ndéanfadh sé cinneadh tar éis an méid a bhí le rá againn agus an díospóireacht a bhí againn, ach níl aon chinneadh déanta sa chás seo agus níl aon bhunchaighdeán leagtha síos ag an Aire Stáit don 20% sin a bheith earcaithe. Is trua sin mar gan seirbhís a bheith ar fáil i nGaeilge, beidh sé deacair an Bille seo a chur i gcrích i gceart.

Impím ar an Aire Stáit féachaint arís ar an méid a bhí á rá, ní hamháin ón taobh seo den Tí ach ó Bhaill ó gach páirtí nuair a bhí an díospóireacht againn. Bhí gach éinne den tuairim gur chóir go mbeadh bunleibhéal leagtha síos. Níl ansin ach bunleibhéal; ní hé nach féidir le daoine leibhéal níos airde a bheith acu. Ba bhreá liomsa go mbeadh leibhéal níos airde agam féin. Níl céim agamsa sa Ghaeilge; tá an ardteistiméireacht agam cosúil lena lán daoine eile, ach tógadh le Gaeilge mé agus sin an fáth go bhfuil mé inniúil inti. Ba chóir dúinn a bheith cúramach gan

daoine a bhrú amach, ach go háirithe siúd atá sásta cuidiú, agus is féidir linn an leibhéal seo a choimeád íseal go leor ach ní ró-íseal ionas nach mbeimid ag déanamh muga magadh den reachtaíocht.

In ainneoin a dúirt Conradh na Gaeilge agus daoine eile linn nár chóir dúinn an caighdeán seo a ísliú, sin an fáth gur roghnaigh muid an leibhéal seo. Tá an ceart againn sa chás seo. B'fhiú dúinn déanamh cinnte den 20% atá luaite ag an Aire Stáit sa leasú a bheimid ag déileáil leis ó thaobh earcaíocht sa státchóras amach anseo roimh 2030. Tá sé tábhachtach go mbeadh Gaeilge flaithiúil flúirseach acu, ní an cúpla focal, agus go mbeadh siad in ann an tseirbhís a thabhairt dúinn. Sin aitheantas ar an gceart atá ag Gaeilgeoirí seirbhís a fháil. Nílím ach ag déanamh cinnte de go dtarlóidh sé agus go bhfuil slat tomhais éigin á úsáid seachas go mbeadh duine ag rá “I can speak a few words” agus tá cúig focail aige nó aici agus nuair atá cúpla pionta ólta aige nó aici tá níos mó ná cúig focail aige nó aici. Tá aithne againn ar fad ar a leithéid de dhaoine.

Tá a lán daoine sa státseirbhís a bhfuil Gaeilge acu agus ní admhaíonn siad é nó ní chuireann siad trasna é. B'fhéidir go bhfuil seans go mbeidh aitheantas ann toisc gur féidir leo scrúdú an chreata comhchoiteann tagartha Eorpach a dhéanamh. B'fhéidir go mbeidh siadsan á fháil sin agus ansin bheadh aitheantas cuí dóibh chomh maith. B'fhéidir go bhfuil níos mó daoine sa státseirbhís go bhfuil ciúin agus i bhfolach áit éigin go bhfuil Gaeilge ag an leibhéal seo acu. Má tá, bheadh muid ag déanamh dul chun cinn i bhfad níos tapúla ná mar a táimid faoi láthair. Bhíodh i bhfad Éireann níos mó Gaeilgeoirí ann sula bhfuair na Rialtais roimh an ceann seo réidh leis an coinníoll go mbeadh Gaeilge acu siúd sa státseirbhís.

Deputy Catherine Connolly: Ba mhaith liom mo thacaíocht a thabhairt don leasú seo. Tá gá le bunleibhéal. Níl aon chiall leis an mBille nó an rud a táthar ag iarraidh a chur chun cinn, sin an Ghaeilge, gan an bunleibhéal a bheith ann. Déanaim tagairt arís do Choiste na Gaeilge, na Gaeltachta agus na nOileán sa Dáil deireanach agus don tuarascáil a d'fhoilsigh sé. Foilsíodh an tuarascáil sin i mí Bealtaine 2018. Bhí 20 moladh ann agus ní mór dom a rá gur ghlac Fianna Fáil agus na hionadaithe ó Fhianna Fáil ar an gcoiste leis na moltaí uilig. Tá sé tábhachtach é sin a rá. Ní raibh aon easaontas. D'aontaigh muid go léir go raibh géarchéim ann agus go raibh orainn rud éigin a dhéanamh. Bhí 20 moladh i gceist agus bhí daoine dár gcáineadh toisc nach rabhamar radacach go leor ach rinneamar ár ndícheall chun gach duine ar an gcoiste a mhealladh chun aontú ar na moltaí ar fad.

Tagraím do mholadh Uimh. 13:

Molann an Comhchoiste go mbeidh Gaeilge líofa agus Béarla líofa ag gach seirbhíseach poiblí a bheidh ag obair sa Ghaeltacht, agus go mbeidh Gaeilge líofa agus Béarla líofa ag 20% de sheirbhísigh phoiblí a bheidh ag obair i ngach comhlacht poiblí.

Ní léifidh mé an moladh go léir amach ach sin moladh Uimh. 13. Níl an leasú seo ag lorg líofachta sa Ghaeilge fiú. Níl sé ach ag rá gurb ionann inniúlacht agus leibhéal B1 nó níos airde. Ní hionann B1 agus líofacht. Níl an leasú seo radacach nó iomarcach ach tá sé ag cur in iúl nach mór dúinn a bheith réalaióch ó thaobh na Gaeilge de agus ag an am céanna aitheantas a thabhairt go bhfuil easpa líofachta i gceist. Ní thuigim cén fáth nach bhfuil an tAire Stáit sásta glacadh leis an leasú seo. Is leasú bunúsach é agus is leibhéal bunúsach atá i gceist. Tagann sé díreach ón gcoiste agus ó na moltaí a bhí aige, agus bhí gach páirtí páirteach sa phróiseas sin. Sin breis agus trí bliana ó shin agus fós nílím réidh.

Deputy Jack Chambers: Tagraím do leasú Uimh. 3. Bhí plé fiúntach againn ar Chéim an Choiste maidir le hinniúlacht sa Ghaeilge agus d'éist mé go géar leis an méid a bhí le rá ag Teachtaí ar an ábhar seo. Cé go n-aontaím go mbeadh sé fiúntach a leithéid a bheith ann, ní hé an reachtaíocht an áit cuí. Aithnítear leibhéal B2 go forleathan ar fud na cruinne mar an bunleibhéal atá ag teastáil ó dhaoine i dteanga chun a gcuid oibre a dhéanamh trí mheán na teanga sin.

Bíodh sin mar atá, tá riachtanais agus scileanna éagsúla ag teastáil i ról agus i gcomhthéacsanna éagsúla. D'fhéadfadh duine atá ag leibhéal B1, mar shampla, déileáil le fiosrúchán an-bhunúsach ar an nguthán nó teachtaireacht shimplí a thógáil. B'fhéidir gur leor é sin i rólanna nó i gcomhthéacsanna áirithe. Tá an méid seo deimhnithe ag Ollscoil na hÉireann Mhá Nuad, atá i mbun an chóras teastas Eorpach na Gaeilge, TEG. Bhí cruinniú ag oifig mo Roinne le hOllscoil na hÉireann Mhá Nuad ar an ábhar seo agus tá caidreamh iontach eadrainn. Tá an t-íosleibhéal seo de leibhéal B2 i bhfeidhm cheana mar chreat cáilitheacha do go leor de na comórtais oscailte náisiúnta a reáchtálann an tSeirbhís um Cheapacháin Phoiblí gach bliain nó ré bliain do na gráid ghinearálta le Gaeilge sa státseirbhís, mar shampla oifigigh cléireachais, oifigigh feidhmiúcháin, oifigigh riaracháin agus príomhoifigigh cúnta le Gaeilge.

Leis na hiarratasóirí a chuireann isteach ar na comórtais seo, caithimid a dheimhniú go bhfuil inniúlacht sa Ghaeilge acu ag leibhéal B2. Ansin má éiríonn leo dul tríd agus ar stad ar leith den chomórtas, is iondúil go mbíonn orthu scrúdú béil agus scríofa a dhéanamh a léiríonn go bhfuil leibhéal B2 acu nó d'fhéadfaí an t-agallamh féin a reachtáil trí Ghaeilge. Agus muid ag obair i dtreo an 20% d'earcaithe nua a bheith inniúil sa Ghaeilge, ní bheidh aon athrú ag teacht air sin. É sin ráite, áfach, tá níos mó le clúdach leis an 20% seo ná earcaíochta de na gráid gin-earála amháin. Mar shampla, tagraím do na caighdeáin a bheidh le teacht isteach faoin mBille. Táthar ag iarraidh aghaidh a thabhairt ar chaighdeán na seirbhísí atá á gcur ar fáil trí Ghaeilge do mhuintir na Gaeltachta faoi láthair mar ábhar práinneach. Beidh réimse leathan seirbhísí le clúdach, mar shampla, seirbhísí leighis, iompair agus poist. Don chuid is mó díobh seo, is cumas labhartha sa Ghaeilge an rud is tábhachtaí seachas cumas scríofa. Ar bhonn praiticiúil, ní céim chun cinn a bheadh ann bac a chur ar dhaoine le togha Ghaeilge labhartha ach gan an cumas céanna scríofa ag leibhéal B2 cur isteach ar chuid de na poist seo. Sin a tharlódh dá ndéanfaimis míniú a thabhairt ar céard is inniúlacht ann sa Bhille féin, mar atá molta sa leasú seo. Bheadh an rud céanna i gceist le poist i sainréimsí chomh maith. Caithfidh a bheith réalaióch faoi cé atá ar fáil chun na poist seo a líonadh. Táimid ag iarraidh go n-éireoidh linn agus go dtiocfaidh feabhas ar na seirbhísí trí Ghaeilge atá ar fáil sa Ghaeltacht agus ar fud na tíre.

Ar na cúinsí sin, cur chuige níos ciallmhaire a bheadh ann aghaidh a thabhairt ar an gceist seo sna caighdeáin, áit gur féidir idirdhealú a dhéanamh idir na riachtanais éagsúla do phoist éagsúla, seachas sainmhíniú amháin, a chuirfeadh daoine as an áireamh ón tús gan aird ar riachtanais an phoist, a chur isteach sa phríomh-reachtaíocht. Dá bhrí sin, nílim chun glacadh leis na leasuithe seo.

Deputy Mairéad Farrell: Tá brón orm ach ní aontaím leis an Aire Stáit ar na leasuithe seo agus tá cúpla fáth leis sin. Ar an gcéad dul síos, tá a fhios againn nach bhfuil an méid atá ag tarlú faoi láthair ag obair. Níl a fhios agam a bhfaca an tAire Stáit an tvuít inniu a chuir fear éigin ar Twitter. Dúirt sé go raibh sé ag iarraidh a chuid seirbhísí a dhéanamh trí Ghaeilge le An Post. Ba é an fhreagra a bhfuair sé ar ais i mBéarla ná, "We have a Irish web chat person but he is on his lunch." Léiríonn sé sin an fhadhb atá againn i láthair na huaire. Níl an méid atá ag tarlú faoi láthair ag obair; tá a fhios againn é sin. Nílim ag rá go bhfuil an tAire Stáit ag rá seo faoi chuótaí do mhná, ach is é sin an dearcadh céanna atá ann nuair nach bhfuil an córas

ag obair. Deirtear linn go minic, nuair a bhíonn muid ag caint faoi chuótaí do mhná mar gheall nach raibh go leor mná i bpost éigin, go stopfaidh sé sin daoine le scileanna eile. Muna bhfuil sé ann, caithfear athrú a dhéanamh air. Caithfidh rud éigin a dhéanamh mar níl sé ag obair. Feictear é sin ón tvúit inniu le An Post agus ó dhaoine a bhíonn ag iarraidh a gcuid oibre a dhéanamh trí mheán na Gaeilge leis an Stát agus níl an tseirbhís ann. Níl an córas ag obair. Is leasú simplí é seo a n-oibreodh. Cén fáth nach bhfuil an tAire Stáit á thacú? I ndáiríre, ní thuigim é sin. Impím air a intinn a athrú.

Deputy Aengus Ó Snodaigh: Is ait liom nach bhfuil an tslat tomhais leagtha síos. Impimid ar an Aire Stáit earcaíocht a dhéanamh i gcomhair níos mó Gaeilgeoirí. Táimid ag impí air slat tomhais dóibh siúd atá sa státchóras cheana féin toisc nach bhfuil sé ann. Níl a fhios ag an Aire Stáit cén leibhéal ar a bhfuil siad agus cén líofacht atá de dhíth acu. Is é an t-aon bhealach chun é sin a thomhas ná go n-úsáidtear an bealach atá luaite agus úsáidte timpeall an domhain. Is é sin an tslat tomhais. D'éist mise leis an Aire Stáit agus le daoine eile, agus d'ísligh mé an méid a bhí á lorg mar b'fhéidir go raibh an leibhéal B2 ró-ard. Impím ar an Aire Stáit arís féachaint ar an leasú seo uair amháin eile.

Luaigh an tAire Stáit na caighdeáin. Is é an fáth go bhfuil leasuithe os a chomhair ná toisc nach bhfuil leid againn fós cad a bheidh sna caighdeáin. D'impíomar ón tús ar an Aire Stáit dréachtchaighdeán a thaispeáint dúinn agus a insint dúinn cad go díreach a bheidh sé bunaithe air. Ansin bheadh tuiscint againn ar a mbeidh ann. Dá mbeadh an caighdeán sin againn fiú, bheimis in ann an treo a rachadh an tAire Stáit a thuiscint.

Bhí muidne ag féachaint ar chaighdeáin sa Bhreatain Bheag le déanaí, agus bhí cruinniú ag Comhchoiste na Gaeilge, na Gaeltachta agus Phobal Labhartha na Gaeilge le Coimisinéir Teanga na Breataine Bige. Tá caighdeáin acu, ach an ionann é sin agus an a dhéanfaidh an tAire Stáit nó an é múnla difriúil a bheidh ann? Níor dúirt sé dúinn riamh cad a bheidh ann. Níl aon bhealach eile againn lena chinntiú go mbeidh an reachtaíocht seo slán agus go ndéanfaidh sí an rud ba chóir di a dhéanamh, agus sin an fáth gur chuireamar na leasuithe seo isteach.

Deputy Catherine Connolly: Tuigim a bhfuil á rá ag an Aire Stáit agus b'fhéidir nach é an réiteach is fearr é an leasú seo a chur sa reachtaíocht. Tuigim é sin, ach an fhadhb atá agamsa agus atá ag daoine eile ag breathnú ar an bpróiseas ná nach bhfuil an Roinn i ndáiríre faoin gceist seo. Chuaigh alt i gComhargo mór i bhfeidhm orm agus mé ag dul siar dar teideal "An tseachtacht ina orlaí tríd" le Pádraig Breandán Ó Laighin. Leag sé amach na tuairimí a bhí aige ó thaobh an Bhille a foilsíodh ag an am. Ní raibh spriocdháta sa Bhille sin fiú. Glacaim leis go bhfuil an méid sin athraithe ó shin. Tríd is tríd, ón am a bhí mise ar an gcoiste Gaeilge, agus an phribhléid a bhí agam mar Chathaoirleach, agus ag éisteacht leis na dreamanna éagsúla a tháinig os ár gcomhair, bhí sé soiléir go raibh, agus go bhfuil fós, bearna mhór idir an córas agus na daoine atá ag obair ar an talamh agus cosmhuintir na tíre atá ag iarraidh agus ag streachailt le Gaeilge a úsáid gach lá dár saol. Táimid ag déanamh díospóireacht as an leasú seo ó Shinn Féin agus táim 100% taobh thiar de, in ainneoin go dtuigim go mb'fhéidir nach é an áit cheart é ach tá easpa muiníne agus easpa caighdeán ann, mar a dúirt an Teachta Ó Snodaigh. Níl na caighdeáin feicthe againn cé gur gheall an tAire Stáit agus córas dúinn go mbeadh na caighdeáin le feiceáil againn. D'impigh an Coimisinéir Teanga ar an Roinn na caighdeáin a fhoilsiú agus níor tharla sé sin. Is é sin an fáth go bhfuil mise 100% i bhfábhair an leasú seo.

Deputy Jack Chambers: Ar dtús báire, táimid i ndáiríre faoi seo. Mar a dúirt mé ar Chéim an Choiste, beidh caighdeán nua ann nuair a bheidh an Bille achtaithe. Beidh deiseanna agus poist nua ann sa Ghaeltacht. Go deimhin, bhí cruinnithe ag oifigigh mo Roinne le hOllscoil

Mhá Nuad ar an ábhar seo agus bhí caidreamh iontach eatarthu.

Tá an t-íosleibhéal de leibhéal B2 i bhfeidhm cheana féin mar chritéir cháilíochta do go leor de na comórtais oscailte náisiúnta a reáchtálann an tSeirbhís um Cheapacháin Phoiblí gach bliain, nó ré bliain, do na gráid ginearálta le Gaeilge sa státseirbhís, mar shampla, oifigigh chlérachais, oifigigh fheidhmiúcháin, oifigigh riaracháin agus príomhoifigigh chúnta le Gaeilge. Bheadh an rud céanna i gceist le poist i sainréimsí chomh maith. Caithfimid a bheith réalaióch faoi cé atá ar fáil chun na poist seo a líonadh. Táimid ag iarraidh go n-éireoidh linn agus go dtiocfaidh feabhas ar na seirbhísí trí Ghaeilge atá ar fáil sa Ghaeltacht agus ar fud na tíre.

Ar na cúinsí sin, cur chuige níos ciallmhaire a bheadh ann aghaidh a thabhairt ar an gceist seo sna caighdeáin, áit gur féidir idirdhealú a dhéanamh idir na riachtanais éagsúla do phoist éagsúla seachas sainmhíniú amháin a úsáid, a chuirfeadh daoine as an áireamh ón tús gan aird ar riachtanais an phoist, a chur isteach sa phríomh-reachtaíocht. Dá bhrí sin, nílím chun glacadh leis an leasú seo.

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

An Ceann Comhairle: Tá baint ag leasuithe Uimh. 4, 5, 103 go 107, go huile, 109 agus 110 le chéile agus is féidir iad a plé le chéile.

Deputy Jack Chambers: Tairgim leasú Uimh. 4:

I leathanach 9, idir línte 2 agus 3, an méid seo a leanas a chur isteach:

“ciallaíonn ‘foirm oifigiúil’ foirm, lena n-áirítear foirm leictreonach, a úsáideann comhlacht poiblí i dtaca leis an gcomhlacht sin do sholáthar seirbhíse;”.

Maidir le leasú Uimh. 4, is leasú é seo de chuid an Rialtais atá á mholadh agam. Baineann an leasú seo le sainmhíniú ar céard is “foirm oifigiúil” ann, rud a bhí iarrtha ag an Roinn Dlí agus Cirt. Is réiteach maith simplí é lena gcuimsítear céard is brí le “foirm oifigiúil” ann. Tá tagairt shonrach sa sainmhíniú d’fhoirmeacha ar líne, rud a bhí de dhíth ón Teachta Ó Snodaigh ar Chéim an Choiste. Tá sé sin curtha san áireamh againn anois. Molaim an leasú seo don Teach.

Maidir le leasú Uimh. 5, gabhaim buíochas leis na Teachtaí as ucht an leasaithe ach toisc go bhfuil mo leasú féin agam a chlúdaíonn an t-ábhar úd, ní bheidh mé ag glacadh leis an leasú sin.

Tógfaidh mé leasuithe Uimh. 103 agus 105 le chéile toisc go bhfuil siad mar an gcéanna. Níl i gceist agam glacadh leis na leasuithe seo toisc go dtugann an leasú, mar atá sé, an-solúbthacht don Aire a chomhlachtaí poiblí a ordú chun críocha an ailt a bhaineann le foirmeacha oifigiúla. Tá go leor comhlachtaí poiblí ann nach mbíonn teagmháil acu leis an bpobal nó nach mbíonn ag soláthar foirmeacha dó agus dá bhrí sin, is gá go mbeadh solúbthacht ag an Aire ar an ábhar.

Maidir le leasú Uimh. 104, tá sé fiorthábhachtach d’fheidhmiú éifeachtach na reachtaíochta seo go mbeidh discríd ag an Aire maidir le feidhmiú fhorálacha áirithe atá sonraithe sa Bhille. Mar atá curtha in iúl agam cheana, is é príomhchuspóir an Bhille seo ná soláthar níos mó de sheirbhísí Gaeilge a chur ar fáil ón tseirbhís phoiblí ar chaighdeán níos airde. Chuige sin, faoi alt 18A den Bhille, tá coiste comhairleach um sheirbhísí Ghaeilge le bunú. Leagtar amach feidhmeanna an choiste chomhairligh ann. Tá obair fhíorthábhachtach le déanamh aige maidir le soláthar seirbhísí Gaeilge agus cúrsaí earcaíochta. Ní feidhm é den choiste comhairleach treoir a thabhairt maidir le leagan amach foirmeacha.

Mar an gcéanna, leagtar amach feidhmeanna an Choimisinéara Teanga in alt 21 den phríomh-Acht. Tá i gceist againn cur leis na feidhmeanna sin trí leasú a thabharfaidh ar chumhacht an Choimisinéara Teanga faireachán a dhéanamh ar chomhlíonadh aon achtachán a bhaineann le stádas nó úsáid teanga oifigiúla ag comhlachtaí poiblí. Is dul chun cinn mór a bheadh anseo d'oifigigh an choimisinéara. Ní fheictear dom gur ról é don choimisinéir le dul i mbun comhairle leis an Aire maidir le leagan amach foirmeacha. É sin ráite, tá caidreamh an-mhaith ag an Roinn le hoifigigh an Choimisinéara Teanga agus tá mé lánchinnte go mbeidh tuairimí an choimisinéara roinnte le foireann na Roinne ar ábhair a thagann faoina chúram. Caithfear cuimhneamh freisin go bhfuil ról faireacháin ag an gCoimisinéir Teanga agus ní bheadh sé cuí go mbeadh sé i mbun oibre mar seo ar lámh amháin agus ag déanamh faireacháin ar an obair chéanna ar an lámh eile. Mar sin, ní bheidh mé ag glacadh leis an leasú seo.

Maidir le leasú Uimh. 106, is leasú é seo de chuid an Rialtais atá á mholadh agam. Is leasú riaracháin atá i gceist sa chás seo, ar mhaithe le leanúnachas téarmaíochta sa Bhille. Molaim an leasú seo don Teach.

Tógfaidh mé leasuithe Uimh. 107, 109 agus 110 le chéile. Tá an tábhacht a bhaineann le foirmeacha oifigiúla a bheith ar fáil go dátheangach aitheanta ag an Rialtas. Foráiltear le halt 9B an Bhille gur chóir foirmeacha oifigiúla a fhoilsiú i nGaeilge nó sa dá theanga, an Ghaeilge agus Béarla, agus foráiltear an modh ar chóir é sin a dhéanamh. I mo thuairim, beidh an tAire in ann rialacháin a ordú ionas go mbeidh na mionsonraí a bhaineann leis seo clúdaithe sa chaighdeán.

Tá mo leasú féin á mholadh agam lena gciallófar go mbeidh ar an Aire treoirilínte a ullmhú agus a eisiúint laistigh de trí mhí ó achtú an tAcht seo chun cabhair le comhlachtaí poiblí a n-oibleagáidí i ndáil le húsáid ainmneacha, seoltaí agus teidil daoine a chomhlíonadh. Agus na treoirilínte á n-ullmhú ag an Aire, d'fhéadfadh sé nó sí dul i gcomhairle le haon Aire eile. Ar an gcúis sin, ní bheidh mé ag glacadh leis an leasú seo.

Maidir le leasú Uimh. 111, ba mhaith liom buíochas a ghabháil leis na Teachtaí as ucht an leasaithe seo a mholadh. Tá mo leasú féin á mholadh agam don Teach lena gcinnteofar an ceart ag duine gan teideal a úsáid más mian leis nó léi déanamh amhlaidh. Rinne go leor plé air seo agus ar chúrsaí ainmneacha agus seoltaí ar Chéim an Choiste. Chuir cuid mhaith Teachtaí an-suim ann, an Teachta Ó Cuív ach go háirithe. Dúirt mé go mbeinn fós ag féachaint air agus ag teacht ar ais ar Chéim na Tuarascála. Cinntíonn an leasú seo cearta na saoránach maidir le cúrsaí teidil. Ar an mbonn sin, ní bheidh mé ag glacadh leis an leasú seo.

Deputy Aengus Ó Snodaigh: Nílím ag déileáil le leasú Uimh. 111.

Deputy Jack Chambers: An bhfuil leasú Uimh. 111 sa ghrúpa?

Deputy Aengus Ó Snodaigh: Níl sé.

An Ceann Comhairle: Is iad leasuithe Uimh. 109 agus 110 na leasuithe atá sa ghrúpa. Tiocfaimid ar ais chuige.

Deputy Jack Chambers: Gabh mo leithscéal. Bhí grúpaí difriúla ann trí nó ceithre uair ó shin.

Deputy Aengus Ó Snodaigh: Tá sé go maith go bhfuil an tAire Stáit tar éis an foclaíocht a leasú agus foirmeacha leictreonacha a chur san áireamh sa mhíniú ar “foirm oifigiúil”, de réir

mar a bhí á lorg againn ar Chéim an Choiste. Is léiriú é sin ar an dea-thionchar a bhíonn ag an bplé eadrainn agus ar an tuiscint atá ag an Aire Stáit ar cé chomh dona agus atá rudaí. Is léiriú é seo go raibh buntáiste le baint as an bplé a bhí againn ar Chéim an Choiste, in ainneoin go raibh daoine ag rá go raibh sé rófhada. Fiú ar an gCéim seo, má éistean an tAire Stáit, b'fhéidir go mbeadh sé in ann smaoineamh athuaire dhéanamh air. In ainneoin nach nglacfar le roinnt de na leasuithe seo inniu - measaim nach mbeidh an tAire Stáit ag glacadh le haon cheann acu - b'fhéidir go bhféachfadh an tAire Stáit orthu arís sula sroicheann an Bille seo an Seanad.

Bheimis sásta leasú Uimh. 5 a tharraingt siar ach teastaíonn roinnt soiléirithe uaim maidir lena bhfuil go díreach i gceist ag an Aire Stáit. Ar an tslí a bhfuil sé scríofa, is cosúil go bhfuil sainmhíniú an Aire srianta go foirmeacha a úsáideann comhlacht poiblí, gan trácht ar fhoirmeacha arna ndéanamh ag comhlachtaí poiblí nó thar a gceann le comhlánú ag duine nó thar cheann duine. Glacaim leis. Níl a fhios agam an gá sainmhíniú a thabhairt le rá gurb iad na foirmeacha a bhíonn á n-úsáid agus a dtabhairt don phobal ag comhlachtaí atá i gceist seachas cinn inmheánacha. Níl mé ag iarraidh moill a chur ar an gceist sin, ach ar eagla go bhfuil aon dabht ann. Tá a fhios againn go bhfuil comhlachtaí amuigh ansin agus féachann siad air seo agus deir siad nach bhfuil gá dóibh cloí leis sin. B'fhéidir go bhfuil mearbhall orm ó thaobh na foclaíochta sin. Is é sin an soiléiriú.

Tá a fhios againn cé chomh dona agus a gcaitear le daoine ó thaobh foirmeacha de. Chonaiceamar cheana an tslí ar caitheadh leis an Dr. Fangzhe Qiu nuair a bhí sé ag lorg eadóirseachta toisc gur chomhlánaigh sé na foirmeacha as Gaeilge. Is minic a dhéanaim é sin toisc go bhfuil gá leis agus go bhfuil sprioc-am ann agus níl an fhoirm Ghaeilge ar fáil ar líne. Líonaim isteach i nGaeilge an fhoirm Bhéarla í. Le déanaí, fuair mé foirmeacha ón Roinn Coimirce Sóisialaí cúpla uair nach raibh ar fáil ar líne as Gaeilge. Tá a lán acu ar fáil i nGaeilge anois ach ní bhíonn na cinn a bhíonn uait go minic ar fáil as Gaeilge. Bíonn ort nóta a chur chuig an Roinn agus cuireann siad foirmeacha ar ais chugat. Ní díreach an Roinn sin atá i gceist. Luaigh mé cúpla uair an fhoirm a chuir an HSE amach nuair a bhí na páistí ag filleadh ar scoil i mí an Mhárta, foirm a bhí go huile is go hiomlán as Béarla. Dúradh liom ó shin go raibh fáil air áit éigin, am éigin as Gaeilge ach ní raibh sé ar fáil do na coláistí Gaeilge as Gaeilge. Ní raibh ach 61 focal ann san iomlán. Ní raibh ann ach ainm agus seoladh. Bhí mé in ann é a aistriú go han-tapa. B'shin an méid a chur mise ar ais chuig an scoil ach ní raibh sé aici ón HSE i nGaeilge. Is é sin an fáth go bhfuil sé seo rithabhachtach.

Is é ceann de na rudaí eile atá an-tábhachtach chomh maith ná go bhfuil fáil ar an bhfoirm. Téann aon duine atá ag lorg pas agus ag iarraidh an fhoirm a líonadh síos go dtí stáisiún an Gharda nó oifig an phoist nó pé áit is féidir é a fháil anois - b'fhéidir go bhfuil sé níos fearr ar líne anois - ach go minic bíonn sé i bhfolach nó ní bhíonn sé ar fáil. Bíonn ar dhaoine an fhoirm Bhéarla a úsáid. Má tá foirmeacha ann, ba cheart go mbeidís dátheangach, go mbeadh fáil orthu agus go mbeadh an Ghaeilge níos feiceálaí ná an Béarla nuair a phioctar suas iad.

7 o'clock

Ba chóir go mbeadh an fhoirm Ghaeilge os ár gcomhair agus go bhfeictear í láithreach, agus go mbeadh an fhoirm Bhéarla in aice léi más mian le duine an leagan Béarla a líonadh. Ní cóir go mbeadh an Ghaeilge i bhfolach.

Luaigh an tAire Stáit an caighdeán. Mar a dúirt mé cheana, níor tugadh an caighdeán dúinn agus níl tuairim againn cad a bheidh ann. Ba mhian leis an Aire Stáit go gcuirfimid ár muinín ann go mbeidh an caighdeán chomh maith sin ionas go mbeidh gach foráil sna leasuithe seo

clúdaithe ann. Ní bheidh aon input againn sna treoirlínte nó sna caighdeáin sin agus iad á chur le chéile aige. Is í sin cúis le han-chuid de na leasuithe seo. B'fhéidir go gclúdófar na leasuithe sa chaighdeán ach, mar a dúirt mé, níl siad os ár gcomhair. Tá sé i bhfad níos deacra dúinne déileáil le hábhar nach bhfuil feicthe againn.

Maidir le leasuithe Uimh. 101 go 113, go huile - níl roinnt acu san áireamh - is mian linn a chinntiú go mbeidh na foirmeacha uilig ar fáil as Gaeilge. Tá dabht ann nuair a dhéantar tagairt ar “Féadfaidh an tAire” rud éigin a dhéanamh. Táimid ag iarraidh “Déanfaidh” a chur ina áit “Féadfaidh” ionas go ndéantar cinnte de. Tuigim an argóint a bhíonn ann maidir leis - sé sin, nach féidir é a dhéanamh i gcónaí - ach sa chás seo measaim gur féidir glacadh leis. Tá leasú ag an Aire Stáit – ní cuimhin liom an uimhir – a leagann síos cuspóir dearfach d’Aire amach anseo, agus b’fhéidir gurb é an tAire Stáit, an Teachta Jack Chambers a bheidh i gceist. Uaireanta glactar le “Déanfaidh” seachas “Féadfaidh” agus uaireanta eile, ní ghactar leis. Sa chás seo, ba chóir na leasuithe seo a ghlacadh.

Deputy Aindrias Moynihan: Ba mhaith liom, go tapa, cúpla focal a rá faoi na leasuithe seo. Tá an-bhéim sa Bhille ar iallach a chur ar chomhlachtaí pobail freastal ar phobal na Gaolainne trí Ghaolainn. Gan dabht, tá dualgais reachtaíochta ann ar aon nós ach in ainneoin sin bíonn comhlachtaí ag iarraidh éalú as freastal ar phobal na Gaolainne. Díríonn leasú Uimh. 4 ar an gceist sin. Tá sé ag iarraidh ceann de na bearnaí sin a dhúnadh lena chinntiú go mbeidh na foirmeacha leictreonacha ar fáil trí Ghaolainn. Mar sin, is leasú dearfach é. Bhí plé maith againn ar Chéim an Choiste roinnt míonna ó shin. Ina measc, bhí plé maith againn faoi ainm an duine agus an tslí nár chóir brú a chur ar dhaoine teideal a ghlacadh. Tuigim go bhfuil sé bainteach leis an mbeart leasuithe seo agus go mbeidh leasú eile ag teacht ar an ábhar sin ar ball. Tá sé tábhachtach go mbeadh an rogha sin ag daoine. Is leasú dearfach é leasú Uimh 4 chun a chinntiú go ndúnfar an bhearna sin agus go mbeidh rogha ag muintir na Gaolainne a ngnó a dhéanamh trí Ghaolainn. Tá sé tábhachtach chomh maith go mbeadh na foirmeacha dátheangach mar chuirfeadh sé os comhair gach éinne é – lucht Béarla agus Gaolainn – go bhfuil an Ghaolainn ann freisin. Léireodh sé seo go bhfuil an Ghaolainn sofheicthe i measc an phobail agus dhéanfaidh sé cúrsaí Gaolainne a normalú. Is rud dearfach é agus chinnteodh sé go mbeadh na foirmeacha ar líne ar fáil a thabharfadh gach rogha do dhaoine amach anseo. Dá bhrí sin, molaim an leasú seo.

Deputy Marc Ó Cathasaigh: Ba mhaith liom i dtosach báire a rá go bhfuilim buíoch den Aire, an Teachta Catherine Martin, agus den Aire Stáit, an Teachta Jack Chambers, as an tiomantas a léirigh siad go dtí seo i leith na Gaeilge. Is cinnte go bhfuil obair na gcapall déanta ag an Aire Stáit, ag a Roinn agus ag Oifig na mBillí chun an mBille seo a thabhairt go dtí an pointe seo.

Léirigh an tAire Stáit agus Cathaoirleach an choiste Gaeilge, an Teachta Ó Snodaigh, cé chomh uailmhianach is atá siad maidir leis an mBille tríd an méid ama a chaitheamar ar an bplé ar Chéim an Choiste. Chaitheamar breis is 25 uair an chloig ar an díospóireacht ag an gCéim sin. Is ábhar moladh é don Aire Stáit go raibh sé oscailte breathnú ar leasuithe a thug Teachtaí - ón Rialtas agus ón bhFreasúra araon - chun cinn agus na leasuithe a thabhairt ar ais ag Céim na Tuarascála anocht. Go deimhin, tá beagnach 50 de na leasuithe atá á dtabhairt os ár gcomhair inniu in ainm an Aire Stáit.

Is coimhitmint sa chlár Rialtas é an Bille leasaithe seo agus léiríonn sé tiomantas an Aire agus an Aire Stáit gur tugadh tosaíocht dó. Cáineadh amháin atá agam ná – nílím ag iarraidh milleán ná masla a shannadh – an fráma ama a bhí againn le hullmhú don díospóireacht tráthnóna inniu.

Tuigim an brú a bhí ar Oifig na mBillí d'fhonn an Bille a ullmhú. Ar bhealach, léiríonn sé sin go soiléir an gá atá leis na forálacha sa Bhille seo, go háirithe maidir le hearcaíocht san earnáil phoiblí. Tá sé deacair go háirithe do dhaoine, ar nós mé féin, nach labhraíonn Gaolaoinn mar a gcéad teanga ullmhú go leordhóthanach i dtréimhse chomh gearr sin.

Ag casadh ar leasú Uimh. 4 atá idir lámha againn ag an bpointe seo, is leasú ciallmhar é a leathnaíonn ár dtuiscint ar céard is “foirm oifigiúil” ann. Aithníonn sé an t-athrú ollmhór atá tagtha ar an domhain agus ar ár saol ó thaobh cumarsáide agus cumarsáid leictreonaí go háirithe ó am Acht 2003. Is rud dearfach é agus táim sásta go bhfuil an leasú á mholadh ag an Aire Stáit. Beidh mé sásta é a thacú.

Bogfaidh mé ar aghaidh go leasú Uimh. 107. Glacaim leis an méid a dúirt an tAire Stáit sa mhéid gur b'fhéidir nár cheart déileáil leis an leibhéal sonraí seo sa bhunreachtaíocht. Deirtear i gcuid (b) den leasú:

... beidh an téacs i nGaeilge chomh feiceálach, chomh hinfheicthe agus chomh hinléite céanna leis an téacs i mBéarla agus sa chló céanna.

Nuair a bheidh an tAire Stáit ag casadh ar na treoirlínte tá sé tábhachtach go mbeidh an leibhéal sin sonraí laistigh de na treoirlínte ionas nach mbeidh rogha ag na comhlachtaí an leagan Gaeilge a fháscadh i gcúinne nó ar chúl an doiciméid, agus go mbeidh sé chomh hinfheicthe agus chomh hinléite leis an bhfoirm Bhéarla. Glacaim leis an méid a dúirt an tAire Stáit; níl sé oiriúnach é a chur sa bhunreachtaíocht. Áfach, nuair a chasfaidh sé ar na treoirlínte tá súil agam go mbeidh sé ag féachaint ar an ábhar seo.

Deputy Jack Chambers: Meabhraím don Teachta Ó Snodaigh go bhfuil an tAcht agus an Bille seo dírithe ar sheirbhísí don phobal. Tá na foirmeacha atá i gceist dírithe ar an bpobal dá réir. Gabhaim buíochas leis na Teachtaí Ó Muimhneacháin agus Ó Cathasaigh freisin. Déanfaimid athbhreithniú ar na treoirlínte nuair a théimid tríothu. Gabhaim buíochas leis an Teachta as an bpointe seo a léiriú.

Aontaíodh an leasú.

Deputy Aengus Ó Snodaigh: Tairgim leasú Uimh. 5:

I leathanach 9, idir línte 2 agus 3, an méid seo a leanas a chur isteach:

“ciallaíonn ‘foirm oifigiúil’ foirm ar bith, lena n-áirítear foirm chruachóipe agus foirm ar líne, arna déanamh ag comhlacht poiblí, nó thar a cheann, a bheidh le comhlánú ag duine, lena n-áirítear duine dlítheanach nach ball den Stát é nó í, nó thar ceann duine den sórt sin;”.

Tarraingíodh siar an leasú faoi chead.

An Ceann Comhairle: Tá leasuithe Uimh. 6 agus 7 as ord.

Níor tairgeadh leasuithe Uimh. 6 agus 7.

An Ceann Comhairle: Tá leasuithe Uimh. 8 agus 262 bainteach le chéile agus pléifear le chéile iad.

Deputy Aengus Ó Snodaigh: Tairgim leasú Uimh. 8:

I leathanach 9, idir línte 4 agus 5, an méid seo a leanas a chur isteach:

“Leasú ar alt 3 den Phríomh-Acht

3. Leasaítear alt 3 den Phríomh-Acht tríd an bhfo-alt seo a leanas a chur isteach i ndiaidh “a sholáthróidh an tOireachtas.”:

“2) Déanfaidh an tAire, tar éis comhchomhairle a dhéanamh leis an gCoiste Comhairleach agus leis an gCoimisinéir Teanga, agus tráth nach déanaí ná bliain tar éis an fhoráil seo a achtú, tuarascáil a ullmhú agus a chur faoi bhráid Thithe an Oireachtais ina leagfar amach na féidearthachtaí a bhainfeadh le córas pionós a bhunú agus a chur i ngníomh chun fineáil a fhorchur ar chomhlachtaí poiblí a dhéanann sárú ar a gcuid dualgas reachtúil teanga faoin Acht seo agus faoi achtacháin eile, chun íoc as na caiteachais thuasluaite nó chun maoiniú a dhéanamh ar chur chun cinn na Gaeilge.”.

Baineann an leasú seo le córas pionóis do chomhlachtaí poiblí. Ceann de na fadhbanna is mó i gcás na dualgais teanga atá ar na comhlachtaí faoi Acht 2003 ná nach bhfuil aon drochthionchar dóibh a sháraíonn a ndualgas. Mar thoradh air sin, is minic nach cuma leo má chomhlíonann, nó nach gcomhlíonann, siad a gcuid riachtanas teanga.

Is díreach le déanaí go raibh an Coimisinéir Teanga in ann iad a náiriú, ach fiú agus iad á náiriú, bhí roinnt de na comhlachtaí ag cur moill arís agus arís eile ar na dualgais a bhí orthu a chomhlíonadh. Chonaic muid na fadhbanna a bhí ann ó thaobh An Gharda Síochána, a bhí os comhair an choiste. Bhí tuairisc déanta ag an gCoimisinéir Teanga díreach faoi, ag déanamh iarrachta é a náiriú chun obair a dhéanamh de réir a dhualgais. Dhéileáil an Coimisinéir Teanga le roinnt de na comhairlí contae sa slí chéanna, agus nuair a bhíonn sé os ár gcomhair, mar a bhíonn le cúpla bliain anuas, tugann sé samplaí dúinn sa tuairisc fhaireacháin agus sa tuairisc bhliantúil faoi chásanna nuair nach féidir leis impí ar na comhlachtaí sin oibriú go tapa. Roinnt comhlachtaí, nuair a tharraingítear a n-aird ar an bhfadhb, déanann siad beart de réir briathar agus déanann siad iarracht éigin déileáil leis an masla a bhíonn á dhéanamh acu do Ghaeilgeoirí ach i gcásanna áirithe leanann sé agus leanann sé, ionas gur gá iad a náiriú níos mó. Níl aon chóras pionóis ann agus tá mé féin den tuairim gur chóir dúinn pionós a ghearradh orthu agus iarracht a dhéanamh cinntiú go mbeadh orthu pingíní a íoc nó go mbeadh deontais coimeáda siar uathu nó rud éigin mar sin.

Bhí Coimisinéir Teanga na Breataine Bige, Aled Roberts, os ár gcomhair ag an gcoiste, mar a luaigh mé níos luaithe, agus chuir muid an cheist air faoi phionós. Dúirt sé go bhfuil sé sa reachtaíocht acu agus nach raibh gá dóibh é a úsáid ach bhí sé mar an rud deireanach nó an sórt backup a bhí aige mar choimisinéir más gá. Ní raibh mórán de luach i gceist ach bhí sé níos faide ná díreach daoine a náiriú agus tá sé san armlann acu sa chaoi go mbeadh ar an gcomhlacht bogadh dá réir.

I mo thuairim féin, ba chóir dúinn dul níos faide ná mar atá rudaí sa reachtaíocht go fóill. Tá súil agam nach mbeadh gá riamh ar an gcoimisinéir, nó ar an Aire, fineáil a ghearradh ar aon chomhlachtaí ach is léir, b'fhéidir, go mbeadh agus ní fheicim cén fáth nach mbeadh sé seo ann. Fadó ó shin, agus ní rófhada ó shin a bhí sé, ní bheadh fadhb ar bith ann mar bhí meas ar an nGaeilge. A luaithe a ardaíodh an cheist, bhí roinnt comhlachtaí a bhí an-tapa ag bogadh, ach fiú ag an am agus ó shin, bhí comhlachtaí ann nach raibh meas madra acu ar an nGaeilge. Ba chóir an bata seo a bheith san armlann ag an Stát seo chomh maith do na comhlachtaí sin nach

bhfuil sásta bogadh. Tá an tAire Stáit chun caighdeáin a leagan síos dóibh agus gan aon bhata sna caighdeáin sin. Cad atá sé chun a dhéanamh muna gcloínn siad leis na dualgais a bheidh leagtha síos? Ba chóir go mbeadh i bhfad Éireann níos mó déanta.

Ba chóir dom a chur in iúl don Aire Stáit chomh maith go bhfuil córas cúitimh molta san Acht 2003. Ag féachaint ar an mbun-Acht atáimid ag leasú anseo, tá córas cúitimh ann faoi alt 27 ach ní dhearnadh aon ghníomh ó thaobh aon Aire ó shin. Tá gá déanamh cinnte de sin faoi na leasuithe atá os ár gcomhair. Tá roinnt de na leasuithe a bhí curtha isteach agam a bhí bainteach leis seo as ord so níl mé chun déileáil leo, ach bhí siad ceangailte leis an ábhar céanna, chun déanamh cinnte de go mbeadh an córas seo crua go leor ach nach díreach náiriú a bheadh i gceist. Faoi leasú seo, is gá tuairisc a ullmhú. Mar gheall ar na srianta atá ar leasuithe anseo, ní féidir liomsa pionós a ghearradh nó costas a chur ar eagrais Stáit nó ar an bpobal, so an rud atá sa leasú ná tuairisc ag rá na féidearthachtaí nó cén sórt scéim cúitimh a bheadh an tAire sásta a dhéanamh chun cinntiú go mbeadh alt 27, atá ann cheana féin, á chur chun cinn. Nuair atá na caighdeáin á leagan amach don státchóras i gcoitinne, bá chóir go dtuigfeadh na comhlachtaí sin go bhfuil beagáinín níos mó ná náiriú ón gCoimisinéir Teanga i gceist amach anseo agus go bhfuil seans ann go gcaillfidh siad airgead nó go dtarraingeofaí siar deontas nó rud éigin dá shórt. Nuair a ghlahtar leis an leasú seo, is féidir leis an Aire Stáit rá sa tuairisc sin go bhfuil sé sásta é sin a chur san áireamh agus gur bata nó uirlis eile san armlann atá aige a bheidh ann.

Deputy Catherine Connolly: Ceapaim go bhfuil sé tábhachtach an leasú seo a phlé. Níl mé sásta, agus ní raibh riamh, leis an bhfocal “pionós” ó thaobh na Gaeilge de. Tá bealaí éagsúla eile atá i bhfad níos dearfaí chun daoine a mhealladh an Ghaeilge a úsáid. Mar a luaigh an Teachta Ó Snodaigh, tá foráil sa reachtaíocht atá ann faoi láthair, faoi alt 27 den Acht 2003, ó thaobh scéim cúitimh a dhéanamh maidir le comhlachtaí poiblí nach gcomhlíonann a gcuid dualgais. Níor baineadh úsáid riamh as an alt sin. Ar leibhéal amháin faraor sin agus ar leibhéal eile is dócha nach é an bealach is fearr. Tá rudaí difriúil ó thaobh na Gaeilge de sa mhéid is gurb í teanga oifigiúil na tíre agus go bhfuil cearta bunúsacha i gceist. Má tá na cearta sin sáraithe, ba chóir go mbeadh, ní pionós, ach impleachtaí ann. Sin an fhadhb mar níl aon impleachtaí ann.

Bhí RTÉ os ár gcomhair inniu, don dara huair. Nuair a tháinig daoine ón eagrais sin os ár gcomhair ar dtús cúpla mí ó shin ní raibh siad sásta admháil go raibh an dlí sáraithe acu - agus bhí - ach inniu ghlac siad leis sin. Cúpla mí ó shin bhí An Garda Síochána os ár gcomhair freisin. Ní raibh an duine a bhí os ár gcomhair, atá i gceannas ar an nGarda, sásta glacadh go raibh an dlí sáraithe acu ach an oiread. Sin an fhadhb. Tá An Garda, RTÉ, agus a lán eagraíochtaí eile ann agus an dlí sáraithe acu. Ní amháin nach bhfuil siad sásta glacadh leis sin ach ní thuigeann siad cé chomh tromchúiseach is atá sé go bhfuil dualgais reachtúla orthu agus go bhfuil orthu iad a chomhlíonadh. Níl an dara rogha acu. Táimid anois sa spás nach bhfuil aon impleachtaí ann ach amháin sa Dáil, áit gur féidir leis an gCoimisinéir Teanga tuarascáil a leagan os comhair na Dála agus a chur in iúl dúinn cad atá ag tarlú maidir leis na heagraíochtaí sin.

Ní pionós atá i gceist i ndáiríre sa leasú seo ach na féidearthachtaí a scrúdú agus tuarascáil a scríobh ó thaobh na féidearthachtaí sin. Sa mhéid sin, aontaím leis an leasú mar níl i gceist ach na féidearthachtaí a chur in iúl tar éis comhairle leis an gCoimisinéir Teanga agus leis an gcoiste atá le bunú. Tá an chomhairle sin thar a bheith tábhachtach. Aontaím leis na leasuithe, in ainneoin go bhfuil drogall orm dul sa treo sin, ach is dócha nach bhfuil an dara rogha againn anois mar níl aon dul chun cinn déanta, de réir mar a fheicim, ag na heagraíochtaí seo. Tá siad thar a bheith tábhachtach ó thaobh teanga de agus ó thaobh na Gaeilge de agus í a dhéanamh chomh feiceálach leis an mBéarla. Níl sé sin ag tarlú. Aontaím leis na leasuithe seo. Beidh mé ag tnúth le freagra an Aire Stáit.

Deputy Jack Chambers: Táim fíor-bhuíoch go bhfuil leasuithe Uimh. 8 agus 262 leagtha faoinár mbráid. Mar a luaigh mé cheana, tá sé fíorthábhachtach d'fheidhmiú éifeachtach na reachtaíochta seo go mbeadh discríd ag an Aire maidir le feidhmiú fhorálacha áirithe atá sonraithe sa Bhille. Mar atá curtha in iúl agam ar Chéim an Choiste, is é príomhchuspóir an Bhille seo ná soláthar níos mó de seirbhísí i nGaeilge a chur ar fáil ón tseirbhís poiblí ar chaighdeán níos airde. Chuige sin, faoi alt 18A den Bhille tá coiste comhairleach um sheirbhísí Gaeilge le bunú. Mar atá pléite againn cheana, tá obair fíorthábhachtach le déanamh ag an gcoiste comhairleach maidir le soláthar seirbhísí i nGaeilge agus maidir le cúrsaí earcaíochta. Beidh an coiste comhairleach gníomhach agus beidh ionadaíocht ag na hearnálacha éagsúla sa státchóras timpeall an boird. Táim ag súil go mbeidh an caidreamh eatarthu láidir agus go mbeidh cumarsáid rialta eatarthu freisin. Táim lán-chinnté go gcabhróidh sé seo na spriocanna a bhaint amach.

Mar is eol don Teach, leagtar amach feidhmeanna an Choimisinéara Teanga in alt 21 den Phríomh-Acht. I measc na príomhdhualgaí atá ag an gCoimisinéir Teanga, tá monatóireacht le déanamh ar an gcaoi a bhfuil forálacha Acht na dTeangacha Oifigiúla á gcomhlíonadh ag comhlachtaí poiblí; imscrúduithe a sheoladh as a stuaim féin ar iarratas ón Aire nó mar thoradh ar ghearrán a bheith déanta leis ag aon daoine i gcás ina gcreidtear go bhfuil teipthe ar chomhlachtaí poiblí a ndualgaí a chomhlíonadh faoi Acht na dTeangacha Oifigiúla; tuarascáil a ullmhú faoi gach imscrúdú; comhairle a chur ar fáil don phobal maidir le neart na teanga faoi Acht na dTeangacha Oifigiúla; comhairle a chur ar fáil do chomhlachtaí poiblí maidir lena ndualgas teanga faoin Acht; agus tuarascáil bhliantúil faoi ábhair Oifig an Choimisinéara Teanga a sholáthar don Aire le cur os comhair Thithe an Oireachtais. Tá i gceist againn cur leo sin trí leasú a thabharfadh cumhacht don Choimisinéir Teanga faireachán a dhéanamh ar chomhlíonadh aon achtacháin a bhaineann le stádas nó úsáid teanga oifigiúla chomhlachtaí poiblí. Ní fheictear dom go bhfuil aon ghá fineáil breise a thabhairt isteach. Ní raibh sé seo iarrtha ag an gCoimisinéir Teanga féin; mar sin níl i gceist agam glacadh leis an leasú seo.

Deputy Aengus Ó Snodaigh: Bhí mé ag éisteacht leis an Teachta Connolly agus bhí an ceart aici. B'fhéidir gur téarma mícheart é "pionóis" ach ba cheart go mbeadh impleachtaí i gceist, mar a dúirt sí, nuair nach gcomhlíontar na dualgaí. An sampla is déanaí ón gCoimisinéir Teanga ná nuair a chuaigh sé i dteagmháil le Eircode don chéad uair sé bliana ó shin chun fadhb a réiteach. Níl an cheist réitithe fós tar éis sé bliana. Níl mé ag lorg go ndéanfaid muid plé air sin ach sin sampla. Bhí An Garda Síochána mar an gcéanna. Seo in ainneoin an Coimisinéir Teanga ag dul i dteagmháil leis An Garda de shíor. Sa tuarascáil a chuir sé faoi bhráid Thithe an Oireachtais, leag an amchlár amach cé chomh minic agus a bhí sé i dteagmháil le Coimisinéir An Gharda Síochána. Rinne an coiste déileáil leis sin agus rinneamar tuarascáil dá réir agus bhí cás Eircode beagnach mar an céanna.

Tá bealach ann agus sin an fáth go bhfuilimid ag lorg tuarascáil sa chás seo. Seachas fineáil a ghearradh, rud nach n-oibríonn más €5,000 atá i gceist mar is cuma sa tsíoc le formhór na gcomhlachtaí faoi sin, d'fhéadfaí méid áirithe den bhuiséad s'acu a choimeád siar chuile bhliain go dtí go ndéanann siad obair dá réir. Bheadh an t-airgead ann dóibh ach ní bhfaigheadh siad é go dtí go ndéanfaid siad pé fadhb atá ann lena gcur chuige ó thaobh na Gaeilge de a leigheas. D'fhéadfaí coinníoll a bheith ann gur gá dóibh céatadán níos mó den bhuiséad a fhaigheann siad a chaitheamh ar an nGaeilge. Táthar ag déanamh rud fabhrach nó rud go bhfuil buntáiste i gceist sna cásanna sin. Sin an fáth go bhfuil an ceist seo ann. Tá gá leis agus tuigim ó thaobh na caighdeán de go bhfuil gá go mbeadh impleachtaí éigin ag baint leis na forálacha atá sa reachtaíocht. Caithfear impleachtaí a bheith ann má dhéanann comhlacht nó comhlachtaí loic

ar an gcaighdeán a bheidh leagtha síos ag an Aire Stáit tar éis an mBille seo a bheith achtaithe.

Deputy Jack Chambers: Tá i gceist trí leasuithe a thabhairt faoi chumhacht an Choimisi-néara Teanga faireachán a dhéanamh ar chomhlíonadh aon achtachán a bhaineann le stádas nó úsáid teanga oifigiúil ag comhlachtaí poiblí. Mar a dúirt mé, ní fheictear dom go bhfuil aon ghá fineáil sa bhreis a thabhairt isteach. Ní raibh sé seo iarrtha ón gCoimisinéir Teanga agus mar sin níl mé ag glacadh leis an leasú seo.

Deputy Aengus Ó Snodaigh: Ní deireadh an domhain é fineáil nó impleachtaí a bheith ann. Tá feicthe againn cheana gur cuma sa tsíoc le roinnt chomhlachtaí. Mar sin caithfear bealach éigin a fháil chun iad a tharraingt isteach sa reachtaíocht agus a dhéanamh cinnte de go ndéanann siad déileáil leis agus plé i gceart leis seo. Is trua nach bhfuil an tAire Stáit sásta glacadh leis seo. An fhadhb atá againn ná nach bhfuil an caighdeán ann agus nuair a bheidh sé ann ní bheidh input againne ar conas mar a bheidh an leagan amach ó thaobh na caighdeán seo de. Sin an fáth go bhfuil roinnt de na leasuithe seo ann. B’fhéidir go mbeidh an ceart ag an Aire Stáit amach anseo ach tá muidne ag obair sa dorchadas maidir leis na caighdeáin agus maidir le haon impleachtaí a bheadh gafa leis na caighdeáin sin.

An Leas-Cheann Comhairle: An bhfuil an Teachta sásta an leasú a tharraingt siar?

Deputy Aengus Ó Snodaigh: Níl. Tá mé á bhrú.

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

An Leas-Cheann Comhairle: Tá leasú Uimh. 9 as ord.

Níor tairgeadh leasú Uimh. 9

Deputy Aengus Ó Snodaigh: Tairgim leasú Uimh. 10:

I leathanach 9, idir línte 4 agus 5, an méid seo a leanas a chur isteach:

“Leasú ar alt 4 den Phríomh-Acht

3. Leasaítear alt 4(1) den Phríomh-Acht trí “, le toiliú an Aire Airgeadais” a scrio-sadh.”.

Is leasú simplí é seo. Rinneamar an cheist seo a phlé ar Chéim an Choiste agus ní raibh frea-gra sásúil ann. Níor chóir go mbeadh dualgas sa bhreis ann toil an Aire Airgeadais a fháil anuas ar thoil an Rialtais, mar atá sonraithe san Acht cheana. Tá praiseach déanta thar na blianta, mar is eol dúinn ar fad, ag Airí Airgeadais maidir le maoiniú na Gaeilge agus na Gaeltachta agus ní féidir muinín a bheith againn iontu rialacha a cheadú. Tuigim gur toil an Rialtais atá i gceist ach ní sin atá scríofa; toil an Aire Airgeadais atá luaite. Toil an Rialtais a luaitear nuair a dhéantar tagairt don collective seachas an Aire Airgeadais féin.

Deputy Jack Chambers: Ní bheidh mé ag glacadh le leasú Uimh. 10. Tá cuid den fhoráil seo fíorthábhachtach de bharr go bhfuil sé mar chuid den chóras srianta agus ceartúchán agus deimhníonn sé go bhfuil próiseas faireachán ann ó thaobh na Státchiste de. Is rud caighdeánach é seo agus tá sé sna céadta Achta, mar shampla an tAcht um Ombudsman do Leanaí, 2002 agus an tAcht um Chomhairle Mhúinteoireachta, 2001. Tá an Rialtas tiomanta chun an mBille seo a chur chun cinn. Gheall muid anuraidh go dtabharfadh muid Bille níos láidre chun cinn, rud atá á dhéanamh againn agus táimid ag cur spriocdhátaí isteach, mar is eol don Teach, sa Bhille ag

déanamh cinnte de go mbeidh dul chun cinn leanúnach á dhéanamh.

Deputy Aengus Ó Snodaigh: Tarraingeoidh mé siar an leasú.

Tarraingíodh siar an leasú faoi chead.

An Leas-Cheann Comhairle: Tá leasuithe Uimh. 11 go 13, go huile, as ord.

Níor tairgeadh leasuithe Uimh. 11 go 13, go huile.

An Leas-Cheann Comhairle: Tá baint ag leasuithe Uimh. 14 go 20, go huile, le chéile agus pléifear le chéile iad. Is malairtí fisiceacha iad leasuithe Uimh. 15 go 19, go huile, ar leasú Uimh. 14.

Deputy Jack Chambers: Tairgim leasú Uimh. 14:

I leathanach 9, línte 5 go 17 a scriosadh agus an méid seo a leanas a chur ina n-ionad:

“Leasú ar an bPríomh-Acht - ailt 4A agus 4B a chur isteach

3. Leasaítear an Príomh-Acht trí na hailt seo a leanas a chur isteach i ndiaidh alt 4:

“Ceann comhlachta phoiblí a cheapadh

4A. (1) Más rud é, de thuras na huaire, nach mbeidh duine ar bith arna cheapadh nó arna ceapadh ina phríomhoifigeach nó ina príomhoifigeach ar chomhlacht poiblí, féadfaidh an Rialtas, le hordú, duine a shainainmniú chun bheith ina cheann nó ina ceann ar an gcomhlacht poiblí chun críocha an Achta seo.

(2) Déanfar gach ordú faoi fho-alt (1) a leagan faoi bhráid gach Tí den Oireachtas a luaithis is féidir tar éis a dhéanta agus, má dhéanann ceachtar Teach acu sin, laistigh den 21 lá a shuífidh an Teach sin tar éis an t-ordú a leagan faoina bhráid, rún a rith ag neamhniú an ordaithe, beidh an t-ordú ar neamhniú dá réir sin, ach sin gan dochar do bhailíocht aon ní a rinneadh roimhe sin faoin ordú.

Tuarascáil ar chomhlíonadh oibleagáidí faoin Acht

4B. Déanfaidh ceann comhlachta phoiblí—

(a) comhalta foirne eile den chomhlacht a cheapadh chun formhaoirsiú a dhéanamh ar chomhlíonadh oibleagáidí an chomhlachta faoin Acht seo agus tuarascáil a thabhairt dó nó di, de réir mar is cuí, i ndáil le hoibleagáidí an chomhlachta faoin Acht seo, agus

(b) a chinntiú go ndéanfar achoimre ar aon cheann de na nithe arna dtuairisciú dó nó di de réir mhír (a) a áireamh i dtuarascáil bhliantúil an chomhlachta lena mbaineann.”.

Mar thoradh ar an leasú seo beidh ar cheann comhlachta phoiblí duine den lucht bainistíochta sinsearach a ainmniú chun formhaoirsiú a dhéanamh ar chur i bhfeidhm forálacha Acht na dTeangacha Oifigiúla laistigh den chomhlacht sin. Chomh maith leis sin, ceanglóidh an leasú

seo ar an duine sin tuarascáil bhliantúil i scríbhinn a sholáthar don cheann comhlachta maidir leis an dul chun cinn atá déanta ar chur i bhfeidhm forálacha Acht na dTeangacha Oifigiúla laistigh den chomhlacht poiblí sin agus déanfar an t-ábhar sin a chur san áireamh i dtuarascáil bhliantúil an chomhlachta. Tá mé buíoch de na Teachtaí Ó Snodaigh, Daly agus Farrell maidir leis an leasú seo. Tá dualgas ar na comhlachtaí poiblí cheana féin faoin bpríomh-Acht agus beidh tuilleadh dualgais acu faoin mBille seo. Chomh maith leis seo, beidh cumhachtaí breise ag an gCoimisinéir Teanga. Bheinn ag súil go gcloífeadh na comhlachtaí poiblí leis na forálacha seo agus go ndéanfaid siad é ar mhaithe leis na custaiméirí a bhfuil Gaeilge acu. D'fhéadfadh fiúntas a bheith leis an leasú seo le go mbeadh duine i ngach comhlacht poiblí aitheanta chun a bheith freagrach as forálacha Acht na dTeangacha Oifigiúla. Bhí mé sásta féachaint air, mar a dúirt mé, agus teacht ar ais le moladh ar Chéim na Tuarascála. Molaim an leasú seo don Teach.

Ba mhaith liom leasuithe Uimh. 15 go 20, go huile, a thógáil le chéile toisc go mbaineann siad le ceann comhlachta phoiblí a cheapadh. Níl i gceist agam glacadh leis na leasuithe seo. Maidir le leasú Uimh. 20, tá mé ag tabhairt aghaidhe ar an ábhar seo le mo leasú féin, sé sin, leasú Uimh. 14. Baineann leasuithe Uimh. 15 agus 16 le “déanfaidh” a chur in áit “féadfaidh”. Tá mé sásta leis an bhfoclaíocht atá luaite sa Bhille cheana agus is gá go mbeadh solúbthacht ann ar an ábhar seo.

Maidir le leasuithe Uimh. 17 agus 19, tá próiseas earcaíochta leagtha síos chun daoine a cheapadh agus ní bheidh sé i gcónaí réalaíoch na próisis sin a chur i gcrích laistigh de cheithre seachtaine, mar atá molta i leasú Uimh. 19. Tógfaidh sé i bhfad níos faide ná 28 lá chun an próiseas a chur i bhfeidhm. Bíonn fógra thuas ar shuíomh Idirlín www.publicjobs.ie ar feadh coicíse ar a laghad. Ansin bíonn tréimhse coicíse ann d'iarrthóirí cur isteach ar an bpost. Déanann an fhoráil mar atá sí cinnte de gur féidir leis an Rialtas duine a ainmniú chun bheith ina cheann nó ina ceann ar an gcomhlacht poiblí chun críche an Achta más gá. Is foráil chaighdeánach í seo agus is rud eisceachtúil a bheadh anseo dá gcaithfí í a úsáid. Ní tharlódh sé seo ach go fíorannamh, dá dtarlódh sé ar chor ar bith. Táim sásta go bhfuil an chumhacht mar atá sí leagtha amach sa Bhille sásúil. Mar sin, nílím chun glacadh leis na leasuithe seo.

Maidir le leasú Uimh. 18, tá tosach feidhme na forálacha seo clúdaithe ag foráil 13 sa Bhille. Ar an mbonn sin, ní bheidh mé ag glacadh leis an leasú seo.

Deputy Joe McHugh: Níl mé cinnte go bhfuil mé sásta leis an bhfreagra faoi leasú Uimh. 14. B'fhéidir go mbeidh an tAire Stáit in ann dul ar ais agus ag amharc arís air. Bheadh áthas orm dá mbeadh sé ag dul ar ais sa Seanad agus breathnú arís ar an bhfoireann shinsearach sna comhlachtaí poiblí. B'fhéidir go mbeidh bealach dearfach ann maidir leis sin agus táim buíoch den Aire Stáit go bhfuil sé ag tosú ag amharc arís air.

Deputy Aindrias Moynihan: Baineann na leasuithe seo le ról ceannaireachta agus go mbeadh duine i gcónaí i bhfeighil ar chúrsaí Gaolainne agus freagrach as cúrsaí Gaolainne. Mura mbíonn an príomhoifigeach féin á dhéanamh sin, bheadh an deis ann duine a ainmniú ina áit nó ina háit. Tá sé fíorthábhachtach go mbeadh duine cinnte ann agus gur duine sinsearach a bheadh i gceist ó thaobh an ról ceannaireachta, chun go mbeadh cúrsaí Gaolainne chun tosaigh agus ag an mbord is airde sa chomhlacht. Mar sin, is rud dearfach é seo agus molaim an tslí go bhfuil an tAire Stáit tar éis éisteacht leis an bplé a bhí ar siúl againn ar Chéim an Choiste agus go bhfuil sé á bhrú sin ar aghaidh. Cuidím leis an leasú seo.

Ceann de na rudaí go bhfuil roinnt daoine míchompordach mar gheall air, agus b'fhéidir gur fiú féachaint air arís, ná cinntiú gur duine sinsearach atá ann i gcónaí. Tá an deis ann leis an

leasú seo duine eile a ainmniú mura mbíonn an príomhoifigeach i gceist agus ní gá gur duine sinsearach a bheadh ansin. Níl sé sin soiléir. B'fhéidir go bhféadfaí soiléiriú a fháil mar gheall air sin má tá an baol ann go bhféadfaí féachaint air arís sa Seanad. Tá sé fíorthábhachtach. An fhadhb ar fad a bhí leis an bplé agus leis na leasuithe seo ná léiriú ceannaireachta, chun a chinntiú gur duine sinsearach a bheadh i gcónaí freagrach as cúrsaí Gaolainne agus nach mbeadh sé brúite síos chuig duine síos an líne, ach go raibh sé thuas ag barr an chomhlachta.

Deputy Aengus Ó Snodaigh: Cuirim fáilte roimh an leasú seo toisc an éisteacht a thug an tAire Stáit don mhéid a bhí le rá agam féin agus daoine eile ar Chéim an Choiste faoi dhuine sinsearach a roghnú chun formhaoirsiú agus tuarascáil a dhéanamh ar chomhlíonadh oibleagáid an chomhlachta faoin Acht seo. Tá soiléiriú de dhíth orm. Ar an gcéad dul síos, an féidir leis an Aire Stáit míniú a thabhairt ar an idirdhealú idir phríomhoifigeach agus ceann comhlachta phoiblí? Tá an fhoclaíocht sin sa reachtaíocht maidir le ceann comhlachta phoiblí a cheapadh ach i bpáirt 4A den leasú luaitear príomhoifigeach. Glacaim leis gur an duine ceannann céanna atá ann ach uaireanta má tá dabht ann bíonn sé deacair. An léamh ar an leasú seo atá agamsa ná nach gceapfar ceann comhlachta phoiblí ach nuair nach bhfuil príomhoifigeach ann. Níl a fhios agam cén sórt ról sealadach atá ann le linn an fholúntais sin. Más fíor é sin, is ait go bhfuil an dualgas sa leasú seo chun formhaoirseoir teanga a roghnú ag baint leis an gceann comhlachta sealadach sin amháin agus gan dualgas ar bith a bheith ar an ngnáth-príomhoifigeach. Táimid ag tabhairt dualgas don duine sealadach nach bhfuil de ghnáth ar an bpríomhoifigeach atá buan. An gciallaíonn sé sin nach mbeidh duine roghnaithe de ghnáth chun formhaoirsiú a dhéanamh ar chomhlíonadh na ndualgas teanga seachas an tréimhse sin le linn folúntais in oifig an phríomhoifigigh? Má líontar ról an phríomhoifigigh, an nglacann an duine sin cúraim an chinn comhlachta phoiblí nó an leanann an dá oifigeach lena róil éagsúla? Níl sé chomh soiléir sin. B'fhéidir go bhfuil mearbhall orm anseo ach tá sórt dabht ann.

An dara rud ná go bhfuil sé suas don cheann comhlachta phoiblí nuair atá gá cinneadh a dhéanamh faoi thuarascáil a lorg ón duine atá roghnaithe acu mar fhormhaoirseoir teanga. Bhí muid ag lorg go mbeadh tuarascáil rialta seolta gach sé mhí, de réir mar atá molta againn i leasú Uimh. 20, ach beidh sé foilsithe don phobal ionas gur féidir leo dul chun cinn a fheiceáil nó fadhbanna a aithint go luath. An tríú rud maidir leis na leasuithe seo ná go bhfuil “go bhféadfaidh” fós scríofa sa Bhille. Tá na focail sin ann arís, in ainneoin na hargóinte a bhí againn ar Chéim an Choiste. Is é sin an fáth go bhfuil an leasú molta agamsa agus ag an Teachta Ní Chonghaile chun an fhéidearthacht sin a athrú ina dualgas agus “ní mór”, inár leasú Uimh. 16, nó “déanfaidh”, i gcás leasú Uimh. 15 in ainm an Teachta Ní Chonghaile, a chur isteach in áit “féadfaidh”. Tá spriocdháta luaite againn i leasú Uimh. 17 le cinntiú nach mairfidh aon fholúntas níos faide ná trí mhí agus go dtiocfaidh an fhoráil seo i ngníomh ar an bpointe, is é sin i leasú Uimh. 18, toisc nach bhfuil ach spriocdháta tugtha ag an Aire le haghaidh ceapacháin a neamhniú má dhéantar iad.

Más folúntas sealadach é, cén fáth go bhfuil an duine atá ag glacadh an ceann comhlachta phoiblí ag déanamh an dualgas seo a chur ar aon duine? Tá sé ag caint faoi dhualgas a chur ar chomhalta foirne eile chun bheith ceaptha. Cén fáth nach féidir leis an gceann comhlachta phoiblí an dualgas seo a bheith air nó uirthi don tréimhse a bhfuil an folúntas ann nó i gcoitinne seachas a bheith á thabhairt do dhuine éigin eile? Níl an grád nó leibhéal ar a mbeidh an duine sin leagtha síos.

Deputy Jack Chambers: Maidir leis an gceist a d'ardaigh an Teachta Ó Muimhneacháin, tá an cheist sin clúdaithe sa leasú ach beidh mé sásta labhairt leis faoi. Maidir leis an gceist ón Teachta Ó Snodaigh, níl i gceist agam aon chumhacht a thabhairt do dhaoine sealadacha nach

mbeidh ag na daoine buana. Beidh an chumhacht chéanna ag an mbeirt acu.

Aontaíodh an leasú.

An Leas-Cheann Comhairle: Ní féidir liom leasuithe Uimh. 15 go 19, go huile, a chur mar go bhfuil siad ina malairtí fisiceacha.

Níor tairgeadh leasuithe Uimh. 15 go 19, go huile.

Deputy Aengus Ó Snodaigh: Tairgim leasú Uimh. 20:

I leathanach 9, idir línte 17 agus 18, an méid seo a leanas a chur isteach:

“(3) (a) Déanfaidh gach ceann comhlachta phoiblí duine a cheapadh agus a shainainmniú óna fhoireann nó óna foireann shinsearach bainistíochta, is duine a bhfuil ról aige nó aici i bhfeidhmeannacht nó i mbainistíocht an chomhlachta, chun bheith freagrach as forálacha Achtanna na dTeangacha Oifigiúla a chur i ngníomh sa chomhlacht sin, a mhéid a bhaineann siad leis an gcomhlacht sin, agus aon dualgais reachtúla eile i leith teanga oifigiúil a chomhlíonadh.

(b) Déanfaidh an duine sin tuarascáil i scríbhinn a sholáthar don cheann, gach sé mhí ar a laghad, ina dtabharfar tuairisc ar an dul chun cinn a bheidh déanta agus á dhéanamh faoin am a scríobhadh an tuarascáil sin. Foilseoidh ceann an chomhlachta phoiblí gach tuarascáil ar shuíomh idirlín an chomhlachta phoiblí a luaithe is féidir, ach tráth nach déanaí ná mí amháin ón dáta a gheobhaidh sé nó sí í.

(c) Déanfaidh an comhalta foirne a bheidh sainainmnithe faoi mhír (a) den fho-alt seo, tar éis comhairle a dhéanamh leis an gCoiste Comhairleach, poist a shainainmniú sa chomhlacht lena mbaineann coinníollacha inniúlachta teanga, go háirithe chun dualgais reachtúla de chuid an chomhlachta maidir le caighdeán a chomhlíonadh.”.

Tarraingeadh mé siar leasú Uimh. 20 toisc go bhfuil leasú Uimh. 14 rite ag an stad seo.

Tarraingíodh siar an leasú faoi chead.

Deputy Jack Chambers: Tairgim leasú Uimh. 21:

I leathanach 9, idir línte 17 agus 18, an méid seo a leanas a chur isteach:

“Leasú ar alt 9 den Phríomh-Acht

4. Leasaítear alt 9 den Phríomh-Acht—

(a) tríd an bhfo-alt seo a leanas a chur in ionad fho-alt (2):

“(2) I gcás go ndéanfaidh duine cumarsáid i scríbhinn, leis an bpost leictreonach nó ar na meáin shóisialta, i dteanga oifigiúil le comhlacht poiblí, freagróidh an comhlacht poiblí sa teanga chéanna.”,

agus

(b) tríd an bhfo-alt seo a leanas a chur in ionad fho-alt (3):

“(3) I gcás go ndéanfaidh comhlacht poiblí cumarsáid i scríbhinn nó leis an

bpost leictreonach leis an bpobal i gcoitinne nó le haicme den phobal i gcoitinne chun faisnéis a thabhairt don phobal nó don aicme nó chun margaíocht a dhéanamh ar an gcomhlacht poiblí nó ar a chuid seirbhísí leis an bpobal nó leis an aicme, cinnteoidh an comhlacht gur i nGaeilge, nó i mBéarla agus i nGaeilge, a bheidh an chumarsáid.”.”.

Is leasú é seo de chuid an Rialtais atá á mholadh agam. Faoi láthair, foráiltear le halt 9(2) den Acht go ndéanfaidh comhlacht poiblí, i gcás ina ndéanfaidh duine cumarsáid leis i scríbhinn nó le ríomhphost i dteanga oifigiúil, freagra a thabhairt sa teanga chéanna. Leis an leasú, leanfar an oibleagáid sin chuig cásanna ina ndéanann duine cumarsáid le comhlacht poiblí trí mheáin shóisialta. Faoi láthair, foráiltear le halt 9(3) den Acht go gcinnteoidh comhlacht poiblí, i gcás ina ndéanann sé cumarsáid i scríbhinn nó le ríomhphost leis an bpobal i gcoitinne nó le haicme den phobal i gcoitinne ar mhaithe le faisnéis a thabhairt don phobal nó don aicme, go bhfuil an chumarsáid sin i nGaeilge nó i nGaeilge agus i mBéarla. Leathnóidh an leasú seo an oibleagáid sin chuig cásanna ina bhfuil ábhar margaíochta á eisiúint ag comhlacht poiblí chuig an bpobal chun comhlacht poiblí nó a chuid seirbhísí a chur chun cinn. Tá mé buíoch do na Teachtaí Smith, Connolly, Calleary, Ó Cuív, Ó Muimheacháin, McHugh, O'Dowd agus Ó Cathasaigh as ucht an leasú seo a mholadh. Molaim an leasú seo don Teach.

Tógfaidh mé leasuithe Uimh. 58 go 61, go huile, le chéile toisc go mbaineann siad leis an ábhar céanna. Gabhaim buíochas leis na Teachtaí as ucht na leasuithe seo, ach toisc go bhfuil mo leasú féin agam lena gclúdaítear an t-ábhar úd, ní bheidh mé ag glacadh leis na leasuithe seo.

Maidir le leasú Uimh. 65, gabhaim buíochas leis na Teachtaí as ucht an leasaithe seo ach toisc go bhfuil mo leasú féin á mholadh agam ar an ábhar úd, ní bheidh mé ag glacadh leis an leasú seo. Leis an leasú atá á mholadh agam, déantar socrú maidir le foráil a dhéanamh lena cinntiú go ndéanann comhlacht poiblí 20% dá fhógraíocht in aon bhliain ar leith i nGaeilge. Déanfaidh gach comhlacht poiblí 5% dá fhógraíocht in aon bhliain ar leith sa mheán Gaeilge. Tá mé buíoch do na Teachtaí Ó Snodaigh, Ní Chonghaile, Ó Cathasaigh, Ó Cuív, McHugh, Daly agus Ó Muimhneacháin as an ionchur.

Maidir le leasú Uimh. 68, ní bheidh mé ag glacadh leis an leasú seo toisc go bhfuil mé ag moladh leasú a chlúdaíonn an t-ábhar. Is leasú riaracháin a bheidh i gceist atá bainteach le leasú lena gciallófar go mbeidh ar an Aire treoirínite a ullmhú agus a eisiúint laistigh de trí mhí ó achtú an talt seo chun cabhrú le comhlachtaí poiblí ina n-oibleagáidí i ndáil le húsáid ainmneacha, seoltaí agus teidil daoine i nGaeilge a chomhlíonadh. Agus na treoirínite sin á n-ullmhú ag an Aire, d'fhéadfadh sé nó sí dul i gcomhairle le haon Aire eile.

Maidir le leasú Uimh. 69, gabhaim buíochas leis an Teachta as ucht an leasaithe, ach toisc go bhfuil mo leasú féin á mholadh agam ar an ábhar úd, ní bheidh mé ag glacadh leis an leasú seo.

Tógfaidh mé leasuithe Uimh. 85, 114, 119 agus 120 le chéile. Is leasuithe iad seo de chuid an Rialtais atá á mholadh agam. Is leasuithe riaracháin atá i gceist sa chás seo, seachas leasú Uimh. 85, lena leagtar script nua síos sa Bhille ar iarratas ón bhFreasúra. Faoi láthair, foráiltear le halt 9(2) den Acht go ndéanfaidh comhlacht poiblí, i gcás go ndéanfaidh daoine cumarsáid leis i scríbhinn nó i ríomhphost sa teanga oifigiúil, freagra a thabhairt sa teanga chéanna. Faoi Alt 4 den Bhille, leanfar an oibleagáid sin chuig cásanna ina ndéanann duine cumarsáid le comhlacht poiblí trí mheán sóisialta. Faoi láthair, foráiltear le halt 9(3) den Acht go gcinnteoidh

comhlacht poiblí, i gcás ina ndéanann sé cumarsáid i scríbhinn nó ríomhphoist leis an bpobal i gcoitinne nó le haicme den phobal i gcoitinne ar mhaithe le faisnéis a thabhairt don phobal nó don aicme den phobal, go bhfuil an chumarsáid sin i nGaeilge nó i mBéarla agus i nGaeilge. Leanfaidh alt 4 den Bhille an oibleagáid sin chuig cásanna ina bhfuil ábhar margaíochta á eisiúint ag comhlacht poiblí chuig an bpobal chun an comhlacht poiblí nó a chuid seirbhísí a chur chun cinn. Molaim na leasuithe sin don Teach.

Tógfaidh mé leasuithe Uimh. 129 agus 132 le chéile. Is é mo thuairim ná go mbeidh an tAire in ann rialacháin a fhorordú ionas go mbeidh na mionsonraí a bhaineann le doiciméid a fhoilsítear agus faisnéis a chuirfear ar fáil ar shuíomh Idirlíon clúdaithe sa chaighdeán a bheidh á fhoilsiú go gairid. Ar an mbonn sin, ní bheidh mé ag glacadh leis an leasú seo.

Mar luaigh mé ar Chéim an Choiste, is gné shuntasach den Bhille iad na caighdeáin teanga a thabharfar isteach do chomhlachtaí poiblí agus iad a chur in ionad chóras láithreach na scéimeanna teanga a fhágfaidh go mbaineann na comhlachtaí poiblí sin ar mó an t-idirghníomhú a bhíonn acu leis an bpobal caighdeán níos airde amach. I dtuarascáil bhliantúil an Choimisinéara Teanga 2015, luaigh an coimisinéir nach bhfuil scéimeanna teanga éifeachtach agus go ndéanfar cothromaíocht teanga idir na teangacha oifigiúla sa Bhreatain Bheag a chinntiú, ar bhonn níos cruinne, a bhuí leis na caighdeáin theanga a tugadh isteach sa dlínse sin. Bíonn scéimeanna teanga gan athrú agus ní dhéantar iad a uasdátú ach gach trí bliana.

Ina theannta sin, is beag úinéireacht a ghlactar ar dhul chun cinn agus fhorbairt do na seirbhísí Gaeilge. I gcodarsnacht leis sin, is íosleibhéal ceadaithe feidhmíochta áirithe a bheidh i gcaighdeáin a chinneann an tAire i dtaca le seirbhís phoiblí a sheachadadh. Déanfar gach comhlacht poiblí a chur de réir earnálacha éagsúla a bheidh bunaithe go príomha ar leibhéal na hidirghníomhaíochta leis an bpobal, go háirithe le pobal Gaeltachta. Beidh feidhm ag caighdeáin teanga éagsúla ansin maidir leis na hearnálacha éagsúla chomhlachtaí poiblí. Beimid in ann caighdeán a chur i bhfeidhm ar bhonn céimeanna, agus is modh pragmatach sodhéanta é chun soláthar seirbhísí trí Ghaeilge a fheabhsú sa mheántearma agus san fhadtearma araon.

Deputy Pa Daly: Aontaím leis Leas-Cheann Comhairle. Tá géarchéim ann agus easpa ómóis ann don teanga. Chuala mé faoin tvuít a raibh an Teachta Ní Fhearghail ag caint mar gheall air. Chuir sé i gcuimhne dom nuair a bhí an teastas vacsaíne á fháil ag mo bheirt mhac, bhí seacht mistakes idir an bheirt acu ar an teastas. Baineann leasuithe Uimh. 21 agus 22 le cearta a thabhairt isteach lena n-áirítear cearta teanga an duine agus bundhualgas teanga an Stáit. Níor ceadaíodh plé ar chearta teanga ar Chéim an Choiste toisc go raibh costas ar an státchiste. Fiú na cearta atá sonraithe sa dlí cheana féin, go minic ní chuirtear i bhfeidhm iad ar chúis eacnamaíochta nó de bharr tosaíochtaí eile, rud a dhéanann praiseach do chearta teanga an duine in Éirinn.

Bhí an Coimisinéir Teanga, Rónán Ó Domhnaill, os comhair an choiste an tseachtain seo caite. Dúirt sé gur míthuiscint a bhí ann go mbraitheann an Stát go mbíonn bunchearta teanga ag brath ar chúrsaí eacnamaíochta agus ar tosaíochtaí eile agus nár chóir go mbeadh aon choimhlint idir soláthar seirbhísí éigeandála agus soláthar cearta reachtúla teanga mar a rinne comhlachtaí Stát go rialta le linn na paidéime. I gcás chearta an duine, ní hé go mbronnann stát cearta ar dhaoine ach go bhfuil cearta ag daoine mar bhunús. Go háirithe leis an teanga náisiúnta agus ról an Stáit----

Deputy Aengus Ó Snodaigh: Níl na cearta á phlé go dtí an chéad ghrúpa eile.

Deputy Pa Daly: An leanfaidh mé ar aghaidh?

Deputy Aengus Ó Snodaigh: Tá brón orm as cur isteach ar an Teachta. Níl an pointe sin sroichte againn go fóill. Maidir le cearta an duine a raibh an Teachta ag caint faoi, tharla meascadh mar gheall ar an tslí a fuairamar na groupings chomh déanach agus gach rud eile. Is é sin mar a bhíonn agus muid ag plé reachtaíochta. Nílím ag cur an locht ar aon duine. Tarlaíonn sé seo go minic nuair a bhíonn an oiread sin leasuithe le plé agus bíonn sé deacair déileáil leo.

Baineann na leasuithe seo leis na meáin shóisialta agus ábhar margaíochta. Tá fáilte roimh roinnt de na leasuithe seo arís. Tá ceann áirithe ón Aire Stáit de thairbhe an méid a bhí le rá acu siúd a ghlac páirt ar Chéim an Choiste. Molaim na comhaltaí a ghlac páirt sa choiste sin, ní amháin na daoine i mo pháirtí féin, ach na daoine eile. Is léir go raibh plé maith againn mar go bhfuil na leasuithe, cosúil le leasú Uimh. 21, ann agus is maith an rud é sin. Glacaim leis go bhfuil fadhbanna ann agus b'fhéidir go mbeidh soiléiriú fós á lorg againn ar an bhfoclaíocht seo toisc go bhfaca muid ne leasuithe chomh déanach sin. Mar shampla i roinnt de na leasuithe atá á bplé anois, tá Conradh na Gaeilge ag iarraidh go mbeidh athruithe déanta ionas go mbeidh “an téacs i nGaeilge ann ar dtús”, go mbeidh “an téacs i nGaeilge chomh feiceálach, chomh sofheicthe agus chomh hinléite [céanna] leis an téacs i mBéarla” agus go mbeidh an “chlófhoireann chéanna, sa chló céanna agus sa stíl chéanna” ann. Chomh maith leis sin, táthar ag lorg nach mbeidh “na litreacha sa téacs i nGaeilge níos lú, ó thaobh méide de, ná na litreacha sa téacs i mBéarla”. Táthar ag súil go gcuirfidh an téacs i nGaeilge “in iúl an fhaisnéis chéanna leis an bhfaisnéis a chuireann an téacs i mBéarla in iúl, agus ní dhéanfar focal sa téacs i nGaeilge a ghiorrú mura rud é go bhfuil an focal sa téacs i mBéarla ... giorraithe”.

Is iad siúd na fadhbanna a aithníonn muid nuair a dhéanann comhlachtaí iarracht an leagan Gaeilge a chur ar fáil. Uaireanta is cosúil go mbíonn siad ag iarraidh an leagan Gaeilge a bhrú isteach sa spás céanna nó a chur i bhfolach nó i spás ar leith atá acu. Ní mór dúinn a chinntiú, nuair atá margaíocht i gceist, go dtuigeann na comhlachtaí go díreach na srianta atá orthu. Ní féidir an leagan Gaeilge a bheith acu i dtéacs níos lú ná an Béarla. Mar a tharlaíonn i gcásanna áirithe, ní féidir achoimre a thabhairt seachas an téacs iomlán, ach amháin i gcásanna inar cheart achoimre a úsáid más rud é go mbíonn an achoimre i mBéarla freisin. Sa chás seo táimid ag tagairt do chúrsaí margaíochta. Bhí an mhargaíocht le linn na paidéime feicthe ag cách. Bhí roinnt againn sásta glacadh ar shlí gur fhoilsíodh an leagan Gaeilge cúpla lá nó cúpla seachtain - a tharla go minic i gcásanna áirithe – ina dhiaidh an Béarla. Níor tháinig siad go comhuaineach. Táimid ag rá, ó thaobh fógraíochta de agus ábhar margaíochta an Stáit de, gur chóir go dtarlóidh sé go comhuaineach. Is é sin an fáth go bhfuil an leasú á mholadh againn. Déileálfaidh sé leis an gceist seo.

Ba mhian le roinnt de na leasuithe atá againn dualgas breise a chur ar an Aire Stáit. B'fhéidir gur chóir féachaint ar leasú Uimh. 129 arís, mar shampla, leasú atá á bplé againn anois. Is leasú é seo a leagann amach go díreach an tslí ina mbeidh an leagan Gaeilge agus an leagan Béarla. B'fhéidir go bhfuil an tAire Stáit ag rá go mbeidh sé sin sna rialacháin, ach b'fhearr linn go mbeadh sé sa reachtaíocht. Ar a laghad sin ní bheadh dabht ar bith ann faoi. Má dhéanann comhlacht neamhaird air, beidh a fhios ag gach duine go díreach cad atá i gceist. Leagann leasú Uimh. 129 síos go díreach gur gá caitheamh leis an nGaeilge agus go mbeadh tús áite ag an nGaeilge, mar atá sa Bhunreacht, agus gurb é an Béarla a dtiocfadh ina diaidh. Ligfeadh sé seo dóibh a bheith taobh le taobh ar leathanach.

Tá a fhios ag daoine a leagann amach leathanaigh i ndoiciméid nach gcuireann siad téacsanna Gaeilge ar an leathanach ar thaobh na láimhe clé toisc go dtarraingítear súil duine chuig

an leathanach ar thaobh na láimhe deise nuair a osclaítear doiciméad ar dtús. Tarlaíonn sé sin i ngach uile cás. Fiú sa reachtaíocht mar atá sé foilsithe, is ar an leathanach ar thaobh na láimhe clé a bhíonn an Ghaeilge agus is botún é. Ceapann daoine go bhfuilim ag piocadh orthu ach tá stádas agus áit ann le leagan amach. Tá a fhios ag aon duine a rinne staidéar ar an ábhar seo go dtéann an súil i mbealach áirithe. Creid nó ná creid, tá eolaíocht i gceist leis seo. Nuair a bhíonn sliotáin fógraí nuachtáin á ndíol ag daoine, díolann siad é ag súil leis an áit a dtarraingeofar súile daoine idir an dá leathanach. Tá an leathanach ar dheis níos tábhachtaí ó thaobh chur chun cinn teachtaireachta de ná an leathanach ar chlé. B'fhéidir gur chóir go mbeadh dhá cholún ar an leathanach ar dheis nó bealach éigin lena chinntiú nach mbeidh an Ghaeilge i bhfolach nó suite thíos leis an mBéarla. Sin é an smaoineamh taobh thiar de leasú Uimh. 129. Leagann sé amach go sonrach díreach cad ar chóir a bheadh i gceist toisc an neamhaird agus an bealach a gcaitear leis an nGaeilge thar na blianta.

Molaim an tAire Stáit as an leasú seo. Ba mhaith liom míniú níos fearr a fháil maidir leis an tslí atá sé ag caitheamh leis na leasuithe eile; ní aontaím go hiomlán leis. Maidir leis an soiléiriú atá á lorg ag Conradh an Ghaeilge, iarraim ar an Aire Stáit féachaint ar an méid atá ráite acu faoi na forálacha ag staid éigin sa Seanad. Bheadh muidne sásta glacadh le sin nuair a thagann sé ar ais ón Seanad.

Deputy Aindrias Moynihan: Bhí plé briomhar againn ar Chéim an Choiste ar an ábhar seo. Gabhaim buíochas leis an Aire Stáit as é sin a thógáil san áireamh agus as a thacaíocht do na leasuithe éagsúla atá againn sa ghrúpa seo. Baineann siad le teagmháil nuair atá duine ag scríobh chuid comhlacht poiblí, idir ríomhphost nó na meáin sóisialta nó pé slí, lena chinntiú go bhfaighidh siad freagra sa teanga chéanna a seoladh é. Tá sé tábhachtach nach mbeadh iallach á chur ar dhaoine aistriú a dhéanamh nuair a bhíonn siad ag scríobh chuig comhlachtaí poiblí. Anuas ar sin, baineann sé le teagmháil fógraíochta agus margaíochta lena chinntiú go mbeidh na comhlachtaí poiblí éagsúla ag cur amach an Ghaolainn os comhair daoine. Bhí sampla maith de le feiceáil le déanaí nuair a sheol An Post teachtaireacht amach mar gheall ar rudaí a cheannach ar an Idirlíon agus go mbíonn deacrachtaí agus moill ann le rudaí a thabhairt isteach ón Aontas Eorpach.

8 o'clock

Bhí nuachtlitir an-mhaith ann, má léadh as Béarla é, a bhí cabhrach agus seoladh amach le déanaí é. Is amhlaidh gur sádh isteach token beag as Gaolainn. Caithfí a chinntiú go mbeidh a leithéid ceartaithe agus san áireamh leis na leasuithe seo. Ba mhaith liom soiléiriú ar sin ón Aire Stáit. Níor cheart go dtarlódh a leithéid leis an alt nua seo.

Baineann leasú Uimh. 14 leis na lógónna agus déanann sé iarracht a chinntiú go mbeadh na lógónna dhátheangach nó as Gaolainn. Bhí plé againn chomh maith ar thréimhse ama éigin mar gheall air sin. N'fheadar an bhféadfaí a leithéid a chinntiú. Nuair a tháinig an reachtaíocht isteach, leagadh síos go dtarlódh sin go luath ina dhiaidh ach an gá tréimhse ama a leagan síos ansin? Is leasuithe an-chabhrach agus an-dearfach iad sin. Molaim an tAire Stáit as iad a thabhairt chun cinn agus cuidím leis.

Deputy Joe McHugh: Táimid ag labhairt faoi leasuithe Uimh. 21 agus 114 agus faoin chothromaíocht atá i gceist don Ghaeilge in aon bhileog ar nós ábhair margaíochta mar shampla. Táim ag smaoineamh faoi bhileog a d'eisigh An Post agus bhí trí leathanaigh as Béarla ann agus leathanach amháin as Gaeilge agus bhí an leathanach as Gaeilge ar chúl an bhileog. Níl sin ceart agus sin an bealach a bhfuil muid ann faoi láthair. Chomh maith leis sin, táimid

ag amharc ar leasú Uimh. 114 agus an gá le spriocbhliain a chur le lógónna reatha a athrú, mar shampla Transport Infrastructure Ireland. Táim ag iarraidh spriocbhliain a chur isteach ansin agus iarraim ar an Aire Stáit amharc arís ar na leasuithe sin. Tá an dhá leasuithe ag teacht ón Rialtas, mar sin gabhaim buíochas agus aitheantas leis an Aire Stáit as sin.

Mar fhocal pearsanta, ba mhaith liom comhbhrón a dhéanamh le teaghlach Tom Burke, a fuair bás inniu. Grianghrafadóir ab ea Tom a d'oibrigh taobh amuigh de gheataí Tí Laighin thar na blianta. Tá mé ag smaointiú faoin teaghlach sin. Tá sé ar shlí na fírinne anois agus ar dheis Dé go raibh a anam dílis.

Deputy Marc Ó Cathasaigh: Tagraím do leasú Uimh. 21. Má dhéantar teagmháil le duine as Gaeilge, ba chóir go bhfaightear freagra as Gaeilge. Tá súil agam go gcuirfidh an leasú seo críoch leis an nós go n-insítear do dhuine go bhfuil an leaid le Gaeilge ar lón faoi láthair.

Ba mhaith liom léim timpeall na háite beagáinín. Táimid ag plé leasú Uimh. 65, mar aon leis an leasú seo agus ba mhaith liom díriú isteach ar alt (d) ó Uimh 65, “Maidir leis an bhfógraíocht a dhéanann comhlacht poiblí ... cinnteofar go ndéanfar 5 faoin gcéad di ar na meáin díobh sin trína ndéantar cumarsáid i nGaeilge leis an bpobal.” Tá an foclaíocht ansin an-chosúil leis an bhfoclaíocht i leasú Uimh. 128. Ar amhras nach shroichfimid Uimh. 128, maítear in alt (b) “gur i nGaeilge ar na meáin Ghaeilge a bheidh 5 faoin gcéad ar a laghad d’aon fhógraíocht arna déanamh ag an gcomhlacht in aon bhliain”. Níl sé sin iomlán soiléir go bhfuil muid caint faoin mbuiséad agus an méid caiteachais. Má tá an Seanad ag teacht ar ais ar an mBille seo, b’fhéidir go mbeimid in ann a chinntiú go bhfuilimid ag caint faoin mbuiséad agus go mbeidh 5% den chaiteachas ón mbuiséad iomlán ag dul ar fhógraíocht i nGaeilge ar na meáin Ghaeilge, ní go bhfuilimid ag caint ar líon na bhfógraíochta amháin. B’fhéidir go mbeimid in ann teacht ar ais ag an gceist sin nó b’fhéidir go ndéanfaidh na Seanadóirí déileáil leis nuair atá an Bille seo á phlé acu má tá an tAire Stáit oscailte chuige sin.

Deputy Jack Chambers: Maidir leis an méid a dúirt an Teachta McHugh, bhí brón orm an nuacht sin a chloisteáil. Ar dheis Dé go raibh a anam. Duine an-deas ab ea Tom Burke.

Is leasú de chuid an Rialtas é seo. Mar a dúirt mé, faoi láthair foráiltear le halt 9(2) den Acht go ndéanfaidh comhlacht poiblí, i gcás ina dhéantar cumarsáid leis i scríbhinn nó le post leictreonach i dteanga oifigiúil, an freagra a thabhairt sa teanga céanna. Leis an leasú seo, leanfar an oibleagáid sin chuig cásanna ina dhéanann duine cumarsáid le comhlacht poiblí trí na meáin shóisialta. Faoi láthair freisin, foráiltear le halt 3 den Acht go gcinnteoidh comhlacht poiblí, i gcás ina ndéanann sé cumarsáid i scríbhinn nó le ríomhphost leis an bpobal i gcoitinne nó le haicme den phobal i gcoitinne ar mhaithe le faisnéis a thabhairt don phobal nó don aicme, go bhfuil an cumarsáid sin i nGaeilge nó i mBéarla agus i nGaeilge. Déanfaidh an leasú seo cinnte de go leanfaidh an oibleagáid sin chuig cásanna ina bhfuil ábhar margaíochta á eisiúint ag comhlacht poiblí chuig an bpobal.

Tagraím do na ceisteanna ó na Teachtaí Ó Cathasaigh agus Aindrias Moynihan. Táim sásta plé a dhéanamh maidir leis na ceisteanna sin agus gabhaim buíochas leo.

Deputy Aengus Ó Snodaigh: Is leasú maith é seo ón Aire Stáit. Tá mise sásta mo leasuithe Uimh. 58 go 61, go huile, a tharraingt siar mar tá siad clúdaithe sa mhéid atá á rá ag an Aire Stáit. Tagraím do leasú Uimh. 65, mar a rinne an Teachta Ó Cathasaigh. Níl a fhios agam cén fáth nach bhfuil Uimh. 128 sa ghrúpa seo mar tá na leasuithe beagnach mar an gcéanna agus déanann siad déileáil leis an sórt rud céanna. Tá an ceart ag an Teachta nach bhfuil sé soiléir i mo

leasuithe nó i leasú an Aire Stáit an 5% den bhuiséad nó 5% de líon na bhfógraíochta atá i gceist mar ní hionann an dá rud. Is féidir 5% den bhfógraíocht a bheith i gceist agus d'fhéadfadh an caiteachas a bheith srianta ar an méid sin. Tá an rud céanna fíor ó thaobh an 20%. Caithimid a bheith cúramach sa mhéid atá ag an Aire Stáit nó fiú agamsa go bhfuil sé soiléir nach méid na bhfógraí atá i gceist nó nach mbeidh sé caillte. Tá a fhios agam go bhfuil forálacha eile ann go gcaithfear an méid céanna a bheith ann ach ba cheart féachaint ar an 5% sin.

Tá leasuithe eile agam nach bhfuil clúdaithe sa mhéid atá á rá ag an Aire Stáit agus tá siad luaite agam cheana. Tá an cuma ar an scéal nach bhfuil an tAire Stáit ag tarraingt siar uathu. An príomhleasú ná hUimh. 129. Impím ar an Aire Stáit, más féidir in aon chor, féachaint an athuair an bhfuil sé sin clúdaithe ag na forálacha a bheidh aige sna treoirlínte nó a leithéid. Measaim nach mbeidh. Tá a lán tuarascálacha á lorg agam sna leasuithe agus sin an bealach timpeall ar an mbac atá orm ó thaobh leasuithe a chur chun cinn. Sin an fáth go bhfuil sé sin ann.

Deputy Jack Chambers: Cén treoirlínte ar mhaith leis an Teachta a bheith clúdaithe? Níor chuala mé an cheist.

Deputy Aengus Ó Snodaigh: Muna bhfuil treoirlínte ann, agus tá seans nach mbeidh, tá an méid atá i leasuithe Uimh. 132 nó 129 i ndán. Teastaítear treoirlínte ó thaobh an leagan amach Gaeilge nó Béarla. Má léann an tAire Stáit leasú Uimh. 129, leagann sé amach go sonrach an tslí ina mbeadh orthu fógraí agus doiciméid a leagan amach amach anseo.

Deputy Jack Chambers: Beidh an stádas céanna ann maidir leis an nGaeilge sa chás seo.

Aontaíodh an leasú.

Deputy Pa Daly: Tairgim leasú Uimh. 22:

I leathanach 9, idir línte 17 agus 18, an méid seo a leanas a chur isteach:

“Cairt na Gaeilge

4. Leasaítear an Príomh-Acht tríd an gCuid nua seo a leanas a chur isteach i ndiaidh Chuid 1 (Réamhráiteach agus Ginearálta):

“CUID 1A

CAIRT NA GAEILGE

Cairt a ullmhú don Ghaeilge

5. (1) Déanfaidh an tAire, tar éis comhchomhairle a dhéanamh le pobal labhartha na Gaeilge agus le hOifig Choimisinéir na dTeangacha Oifigiúla maidir le riachtanais an phobail, agus tráth nach déanaí ná bliain ó *Acht na dTeangacha Oifigiúla (Leasú), 2021* a achtú, dréacht-Chairt, ar a dtabharfar Cairt na Gaeilge, a ullmhú agus a chur faoi bhráid Thithe an Oireachtais, is cairt a bheidh bunaithe ar mhúnla Chairt na Fraincise, nó an *Charte de la langue française* sa Fhraincis, in Québec i gCeanada, agus lena ndéanfar bunchearta teanga cainteoirí Gaeilge sa Stát a shoiléiriú agus a threisiú ar bhonn reachtúil, le toil Thithe an Oireachtais.

(2) Sonrófar sa dréacht-Chairt a luaitear i bhfo-alt (1):

(a) amchlár ina mbeidh spriocdhátaí faoina mbeidh sé beartaithe ag an Rialtas

na forálacha éagsúla den Chairt a bheith curtha i bhfeidhm ina n-iomláine;

(b) moladh i leith ceart do gach duine go ndéanadh na comhlachtaí seo a leanas cumarsáid leis nó léi i nGaeilge:

- (i) comhlachtaí riaracháin shibhialta;
- (ii) comhlachtaí seirbhísí sláinte agus sóisialta;
- (iii) cuideachtaí fóntais phoiblí;
- (iv) cuideachtaí Stáit;
- (v) eagraíochtaí Státmhaoinithe;
- (vi) corparáidí gairmiúla;
- (vii) ceardchumann; agus
- (viii) gach cuideachta a dhéanann gnó sa Ghaeltacht;

(c) moladh i leith ceart do gach duine Gaeilge a labhairt in aon tionól poiblí;

(d) moladh i leith ceart d'oibrithe sa Ghaeltacht a gcuid oibre a dhéanamh trí mheán na Gaeilge;

(e) moladh i leith ceart do thomhaltóirí earraí agus seirbhísí sa Ghaeltacht go gcuirfí ar an eolas iad i nGaeilge agus go ndéanfaí freastal orthu i nGaeilge;

(f) moladh i leith ceart do gach duine atá i dteideal oideachas sa Stát an t-oideachas sin a fháil trí mheán na Gaeilge;

(g) moladh i leith dhualgas an Stáit gach a dhéanamh laistigh dá raon gníomhaíochta chun an Ghaeilge, mar phríomhtheanga oifigiúil, a bhunú agus a chaomhnú ina stádas mar an teanga náisiúnta agus í a aithint mar an teanga náisiúnta chun gach críche oifigiúla.”.”.

Tá cearta ag daoine mar bhunús, go háirithe leis an teanga náisiúnta, agus is é ról an Stáit na cearta sin a shonrú agus a chosaint. I gcás na Gaeltachta, áit a bhfuil an Ghaeilge ceaptha a bheith mar phríomhtheanga an phobail, fós ní bhíonn bun-seirbhísí an Stáit ar fáil sa phríomhtheanga oifigiúil bunreacht. Seo masla ar chearta mionlaigh. Bhí mé féin ag déileáil le duine éigin a sheol iarratas pleanála go dtí an chomhairle contae agus bhí an freagra a cuireadh ar ais chucu go léir as Béarla. Tá a lán leasuithe againn faoi sheirbhísí Stáit, ó sheirbhísí sláinte go dtí An Garda Síochána, chun a chinntiú go mbeadh siad ar fáil as Gaeilge sa Ghaeltacht faoi spriocdháta ar leith, ach idir an gilitín agus neamhaird an Aire Stáit, nár chuir leasuithe suntasacha faoin nGaeltacht sa Bhille é féin, ní bheidh tagairt do na cearta teanga sin sa Bhille nuair a achtaítear é.

I dtíortha eile, bíonn cearta teanga sonraithe go soiléir. Tá an Chairt Eorpach do Theangacha Réigiúnacha nó Mionlaigh i bhfeidhm ag an gComhairle Eorpach, rud a thugann meicníocht idirnáisiúnta do Ghaeilgeoirí sna Sé Chontae sásamh a fháil ar a gcearta teanga agus níl feidhm ag an gcairt sa Stát seo. B'fhéidir gur chóir machnamh a dhéanamh ar an gcairt seo a shíneadh. Sa leasú seo, áfach, is múnla Cheanada atá á moladh againn, sé sin cairt na Fraincise i Quebec,

nó an *charte de la langue française*.

Tá sé sin beagáinín ceangailte leis na logainmneacha, faoina bhfuil leasuithe againn níos déanaí. Tá orainn ráiteas nó taispeántas a dhéanamh chun an Ghaolainn a bheith sa phobal agus is éagóir é go bhfuil na logainmneacha as Béarla sna bailte agus sna cathracha. Dúirt Dubhghlas de hÍde, “I hope and trust a native Irish Government will be induced to provide for the restoration of our place-names on something like a rational basis.” Dúirt Brian Friel chomh maith gur sórt díbirt, nó a sort of eviction, a bhí sna logainmneacha sin. Sin 100 bliain ó shin agus níl an aisling sin ann faoi láthair. Ní rabhamar in ann é seo a phlé ar Chéim an Choiste de réir costas ach níl sé ródhéanach é sin a athrú. Deir Airteagal 8 den Bhunreacht gur an Ghaolainn chéad teanga an Stáit ach tá na comharthaí bóithre agus sráide i gcoinne sprid an Bhunreacht sin. Bhíomar ag caint leis an gCoimisinéir Teanga ón mBreatain Bheag coicís ó shin agus tá na logainmneacha aistrithe aige ansin. Sa Ghaeltacht in Albain, tá an Béarla agus an Gàidhlig sa font céanna agus níl ach an dath athraithe. In Éirinn, áfach, tá na logainmneacha in italics agus sin masla don chultúr agus don teanga. Is meon coilínithe atá ann, a deir gur an Béarla an teanga real agus go bhfuil an Ghaolainn i bhfad níos lú. Bhí mé ag caint le duine a bhí ar ais ón Astráil cúpla bliain ó shin. Bhí sé ag caint faoi Uluru in aghaidh Ayers Rock ach ní deir sé an Baile Beag in aghaidh Ballybeg nó Sceichín an Rince in aghaidh Skeheenarinky. Tá sé sin beagáinín ceangailte leis an ábhar seo. Tá orainn an éagóir a cheartú agus bhí na logainmneacha a bhain leis an timpeallacht agus le daoine a bhí ina gcónaí ann na blianta ó shin aistrithe go seafóideach. Tá súil agam go ndéanfaimid rud mar gheall air sin.

Leagtar amach bunchearta teanga sa chairt seo maidir le húsáid na Gaeilge le comhlachtaí poiblí agus cuideachtaí eile, in aon tionól poiblí ó thaobh oibre, i gcás earraí agus seirbhísí agus san oideachas. Seo an dea-chleachtas idirnáisiúnta agus ba chóir dúinn foghlaim ó sin. Beidh riachtanas ar leith ag pobal na Gaeilge agus na Gaeltachta agus mar sin bheadh fiúntas ag baint le tuarascáil a ullmhú chun moltaí agus spriocanna ama réalaíoch agus pobalbhunaithe a chur chun cinn. Tá sé in am dúinn ár ngealltanas mar Stát don Ghaeltacht agus do Ghaeilgeoirí a chomhlíonadh agus a chur i scríbhinn.

Deputy Aengus Ó Snodaigh: Tá dhá leasú anseo. Leagann ceann amach go díreach cad a bheadh sa chairt ach tá sé as ord toisc go gcuireann sé dualgais reachtúla agus dá réir, dualgais airgeadais, ar an Stát. An ceann go bhfuilimid ag plé, toisc go bhfuil sé in ord, ná an ceann a chuireann iallach ar an Aire dréacht-chairt a chur le chéile, a ullmhú agus a chur faoi bhráid Thithe an Oireachtais. Is féidir é sin a dhéanamh ar chúpla bealach. Is féidir linn pleanáil ina leith ach tá samplaí againn ó thíortha eile ó thaobh conas mar a oibríonn an chairt seo. Leagtar síos bun-chearta agus bun-rialacha maidir leis an teanga atá acu. Tá an Teachta Ó Dálaigh tar éis a lua cheana féin an *charte de la langue française* atá i gCeanada ach tá cinn eile ann i dtíortha eile, áit a leagtar amach go díreach na dualgais chun nach bhfuil dabht ar bith ann fúthu. Ní bheadh gá leis an reachtaíocht seo nó reachtaíocht eile dá mbeadh sé sin leagtha amach chomh sonrach agus ba chóir agus dá mbeadh sé sin achtaithe. Bheadh sé níos fearr dá mbeadh sé sa Bhunreacht mar b’fhéidir go dtuigfeadh daoine ansin é ach tá sé sa Bhunreacht cheana féin gurb í teanga oifigiúil an Stáit an Ghaeilge. In ainneoin sin, níl an Stát ag caitheamh leis an bpríomhtheanga oifigiúil seo sa bhealach ceart.

Sa leasú seo tá muidne ag moladh, ar leith gach duine, go mbeadh na comhlachtaí go dtugaimid liosta dóibh clúdaithe ag an gcairt seo. I slí amháin tá roinnt de seo clúdaithe ag an reachtaíocht atá á phlé againn. Bhí sé in ainm is a bheith clúdaithe sa bhun-reachtaíocht i 2003 ach ní léir sin domsa agus ní léir é don chuid is mó den phobal. Nílím ag rá sa leasú seo gur chóir go dtarlódh sé anois ach caithfimid smaoineamh, a luaithe is atá sé seo críochnaithe agus

achtaithe, faoi cad é an chéad chéim eile agus conas gur féidir linn céim eile a thógáil. An gá dúinn dul i dtreo tionól saoránachta, citizens' assembly, mar a bhí ann le déanaí, nó an convention bunreachtúil a bhí ann roimhe sin? Ba rudaí an-mhaith a bhí iontu sin, áiteanna ina raibh daoine ag plé na gceisteanna seo, agus bhí tuiscint acu ar conas mar a chaitheann daoine le gnéithe difriúla.

D'fhoghlaim muid ar fad mar phobal, mar sochaí agus mar Stát na cearta agus na dualgais atá orainn mar shaoránaigh. Seo atá ann nuair a leagtar síos cearta daonna atá ann le blianta. Sin an sórt rud atá i gceist toisc nach léir go bhfuil an cosaint cuí ag an nGaeilge. Toisc sin caithimid dul sa treo agus seasamh níos soiléire a ghlacadh ó thaobh cearta teanga Gaeilgeoirí, an teanga féin agus, b'fhéidir dá réir, an Ghaeltacht. Tá siad ar fad fite fuaite.

Moltar sa leasú go mbeadh moladh ar leith do “ceart d'oibrithe sa Ghaeltacht a gcuid oibre a dhéanamh trí mheán na Gaeilge”. Tá moladh eile: “i leith ceart do thomhaltóirí earraí agus seirbhísí sa Ghaeltacht go gcuirfí ar an eolas iad i nGaeilge agus go ndéanfaí freastal orthu i nGaeilge”. Tá liosta ábhair gur chóir a bheith sa tuarascáil agus má chastar an leathanach go dtí leasú Uimh. 23, sin an sórt foclaíocht a mhol muidne. Ní féidir liomsa é a chur toisc na srianta atá orm ach b'fhiú féachaint ar an mbealach gur chóir dúinn dul chun déanamh cinnte de go bhfuil an stádas atá bronnta ar an nGaeilge sa Bhunreacht á shásamh. Níl sé á shásamh agus dá réir sin caithfear é a leagan amach níos loime ná mar atá sa Bhunreacht más féidir. Ní thuigeann roinnt daoine an stádas atá ann. Toisc go mbeadh sé chomh sonrach sin, b'fhéidir nach mbeadh gá do dhaoine casadh ar an gcúirt agus cosaint an dlí a lorg chun an cearta sin a shásamh. De réir nach mbeadh an oiread sin cásanna os comhair na cúirte, bheadh tuiscint níos fearr acu siúd atá ag diúltú na dualgais atá orthu maidir leis an nGaeilge agus déanfadh siad iad a chomhlíonadh.

Tá súil agam go mbeidh an tAire Stáit in ann glacadh leis seo. Ní ualach mór ar an státhóras é glacadh leis an leasú seo mar níl air ach tuarascáil a dhéanamh agus dréacht a chur le chéile. Ní gá dul thar sin agus is féidir leis an Oireachtas déileáil leis an dréacht nuair atá sé curtha os ár gcomhair. Is féidir linne ar fad, mar Bhaill Thithe an Oireachtais agus mar reachtóirí, déileáil leis agus reachtaíocht ceart a dhéanamh as bunaithe ar an gceart teanga atá ann nó bunaithe ar an gceart i gCeanada a luaigh an Teachta Daly.

Deputy Jack Chambers: Ní fheictear dom go dteastaíonn leasú Uimh. 22 nó go bhfuil fiúntas ag baint leis. Baineann an tAcht agus an Bille le seirbhísí Stáit. Baineann cuid de na comhlachtaí atá luaite sa leasú leis an earnáil príobháideach. Chomh maith leis sin, tá i gceist againn déileáil leis go leor de na nithe atá luaite sa leasú sna caighdeáin nua teanga. Níl i gceist agam glacadh leis an leasú seo dá bharr.

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

An Leas-Cheann Comhairle: Tá leasú Uimh. 23 as ord.

Níor tairgeadh leasú Uimh. 23.

Deputy Aengus Ó Snodaigh: Tairgim leasú Uimh. 24:

I leathanach 9, idir línte 17 agus 18, an méid seo a leanas a chur isteach:

“Leasú ar alt 5 den Phríomh-Acht

4. Leasaítear alt 5 den Phríomh-Acht trí “, agus a chur faoi bhráid cibé comhchoiste

de chuid Thithe an Oireachtais a dhéanann plé ar ábhair bheartais a bhaineann leis an nGaeilge, leis an nGaeltacht, leis na hoileáin agus le pobal labhartha na Gaeilge”, a chur isteach i ndiaidh “gach Teach den Oireachtas”.”.

Is leasú simplí é seo. Tá tuarascáil bhliantúil in ainm agus a bheith déanta ag an Aire mar gheall ar an Acht teanga seo agus fáiltímid roimh sin. Tá muidne ag triall a dhéanamh cinnte de, seachas go dtosnódh sé sa leabharlann, go mbeadh sé dírithe ar pé chomhchoiste atá againn atá freagrach as an nGaeilge. Táimid ag lorg go dtarlódh sin go huathoibríoch. Uaireanta cuirtear faoi bhráid na Dála na tuarascálacha seo agus níl fadhb ar bith agam leis sin ach i roinnt cásanna ba chóir go mbeadh siad curtha díreach chuig an gcoiste, ní díreach ó thaobh na Gaeilge de ach ó thaobh a lán ceisteanna eile. Cuirfeadh sin iachall ar an gcoiste sin déileáil leis. Sin an méid atá i gceist. Mionathrú atá ann ach ba mhaith linn go dtarlódh sin le haon Bhille. Tarlaíonn an rud céanna leis an tuarascáil a thagann ón gCoimisinéir Teanga. Déanann an coiste déileáil leis mar tá sé sa remit atá ag an gcoiste go dtiocfaidh sé os a comhair. Tarlaíonn sé leis an tuarascáil a thagann ó Ombudsman Óglaigh na hÉireann agus a leithéid. Téann sin os comhair na coistí a bhaineann le cúrsaí cosanta agus glacaim leis go bhfuil sé fíor faoi thuarascálacha eile. Sin a bhfuilimid ag lorg sna cásanna sin.

Deputy Jack Chambers: Níl i gceist agam glacadh le leasú Uimh. 24 mar táim sásta leis an bhfoclaíocht atá luaite sa Bhille cheana. Feictear dom nach bhfuil gá leis an leasú seo mar nuair a chuireann an tAire a tuarascáil faoi bhráid na Tithe, is féidir le haon choiste ar mhian leis an tuarascáil a thógáil agus a phlé agus nílím ag glacadh leis an leasú seo dá bharr.

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

Deputy Aengus Ó Snodaigh: Tairgim leasú Uimh. 25:

I leathanach 9, idir línte 17 agus 18, an méid seo a leanas a chur isteach:

“Leasú ar alt 5 den Phríomh-Acht

4. Leasaítear alt 5 den Phríomh-Acht trí “(1) Déanfaidh” a chur in ionad “Déanfaidh” agus tríd an méid seo a leanas a chur isteach i ndiaidh “roimhe sin.”:

“(2) Déanfaidh an tAire, i gcomhchomhairle leis an bPríomh-Oifig Staidrimh, agus tráth nach déanaí ná bliain tar éis an fhoráil seo a achtú, tuarascáil a ullmhú agus a chur faoi bhráid gach Tí den Oireachtas ar mhaithe le bunús ar bhonn taighde a chinntiú do bheartais Stáit i leith na dteangacha oifigiúla, ina leagfar amach moltaí praiticiúla d’fhonn rannóg bhuan um staidreamh sochtheangeolaíoch a bhunú, is rannóg a bheidh comhdhéanta de dhaoine ag a mbeidh saineolas áirithe sa tsochtheangeolaíocht agus inniúlacht sa Ghaeilge, chun:

(a) taighde leanúnach a chomhordú ar chás sochtheangeolaíoch na Gaeilge sa Stát agus go háirithe ar chás sochtheangeolaíoch na Gaeltachta;

(b) grinnscrúdú a dhéanamh, de réir mar is cuí leis an bPríomh- Shochtheangeolaí, ar an tionchar a bheidh ag aon Bhille nó beartas a mholfaidh an Rialtas ar shochtheangeolaíocht an Stáit agus na Gaeltachta;

(c) staidéar cuimsitheach teangeolaíoch a eagrú i gcomhar le saineolaithe agus institiúidí tríú leibhéal ar bhonn rialta, gach cúigiú nó deichiú bliain, agus moltaí a chur faoi bhráid Thithe an Oireachtais ar bhonn an staidéir sin i dtuarascáil.”.”.

Tá an leasú seo ag triall a dhéanamh cinnte de go mbeadh rannóg sochtheangeolaíochta i gceist agus muid ag plé seo.

Fáiltím roimh an aitheantas a rinne an tAire Stáit inné i bhfreagra oifigiúil chugam ar cheist parlaiminte. Tá seo in ainneoin na hiarrachtaí a rinne an Teachta Connolly an Stát a fháil chun a admháil go bhfuil géarchéim ann ó thaobh sochtheangeolaíochta sa Ghaeltacht. Níl mé ag iarraidh sise a tharraingt isteach sa díospóireacht ach rinne sí cúpla iarracht é sin a dhéanamh thar na blianta. Sonraíodh sin sa tuarascáil is déanaí de chuid Tuismitheoirí na Gaeltachta agus sa fhreagra a fuair mé inné. D’admhaigh an tAire Stáit go hoifigiúil don chéad uair go bhfuil géarchéim ann. Tá sin tábhachtach mar nuair atá géarchéim ann caithfidh an Stát casadh agus déileáil léi, seachas go bhfuil fadhb beag ag tarlú diaidh ar ndiaidh agus nach bhfuil aon fhuadar nó deifir ann.

Tá taighde againn chomh fada siar leis an staidéar cuimsitheach teangeolaíochta in 2007. Fiú roimhe sin, thuig muid ar fad go raibh fadhb ann. Sa staidéar cuimsitheach teangeolaíochta in 2007 ba léir go bhfaigheadh an Ghaeilge bás mar theanga labhartha teaghlaigh agus sa phobal, fiú sna ceantair is láidre Gaeltachta, roimh dheireadh na deich mbliana atá romhainn gan athruithe móra. Sin an fáth go bhfuil sé tábhachtach go bhfuil seo á phlé againn agus go bhfuilimid ag déanamh iarracht cosaint a dhéanamh uirthi, ach tá an méid atá sa leasú seo ag lorg céim eile chun tosaigh a ghlacadh. Agus géarchéim chomh mór leis sin os ár gcomhair, ní mór dúinn a bheith cinnte go mbeadh aon pholasaithe bunaithe ar thaighde chuimsitheach agus monatóireacht leanúnach ar chás na Gaeltachta agus na teanga má tá an dainséar ann nach dtabharfadh muid comharthaí tábhachtacha faoi deara go dtí go bhfuil an drochthionchar nó an drochthoradh tar éis tarlú. Sa chás sin, ní thabharfadh muid faoin bhfadhb leis an bpráinn atá de dhíth. Tuigeann aon duine atá ceist na Gaeltachta agus na Gaeilge á phlé acu le tamall anuas cé chomh práinneach is atá sé. Úsáidtear an fhoclóir Bhéarla “all hands on deck” nuair a bhíonn bád ag dul go tóin poill. Is é sin a bhí i gceist ó thaobh na Gaeltachta de sa staidéar cuimsitheach teangeolaíoch, agus atá i gceist in aon staidéar déanta ó shin: an creimeadh atá ag tarlú ar theorainn na Gaeltachta agus atá ag tarlú laistigh den Ghaeltacht ó thaobh na Gaeilge a bheith ina teanga labhartha ag dreamanna difriúla in áiteanna difriúla agus na fadhbanna a bhíonn acu. Níl muid tapa go leor chun na céimeanna atá de dhíth ag glacadh. Aithníonn go leor daoine na céimeanna sin ach níl an liathróid fhíse againn ar féidir linn a rá go n-oibreoidh na céimeanna go léir a bhfuiltear ag smaoineamh orthu. Sin é an fáth go ndéanaimid cinnte go bhfuil rannóg theangeolaíochta sa Phríomh-Oifig Staidrimh ionas go dtarraingíonn siad an t-ábhar de shíor agus na sonraí atá de dhíth lena chinntiú go mbeidh athrú ag teacht. Is ar an mbunús sin go bhfuilimid ag lorg tuarascáil ón Aire Stáit maidir le rannóg bhuan de saineolaithe a bhunú sa Phríomh-Oifig Staidrimh chun tabhairt faoin gceist seo. Bheadh feidhm ag an rannóg taighde leanúnach a chomhordú, grinnstaidéar agus grinnscrúdú a dhéanamh ar Bhille nó beartas Rialtas atá molta lena féachaint cad é an tionchar a bheadh acu ar chás na teanga agus na Gaeltachta, agus staidéar cuimsitheach a eagrú gach cúig bliana nó gach deich mbliana agus a chur faoi bhráid an Oireachtais lena léiriú dúinn conas mar atá ag éirí linn sa phlean tarrthála an creimeadh a stopadh.

Chuir Coimisiún na Gaeltachta tuarascáil chuimsitheach le chéile ar conas an Ghaeltacht a shlánú chomh fada siar le 1927 - lig dúinn smaoineamh air sin - bunaithe ar thaighde mór, an chéad daonáireamh de chuid an Stáit ina measc. Bhí a lán moltaí ann agus tá sé spéisiúil iad a léamh beagnach 100 bliain ina dhiaidh sin. Tá a lán de na moltaí sin fós beo anois. An fhadhb is mó atá agam ná nach féidir le lucht An Gharda Síochána – na daoine a rinne an taighde – nó na hoifigigh sa Phríomh-Oifig Staidrimh teacht ar na bundoiciméid. Tá an tuairisc againn ach

níl na bundoiciméid. Bheadh said an-spéisiúil mar thabharfadh siad léiriú níos cruinne dúinn ar an gcreimeadh a tharla ó bunaíodh an Stát, ó 1926 nuair a rinneadh an tuarascáil chuimsitheach agus staidéar an daonáirimh.

Níos measa fós, is cosúil ó na freagraí atá faighte agamsa ón Taoiseach, ón Aire Stáit agus An Garda Síochána nach féidir leo teacht ar na bundoiciméid. Is trua é sin toisc gur cuid d'oidhreacht na Gaeilge iad. Tagann an Phríomh-Oifig Staidrimh faoi chúram an Taoisigh agus mar sin tá sé de cheart aige rannóg mar seo a bhunú chomh luath agus is mian leis. Is é sin an fáth go bhfuilimid ag iarraidh go gcinnteodh an tAire Stáit go n-ardóidh an Rialtas an cheist seo agus go mbeidh bunús agus tacú staidéir d'aon imeachta a tharlaíonn amach anseo ionas go mbeidh cosaint ann. Thagair mé do TG4 i gcomhthéacs ceisteanna pleanála. Baineann an cheist mhór sin leis an dainséar agus an t-ualach agus an t-ionsaí atá an Ghaeilge faoi. Is leasú maith é seo. Bheadh buntáiste maith ó thaobh na Gaeilge agus na Gaeltachta le teacht as an méid a cuireadh isteach ann.

Deputy Jack Chambers: Ní bheidh mé ag glacadh le leasú Uimh. 25 i láthair na huaire. Beidh an coiste comhairleach ag déanamh taighde chun plean náisiúnta agus tuarascála a réiteach. Níl sé i gceist agam forálacha eile a chur sa Bhille maidir le tuarascálacha breise. Beidh an chineáil taighde atá luaite sa leasú le déanamh ag eagraíochtaí Stáit ar nós mo Roinn féin, Údarás na Gaeltachta agus Foras na Gaeilge. Mar shampla, seoladh an taighde a rinne Tuismitheoirí na Gaeltachta maidir leis an nGaeilge sa theaghlach le déanaí. Mar sin, nílím ag glacadh leis an leasú seo.

Deputy Aengus Ó Snodaigh: Is trua sin. Ar slí amháin, tuigim go bhfuil dualgas á chur ar an gcoiste comhairleach agus go bhfuil sé leagtha síos, ach tá ról lárnach ó thaobh taighde a dhéanamh agus staitisticí a bhailiú ag an bPríomh-Oifig Staidrimh. Tá na scileanna acu chun tabhairt faoin obair i gceart. Bheadh sé go maith dá mbeadh an oifig ceangailte leis an gcoiste comhairleach ionas go dtuigfidís an dualgas breise orthu. Ní hé sin amháin a bhí i gceist ag an leasú seo. Caithfear a chinntiú sna polasaithe agus na bearta Stáit a bheidh ann amach anseo go mbeidh duine éigin ag féachaint orthu sula rithfear iad chun fáil amach cén damáiste a dhéanfar nó cén tionchar a bheidh ann ó thaobh na Gaeltachta. D'fhéadfadh tionchar maith a bheith i gceist agus bheadh sé sin go hiontach. Bheadh súil eile á chaitheamh ar an reachtaíocht.

Thaistil mé go hAlbain cúpla bliain ó shin mar bhall de choiste Oireachtais na Gaeilge chun féachaint ar an equality budgeting a bhí acu. Tá rannóg áirithe acu sa pharlaimint atá freagrach as féachaint ar an bhfuil an reachtaíocht ag cloí le comhionannas agus cén tionchar a d'fhéadfadh a bheith ag polasaí nó reachtaíocht áirithe. Tharlaíonn a leithéid sular ritear an reachtaíocht agus sular daingnítear an polasaí. Ba chóir go mbeadh duine nó eagraíocht ag faire an bhféadfadh drochthionchar a bheith ag aon pholasaí nó aon reachtaíocht ar an nGaeilge agus ar an nGaeltacht. Is léir ón méid atá ráite ag daoine thar na blianta agus ag an Aire Stáit go bhfuil géarchéim ann. Más rud é go bhfuil géarchéim ann, uirlis bheag san arm iomlán a bheadh i bhforálacha an leasaithe seo.

An Ceann Comhairle: Ar mhaith leis an Aire Stáit críochnú?

Deputy Jack Chambers: Níl aon rud eile le rá agam.

An Ceann Comhairle: Conas mar a sheasann an leasú?

Deputy Aengus Ó Snodaigh: Tá mé á bhrú.

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

An Ceann Comhairle: Tá baint ag leasuithe Uimh. 26 go 28, go huile, le chéile agus pléifear le chéile iad.

Deputy Aengus Ó Snodaigh: Tairgim leasú Uimh 26:

I leathanach 9, idir línte 17 agus 18, an méid seo a leanas a chur isteach:

“Leasú ar alt 6 den Phríomh-Acht

4. Leasaítear alt 6 den Phríomh-Acht, i bhfo-alt (1), trí “gach duine” a chur isteach in ionad “comhalta de cheachtar Teach den Oireachtas”.”.

Tá sé thar am dúinn aithint go soiléir go bhfuil parlaimint dhátheangach againn i dTithe an Oireachtais. Tá na cearta céanna ag Gaeilgeoirí agus Béarlóirí agus ní cearta srianta iad do Chomhaltaí ina dTeach féin. Is leasú simplí é seo a chinntíonn go n-aithnítear na cearta seo san Oireachtas. Aithnítear sa leasú teangacha oifigiúla an Oireachtais agus cearta teanga ionas nach mbeidh aon srianta ann.

Maidir leis na leasuithe dícheadaithe, bhí dul chun cinn déanta againn ach ní féidir linn déileáil leo toisc go bhfuil siad as ord. Dúirt an tAire Stáit ar Chéim an Choiste go dtiocfadh Tithe an Oireachtais faoi na caighdeáin teanga. Mar a dúradh, níl na caighdeáin sin againn ach tá súil againn go gcuirfear ar fáil iad. Beidh sé deacair Tithe an Oireachtais a chur go hiomlán faoi na gcaighdeáin sin toisc, ar bhealach amháin, go ndéanann Tithe an Oireachtais a rialacha féin. Nílím ag súil go ndéanfaidh sé neamhaird ar an reachtaíocht. Ba cheart go mbeadh sé chun tosaigh in aon reachtaíocht agus níor cheart go mbeadh gá le reachtaíocht a impíonn ar na Tithe cloí go hiomlán leis seo agus meas iomlán a thabhairt don Ghaeilge sna Tithe. Tá dul chun cinn déanta ach níl cothrom na Féinne ann má tá muidne, mar Theachtaí, ag iarraidh déileáil trí Ghaeilge le gach uile rud. Is fadhb í nach n-athróimid thar oíche agus glacaimid leis sin. Is féidir liom mo ghnó a dhéanamh ar an reachtaíocht seo go hiomlán i nGaeilge. Is féidir liom mo ghnó a dhéanamh ar aon reachtaíocht i nGaeilge, má tá mé cliste go leor, mar go mbeidh an reachtaíocht i mBéarla. Beidh orm na leasuithe a chur i mBéarla.

Is cuimhin liom am a raibh reachtaíocht ann faoi Ollscoil na hÉireann, Gaillimh. Bhí an reachtaíocht i mBéarla agus chuir mé leasuithe isteach i nGaeilge chun déileáil leis an gcuid ina rabhthas ag tarraingt siar ón dualgas a bhí ar an ollscoil ó thaobh na Gaeilge de. Bhí orm iad a tharraingt siar agus a chur ar ais i mBéarla toisc go raibh an reachtaíocht i mBéarla. Ní raibh an t-aitheantas ann ná an córas in ann déileáil leis.

Ag glacadh leis nach bhfuilimid ag an staid gur féidir linn reachtaíocht a fhoilsiú go comhionann i nGaeilge agus i mBéarla - is é seo ceann de na chéad chinn atá ann, agus chonaiceamar ar fad na deacrachtaí atá ag an gcóras toisc nach bhfuil go leor foirne ann chun déileáil leis i gceart - lorg mise thar na blianta go mbeadh an meabhrán míniúcháin ar a laghad ar fáil i nGaeilge do ghach uile reachtaíocht. Níl sé sin ann fiú, níl aon stádas dlíthiúil aige sin agus ní gá dó dul trí na checks and balances a bhíonn ag tarlú ó thaobh na leasuithe nó aon reachtaíocht nó gnó eile mar sin.

Tá deacrachtaí ar leith anseo. Tá a lán dul chun cinn á dhéanamh. Aontaím leis an Aire Stáit, más gá gur chóir go mbeadh Tithe an Oireachtais faoi chaighdeán, gur chóir go mbeimis ar an gcaighdeán is airde agus inár n-eiseamláirí don chuid eile den tír agus do na comhlachtaí

poiblí. Níor chóir go mbeimis ar caighdeán in aon chor; ba chóir go mbeimis chun tosaigh, agus níl sé sin fíor.

Is iad sin roinnt de na fáthanna atá taobh thiar de na leasuithe seo. Níl mé chun iad a bhrú rófhada. Tá mé ar bís tacú le haon bhogadh nó cinneadh a bhfuilimid chun glacadh leis, mar Thithe an Oireachtais, chun déanamh cinnte de go bhfuil an Ghaeilge níos feiceálaí, nach mbeidh aon rud ag dul suas nach bhfuil dhátheangach, agus go mbeidh cuidiú dóibh siúd atá sásta, mar atá faoi láthair, an Ghaeilge a labhairt agus a fhoghlaim i dTithe an Oireachtais.

Deputy Jack Chambers: Déileálfaidh mé le leasuithe Uimh. 26 go 28, go huile, le chéile. Ní bheidh mé ag glacadh leis na leasuithe seo. Is gnó iad seo do Thithe an Oireachtais agus ní chuireann ceachtar de na trí leasuithe seo leis an mbrí atá leis an méid atá san Acht cheana féin. De réir an Bhunreacht is í an Ghaeilge príomhtheanga náisiúnta na tíre seo. Is í an Ghaeilge an chéad teanga oifigiúil sa tír seo. Ba laghdú stádais a bheadh i gceist leis an bhfoclaíocht atá molta agus, mar sin, ní bheidh mé ag glacadh leis. Cinntíonn an tAcht mar atá sé go bhfuil sé de ceart ag comhlachtaí na dTithe agus aon duine a thagann os comhair na dTithe nó a gcoistí a rogha teanga oifigiúla a úsáid. Mar sin, ní fheicim go gcuireann na leasuithe seo go ginearálta leis an méid atá san Acht cheana féin. Is fiú a nótáil go dtiocfaidh Tithe an Oireachtais faoi Acht na gcaighdeán teanga agus go gcuirfidh sé seo leis an leibhéal seirbhíse trí Ghaeilge i gcoitinne.

Deputy Aengus Ó Snodaigh: Tuigim gur féidir léamh a dhéanamh ar na leasuithe mar laghdú stádais ach is é a mhalairt atá i gceist. Tá siad ag déanamh cinnte go bhfuil an stádas ann, rud nach bhfuil fíor faoi láthair. B'fhéidir go ndéanann Tithe an Oireachtais a rialacháin féin ach ní fíor gur féidir le haon duine teacht os comhair Thithe an Oireachtais agus Gaeilge a labhairt, mar is léir nuair nach raibh an córas aistriúcháin ag obair sa choiste le linn na paindéime. Bhí orainn an áit seo a úsáid mar nach bhfuil na hacmhainní ann go fóill. B'fhéidir go bhfuil an ceart agat, cosúil le rudaí eile. Is minic a bhíonn an ceart agat rud a dhéanamh ach níl an acmhainn ann.

Ní ag caitheamh anuas ar aon duine atá mé ach tá fadhb bhunúsach ann. Ní ghlacfaí i gCeanada, sa Fhrainc, i dTír na mBascach ná in aon áit eile a bhfuil dhá nó trí theanga ann le cuid mhór de na bealaí a loiceann an Stát seo ar shaoránaigh. Bheifí os comhair na cúirte gach uile lá. B'fhéidir nach mbeadh an Pharlaimint os a gcomhair ach bheadh sé náirithe go hiomlán. Tréaslaím leo siúd atá ag déanamh iarracht déileáil leis na fadhbanna seo ach is as frustrachas, ar slí amháin, a tháinig na leasuithe a bhfuilimid ag déileáil leo anseo. Is de bharr frustrachais uaim agus ó dhaoine eile. Tá mé bainteach le coiste anseo, le Conradh na Gaeilge, leis an gCeann Comhairle agus le daoine eile atá ag déanamh iarracht déileáil leis, fadhbanna a aithint agus tabhairt fúthu, agus cur chuige ceart a dhéanamh. Chaith an domhan an phaindéim i lár gach rud agus chuamar siar. Tá súil agam gur féidir linn dul chun tosaigh go gasta.

An Ceann Comhairle: I gcomhthéacs na leasuithe seo, féachfaidh mé chuige go ndíreoidh an Coiste Gnó nó pé coiste a bhfuil an dualgas air ar Bhuan-Orduithe an Tí chun feachaint ar féidir linn déileáil leis an bhfadhb seo atá aitheanta ag an Teachta. Déanfaimid é sin go luath.

Tarraingíodh siar an leasú faoi chead.

Níor tairgeadh leasuithe Uimh. 27 agus 28.

An Ceann Comhairle: Tá leasuithe Uimh. 29, 30, 31, 32 agus 33 as ord.

Níor tairgeadh leasuithe Uimh. 29 go 33, go huile.

An Ceann Comhairle: Tá baint ag leasuithe Uimh. 34 agus 37 le chéile agus is féidir iad a phlé le chéile.

Deputy Aengus Ó Snodaigh: Tairgim leasú Uimh. 34:

I leathanach 9, idir línte 17 agus 18, an méid seo a leanas a chur isteach:

“Leasú ar alt 7 den Phríomh-Acht

4. Leasaítear alt 7 den Phríomh-Acht tríd an méid seo a leanas a chur isteach i ndiaidh “teangacha oifigiúla.”:

“(a) Déanfaidh an tAire, tar éis taighde a dhéanamh ar riaráistí na nAchtanna nach bhfuil clóite agus foilsithe ach i gceann amháin den dá theanga oifigiúla go dtí sin, tráth nach déanaí ná bliain tar éis an tAcht seo a achtú, tuarascáil a chur faoi bhráid Thithe an Oireachtais ina leagfar amach scála ama chun na riaráistí a ghlanadh a luaithe is féidir agus moltaí praiticiúla chun oibriú chun gach Bille agus gach Acht den Oireachtas a achtú, a chló agus a fhoilsiú i ngach ceann de na teangacha oifigiúla.

(b) Ní choiscfidh aon ní san alt seo Bille nó Acht a achtú, a chló nó a fhoilsiú go comhuaineach i ngach ceann de na teangacha oifigiúla.”.

Ó thaobh leasú Uimh. 37 de, is tuarascáil atá á lorg uainn maidir le riaráistí Achtanna. Ní bheadh gá leis an leasú seo dá mbeadh an tAire Stáit oscailte roimh leasú Uimh. 36. Níl an locht air nach mbeidh sé á phlé againn toisc go bhfuil sé as ord. Luamar ar Chéim an Choiste go ndéanfar gach Bille agus Acht an Oireachtais a achtú a chló agus a fhoilsiú go comhionann i ngach ceann de na teangacha oifigiúla. Ba chéim mhór a bheadh ann, mar a luaigh mé agus muid ag déileáil leis an leasú deireanach, bogadh sa treo sin, ach is gá é a dhéanamh.

Dá ndéanfaí an rud céanna agus a dhéanann an tAontas Eorpach agus leaganacha Gaeilge agus Béarla a chur le chéile agus ar fáil ó mholtar an Bille sa chéad dul síos, ní bheadh aon fhadhb ó thaobh riaráistí de mar go mbeidís foilsithe agus achtaithe go comhionann. Má dhéileáiltear leis an bhfadhb ar dtús báire, ní bheidh fadhb ann ina dhiaidh. Tá fadhb dhainséarach againn anois toisc an oiread riaráistí atá ann agus ó thaobh na gcúirteanna de agus dóibh siúd atá ag féachaint ar reachtaíocht nó atá ag gabháil don reachtaíocht nuair atá sí achtaithe mar nach bhfuil leagan Gaeilge acu.

Tá sé luaite againn cheana féin agus ag an Aire Stáit díreach ansin go bhfuil an Ghaeilge ina príomhtheanga agus gurb an teanga náisiúnta í. Dá réir, is é an tAcht i nGaeilge an tAcht príomha, ach mura bhfuil sé ann, conas is féidir leis an tAcht a bheith ina dhlí? Ní bheadh fadhb ann dá mbeadh an leagan sin ann, agus mar sin caithimid déanamh cinnte de go ndéileáileann muid leis seo i gceart, agus ní an tAire Stáit an t-aon duine a rinne mé an argóint seo leis. Tá sé déanta agam ó toghadh mé. Chonaiceamar an fhadhb a bhí againn nuair a tháinig an reachtaíocht seo os ár gcomhair i mí na Nollag, toisc nach gnáthchleachtas é reachtaíocht a fhoilsiú go comhionann agus nach raibh go leor de na hoifigigh dhíograiseacha in Oifig na mBillí agus iad ag triail le déileáil leis an reachtaíocht. Fiú ag an stad seo, bhí siad ag obair go dtí 5 a.m. inné ag triail le déileáil leis na leasuithe, leis an ngrúpáil agus le leasuithe a chur as ord. Tá sé deacair orthu toisc nach gnáthchleachtas é. Má bhogaimid i dtreo gnáthchleachtais, éiríonn sé níos éasca agus bíonn tuiscint níos fearr air agus bíonn an trealamh agus an acmhainn ag na hoifigigh.

Chinn na cúirteanna go bhfuil éagóir déanta ar Ghaeilgeoirí nuair nach bhfuil na hAchtanna ar fáil ina dteanga féin. Dúradh fiú go bhfuil seans ann nach bhféadfaí duine a chiontú agus an dlí briste nó coireacht déanta aige nó aici, mura bhfuil fáil ar roinnt de na dlíthe faoina bhfuil sé nó sí á chúisiú, mura bhfuil siad ar fáil as Gaeilge. Dar leis na cúirteanna, ní mór na riaráistí a ghlanadh faoi 2024, nó bheadh impleachtaí sna cúirteanna. Dúradh é sin le déanaí sna cúirteanna, fiú agus Rannóg an Aistriúcháin ag déanamh gach ní is féidir léi chun na hAchtanna nach bhfuil aistrithe a fhoilsiú. Ní féidir leanúint ar aghaidh mar seo agus tuilleadh Achtanna a fhoilsiú.

Bhí an Rialtas ag maíomh le déanaí go raibh níos mó Billí rite agus achtaithe dá réir ná roimhe seo. Beidh Rannóg an Aistriúcháin ag déileáil leo sin agus a tharlaíonn siad ach tá fadhb ann ó thaobh na reachtaíochta de. Bhí tuairisc ag an gcoiste cúpla mí ó shin agus nuair a d'fhéachamar air, ba léir go mbeadh ar an rannóg ceann de na Billí nó na hAchtanna atá os a comhair a ghlanadh gach uile sheachtain idir seo agus 2024 chun na riaráistí a ghlanadh. Tá an t-ualach chomh mór sin uirthi agus tá jab mór uirthi.

Is é sin an fáth go bhfuil mé ag impí go bhféachfaimid ar an gceist seo agus go dtiocfaimid ar ais chuici chomh rialta agus is féidir, ionas go mbeimid in ann déileáil leis agus nach mbeidh aon seans ann in 2024 go mbeadh daoine á shaoradh ó na cúirteanna toisc nach bhfuil an reachtaíocht ar fáil chun iad a chiontú más í sin an fhadhb. Seachas sin, tá sé de cheart ag an saoránach go mbeadh na dlíthe i dteanga náisiúnta an Stáit.

Deputy Catherine Connolly: Ba mhaith liom mo thacaíocht a thabhairt do na leasuithe seo. Tá an Ghaeilge ag feidhmiú i bpolasaí i ndáiríre an t-am uile. Go hoifigiúil, is í teanga oifigiúil na tíre í. Ar lámh eile, tá sí ag feidhmiú mar mhionteanga. Is é sin an fhadhb. Níl an reachtaíocht aistrithe. De réir mar a thuigim, tá plean anois, ach feicfimid.

Is dócha go gclúdaíonn na leasuithe seo, agus an réiteach atá molta ar an bhfhadhb atá leagtha amach, an dearcadh a bhí agus atá ag gach Rialtas ó thaobh na teanga de. Tá sé ann mar shiombail. Tá sí ann mar ornáid ach níl sí ann mar theanga oifigiúil an Stáit. Tá sé thar a bheith deacair domsa, mar Theachta Dála, mo chuid gnó a dhéanamh trí Ghaeilge, beag beann ar m'ábaltacht sa Ghaeilge ach go háirithe de bharr easpa cáipéisí i nGaeilge. Tá a fhios agam go bhfuil dul chun cinn déanta ó thaobh frásaí áirithe chun tacaíocht a thabhairt dúinn. Tá mise in ainm Gaeilge a bheith agam agus tá sé deacair dom. Tuigim cé chomh deacair is atá sé do na Teachtaí Dála eile agus don fhoireann.

Ba mhaith liom an deis a thapú mo bhuíochas a ghabháil le hOifig na mBillí. Bhí jab thar a bheith deacair ag an bhfoireann san oifig agus níl locht ar bith orthu. Mar a dúirt an Teachta Ó Snodaigh, bhí siad ag obair go dtí 5 a.m. agus ag déanamh a ndícheall an Bille seo a chur os ár gcomhair leis na leasuithe uile. Léiríonn sé cé chomh deacair is atá sé do gach duine sa chóras de bharr céimeanna a thógtaí. Níor tharla sé seo thar oíche. Tá sé seo ag tarlú leis na blianta. Anois, táimid sa choirnéal seo le reachtaíocht nach bhfuil athraithe.

Tá dul chun cinn déanta san Eoraip. Tá neart deiseanna san Eoraip agus tá gach rud athraithe anois. Sa tír seo, áit a bhfuil an teanga mar theanga oifigiúil, is é a mhalairt atá i gceist. Níl a fhios agam cad é atá le rá ag an Aire Stáit ach aontaím leis an réasúnaíocht atá taobh thiar de na leasuithe seo. Is mór an trua agus an náire é go bhfuil orainn na leasuithe seo a chur chun cinn agus sa chás seo, go bhfuil ar Shinn Féin na leasuithe seo a chur os comhair na Dála. Ba chóir go mbeadh an fhadhb réitithe roimhe seo.

Deputy Jack Chambers: Ní bheidh mé ag glacadh le leasuithe Uimh. 34 agus 37. Is gnó é de Thithe an Oireachtais gach Bille agus gach Acht an Oireachtais a achtú, a chló agus a fhoilsiú i ngach ceann de na teangacha oifigiúla agus teangaireacht chomhuaineach nó chomhleanúnach ó theanga oifigiúil amháin go dtí an teanga oifigiúil eile a dhéanamh don lucht éisteachta ar aon imeachtaí nó ráitis oifigiúla de chuid an Rialtais. Mholfaínn don Teachta an cheist seo a thógáil le Coimisiún Thithe an Oireachtais agus b'fhéidir go mbeadh seans ag an gCoiste Gnó an cheist seo a phlé freisin.

An Ceann Comhairle: Chun míniú beag a thabhairt do dhaoine, is í an fhadhb is mó ná daoine foirne a earcú do Rannóg an Aistriúcháin. Is é ceann de na príomhfhadhbanna atá ansin ná go bhfuil an Comhphobal Eorpach in ann tuarastal agus coinníollacha i bhfad níos fearr a ofráil dóibh siúd atá cáilithe ná mar atá muidne in ann a dhéanamh anseo. Ní easpa acmhainne ná toille atá ann ach easpa daoine chun teacht agus an obair a dhéanamh.

Deputy Aengus Ó Snodaigh: Aithním é sin. Bhí seisiún maith againn níos luaithe i mbliana le Cléireach na Dála agus Príomh-Aistritheoir Thithe an Oireachtais agus iad ag tabhairt mínithe dúinn faoin gceist seo. A luaithe agus atá Bille achtaithe, ní díreach ceist do Thithe an Oireachtais é nach bhfuil sé ar fáil i nGaeilge, mar go bhfuil tionchar aige ar an dlí. Tá na breithiúna ag caint faoin reachtaíocht agus faoi ionstraimí chomh maith. Tá cinneadh á dhéanamh. Tá a fhios agam go bhfuil an Stát ag déanamh achomharc ar an méid a dúirt breitheamh le déanaí maidir leis na hionstraimí a bheith ar fáil. Tá tionchar ann agus caithfimid déileáil leis. Tá dáta leagtha síos ag na cúirteanna. Tá siad dár gcur ar fionraí ar feadh tamaill. Caithfimid déileáil leis. Tuigim an méid a dúradh ó thaobh an Aontais Eorpaigh de. Tá sé ait go bhfuil an tAontas Eorpach chun tosaigh orainn ó thaobh reachtaíochta agus gach rud eile de. Beimid á náire acusan ó thaobh na Gaeilge agus reachtaíochta de. Níl réiteach na faidhbe agam agus is é sin an fáth go bhfuilimid ag lorg go mbeadh taighde déanta. Tá sé déanta cheana féin. Ní jab mór é. Tá sé déanta agus cuireadh faoi bhráid an choiste é. Tá sé i gceist againn go dtarlóidh sé seo go rialta, gach sé mhí nó bliain mar atá luaite. Ba chóir go mbeadh sé ar an gclár oibre againn agus go dtuigimis cé chomh práinneach is atá sé seo agus go ndéanfaimid déileáil leis. Más gá daoine a tharraingt as an Eoraip, tuilleadh airgid a chur ar fáil nó bealach éigin eile a fháil chun iad a chur ag obair anseo, ba cheart go ndéanfaimis é sin.

9 o'clock

Go bhfios dom, tá na Billí atá á rith agus á achtú againn ar fáil go dátheangach. Mar sin, táimid tar éis déileáil le sin. Is í an fhadhb ná na riaráistí atá ann, roinnt acu ag dul siar tamall maith de bhlianta. Dá bhrí sin, níl leithscéal ar bith ann.

An Ceann Comhairle: Ar mhaith leis an Aire Stáit críochnú ar an ábhar seo?

Deputy Jack Chambers: Níl aon rud eile le rá agam faoi.

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

An Ceann Comhairle: Tá leasuithe Uimh. 35 agus 36 as ord.

Níor tairgeadh leasuithe Uimh. 35 agus 36.

Deputy Aengus Ó Snodaigh: Tairgim leasú Uimh. 37:

I leathanach 9, idir línte 17 agus 18, an méid seo a leanas a chur isteach:

“Úsáid na dTeangacha Oifigiúla sa Rialtas

4. Leasaítear an Phríomh-Acht tríd an alt nua seo a leanas a chur isteach i ndiaidh alt 7:

“Úsáid na dTeangacha Oifigiúla sa Rialtas

7A. Déanfaidh an tAire tuarascáil a ullmhú agus a chur faoi bhráid Thithe an Oireachtais, tráth nach déanaí ná bliain tar éis an tAcht seo a achtú, ina leagfar amach scála ama agus moltaí praiticiúla i dtreo ateangaireacht chomhuaineach nó chomhleanúnach ó theanga oifigiúil amháin go dtí an teanga oifigiúil eile a dhéanamh don lucht éisteachta ar aon imeachtaí oifigiúla nó ráitis oifigiúla béil de chuid an Rialtais.”.

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

An Ceann Comhairle: Tá leasú Uimh. 38 as ord.

Níor tairgeadh leasú Uimh. 38.

Deputy Aengus Ó Snodaigh: Tairgim leasú Uimh. 39:

I leathanach 9, idir línte 17 agus 18, an méid seo a leanas a chur isteach:

“Leasú ar alt 8 den Phríomh-Acht

4. Leasaítear alt 8 den Phríomh-Acht, i bhfo-alt (3), trí “ní mór don chúirt” a chur in ionad “féadfaidh an chúirt”.

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

An Ceann Comhairle: Tá leasuithe Uimh. 40 go 45, go huile, as ord.

Níor tairgeadh leasuithe Uimh. 40 go 45, go huile.

Deputy Aengus Ó Snodaigh: Tairgim leasú Uimh. 46:

I leathanach 9, idir línte 17 agus 18, an méid seo a leanas a chur isteach:

“Leasú ar alt 8 den Phríomh-Acht

4. Leasaítear alt 8 den Phríomh-Acht tríd an bhfo-alt seo a leanas a chur isteach i ndiaidh fho-alt (1):

“(1A) Déanfaidh an tAire, tar éis comhchomhairle a dhéanamh leis an gCoimisinéir Teanga, agus tráth nach déanaí ná bliain tar éis an tAcht seo a achtú, tuarascáil a chur faoi bhráid Thithe an Oireachtais ina leagfar amach na féidearthachtaí atá ann chun an chosaint atá ann don cheart atá ag duine chun an Ghaeilge a labhairt in aon chúirt de réir fho-alt (1) a leathnú lasmuigh den chomhthéacs cúirte ionas go mbeidh cosaint ann don cheart atá ag gach duine chun cumarsáid a dhéanamh trí mheán na Gaeilge in aon áit sa Stát, agus maidir le córas pionós a d’fhéadfaí a chur i ngníomh dóibh siúd a dhéanann sárú ar an gceart sin, ar bhonn mhúnla an Bhirt Breatnaise sa Bhreatain Bheag.”.

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

An Ceann Comhairle: Tá leasuithe Uimh. 47 agus 48 as ord.

Níor tairgeadh leasuithe Uimh. 47 agus 48.

Deputy Aengus Ó Snodaigh: Tairgim leasú Uimh. 49:

I leathanach 9, idir línte 17 agus 18, an méid seo a leanas a chur isteach:

“Leasú ar alt 8 den Phríomh-Acht

4. Leasaítear alt 8 den Phríomh-Acht tríd an bhfo-alt seo a leanas a chur isteach i ndiaidh fho-alt (6):

“(7) Déanfaidh an tSeirbhís Chúirteanna tuarascáil a ullmhú, a fhoilsiú, agus a chur faoi bhráid an Aire agus Thithe an Oireachtais, tráth nach déanaí ná bliain ó achtú an Achta seo, ina leagfar amach moltaí faoi conas na cuspóirí seo a leanas a bhaint amach agus amchlár le haghaidh an dul chun cinn a bheadh ag teastáil chun na cuspóirí sin a bhaint amach roimh an 1 Eanáir 2030:

(a) go dtabharfar gach breithiúnas agus doiciméad cúirte agus go ndrúchtófar gach ordú sa chás sa teanga oifigiúil nó sa dá theanga oifigiúla de réir mar atá roghnaithe ag na páirtithe a úsáid in imeachtaí in aon chás ar leith;

(b) gur trí mheán na Gaeilge a sheolfar na himeachtaí i gcás suí cúirte laistigh den Ghaeltacht, gan dochar do chearta aon pháirtí nó finné a rogha teanga a úsáid faoi réir na bhforálacha sin roimhe seo;

(c) go reáchtálfar suí amháin den Chúirt Dúiche agus suí amháin den Chúirt Chuarda sa limistéar sin ar a laghad in aghaidh na bliana i gcás dúiche den Chúirt Dúiche nó cuaird den Chúirt Chuarda a bhfuil limistéar Gaeltachta inti; agus

(d) go reáchtálfar suí amháin den Chúirt Dúiche ar a laghad agus suí amháin den Chúirt Chuarda ar a laghad in aghaidh an téarma dlí i nGaeltacht Dhún na nGall, i nGaeltacht na Gaillimhe agus i nGaeltacht Chiarraí.”.

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

Deputy Aengus Ó Snodaigh: Tairgim leasú Uimh. 50:

I leathanach 9, idir línte 17 agus 18, an méid seo a leanas a chur isteach:

“Leasú ar alt 8 den Phríomh-Acht

4. Leasaítear alt 8 den Phríomh-Acht tríd an bhfo-alt seo a leanas a chur isteach i ndiaidh fho-alt (6):

“(7) (a) San fho-alt seo, ciallaíonn ‘Acht 1961’ Acht na gCúirteanna (Forálacha Forlíontacha), 1961.

(b) Leasaítear alt 5 d’Acht 1961 tríd an bhfo-alt seo a leanas a chur isteach i ndiaidh fho-alt (7):

“(8) (a) Beidh an cumas ag aon duine cáilithe de réir an ailt seo Bunreacht na hÉireann a léamh agus a thuiscint ina iomláine sa dá theanga oifigiúla sula

gceapfar é nó í ina Bhreitheamh nó ina Breitheamh den Chúirt Uachtarach.

(b) Beidh feidhm ag an bhfo-alt seo maidir le gach ceapachán a dhéanfar tar éis theacht i ngníomh *Acht na dTeangacha Oifigiúla (Leasú), 2021*.’.”.

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

Deputy Aengus Ó Snodaigh: Tairgim leasú Uimh. 51:

I leathanach 9, idir línte 17 agus 18, an méid seo a leanas a chur isteach:

“Leasú ar alt 8 den Phríomh-Acht

4. Leasaítear alt 8 den Phríomh-Acht tríd an bhfo-alt seo a leanas a chur isteach i ndiaidh fho-alt (6):

“(7) (a) San fho-alt seo, ciallaíonn ‘Acht 2008’ Acht na nDlí-Chleachtóirí (An Ghaeilge), 2008.

(b) Leasaítear alt 1 d’Acht 2008—

(i) trí “, a mhéid is réasúnach di déanamh amhlaidh,” i bhfo-alt (2), a scriosadh,

(ii) tríd an bhfo-alt nua seo a leanas a chur isteach i ndiaidh fho-alt (2):

‘(2A) Déanfaidh an Chomhairle na socruithe cuí chun a chinntiú go mbeidh 20 faoin gcéad ar a laghad díobh siúd a nglacfar leo chun cleachtadh mar abhcóidí dlí sna Cúirteanna in aghaidh na bliana amhail ón 31 Nollaig 2030 inniúil sa Ghaeilge ionas gur féidir leo an dlí a chleachtadh trí Ghaeilge chomh maith lena chleachtadh trí Bhéarla; 30 faoin gcéad ar a laghad amhail ón 31 Nollaig 2035; agus 40 faoin gcéad ar a laghad amhail ón 31 Nollaig 2040;’.

(c) Leasaítear alt 2 d’Acht 2008—

(i) trí “, a mhéid is réasúnach dó déanamh amhlaidh,” a scriosadh,”

(ii) trí na focail seo a leanas a chur isteach i ndiaidh “lena chleachtadh trí Bhéarla.”:

‘(ba) Déanfaidh an Cumann na socruithe cuí chun a chinntiú go mbeidh 20 faoin gcéad ar a laghad díobh siúd a nglacfar leo mar aturnaetha in aghaidh na bliana amhail ón 31 Nollaig 2030 inniúil sa Ghaeilge ionas gur féidir leo an dlí a chleachtadh trí Ghaeilge chomh maith lena chleachtadh trí Bhéarla; 30 faoin gcéad ar a laghad amhail ón 31 Nollaig 2035; agus 40 faoin gcéad ar a laghad amhail ón 31 Nollaig 2040.’.”.

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

An Ceann Comhairle: Tá leasuithe Uimh. 52 go 54, go huile, as ord.

Níor tairgeadh leasuithe Uimh. 52 go 54, go huile.

Deputy Pa Daly: Tairgim leasú Uimh. 55:

I leathanach 9, idir línte 17 agus 18, an méid seo a leanas a chur isteach:

“Leasú ar alt 9 den Phríomh-Acht

4. Leasaítear alt 9 den Phríomh-Acht tríd an bhfo-alt seo a leanas a chur isteach i ndiaidh fho-alt (1):

“(1A) (a) San fho-alt seo—

ciallaíonn ‘Acht 1961’ an tAcht um Thrácht ar Bhóithre, 1961;

tá le ‘sín tráchta’ an bhrí chéanna atá leis in alt 95 (arna leasú le halt 37(a)(ii) den Acht um Thrácht ar Bhóithre, 1994) d’Acht 1961.

(b) Tá feidhm ag an bhfo-alt seo maidir le síneacha tráchta nua a chuirfear in airde tar éis theacht i ngníomh an Achta seo, nó i gcás aon athnuachan nó athchóiriú a dhéanfar ar sheansín tráchta tar éis theacht i ngníomh an Achta seo, lena n-áirítear na síneacha sin a bhfuil feidhm ag Rialacháin faoi alt 95(2) d’Acht 1961 maidir leo agus na síneacha sin a bhfuil feidhm ag ordachán faoi alt 95(16) den Acht sin maidir leo.

(c) Ní bheidh feidhm ag an bhfo-alt seo maidir le síneacha a bhí in airde roimh theacht i ngníomh an Achta seo seachas i gcás go mbeidh athnuachan nó athchóiriú á déanamh nó á dhéanamh orthu.

(d) Faoi réir fhorálacha an fho-ailt seo, maidir le haon sín tráchta a chuirfear in airde in aon suíomh sa Stát, is i nGaeilge nó i nGaeilge agus i mBéarla a bheidh sí d’ainneoin aon achtachán eile. I gcás sín tráchta i nGaeilge agus i mBéarla araon:

(i) beidh an téacs i nGaeilge ann ar dtús;

(ii) beidh an téacs i nGaeilge chomh feiceálach leis an téacs i mBéarla nó níos feiceálaí ná é, chomh sofheicthe leis nó níos sofheicthe ná é, agus chomh hinléite leis nó níos inléite ná é;

(iii) ní bheidh na litreacha sa téacs i nGaeilge níos lú, ó thaobh méide de, ná na litreacha sa téacs i mBéarla;

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

(v) ní dhéanfar focal sa téacs i nGaeilge a ghiorrú mura rud é go bhfuil an focal sa téacs i mBéarla, arb é an t-aistriúchán air é, giorraithe freisin;

(vi) i gcás gurb ionann an téacs i nGaeilge agus an téacs i mBéarla nó gurb ionann logainm nó fuaimniú logainm i nGaeilge agus i mBéarla, is leor an leagan Gaeilge;

(vii) d’ainneoin ghinearáltacht an fho-ailt seo, féadfar síneacha tráchta a chur in airde ar síneacha iad atá de réir Chóras Idirnáisiúnta na nAonad arna

ghlacadh ag an Bureau Internationale des Poids et Mesures, arna bhunú le Coinbhinsiún an Mhéadair a síníodh i bPáras in 1875; agus

(viii) i gcás ordú logainmneacha faoi alt 32 a bheith i bhfeidhm de thuras na huaire, déanfar an leagan Gaeilge den fhocal nó de na focail a bheidh sonraithe san ordú a úsáid in aon síneacha tráchta a chuirfear in airde.

(e) I gcás go mbeartófar sín tráchta i nGaeilge agus i mBéarla a shuíomh, agus de thoradh téacs sa dá theanga sin a bheith uirthi, go mbeadh an tsín rómhór, gur dheacair í a léamh nó gur dhócha go mbeadh sí ina bacainn, nó gur dhócha, le linn do dhaoine í a léamh, gur bhaol dóibh féin nó do dhaoine eile a bheadh inti, féadfadh, ina ionad sin, dhá shín a chur ar an suíomh sin, a mbeidh an fhaisnéis lena mbaineann i nGaeilge ar cheann amháin díobh agus i mBéarla ar an gceann eile, ar choinníoll go ndéanfar na forálacha i bhfomhíreanna (c)(ii) go (viii) a chomhlíonadh.

(f) I gcás coimhlint nó díospóid maidir le logainm i suíomh ar bith sa Stát, déanfar cinneadh maidir leis an leagan oifigiúil ceart de réir ailt 31 agus 32, agus cloífidh gach comhartha bóthair lena gcinntí.”.”.

Tugadh aird ar go raibh athainmniú na hÉireann faoi bhrú ó innealtóirí a tháinig as Sasana tuairim is 200 bliain ó shin leis an Ordnance Survey, gur éagóir a bhí ann, agus go bhfuil orainn é a cheartú. Bhí na hainmneacha nádúrtha agus bhí a lán staire agus timpeallacht iontu ag an am sin. Um an dtaca sin, tugadh ainmneacha seafóideacha uaireanta. Tugadh Snavé ar an áit in iarthar Chorcaí darb ainm Snámh. Luaigh mé Skeheenarinky cheana féin, cé gur Sceichín an Rince an t-ainm air. Is amhlaidh an scéal in Úlla i Luimneach. Labhair mé mar gheall ar an play ag Brian Friel faoin trauma a tharla ag an am sin. Is trua go bhfuil toradh na tragóide sin ann faoi láthair. Thart ar 100 bliain ó shin, aistríodh roinnt ainmneacha ar nós Dún Laoghaire agus Port Laoise. Ní raibh aon fhadhb leis sin agus is féidir leis an bpobal na hainmneacha a úsáid. D’aistrigh sinn féin é sin agus beimid bródúil as.

Nuair a bhíomar ag caint leis an gCoimisinéir Teanga ón mBreatain Bheag, dúirt sé nach raibh aon chostas ag baint leis na comharthaí bóthair a d’aistrigh siad go cinn nua. Ní raibh aon chostas breise toisc go raibh na comharthaí á athrú acu ar aon nós. Tá eisceachtaí ann nuair a bhíonn ainmneacha i dteangacha eile a tháinig chun na tíre leis na Lochlannaigh, na Normannaigh, nó daoine as Albain nó Uladh. D’fhéadfadh go mbeadh eisceachtaí ann mar gheall ar chúrsaí turasóireachta agus mar sin de. Tá sé tábhachtach go mbeadh na hainmneacha Gaeilge chun tosaigh agus suite níos airde nó ar an leibhéal céanna leis an ainm Sasanach nó Béarla. Má tá sé ar intinn ag an tAire Stáit na leasuithe seo a dhiúltú, déarfainn leis go dtugann siad a lán soiléireacht agus míniú don teanga agus nach mbeadh aon chostas breise ag baint leo.

Cúpla seachtain ó shin, bhíos ag caint le daoine i nDún Chaoin a bhí ag iarraidh clós súgartha a thógáil ina gceantar. Tá orm mo bhuíochas a ghabháil leis an Office of Public Works agus an tUasal Ó Buachalla a bhí i bhfabhar é sin chun taispeántas agus ráiteas a dhéanamh ionas go mbeadh an Ghaolainn feicthe sa phobal agus seans a thabhairt do dhaoine agus leanaí a bheith ag caint as Gaolainn sa phobal. Dá mbeadh na comharthaí bóthair le feiceáil agus daoine ag tiomáint, bheadh sé sin i bhfad níos fearr. Dúirt an coimisinéir ón Bhreatain Bheag nach féidir an t-ainm Swansea a fheiceáil ar na bóithre. Is é Abertawe an t-aon ainm a fheictear nuair a bhítear ag tiomáint ansin. Sin iad mo thuairimí ar an leasú seo.

Deputy Aengus Ó Snodaigh: Tá an t-ábhar seo tábhachtach agus níor chóir go mbeadh orainn é seo a dhéanamh. B'fhéidir go mbeidh an tAire Stáit in ann labhairt faoi leis an Aire, an Teachta Varadkar, toisc go raibh seisean den tuairim gur cheart é seo a dhéanamh agus gheall sé go dtarlódh sé nuair a bhí sé ina Aire Iompair tamall de bhlianta ó shin. Is leasú simplí é seo. Mar a dúirt Dubhghlas de hÍde, sular ceapadh é mar chéad Uachtaráin an Stáit, i léacht an-cháiliúil in 1892 - bliain sular bhunaigh sé Conradh na Gaeilge - dar teideal, "The Necessity of De-Anglicising the Irish Nation":

I hope and trust a native Irish Government will be induced to provide for the restoration of our place-names on something like a rational basis.

Níor tharla sé seo. Tá ceantair ann ina bhfuil na hainmneacha Béarla agus an tslí inar ghalldaíodh ainmneacha Gaeilge le feiceáil timpeall na tíre agus fós i mbarr a réime. Tá ceantair ann gur masla do stair na hÉireann é an t-ainm coilíneach a choimeád.

Tá an t-ádh linn nach nglaoitear Kingstown ar Dhún Laoghaire a thuilleadh nó Marysborough nó a leithéid de sin, ach tá Charleville á ghlaoch ar Ráth Luirc agus tá áiteanna mar sin. Níl mé ag caitheamh anuas ar dhaoine atá ina gcónaí sna ceantair sin. Is é an rud atá i gceist ná go mbeadh meas againn ar an mbunteanga. Uaireanta, bíonn leaganacha ónár stair gur chóir dúinn iad a choimeád ach is minic a bhíonn níos mó mínithe sa leagan Gaeilge ach bíonn sé caillte mar go bhfuil sé in italics nó i roinnt cásanna fós, sa stíl sean-Ghaeilge. Is féidir le roinnt againn é sin a léamh ach tá a lán daoine eile nach bhfaca riamh iad an sean-stíl - an cló Gaelach - agus nach dtuigeann an séimhiú nó an consan buailte agus a leithéid. Bíonn síntí fada go minic in easnamh ar na comharthaí bóithre seo.

Ní costas mór a bheadh i gceist láithreach mar nach bhfuil sé i gceist againn go mbeadh daoine ag dul timpeall ag tarraingt síos na gcomharthaí bóithre agus ag fáil réidh leo. Is é an t-aon áit a dtarlódh sé sin ná sna háiteanna nach bhfuil aon Ghaeilge in aon chor ann. Tá an iomarca eastáit thithíochta timpeall na cathrach agus in áiteanna eile nach bhfuil ach comhartha i mBéarla orthu agus ní cóir dó sin tarlú. Sa chás seo, nuair atá athrú ag tarlú agus tarlaíonn sé anois is arís go mbeadh athrú déanta, bheadh tús áite ag an nGaeilge agus comharthaí dátheangacha ann. Sna ceantair Ghaeltachta, is i nGaeilge amháin a bheidís, mar a tharlaíonn i mbeagnach gach uile áit eile a bhfuil a leithéid de Ghaeltacht ann, amhail Albain agus an Bhreatain Bheag. Bíonn an féinmheas ag an bpobal i dtíortha eile chun an teanga a aithint.

Deir daoine go mbeadh na turasóirí caillte. Brúnn siad Google Earth nó Google Maps anois. Brúim Google Maps ar mo fhón agus tagann sé suas i nGaeilge. Bíim caillte uaireanta mar go mbíonn aithne agam ar an áit i mBéarla agus bíonn orm míniú a fháil air. Ní dhéanann sí difríocht. Tá a fhios agam cá bhfuil mé ag dul. Má chuirim rud isteach i mBéarla, tagann an léarscáil suas i nGaeilge. Is féidir é a dhéanamh. Ní dhéanann sé dochar ar bith. Cad is brí le "is rud é ó thaobh turasóireachta de"? Má théitear go dtí an Bhreatain Bheag, ceistítear an litriú agus an bhrí taobh thiar dó, déantar é a lorg ar an bhfón póca nó ceannaítear an treoir thurasóireachta atá ann, agus iarrrtar cad atá taobh thiar den ainm. Tá míniú iontach ar gach uile rud sna hainmneacha atá timpeall na tíre. Tá ainm ar gach uile cas, bóthar agus páirc. Tá stair taobh thiar de gach rud. Má tá na logainmneacha caillte agus galldaithe, táimid ag déanamh bréagnaithe ar ár n-oidhreacht. Ní ceist Ghaeilge agus Ghaeltachta amháin í seo. Is ceist oidhreachta í. Ba chóir dúinn glacadh leis seo agus ní dhéanfadh sé mórán ualach a chur orainne mar Stát. Chuirfeadh sé ar na comhairlí áitiúla déileáil i gceart leis an nGaeilge. Tá polasaithe maithe i gcomhairle Bhaile Átha Cliath. Níl a fhios agam an bhfuil an polasaí céanna ó thaobh chomharthaí bóithre, ainmniú eastáit thithíochta agus a leithéid. An bhfuil sé coitianta trí na tíre? Mura

bhfuil, is jab eile é sin dúinn déileáil leis chun go mbeadh sé ag tarlú amach anseo.

Deputy Catherine Connolly: Tacaím leis an leasú seo. Ní féidir smaoineamh ar bhealach níos éasca chun a chur in iúl gur tír dhátheangach atá againn agus go bhfuilimid dáiríre faoin nGaeilge. Tá sé ag teacht leis an méid atá sa straitéis 20 bliain agus leis an bplean ghníomhaíochta chomh fada is go gcuirimid an Ghaeilge i lár an aonaigh agus go mbeidh sí i bhfad níos feiceálaí. Is bealach é seo. Níl airgead breise i gceist. Táimid ag caint faoi chomharthaí nua. Nílimid ag breathnú siar ach ag cur in iúl gur tír dhátheangach í seo agus go bhfuilimid bródúil as ár bhféiniúlacht agus an éagsúlacht atá againn. Níl mórán eile le rá agam. Tá sé chomh simplí éifeachtach sin agus níl a fhios agam cén fáth nach bhfuilimid ag seasamh leis an leasú seo.

Deputy Jack Chambers: Tagann an tAcht um Thrácht ar Bhóithre faoi scáth na Roinne Iompair. Níl sé ina ábhar don reachtaíocht seo. Tuigim gur ceist í seo atá ardaithe ag Conradh na Gaeilge agus ag daoine eile go minic agus ag an Teachta Ó Dálaigh sa Dáil. Tá a fhios agam gur chuir an Roinn Iompair scéim phiólótach ar bun roinnt blianta ó shin ach níor leanadh ar aghaidh leis sin. Chas mé leis an Aire, an Teachta Eamon Ryan, níos túisce i mbliana chun an cheist seo a phlé agus d'iarr mé air athmhachnamh a dhéanamh air. Ní bheidh mé ag glacadh leis an leasú seo.

Deputy Aengus Ó Snodaigh: Is trua é sin. Tá an leasú ag déileáil leis an dualgas reachtúil ó thaobh na Gaeilge de. Is minic a deirtear nach bhfuil feidhm ag an mBille ó thaobh chomharthaí tráchta agus a leithéid agus ba chóir go mbeadh sé i reachtaíocht faoi chóras iompair, chomhairlí contae nó pé áit. Is é seo an áit is cuí. Is é seo an áit gur féidir linn é a dhéanamh. Má thagann reachtaíocht eile, is féidir é a bhogadh nó cur leis amach anseo. Ba chóir dúinn glacadh leis seo agus déanamh cinnte de go bhfuil sé seo ag tarlú. Tá sé geallta thar na blianta. Ní fheicim aon duine ag cur ina choinne mar nach bhfuil aon chostas i gceist. Aontaíonn daoine leis. Ba chóir go mbeadh sé rite agus achtaithe i reachtaíocht. Ní cheart go mbeadh aon dabht ann faoi dhualgais na gcomhairlí contae agus faoi dhualgais an Stáit. Ba chóir go mbeadh ar aon duine atá ag cur chomharthaí tráchta suas na coinníollacha atá leagtha síos anseo a chomhlíonadh. Is ait liom nach bhfuil an tAire Stáit sásta déileáil leis an gceist seo sa tslí atá leagtha síos sa lasú.

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

Níor tairgeadh leasuithe Uimh. 56 agus 57.

Deputy Aengus Ó Snodaigh: Tairgim leasú Uimh. 58:

I leathanach 9, idir línte 17 agus 18, an méid seo a leanas a chur isteach:

“Leasú ar alt 9 den Phríomh-Acht

4. Leasaítear alt 9 den Phríomh-Acht, i bhfo-alt (2), trí “nó ar na meáin shóisialta” a chur isteach i ndiaidh “leis an bpost leictreonach”.”.

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

Deputy Aengus Ó Snodaigh: Tairgim leasú Uimh. 59:

I leathanach 9, idir línte 17 agus 18, an méid seo a leanas a chur isteach:

“Leasú ar alt 9 den Phríomh-Acht

4. Leasaítear alt 9 den Phríomh-Acht, i bhfo-alt (2), trí “le duine nó” a chur isteach i ndiaidh “leis an bpost leictreonach”.”.

Tarraingíodh siar an leasú faoi chead.

Deputy Aengus Ó Snodaigh: Tairgim leasú Uimh. 60:

I leathanach 9, idir línte 17 agus 18, an méid seo a leanas a chur isteach:

“Leasú ar alt 9 den Phríomh-Acht

4. Leasaítear alt 9 den Phríomh-Acht tríd an bhfo-alt seo a leanas a chur isteach i ndiaidh fho-alt (2):

“(2A) (a) Déanfaidh an tAire, tar éis comhchomhairle a dhéanamh leis an gCoiste Comhairleach, agus tráth nach déanaí ná bliain tar éis an fhoráil seo a achtú, tuarascáil a ullmhú agus a chur faoi bhráid Thithe an Oireachtais ina leagfar amach moltaí sonracha agus amchlár chun a chinntiú, i gcás go ndéanann comhlacht poiblí cumarsáid a thionscnamh le duine, le haicme den phobal, nó leis an bpobal, nach mór dó é sin a dhéanamh sa dá theanga oifigiúla mura mbeidh a rogha teanga tugtha ag an duine lena bhfuil cumarsáid á déanamh aige roimh ré, nó más eol dó gur i limistéar pleanála teanga Gaeltachta, de réir Acht na Gaeltachta, 2012, atá cónaí ar an duine lena bhfuil cumarsáid á déanamh aige go bhféadfaidh sé an chumarsáid a dhéanamh sa Ghaeilge amháin.

(b) Ní choiscfidh aon ní san alt seo ar chomhlacht poiblí cumarsáid a thionscnamh sa dá theanga oifigiúla araon nó sa Ghaeilge amháin sula n-eiseofar an tuarascáil nó an t-amchlár de réir fho-alt (1).”.”.

Tarraingíodh siar an leasú faoi chead.

Deputy Aengus Ó Snodaigh: Tairgim leasú Uimh. 61:

I leathanach 9, idir línte 17 agus 18, an méid seo a leanas a chur isteach:

“Leasú ar alt 9 den Phríomh-Acht

4. Leasaítear alt 9 den Phríomh-Acht, i bhfo-alt (3), trí “, lena n-áirítear aon ábhar margaíochta de chuid an chomhlachta nó aon ábhar lena ndéantar margaíocht ar an gcomhlacht poiblí féin nó ar a chuid seirbhísí,” a chur isteach i ndiaidh “chun faisnéis”.

Tarraingíodh siar an leasú faoi chead.

Deputy Aengus Ó Snodaigh: Tairgim leasú Uimh. 62:

4. Leasaítear alt 9 den Phríomh-Acht tríd an bhfo-alt seo a leanas a chur isteach i ndiaidh fho-alt (3):

“(4) Cuirfidh comhlacht poiblí an pobal ar an eolas, trí thairiscint ghníomhach, faoi na seirbhísí a fhéadfaidh daoine a fháil uaidh trí mheán na Gaeilge.”.”

Gheall an tAire Stáit dúinn agus muid ag plé seo roimhe seo go ndéanfaidh sé tairiscint ghníomhach a thabhairt isteach maidir leis na seirbhísí Gaeilge. Is é sin go mbeadh dualgas ar chomhlachtaí poiblí a fhógairt don phobal go bhfuil seirbhísí ar fáil as Gaeilge. Tá súil

agam go gcabhródh na leasuithe seo faoi bhfógraíocht le margaíocht a dhéanamh ar sheirbhísí trí Ghaeilge. Má táimid ag iarraidh daoine a mhealladh chun an Ghaeilge a labhairt, ba chóir mbeidís ar an eolas faoi na seirbhísí atá ar fáil. Ba cheart go mbeadh an Ghaeilge mar default agus go mbeadh ar dhuine an Béarla a lorg seachas a mhalairt, mar atá ag tarlú faoi láthair. Faoi láthair bíonn ort dul ag lorg agus is minic nach léirítear dúinn go bhfuil seirbhísí ar fáil agus go gcuirtear faoi cheilt iad orainn. Ní gá ach féachaint ar roinnt de na suíomhanna Idirlín.

Brúnn tú an cnaipe do Bhéarla nó Gaeilge ach i gcónaí tagann sé suas go huathoibríoch as Béarla ar aon cheann de na suíomhanna. Ar a laghad má tá cnaipe ann, tuigfidh daoine go bhfuil sé ann agus go bhfuil an tseirbhís seo ar fáil i nGaeilge. Má théann daoine isteach in aon cheann de na hoifigí atá ag an Stát ní bhíonn an tseirbhís Ghaeilge ar fáil. B'fhéidir go bhfuil an leaid sin a bhí ag obair ag An Post ar fáil ach go bhfuil sé ar a lón inniu. Is gá go bhfuil a fhios ag daoine go bhfuil an tseirbhís ar fáil. Uaireanta, toisc go nglacann an pobal leis nach bhfuil sé ar fáil, ní lorgaíonn siad é. Ní lorgaíonn siad cóip de rud i nGaeilge nó foirm i nGaeilge. Líonann siad isteach pé rud atá os a gcomhair mar go bhfuil deifir orthu nó a leithéid. Sin an sórt rud atá i gceist, go mbeadh iachall ar na comhlachtaí poiblí a rá, a chraobhscaoileadh agus a fhógairt go bhfuil pé seirbhísí atá acu ar fáil as Gaeilge. Nuair atá an reachtaíocht seo achtaíthe agus i bhfeidhm, cuirfear leis an méid seirbhísí atá ar fáil acu. Faoi láthair tá fíorbheagán seirbhísí ag a lán acu nó níl seirbhís ar bith ann ach diaidh ar ndiaidh beidh níos mó ar fáil. Tá sé tábhachtach dá réir go bhfuil a fhios ag daoine, ní hamháin go bhfuil an tseirbhís ar fáil, ach go bhfuil sí á chraobhscaoileadh. Dá réir, tiocfaidh daoine ag lorg na seirbhíse agus beidh muid in ann a léiriú go bhfuil an tseirbhís ann. Go minic deir daoine nach bhfuil aon duine ag lorg na seirbhíse as Gaeilge nó nach n-úsáideann daoine an tseirbhís ach nuair a chuirtear ceist orthu ar fhógair siad í nó an ndúirt siad le daoine go raibh an tseirbhís ar fáil, 100% den am ní bhíonn siad tar éis aon obair a dhéanamh chun craobhscaoileadh a dhéanamh.

Leasú beag simplí atá i gceist anseo. Níl aon chostas i gceist, ach a mhalairt mar bheadh sé seo ag tabhairt tacaíochta do na heagrais. Má tá siad ag cur seirbhíse ar fáil nó ag cur duine ag déanamh na hoibre sin, cinntíonn sé seo go bhfuil tairbhe ag teacht as agus go bhfuil buntáiste ag dul don chomhlacht. Má dhéanann siad craobhscaoileadh b'fhéidir go bhfaighidh siad níos mó poiblíochta agus níos mó dea-thoil ón bpobal de thairbhe go bhfuil an tseirbhís ar fáil agus an t-aitheantas go bhfuil an tseirbhís ann. B'fhéidir go bhfaighidh siad poiblíocht ó na meáin Ghaeilge nó na heagrais Ghaeilge ag maíomh as agus ag moladh an chomhlachta dá réir.

Deputy Catherine Connolly: Is leasú thar a bheith simplí an leasú seo. Tá súil agam go bhfuil an tAire Stáit ag glacadh leis mar cad atá i gceist anseo ach beart réamhghníomhach chun a chinntiú go bhfuil a fhios ag daoine le Gaeilge go bhfuil seirbhísí ar fáil trí Ghaeilge? Ní thuigim cad í an fhadhb anseo. Is teanga oifigiúil na tíre í an Ghaeilge agus tá an leasú simplí seo ag rá gur chóir cur in iúl do dhaoine go bhfuil seirbhísí ar fáil. Baineann sé i ndáiríre le mo leasú féin, Uimh. 1, atá as ord. An fáth go bhfuil sé as ord ná nach bhfuil baint aige le forálacha an Bhille. Tá a fhios agam nach féidir caint faoi rud nuair atá sé as ord ach ba mhaith liom é a tharraingt isteach anseo mar baineann an méid a bhí i gceist agam le leasú Uimh. 1 leis seo. An rud a bhí á rá agam ná comhthéacs a chur leis an mBille ionas go dtuigeann muid cén fáth go bhfuil an Bille seo ag teastáil. Sin an méid a bhí i gceist agam. Seo brí an Bhille, dar liom. Bhí mé ag iarraidh na habairtí seo a chur isteach:

... chun úsáid na Gaeilge mar theanga choiteann i ngach gné de shaol na hÉireann a chur chun cinn; [sé sin, í a normalú] dá chinntiú go mbeidh [ligfidh mé leis sin mar ní bhaineann sé leis an leasú seo, ach tá sé thar a bheith tábhachtach agus baineann sé le cúrsaí earcaíochta] ... dá chinntiú go mbeidh an ceart ag aon duine ainm agus seoladh i nGaeilge

a úsáid; dá chinntiú go mbeidh seirbhísí trí mheán na Gaeilge ar fáil do phobal na Gaeilge agus na Gaeltachta ...

Sin an t-alt agus tá sé as ord. Ní thuigim agus ní aontaím leis an gcinneadh atá déanta go bhfuil sé as ord. Níl aon airgead i gceist agus cuireann sé leis an mBille agus an bhrí. Tá sé ceangailte, i ndáiríre, leis an rud atá taobh thiar den leasú seo, sé sin, an Ghaeilge a normalú agus a éascú. Má táimid i ndáiríre, sin iad na rudaí is lú a chaithfidh muid a dhéanamh. Tá mé ag tnúth le freagra an Aire Stáit.

An Ceann Comhairle: Tá nóiméad amháin ag an Aire Stáit.

Deputy Jack Chambers: Maidir leis na leasuithe atá as ord, níl aon ról agam i ndáiríre i rialuithe a dhéantar maidir le leasuithe a bheith in ord nó as ord. Is ceist don Cheann Comhairle í sin. Mar is eol do na Teachtaí, sa chás go rialaítear leasú as ord tá an deis ag Teachtaí é a athdhréachtú ionas go mbeidh sé in ord do Chéim na Tuarascála. Mura ndéanann Teachtaí é sin, nó má dhéanann siad iarracht ach nach n-éiríonn leo, is leo siúd a bhaineann sé.

Maidir le leasú Uimh. 62, tá tábhacht ar leith ag baint leis an tairiscint ghníomhach go háirithe chun daoine a spreagadh le seirbhísí Gaeilge a éileamh agus a úsáid. Tuigim go bhfuil an tairiscint ghníomhach mar chuid lárnach den chur chuige ó thaobh cúrsaí teanga sa Bhreatain Bheag. Ba mhaith liom a chinntiú go ndéanfaimid amhlaidh anseo in Éirinn agus dá bhrí sin tá mé ag súil go mbeidh an tairiscint ghníomhach luaite go sonrach sna caighdeáin teanga atá á dhréachtú agus atá le teacht in áit córas na scéimeanna teanga. Ar an mbonn sin, ní féidir liom glacadh leis an leasú seo.

An Ceann Comhairle: Gabhaim buíochas leis an Aire Stáit. Is iontach iad na freagrachtaí atá leagtha agat orainn. Ar aon nós, tá an t-am istigh don díospóireacht seo.

Ó tharla an t-am a cheadaítear le haghaidh na díospóireachta seo a bheith caite, ní foláir dom an cheist seo a leanas a chur, de réir ordú na Dála an 5 Deireadh Fómhair: “Go ndéantar leis seo ar an mBille na leasuithe atá curtha síos ag an Aire Turasóireachta, Cultúir, Ealaíon, Gaeltachta, Spóirt agus Meán, agus nach bhfuil curtha de láimh, agus na cinn sin ar gá athchúrsa i gcoiste ina leith, sa ghnáthchúrsa san áireamh; go gcríochnaítear leis seo an Ceathrú Céim; agus go ndéantar leis seo an Bille a rith.”

Deputy Jack Chambers: Ba mhaith liom mo bhuíochas a ghlacadh le gach Teachta a ghlac páirt sa díospóireacht seo inniu agus le linn Céim an Choiste. Bhí díospóireacht an-mhaith ann agus bhí ionchur fiúntach ag gach Teachta ar an dá thaobh den Teach. Sílim go bhfuil Bille níos fearr againn dá bharr. Ba mhaith liom mo bhuíochas a ghlacadh leis an Seanadóir Seán Kyne, a fuair cead ón Rialtas roimhe seo an Bille a fhoilsiú dhá bhliain ó shin. Táim ag súil le dul isteach sa Seanad anois leis an mBille a phlé arís.

Luaigh an Ceann Comhairle agus Teachtaí eile go raibh Rannóg an Aistriúcháin agus Oifig na mBillí fós ag obair i lár na hoíche Dé Luain chun go mbeadh gach rud réidh don díospóireacht seo. Bhí foireann mo Roinne ag obair i lár na hoíche chomh maith an oíche sin. Ba mhaith liom mo bhuíochas pearsanta a ghlacadh leo siúd agus le foireann an Oireachtais as a dtiomantas don phróiseas reachtaíochta. Ní neart go cur le chéile. Is meitheal atá san obair seo uilig agus tá gach duine – na Teachtaí agus an fhoireann - le tréaslú as an éacht atá déanta anseo. Go raibh míle maith agaibh.

Deputy Aengus Ó Snodaigh: Ba mhaith liom mo bhuíochas a ghabháil leis an Aire Stáit,

le Ruadhán agus leis an bhfoireann ar fad sa Roinn a bhí ag déileáil leis seo. In ainneoin nár aontaigh muid ar gach rud, tá an Bille seo i bhfad Éireann níos fearr ná mar a bhí nuair a smaoiníodh air ar dtús in 2013. Táimid tar éis céim chun tosaigh a ghlacadh. Tá sé i bhfad Éireann níos fearr dó bheith níos fearr. Sin an fáth go raibh leasuithe agam. Cosúil le gach duine eile, gabhaim mo bhuíochas le hOifig na mBillí go háirithe as an obair a rinneadar agus le m'óifig féin, le hEoghan Finn, agus aon duine eile a bhí ag obair air seo, ar nós na heagrais dheonacha a bhí ag féachaint ar an díospóireacht agus na hiriseoirí a bhí ag déanamh tráchta uirthi. Beidh dualgas mór ar an Stát nuair a bheidh an Bille seo achtaithe cearta Gaeilgeoirí agus lucht na Gaeltachta a chosaint agus a shásamh. Tá súil againn gurb é seo tús na hoibre mar go bhfuil an-chuid oibre eile romhainn.

Deputy Pa Daly: Is trua nár glacadh le gach leasú ach beimid ar ais le leasú Uimh. 54 agus beidh lá eile ag an bPaorach. Tá súil agam go n-aistreoidh muid an córas éagórach atá ann faoi láthair.

Deputy Catherine Connolly: Gabhaim mo bhuíochas go háirithe leis an bhfoireann. Níor cheart go raibh orthu a bheith ag obair go dtí 5 a chloig ar maidin ach sin mar atá sé. Gabhaim buíochas leis an Aire Stáit. Tá an ceart aige go raibh díospóireacht mhaith ann ach bheadh díospóireacht i bhfad níos fearr againn mura mbeadh an gilitín i gceist. Bhí an díospóireacht níos láidre gan dabht mar gheall ar obair an choiste agus rannpháirtíocht ó gach ball an choiste. Is é an Bille seo an chéad chéim chun dul i ngleic leis an ngéarchéim atá ann ó thaobh na Gaeilge de, go háirithe sna Gaeltachtaí. Gabhaim buíochas leis an bhfoireann uilig.

An Ceann Comhairle: Déanaim comhghairdeas le chuile duine a bhí páirteach san iarracht seo. Tá súil agam go mbeidh an teanga, atá fiorthábhachtach dúinn ar fad, níos treise de bharr na reachtaíochta seo.

Chuir an tAire in iúl go bhfuil sé ar intinn aige a iarraidh ar an gCeann Comhairle a threorú don Chléireach, de réir Bhuan-Ordú 196, an t-athrú seo a leanas a dhéanamh chun earráid chló i dtéacs an Bhille a cheartú:

Ar leathanach 21, líne 12 – an focal “Tagartha” a chur in ionad an fhocail “Tagarth”

Cuireadh agus aontaíodh an cheist.

An Ceann Comhairle: Cuirfear an Bille chun an tSeanaid anois.

Planning and Development (Climate Emergency Measures) (Amendment) Bill 2021: Second Stage (Resumed) [Private Members]

An Ceann Comhairle: I must now deal with a postponed division relating to the Second Reading motion on the Planning and Development (Climate Emergency Measures) (Amendment) Bill 2021. On Thursday, 30 September 2021, on the question that the Bill be now read a Second Time, a division was claimed and in accordance with Standing Order 80(2), that division must be taken now.

6 October 2021

Health (Amendment) (No. 2) Act 2021: Motion (Resumed)

The following motion was moved by the Minister for Health, Deputy Stephen Donnelly, on Tuesday, 5 October 2021:

That Dáil Éireann resolves that Part 2 of the Health (Amendment) (No. 2) Act 2021 (No. 24 of 2021) shall continue in operation for the period beginning on the 10th day of October, 2021 and ending on the 9th day of January, 2022.

Debate resumed on amendment No. 1:

“To delete the words ‘9th day of January, 2022’ and to substitute the words ‘22nd day of October, 2021’ therefor.”.

-(Deputy Róisín Shortall)

An Ceann Comhairle: I must now deal with a postponed division relating to the motion regarding Part 2 of the Health (Amendment) (No. 2) Act 2021. On Tuesday, 5 October 2021, on the question that the amendment to the motion be agreed to, a division was claimed and in accordance with Standing Order 80(2), that division must be taken now.

Amendment put:

<i>The Dáil divided: Tá, 59; Níl, 73; Staon, 1.</i>		
<i>Tá</i>	<i>Níl</i>	<i>Staon</i>
<i>Andrews, Chris.</i>	<i>Brophy, Colm.</i>	<i>McNamara, Michael.</i>
<i>Bacik, Ivana.</i>	<i>Browne, James.</i>	
<i>Barry, Mick.</i>	<i>Bruton, Richard.</i>	
<i>Berry, Cathal.</i>	<i>Burke, Colm.</i>	
<i>Boyd Barrett, Richard.</i>	<i>Burke, Peter.</i>	
<i>Buckley, Pat.</i>	<i>Butler, Mary.</i>	
<i>Carthy, Matt.</i>	<i>Byrne, Thomas.</i>	
<i>Collins, Joan.</i>	<i>Cahill, Jackie.</i>	
<i>Collins, Michael.</i>	<i>Calleary, Dara.</i>	
<i>Connolly, Catherine.</i>	<i>Cannon, Ciarán.</i>	
<i>Conway-Walsh, Rose.</i>	<i>Carey, Joe.</i>	
<i>Cronin, Réada.</i>	<i>Carroll MacNeill, Jennifer.</i>	
<i>Crowe, Seán.</i>	<i>Chambers, Jack.</i>	
<i>Cullinane, David.</i>	<i>Collins, Niall.</i>	
<i>Daly, Pa.</i>	<i>Costello, Patrick.</i>	
<i>Doherty, Pearse.</i>	<i>Cowen, Barry.</i>	
<i>Donnelly, Paul.</i>	<i>Creed, Michael.</i>	
<i>Ellis, Dessie.</i>	<i>Crowe, Cathal.</i>	
<i>Farrell, Mairéad.</i>	<i>Devlin, Cormac.</i>	
<i>Fitzpatrick, Peter.</i>	<i>Dillon, Alan.</i>	
<i>Funchion, Kathleen.</i>	<i>Donnelly, Stephen.</i>	

<i>Gannon, Gary.</i>	<i>Donohoe, Paschal.</i>	
<i>Gould, Thomas.</i>	<i>Duffy, Francis Noel.</i>	
<i>Guirke, Johnny.</i>	<i>Durkan, Bernard J.</i>	
<i>Healy-Rae, Danny.</i>	<i>English, Damien.</i>	
<i>Healy-Rae, Michael.</i>	<i>Farrell, Alan.</i>	
<i>Howlin, Brendan.</i>	<i>Feighan, Frankie.</i>	
<i>Kenny, Gino.</i>	<i>Fitzmaurice, Michael.</i>	
<i>Kenny, Martin.</i>	<i>Flaherty, Joe.</i>	
<i>Kerrane, Claire.</i>	<i>Flanagan, Charles.</i>	
<i>Mac Lochlainn, Pádraig.</i>	<i>Foley, Norma.</i>	
<i>McGrath, Mattie.</i>	<i>Griffin, Brendan.</i>	
<i>Mitchell, Denise.</i>	<i>Haughey, Seán.</i>	
<i>Munster, Imelda.</i>	<i>Heydon, Martin.</i>	
<i>Murphy, Catherine.</i>	<i>Higgins, Emer.</i>	
<i>Murphy, Paul.</i>	<i>Hourigan, Neasa.</i>	
<i>Murphy, Verona.</i>	<i>Humphreys, Heather.</i>	
<i>Mythen, Johnny.</i>	<i>Kehoe, Paul.</i>	
<i>Nash, Ged.</i>	<i>Lahart, John.</i>	
<i>Nolan, Carol.</i>	<i>Lawless, James.</i>	
<i>O'Callaghan, Cian.</i>	<i>Lowry, Michael.</i>	
<i>O'Donoghue, Richard.</i>	<i>MacSharry, Marc.</i>	
<i>O'Rourke, Darren.</i>	<i>Madigan, Josepha.</i>	
<i>Ó Broin, Eoin.</i>	<i>Martin, Catherine.</i>	
<i>Ó Laoghaire, Donnchadh.</i>	<i>McAuliffe, Paul.</i>	
<i>Ó Murchú, Ruairí.</i>	<i>McConalogue, Charlie.</i>	
<i>Ó Ríordáin, Aodhán.</i>	<i>McGrath, Michael.</i>	
<i>Ó Snodaigh, Aengus.</i>	<i>McGuinness, John.</i>	
<i>Pringle, Thomas.</i>	<i>McHugh, Joe.</i>	
<i>Quinlivan, Maurice.</i>	<i>Moynihan, Aindrias.</i>	
<i>Ryan, Patricia.</i>	<i>Moynihan, Michael.</i>	
<i>Sherlock, Sean.</i>	<i>Murnane O'Connor, Jennifer.</i>	
<i>Shortall, Róisín.</i>	<i>Naughton, Hildegard.</i>	
<i>Smith, Bríd.</i>	<i>O'Brien, Darragh.</i>	
<i>Smith, Duncan.</i>	<i>O'Brien, Joe.</i>	
<i>Stanley, Brian.</i>	<i>O'Callaghan, Jim.</i>	
<i>Tully, Pauline.</i>	<i>O'Connor, James.</i>	
<i>Ward, Mark.</i>	<i>O'Dea, Willie.</i>	
<i>Wynne, Violet-Anne.</i>	<i>O'Donnell, Kieran.</i>	
	<i>O'Donovan, Patrick.</i>	
	<i>O'Dowd, Fergus.</i>	
	<i>O'Gorman, Roderic.</i>	
	<i>O'Sullivan, Christopher.</i>	

	<i>O’Sullivan, Pádraig.</i>	
	<i>Ó Cathasaigh, Marc.</i>	
	<i>Ó Cuív, Éamon.</i>	
	<i>Rabbitte, Anne.</i>	
	<i>Richmond, Neale.</i>	
	<i>Ring, Michael.</i>	
	<i>Smith, Brendan.</i>	
	<i>Smyth, Ossian.</i>	
	<i>Stanton, David.</i>	
	<i>Varadkar, Leo.</i>	

Tellers: Tá, Deputies Róisín Shortall and Cian O’Callaghan; Níl, Deputies Jack Chambers and Brendan Griffin.

Amendment declared lost.

An Ceann Comhairle: The question now is: “That the motion be agreed to.”

Deputy Paul Kehoe: On a point of order, I am a Member of this House for almost 20 years now. Can I ask what are the procedures around Deputies taking photographs in the Chamber of the voting board? I see Deputies Bríd Smith and Gould are great photographers. On the day that Tom Burke from the *Irish Independent* has passed away-----

A Deputy: I would not be pointing fingers.

(Interruptions).

An Ceann Comhairle: The Deputy is entitled to make a point of order.

Deputy Paul Kehoe: The phone would be confiscated if you took a photograph. I think action should be taken.

A Deputy: The Deputy is not in the Fine Gael parliamentary party meeting now.

(Interruptions).

An Ceann Comhairle: Could we have silence, please? It is a well-established fact that neither phones should be used nor photographs taken in the Chamber.

Deputy Paul Kehoe: Hear, hear.

Deputy Thomas Gould: A Cheann Comhairle, my name was mentioned.

Deputy Alan Farrell: That does not mean you have to say something.

A Deputy: The last thing we need to do is hear from him.

(Interruptions).

An Ceann Comhairle: Resume your seat, Deputy.

Deputy Thomas Gould: A Cheann Comhairle, my name was mentioned.

(Interruptions).

An Ceann Comhairle: The Deputy should be allowed to answer. Order, please.

Deputy Thomas Gould: My name was mentioned. I have no problem with people knowing the way I voted. The other point I would say is that if the Member is so worried about phones, he should talk to his leader, the Tánaiste, and everyone else who has their phones in here every day of the week. It is one rule for one and one rule for all. I am not ashamed of-----

(Interruptions).

A Deputy: They would clap for anything in Sinn Féin.

An Ceann Comhairle: Please do not turn the Chamber into a Ballymagash.

(Interruptions).

An Ceann Comhairle: The question now is: "That the motion be agreed to."

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

<i>The Dáil divided: Tá, 78; Níl, 55; Staon, 0.</i>		
<i>Tá</i>	<i>Níl</i>	<i>Staon</i>
<i>Bacik, Ivana.</i>	<i>Andrews, Chris.</i>	
<i>Brophy, Colm.</i>	<i>Barry, Mick.</i>	
<i>Browne, James.</i>	<i>Berry, Cathal.</i>	
<i>Bruton, Richard.</i>	<i>Boyd Barrett, Richard.</i>	
<i>Burke, Colm.</i>	<i>Buckley, Pat.</i>	
<i>Burke, Peter.</i>	<i>Carthy, Matt.</i>	
<i>Butler, Mary.</i>	<i>Collins, Joan.</i>	
<i>Byrne, Thomas.</i>	<i>Collins, Michael.</i>	
<i>Cahill, Jackie.</i>	<i>Connolly, Catherine.</i>	
<i>Calleary, Dara.</i>	<i>Conway-Walsh, Rose.</i>	
<i>Cannon, Ciarán.</i>	<i>Cronin, Réada.</i>	
<i>Carey, Joe.</i>	<i>Crowe, Seán.</i>	
<i>Carroll MacNeill, Jennifer.</i>	<i>Cullinane, David.</i>	
<i>Chambers, Jack.</i>	<i>Daly, Pa.</i>	
<i>Collins, Niall.</i>	<i>Doherty, Pearse.</i>	
<i>Costello, Patrick.</i>	<i>Donnelly, Paul.</i>	
<i>Cowen, Barry.</i>	<i>Ellis, Dessie.</i>	
<i>Creed, Michael.</i>	<i>Farrell, Mairéad.</i>	
<i>Crowe, Cathal.</i>	<i>Fitzmaurice, Michael.</i>	
<i>Devlin, Cormac.</i>	<i>Fitzpatrick, Peter.</i>	
<i>Dillon, Alan.</i>	<i>Funchion, Kathleen.</i>	
<i>Donnelly, Stephen.</i>	<i>Gannon, Gary.</i>	
<i>Donohoe, Paschal.</i>	<i>Gould, Thomas.</i>	
<i>Duffy, Francis Noel.</i>	<i>Guirke, Johnny.</i>	
<i>Durkan, Bernard J.</i>	<i>Healy-Rae, Danny.</i>	

<i>English, Damien.</i>	<i>Healy-Rae, Michael.</i>	
<i>Farrell, Alan.</i>	<i>Kenny, Gino.</i>	
<i>Feighan, Frankie.</i>	<i>Kenny, Martin.</i>	
<i>Flaherty, Joe.</i>	<i>Kerrane, Claire.</i>	
<i>Flanagan, Charles.</i>	<i>Mac Lochlainn, Pádraig.</i>	
<i>Foley, Norma.</i>	<i>McGrath, Mattie.</i>	
<i>Griffin, Brendan.</i>	<i>McNamara, Michael.</i>	
<i>Haughey, Seán.</i>	<i>Mitchell, Denise.</i>	
<i>Heydon, Martin.</i>	<i>Munster, Imelda.</i>	
<i>Higgins, Emer.</i>	<i>Murphy, Catherine.</i>	
<i>Hourigan, Neasa.</i>	<i>Murphy, Paul.</i>	
<i>Howlin, Brendan.</i>	<i>Murphy, Verona.</i>	
<i>Humphreys, Heather.</i>	<i>Mythen, Johnny.</i>	
<i>Kehoe, Paul.</i>	<i>Nolan, Carol.</i>	
<i>Lahart, John.</i>	<i>O'Callaghan, Cian.</i>	
<i>Lawless, James.</i>	<i>O'Donoghue, Richard.</i>	
<i>Lowry, Michael.</i>	<i>O'Rourke, Darren.</i>	
<i>MacSharry, Marc.</i>	<i>Ó Broin, Eoin.</i>	
<i>Madigan, Josepha.</i>	<i>Ó Laoghaire, Donnchadh.</i>	
<i>Martin, Catherine.</i>	<i>Ó Murchú, Ruairí.</i>	
<i>McAuliffe, Paul.</i>	<i>Ó Snodaigh, Aengus.</i>	
<i>McConalogue, Charlie.</i>	<i>Pringle, Thomas.</i>	
<i>McGrath, Michael.</i>	<i>Quinlivan, Maurice.</i>	
<i>McGuinness, John.</i>	<i>Ryan, Patricia.</i>	
<i>McHugh, Joe.</i>	<i>Shortall, Róisín.</i>	
<i>Moynihan, Aindrias.</i>	<i>Smith, Bríd.</i>	
<i>Moynihan, Michael.</i>	<i>Stanley, Brian.</i>	
<i>Murnane O'Connor, Jennifer.</i>	<i>Tully, Pauline.</i>	
<i>Nash, Ged.</i>	<i>Ward, Mark.</i>	
<i>Naughton, Hildegard.</i>	<i>Wynne, Violet-Anne.</i>	
<i>O'Brien, Darragh.</i>		
<i>O'Brien, Joe.</i>		
<i>O'Callaghan, Jim.</i>		
<i>O'Connor, James.</i>		
<i>O'Dea, Willie.</i>		
<i>O'Donnell, Kieran.</i>		
<i>O'Donovan, Patrick.</i>		
<i>O'Dowd, Fergus.</i>		
<i>O'Gorman, Roderic.</i>		
<i>O'Sullivan, Christopher.</i>		
<i>O'Sullivan, Pádraig.</i>		
<i>Ó Cathasaigh, Marc.</i>		

<i>Ó Cuív, Éamon.</i>		
<i>Ó Riordáin, Aodhán.</i>		
<i>Rabbitte, Anne.</i>		
<i>Richmond, Neale.</i>		
<i>Ring, Michael.</i>		
<i>Shanahan, Matt.</i>		
<i>Sherlock, Sean.</i>		
<i>Smith, Brendan.</i>		
<i>Smyth, Ossian.</i>		
<i>Stanton, David.</i>		
<i>Varadkar, Leo.</i>		

Tellers: Tá, Deputies Jack Chambers and Brendan Griffin; Níl, Deputies Mattie McGrath and Pádraig Mac Lochlainn.

Question declared carried.

10 o'clock

Childcare Services: Motion (Resumed) [Private Members]

The following motion was moved by Deputy Kathleen Funchion on Tuesday, 5 October 2021

“That Dáil Éireann:

notes that:

- childcare fees for parents in this State remain amongst the highest in the world;
 - one of the largest financial expenses for parents is childcare fees, forcing many families into debt and financial crisis or out of their current employment; 1699
 - a recent United Nations International Children’s Emergency Fund survey found that some families can spend up to one half of a salary to pay for two children in childcare;
 - parents, particularly women, are not supported with an adequate childcare infrastructure to facilitate their return to work after childbirth;
 - early years workers, who are highly qualified professionals, are paid some of the lowest wages of any sector, with many employed on or just above the minimum wage;
- and
- Covid-19 has intensified the pressure on providers, launching them into a new world of regulations, which has resulted in acute staffing pressures and has played a significant factor in staff retention;

calls on the Government to commit to delivering a State childcare system in Budget 2022 which:

- reduces centre-based childcare fees for parents by at least one-third of current average fees next year and two-thirds thereafter;

- improves the pay and conditions of workers in the sector to ensure that entry-level positions provide for that of a living wage;

- implements pay scales and full continuous professional development for all staff which properly values childcare as a viable long-term career choice; and

- ensures all children and their families have access to good quality and affordable childcare; and

furthermore calls on the Government, within Budget 2022 parameters, to:

- develop a network of Child Contact Centres across the State;

- reinstate the Childminder Advisory Officer Service including the appointment of Childminder Advisory Officers in each Child Contact Centre; and

- increase the Childminder Development Grant by 50 per cent from €1,000 to €1,500.”

Debate resumed on amendment No. 1:

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

“acknowledges:

- the challenges faced by the early learning and childcare sector;

- the particular challenges presented by Covid-19 for the sector and the tremendous efforts by early learning and childcare professionals and service providers during this period to keep services open and safe;

notes that investment in the sector has increased by 141 per cent since 2015 and welcomes the commitment by Government to build on this by at least doubling investment in early learning and childcare by 2028;

recognises:

- the substantial State supports that have been provided to the sector throughout the pandemic that have enabled services to operate safely and ensured that the increased costs associated with public health requirements and with lower demand were not passed on to parents, the supports provided include:

- a continuation of the Department of Children, Equality, Disability, Integration and Youth subsidy schemes on an ex-gratia basis (12th March – 5th April, 2020);

- the Temporary Wage Subsidy Childcare Scheme (TWSCS) (6th April – 28th June, 2020) which cost approximately €50 million;

- the Reopening Funding Package for Childcare Services (29th June – 23rd August, 2020) that included a €14.2 million capital grant, an €18 million Reopening Support Payment, in addition to the Temporary Wage Subsidy Scheme and resumption of the Department of Children, Equality, Disability, Integration and Youth subsidy schemes;

— the July Jobs Stimulus package that included the Employment Wage Subsidy Scheme (EWSS) (which cost approximately €22 million per month at standard rates and €34 million per month at enhanced rates), a Sustainability Support Fund and a full resumption of the Early Childhood Care and Education Programme (from 24th August to end of December 2020); and

— tailored funding arrangements to respond to Level 5 restrictions in the post-Christmas period, that included a new €12 million Covid-19 Operating Support Payment and a new Covid-19 strand of the Sustainability Support Fund, in addition to the EWSS, that allowed services to continue to operate on a sustainable basis for children of essential workers and vulnerable children, while not charging parents who were not accessing services during this period;

— that early learning and childcare employers continue to be entitled to access the EWSS with an exemption to having to demonstrate the drop in turnover that applies to other sectors and since October 2020, EWSS has been paid at enhanced rates and these rates are estimated to cover, on average, 80 per cent of staff costs in the sector, or 50 per cent of total operating costs; and the cost of this measure is €34 million per month;

— that there is strong evidence of the effectiveness of these supports, including:

— the data on services that have closed and opened in 2020 are directly comparable to 2019 so there has been no loss of capacity;

— data from the Office of the Revenue Commissioners indicates that the number of employees in the sector has not changed substantially over the course of the pandemic; and

— data from the Annual Early Years Sector Profile Survey reveals there have been no significant increase in fees charged to parents;

welcomes the commitments in the Programme for Government to:

— establish an agency, Childcare Ireland, to assist in the expansion of high quality childcare, spearheading leadership, best practice and innovation, and professional development in community and private settings;

— continue to invest in the National Childcare Scheme, reducing costs for parents and introducing greater parental choice and flexibility;

— reform the childcare system to create one that brings together the best of community and private childcare provision, is focused on children's rights and quality outcomes, reduces inequalities, supports staff retention, and substantially reduces costs to parents, in consultation with providers, staff, and parents;

— ensure sustainability within the Early Learning and Care and School-Age Care sector, by fast-tracking the work of the Expert Group in considering a new funding model;

— examine the approach of other European countries to set a cap on parental fees, irrespective of income;

— support the establishment of a Joint Labour Committee in the childcare sector and the drawing up of an Employment Regulation Order, which would determine minimum rates of

pay for childcare workers, as well as terms and conditions of employment; and

- extend paid parental leave for parents, to allow them to spend more time with their baby during the first year;

further acknowledges and welcomes the significant progress made to deliver on these commitments, including:

- the introduction and roll out of the National Childcare Scheme to provide subsidies to 80,000 children and reduce costs to parents as well as the review of the Scheme which has recently been completed and will be shortly laid before the Oireachtas;

- the development of a new funding model by end 2021 that will ensure additional investment committed by Government will reduce the costs to parents, ensure additional supports can be provided to children from disadvantaged backgrounds, compensate providers so that they can deliver early learning and childcare on a sustainable and high-quality basis, and attract and retain a well-qualified workforce;

- the development of a workforce development plan for the sector by the end of 2021 that will ensure appropriate numbers of early learning and childcare professionals, support the achievement of qualification targets for the workforce, establish role profiles and a career framework and set out plans to develop a national system of continuing professional development;

- the launch and initial implementation of a National Action Plan for Childminding, that sets out a phased approach to bringing childminders within the scope of State funded supports and regulation over the period 2021-2028, with regional Childminding Development Officers already working with city and county Childcare Committees to provide local-level supports to childminders and commitments to review and reform financial supports for childminding such as the Childminder Development Grant;

- the introduction of regulations for School-Age Childcare, and the publication in September 2020 of National Quality Guidelines for School-Age Childcare Services;

- the recent establishment of a Joint Labour Committee in the early learning and childcare sector to draw up an Employment Regulation Order, which would determine minimum rates of pay for early learning and childcare professionals, as well as terms and conditions of employment; and

- the recognition of early learning and childcare as a strategic investment priority in the revised National Development Plan with significant funding earmarked to increase capacity in the sector in the coming four years;

further notes that the European Commission has welcomed ‘the major efforts and targeted investments in early childhood education and care, which have clear milestones and a plan for evaluation and follow-up’ and encouraged Ireland to ‘maintain the momentum of reforms in improving affordability, access and quality of ECEC’; and

while noting that further developments and investment are required, recognises that there are many positive and progressive elements to the current early learning and childcare sector and acknowledges the planning and preparation that have been undertaken to progress reforms in the sector in the coming years.”

ister for Children, Equality, Disability, Integration and Youth)

An Ceann Comhairle: I must now deal with a postponed division relating to the motion regarding Childcare Services. On Tuesday, 5 October 2021, on the question that the amendment to the motion be agreed to, a division was claimed and in accordance with Standing Order 80(2), that division must be taken now.

Amendment put:

<i>The Dáil divided: Tá, 71; Níl, 62; Staon, 0.</i>		
<i>Tá</i>	<i>Níl</i>	<i>Staon</i>
<i>Brophy, Colm.</i>	<i>Andrews, Chris.</i>	
<i>Browne, James.</i>	<i>Bacik, Ivana.</i>	
<i>Bruton, Richard.</i>	<i>Barry, Mick.</i>	
<i>Burke, Colm.</i>	<i>Berry, Cathal.</i>	
<i>Burke, Peter.</i>	<i>Boyd Barrett, Richard.</i>	
<i>Butler, Mary.</i>	<i>Buckley, Pat.</i>	
<i>Byrne, Thomas.</i>	<i>Carthy, Matt.</i>	
<i>Cahill, Jackie.</i>	<i>Collins, Joan.</i>	
<i>Calleary, Dara.</i>	<i>Collins, Michael.</i>	
<i>Cannon, Ciarán.</i>	<i>Connolly, Catherine.</i>	
<i>Carey, Joe.</i>	<i>Conway-Walsh, Rose.</i>	
<i>Carroll MacNeill, Jennifer.</i>	<i>Cronin, Réada.</i>	
<i>Chambers, Jack.</i>	<i>Crowe, Seán.</i>	
<i>Collins, Niall.</i>	<i>Cullinane, David.</i>	
<i>Costello, Patrick.</i>	<i>Daly, Pa.</i>	
<i>Cowen, Barry.</i>	<i>Doherty, Pearse.</i>	
<i>Creed, Michael.</i>	<i>Donnelly, Paul.</i>	
<i>Crowe, Cathal.</i>	<i>Ellis, Dessie.</i>	
<i>Devlin, Cormac.</i>	<i>Farrell, Mairéad.</i>	
<i>Dillon, Alan.</i>	<i>Fitzmaurice, Michael.</i>	
<i>Donnelly, Stephen.</i>	<i>Fitzpatrick, Peter.</i>	
<i>Donohoe, Paschal.</i>	<i>Funchion, Kathleen.</i>	
<i>Duffy, Francis Noel.</i>	<i>Gannon, Gary.</i>	
<i>Durkan, Bernard J.</i>	<i>Gould, Thomas.</i>	
<i>English, Damien.</i>	<i>Guirke, Johnny.</i>	
<i>Farrell, Alan.</i>	<i>Healy-Rae, Danny.</i>	
<i>Feighan, Frankie.</i>	<i>Healy-Rae, Michael.</i>	
<i>Flaherty, Joe.</i>	<i>Howlin, Brendan.</i>	
<i>Flanagan, Charles.</i>	<i>Kenny, Gino.</i>	
<i>Foley, Norma.</i>	<i>Kenny, Martin.</i>	
<i>Griffin, Brendan.</i>	<i>Kerrane, Claire.</i>	
<i>Haughey, Seán.</i>	<i>Mac Lochlainn, Pádraig.</i>	
<i>Heydon, Martin.</i>	<i>MacSharry, Marc.</i>	

<i>Higgins, Emer.</i>	<i>McGrath, Mattie.</i>	
<i>Hourigan, Neasa.</i>	<i>McNamara, Michael.</i>	
<i>Humphreys, Heather.</i>	<i>Mitchell, Denise.</i>	
<i>Kehoe, Paul.</i>	<i>Munster, Imelda.</i>	
<i>Lahart, John.</i>	<i>Murphy, Catherine.</i>	
<i>Lawless, James.</i>	<i>Murphy, Paul.</i>	
<i>Lowry, Michael.</i>	<i>Murphy, Verona.</i>	
<i>Madigan, Josepha.</i>	<i>Mythen, Johnny.</i>	
<i>Martin, Catherine.</i>	<i>Nash, Ged.</i>	
<i>McAuliffe, Paul.</i>	<i>Nolan, Carol.</i>	
<i>McConalogue, Charlie.</i>	<i>O'Callaghan, Cian.</i>	
<i>McGrath, Michael.</i>	<i>O'Donoghue, Richard.</i>	
<i>McGuinness, John.</i>	<i>O'Rourke, Darren.</i>	
<i>McHugh, Joe.</i>	<i>Ó Broin, Eoin.</i>	
<i>Moynihan, Aindrias.</i>	<i>Ó Laoghaire, Donnchadh.</i>	
<i>Moynihan, Michael.</i>	<i>Ó Murchú, Ruairí.</i>	
<i>Murnane O'Connor, Jennifer.</i>	<i>Ó Ríordáin, Aodhán.</i>	
<i>Naughton, Hildegard.</i>	<i>Ó Snodaigh, Aengus.</i>	
<i>O'Brien, Darragh.</i>	<i>Pringle, Thomas.</i>	
<i>O'Brien, Joe.</i>	<i>Quinlivan, Maurice.</i>	
<i>O'Callaghan, Jim.</i>	<i>Ryan, Patricia.</i>	
<i>O'Connor, James.</i>	<i>Shanahan, Matt.</i>	
<i>O'Dea, Willie.</i>	<i>Sherlock, Sean.</i>	
<i>O'Donnell, Kieran.</i>	<i>Shortall, Róisín.</i>	
<i>O'Donovan, Patrick.</i>	<i>Smith, Bríd.</i>	
<i>O'Dowd, Fergus.</i>	<i>Stanley, Brian.</i>	
<i>O'Gorman, Roderic.</i>	<i>Tully, Pauline.</i>	
<i>O'Sullivan, Christopher.</i>	<i>Ward, Mark.</i>	
<i>O'Sullivan, Pádraig.</i>	<i>Wynne, Violet-Anne.</i>	
<i>Ó Cathasaigh, Marc.</i>		
<i>Ó Cuív, Éamon.</i>		
<i>Rabbitte, Anne.</i>		
<i>Richmond, Neale.</i>		
<i>Ring, Michael.</i>		
<i>Smith, Brendan.</i>		
<i>Smyth, Ossian.</i>		
<i>Stanton, David.</i>		
<i>Varadkar, Leo.</i>		

Tellers: Tá, Deputies Jack Chambers and Brendan Griffin; Níl, Deputies Pádraig Mac Lochlainn and Denise Mitchell.

Amendment declared carried.

Question put: "That the motion, as amended, be agreed to."

<i>The Dáil divided: Tá, 71; Níl, 62; Staon, 0.</i>		
<i>Tá</i>	<i>Níl</i>	<i>Staon</i>
<i>Brophy, Colm.</i>	<i>Andrews, Chris.</i>	
<i>Browne, James.</i>	<i>Bacik, Ivana.</i>	
<i>Bruton, Richard.</i>	<i>Barry, Mick.</i>	
<i>Burke, Colm.</i>	<i>Berry, Cathal.</i>	
<i>Burke, Peter.</i>	<i>Boyd Barrett, Richard.</i>	
<i>Butler, Mary.</i>	<i>Buckley, Pat.</i>	
<i>Byrne, Thomas.</i>	<i>Carthy, Matt.</i>	
<i>Cahill, Jackie.</i>	<i>Collins, Joan.</i>	
<i>Calleary, Dara.</i>	<i>Collins, Michael.</i>	
<i>Cannon, Ciarán.</i>	<i>Connolly, Catherine.</i>	
<i>Carey, Joe.</i>	<i>Conway-Walsh, Rose.</i>	
<i>Carroll MacNeill, Jennifer.</i>	<i>Cronin, Réada.</i>	
<i>Chambers, Jack.</i>	<i>Crowe, Seán.</i>	
<i>Collins, Niall.</i>	<i>Cullinane, David.</i>	
<i>Costello, Patrick.</i>	<i>Daly, Pa.</i>	
<i>Cowen, Barry.</i>	<i>Doherty, Pearse.</i>	
<i>Creed, Michael.</i>	<i>Donnelly, Paul.</i>	
<i>Crowe, Cathal.</i>	<i>Ellis, Dessie.</i>	
<i>Devlin, Cormac.</i>	<i>Farrell, Mairéad.</i>	
<i>Dillon, Alan.</i>	<i>Fitzmaurice, Michael.</i>	
<i>Donnelly, Stephen.</i>	<i>Fitzpatrick, Peter.</i>	
<i>Donohoe, Paschal.</i>	<i>Funchion, Kathleen.</i>	
<i>Duffy, Francis Noel.</i>	<i>Gannon, Gary.</i>	
<i>Durkan, Bernard J.</i>	<i>Gould, Thomas.</i>	
<i>English, Damien.</i>	<i>Guirke, Johnny.</i>	
<i>Farrell, Alan.</i>	<i>Healy-Rae, Danny.</i>	
<i>Feighan, Frankie.</i>	<i>Healy-Rae, Michael.</i>	
<i>Flaherty, Joe.</i>	<i>Howlin, Brendan.</i>	
<i>Flanagan, Charles.</i>	<i>Kenny, Gino.</i>	
<i>Foley, Norma.</i>	<i>Kenny, Martin.</i>	
<i>Griffin, Brendan.</i>	<i>Kerrane, Claire.</i>	
<i>Haughey, Seán.</i>	<i>Mac Lochlainn, Pádraig.</i>	
<i>Heydon, Martin.</i>	<i>MacSharry, Marc.</i>	
<i>Higgins, Emer.</i>	<i>McGrath, Mattie.</i>	
<i>Hourigan, Neasa.</i>	<i>McNamara, Michael.</i>	
<i>Humphreys, Heather.</i>	<i>Mitchell, Denise.</i>	
<i>Kehoe, Paul.</i>	<i>Munster, Imelda.</i>	
<i>Lahart, John.</i>	<i>Murphy, Catherine.</i>	

<i>Lawless, James.</i>	<i>Murphy, Paul.</i>	
<i>Lowry, Michael.</i>	<i>Murphy, Verona.</i>	
<i>Madigan, Josepha.</i>	<i>Mythen, Johnny.</i>	
<i>Martin, Catherine.</i>	<i>Nash, Ged.</i>	
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<i>McConalogue, Charlie.</i>	<i>O'Callaghan, Cian.</i>	
<i>McGrath, Michael.</i>	<i>O'Donoghue, Richard.</i>	
<i>McGuinness, John.</i>	<i>O'Rourke, Darren.</i>	
<i>McHugh, Joe.</i>	<i>Ó Broin, Eoin.</i>	
<i>Moynihan, Aindrias.</i>	<i>Ó Laoghaire, Donnchadh.</i>	
<i>Moynihan, Michael.</i>	<i>Ó Murchú, Ruairí.</i>	
<i>Murnane O'Connor, Jennifer.</i>	<i>Ó Ríordáin, Aodhán.</i>	
<i>Naughton, Hildegard.</i>	<i>Ó Snodaigh, Aengus.</i>	
<i>O'Brien, Darragh.</i>	<i>Pringle, Thomas.</i>	
<i>O'Brien, Joe.</i>	<i>Quinlivan, Maurice.</i>	
<i>O'Callaghan, Jim.</i>	<i>Ryan, Patricia.</i>	
<i>O'Connor, James.</i>	<i>Shanahan, Matt.</i>	
<i>O'Dea, Willie.</i>	<i>Sherlock, Sean.</i>	
<i>O'Donnell, Kieran.</i>	<i>Shortall, Róisín.</i>	
<i>O'Donovan, Patrick.</i>	<i>Smith, Bríd.</i>	
<i>O'Dowd, Fergus.</i>	<i>Stanley, Brian.</i>	
<i>O'Gorman, Roderic.</i>	<i>Tully, Pauline.</i>	
<i>O'Sullivan, Christopher.</i>	<i>Ward, Mark.</i>	
<i>O'Sullivan, Pádraig.</i>	<i>Wynne, Violet-Anne.</i>	
<i>Ó Cathasaigh, Marc.</i>		
<i>Ó Cuív, Éamon.</i>		
<i>Rabbitte, Anne.</i>		
<i>Richmond, Neale.</i>		
<i>Ring, Michael.</i>		
<i>Smith, Brendan.</i>		
<i>Smyth, Ossian.</i>		
<i>Stanton, David.</i>		
<i>Varadkar, Leo.</i>		

Tellers: Tá, Deputies Jack Chambers and Brendan Griffin; Níl, Deputies Pádraig Mac Lochlainn and Denise Mitchell.

Question declared carried.

Energy Prices: Motion (Resumed) [Private Members]

The following motion was moved by Deputy Paul Murphy on Wednesday, 6 October 2021:

“That Dáil Éireann:

recognises:

- that energy prices are currently rising rapidly worldwide;
- the fact that data centres currently take up 11 per cent of electricity produced in Ireland is adding to upward pressure on energy prices, as predicted by Moody’s in 2018;
- that according to the Economic and Social Research Institute, one in six households were in energy poverty in 2019;
- that according to research published by the Society of St. Vincent de Paul in collaboration with RED C Research & Marketing Ltd in March 2021, 19 per cent of people cut back on heating and electricity due to cost, including 42 per cent of those with an illness or disability and 36 per cent of lone parent families;
- that there are between 1,500 and 2,000 excess winter deaths each year, a large percentage of which can be attributed to inadequate heating;
- that many households could be facing an increase in heating and electricity costs of more than €500 annually as a result of the energy price increases;
- that the Fuel Allowance is only paid to 380,000 households, which means a majority 1727 of pensioners as well as low paid workers do not receive it and are not protected from these increases;
- that the low level of energy efficiency of the Irish housing stock means that households are particularly impacted by energy price increases and contributes to high levels of carbon emissions; and
- that the rapid electrification of all sectors of the economy including housing and transport and shifting from fossil fuels to renewable energy for electricity generation is crucial if we are to transition to a zero carbon economy;

notes that:

- the deregulation of the energy supply market and the privatisation of Bord Gáis Energy in 2014 was disastrous for ordinary people;
- when the ESB’s statutory requirement to operate on a not-for-profit and break-even basis was repealed in 2001 electricity prices rose dramatically, resulting in energy poverty, disconnections and an annual 2,800 excess of cold-related deaths;
- the Government has committed to increase carbon tax year-on-year, which is currently set at €33.50 per tonne on fuel and is set to increase by €7.50 per tonne next year;
- the Government’s retrofitting programme, which only targeted retrofitting 2,400 social homes in 2021 out of a total stock of over 160,000, is entirely inadequate; and
- carbon taxes are a regressive form of taxation, that disproportionately impact on lower income individuals and families, and are highly ineffective in making the necessary changes to decarbonise our economy; and

calls on the Government to:

- issue an emergency order under section 61 of the Consumer Protection Act 2007 in relation to the supply of electricity, gas and home heating oil;

- fix a maximum unit price on electricity, gas and home heating oil under section 62 of the Consumer Protection Act 2007;

- at a minimum, not to increase the carbon tax in Budget 2022, as a step towards replacing the carbon tax with a pollution tax on the profits of big polluters, including the fossil fuel industry, big agri-business and data centres;

- implement a national retrofit plan to retrofit every public building and home in the State by 2030, prioritising local authority housing and the homes of those facing fuel poverty;

- increase the rate of Fuel Allowance by €15 a week and increase the means test for eligibility for Fuel Allowance from €100 a week above the State Contributory Pension to €200 a week above the State Contributory Pension; and

- renationalise the energy supply sector, using a publicly owned and democratically controlled energy company to drive a rapid and just transition to a zero carbon economy, including large scale public investment in offshore wind energy.”

Debate resumed on amendment No. 1:

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

“notes that:

- the Government is acutely aware of the recent energy price increases and their impact on households;

- electricity and gas retail price rises, both in Ireland and across Europe, are predominantly related to current international wholesale gas price increases which are in turn reflective of market developments, and these international factors may moderate after this winter;

- Ireland faces particular challenges in this regard as we are a price taker on international markets and that Irish electricity and gas prices have historically been higher than other European Union (EU) countries due to long-standing drivers such as geographical isolation, dispersed population, fossil fuel dependency and small market scale;

- the long-standing policy of successive Governments has been that competitive energy markets result in greater choice for consumers and businesses, in terms of suppliers, products and prices;

- electricity and gas retail markets in Ireland operate within a European regulatory regime wherein electricity and gas markets are competitive;

- operating within this overall EU framework, responsibility for the regulation of the electricity and gas markets is a matter for the Commission for Regulation of Utilities (CRU), which was assigned responsibility for the regulation of the Irish electricity and gas markets following the enactment of the Electricity Regulation Act 1999;

— as part of its statutory role, the CRU also has consumer protection functions, including the monitoring of energy retail markets to ensure that competition continues to develop for the benefit of the consumer;

— under the CRU's consumer protection functions it has provided for priority and vulnerable customers in the various Codes of Practice in the CRU's Electricity and Gas Suppliers' Handbook; and

— the CRU is accountable for the performance of its functions, including on consumer protection, to a Joint Committee of the Oireachtas;

further notes that:

— carbon pricing is an essential element of any credible plan to decarbonise the economy; and

— greenhouse gas emissions from electricity and heat generation, energy-intensive industry sectors and commercial aviation within the European Economic Area are priced through the EU's Emissions Trading System; and

affirms:

— that the best long-term approach for Ireland to insulate consumers from volatility on international wholesale energy markets is to invest in energy efficiency, renewable energy and expand interconnection with European and neighbouring markets to deepen the internal market and competition;

— that the Government is committed to supporting households with their energy costs through energy efficiency measures, with a total retrofit budget in excess of €280 million;

— that over three-quarters of this retrofit budget is targeted at either local authority housing or low-income private households through the Sustainable Energy Authority of Ireland's energy poverty retrofit schemes;

— that the Government's 'Project Ireland 2040 – National Development Plan 2021-2030' provides for an expanded investment well in excess of a billion euro in retrofit between now and 2025;

— that additionally the Government is committed to ringfencing all additional carbon tax revenue as follows:

— approximately one third will be spent on targeted social welfare and other initiatives to prevent fuel poverty and to ensure a just transition;

— just over half will be spent on socially progressive residential retrofitting programmes; and

— the remainder will be spent on incentives for farmers to farm in a greener and more sustainable way;

— that the Government will provide additional social welfare support in the Budget to protect the most vulnerable against fuel price increases;

— that the following social welfare measures can help to alleviate fuel poverty:

— the Fuel Allowance is a payment of €28 per week for 28 weeks (a total of €784 each year) from October to April, to over 370,000 low income households, at an estimated cost of €300 million in 2021;

— the Household Benefits Package, which consists of a set of allowances which help with the costs of running a household, includes allowances towards covering electricity or gas costs and recipients are paid €35 per month;

— under the Supplementary Welfare Allowance scheme a special heating supplement may be paid to assist people in certain circumstances, and exceptional needs payments may be made to help meet an essential, once-off cost which an applicant is unable to meet from his/her own resources; and

— the Living Alone Allowance, which is targeted at recipients of certain social welfare allowances who live alone and often have significantly higher heating costs, is paid at a rate of €19 per week in addition to a primary social welfare payment such as the State pension;

— that, in the long-term, competition between suppliers is an important means of exerting downward pressure on electricity prices; and

— its commitment to a review of the implementation of the Strategy to Combat Energy Poverty (2016) due to be completed by the end of the year.”

-(Minister of State at the Department of the Environment, Climate and Communications, Deputy Ossian Smyth)

An Ceann Comhairle: I must now deal with a postponed division relating to the motion regarding energy prices. On Wednesday, 6 October 2021, on the question that the amendment to the motion be agreed to, a division was claimed and in accordance with Standing Order 80(2), that division must be taken now.

Amendment put:

<i>The Dáil divided: Tá, 75; Níl, 58; Staon, 0.</i>		
<i>Tá</i>	<i>Níl</i>	<i>Staon</i>
<i>Berry, Cathal.</i>	<i>Andrews, Chris.</i>	
<i>Brophy, Colm.</i>	<i>Bacik, Ivana.</i>	
<i>Browne, James.</i>	<i>Barry, Mick.</i>	
<i>Bruton, Richard.</i>	<i>Boyd Barrett, Richard.</i>	
<i>Burke, Colm.</i>	<i>Buckley, Pat.</i>	
<i>Burke, Peter.</i>	<i>Carthy, Matt.</i>	
<i>Butler, Mary.</i>	<i>Collins, Joan.</i>	
<i>Byrne, Thomas.</i>	<i>Collins, Michael.</i>	
<i>Cahill, Jackie.</i>	<i>Connolly, Catherine.</i>	
<i>Calleary, Dara.</i>	<i>Conway-Walsh, Rose.</i>	
<i>Cannon, Ciarán.</i>	<i>Cronin, Réada.</i>	
<i>Carey, Joe.</i>	<i>Crowe, Seán.</i>	

<i>Carroll MacNeill, Jennifer.</i>	<i>Cullinane, David.</i>	
<i>Chambers, Jack.</i>	<i>Daly, Pa.</i>	
<i>Collins, Niall.</i>	<i>Doherty, Pearse.</i>	
<i>Costello, Patrick.</i>	<i>Donnelly, Paul.</i>	
<i>Cowen, Barry.</i>	<i>Ellis, Dessie.</i>	
<i>Creed, Michael.</i>	<i>Farrell, Mairéad.</i>	
<i>Crowe, Cathal.</i>	<i>Fitzmaurice, Michael.</i>	
<i>Devlin, Cormac.</i>	<i>Funchion, Kathleen.</i>	
<i>Dillon, Alan.</i>	<i>Gannon, Gary.</i>	
<i>Donnelly, Stephen.</i>	<i>Gould, Thomas.</i>	
<i>Donohoe, Paschal.</i>	<i>Guirke, Johnny.</i>	
<i>Duffy, Francis Noel.</i>	<i>Healy-Rae, Danny.</i>	
<i>Durkan, Bernard J.</i>	<i>Healy-Rae, Michael.</i>	
<i>English, Damien.</i>	<i>Howlin, Brendan.</i>	
<i>Farrell, Alan.</i>	<i>Kenny, Gino.</i>	
<i>Feighan, Frankie.</i>	<i>Kenny, Martin.</i>	
<i>Fitzpatrick, Peter.</i>	<i>Kerrane, Claire.</i>	
<i>Flaherty, Joe.</i>	<i>Mac Lochlainn, Pádraig.</i>	
<i>Flanagan, Charles.</i>	<i>MacSharry, Marc.</i>	
<i>Foley, Norma.</i>	<i>McGrath, Mattie.</i>	
<i>Griffin, Brendan.</i>	<i>McNamara, Michael.</i>	
<i>Haughey, Seán.</i>	<i>Mitchell, Denise.</i>	
<i>Heydon, Martin.</i>	<i>Munster, Imelda.</i>	
<i>Higgins, Emer.</i>	<i>Murphy, Catherine.</i>	
<i>Hourigan, Neasa.</i>	<i>Murphy, Paul.</i>	
<i>Humphreys, Heather.</i>	<i>Mythen, Johnny.</i>	
<i>Kehoe, Paul.</i>	<i>Nash, Ged.</i>	
<i>Lahart, John.</i>	<i>Nolan, Carol.</i>	
<i>Lawless, James.</i>	<i>O'Callaghan, Cian.</i>	
<i>Lowry, Michael.</i>	<i>O'Donoghue, Richard.</i>	
<i>Madigan, Josepha.</i>	<i>O'Rourke, Darren.</i>	
<i>Martin, Catherine.</i>	<i>Ó Broin, Eoin.</i>	
<i>McAuliffe, Paul.</i>	<i>Ó Laoghaire, Donnchadh.</i>	
<i>McConalogue, Charlie.</i>	<i>Ó Murchú, Ruairí.</i>	
<i>McGrath, Michael.</i>	<i>Ó Riordáin, Aodhán.</i>	
<i>McGuinness, John.</i>	<i>Ó Snodaigh, Aengus.</i>	
<i>McHugh, Joe.</i>	<i>Pringle, Thomas.</i>	
<i>Moynihan, Aindrias.</i>	<i>Quinlivan, Maurice.</i>	
<i>Moynihan, Michael.</i>	<i>Ryan, Patricia.</i>	
<i>Murnane O'Connor, Jennifer.</i>	<i>Sherlock, Sean.</i>	
<i>Murphy, Verona.</i>	<i>Shortall, Róisín.</i>	
<i>Naughton, Hildegard.</i>	<i>Smith, Bríd.</i>	

<i>O'Brien, Darragh.</i>	<i>Stanley, Brian.</i>	
<i>O'Brien, Joe.</i>	<i>Tully, Pauline.</i>	
<i>O'Callaghan, Jim.</i>	<i>Ward, Mark.</i>	
<i>O'Connor, James.</i>	<i>Wynne, Violet-Anne.</i>	
<i>O'Dea, Willie.</i>		
<i>O'Donnell, Kieran.</i>		
<i>O'Donovan, Patrick.</i>		
<i>O'Dowd, Fergus.</i>		
<i>O'Gorman, Roderic.</i>		
<i>O'Sullivan, Christopher.</i>		
<i>O'Sullivan, Pádraig.</i>		
<i>Ó Cathasaigh, Marc.</i>		
<i>Ó Cuív, Éamon.</i>		
<i>Rabbitte, Anne.</i>		
<i>Richmond, Neale.</i>		
<i>Ring, Michael.</i>		
<i>Shanahan, Matt.</i>		
<i>Smith, Brendan.</i>		
<i>Smyth, Ossian.</i>		
<i>Stanton, David.</i>		
<i>Varadkar, Leo.</i>		

Tellers: Tá, Deputies Jack Chambers and Brendan Griffin; Níl, Deputies Richard Boyd Barrett and Paul Murphy.

Amendment declared carried.

Question put: "That the motion, as amended, be agreed to."

<i>The Dáil divided: Tá, 75; Níl, 58; Staon, 0.</i>		
<i>Tá</i>	<i>Níl</i>	<i>Staon</i>
<i>Berry, Cathal.</i>	<i>Andrews, Chris.</i>	
<i>Brophy, Colm.</i>	<i>Bacik, Ivana.</i>	
<i>Browne, James.</i>	<i>Barry, Mick.</i>	
<i>Bruton, Richard.</i>	<i>Boyd Barrett, Richard.</i>	
<i>Burke, Colm.</i>	<i>Buckley, Pat.</i>	
<i>Burke, Peter.</i>	<i>Carthy, Matt.</i>	
<i>Butler, Mary.</i>	<i>Collins, Joan.</i>	
<i>Byrne, Thomas.</i>	<i>Collins, Michael.</i>	
<i>Cahill, Jackie.</i>	<i>Connolly, Catherine.</i>	
<i>Calleary, Dara.</i>	<i>Conway-Walsh, Rose.</i>	
<i>Cannon, Ciarán.</i>	<i>Cronin, Réada.</i>	
<i>Carey, Joe.</i>	<i>Crowe, Seán.</i>	
<i>Carroll MacNeill, Jennifer.</i>	<i>Cullinane, David.</i>	
<i>Chambers, Jack.</i>	<i>Daly, Pa.</i>	

<i>Collins, Niall.</i>	<i>Doherty, Pearse.</i>	
<i>Costello, Patrick.</i>	<i>Donnelly, Paul.</i>	
<i>Cowen, Barry.</i>	<i>Ellis, Dessie.</i>	
<i>Creed, Michael.</i>	<i>Farrell, Mairéad.</i>	
<i>Crowe, Cathal.</i>	<i>Fitzmaurice, Michael.</i>	
<i>Devlin, Cormac.</i>	<i>Funchion, Kathleen.</i>	
<i>Dillon, Alan.</i>	<i>Gannon, Gary.</i>	
<i>Donnelly, Stephen.</i>	<i>Gould, Thomas.</i>	
<i>Donohoe, Paschal.</i>	<i>Guirke, Johnny.</i>	
<i>Duffy, Francis Noel.</i>	<i>Healy-Rae, Danny.</i>	
<i>Durkan, Bernard J.</i>	<i>Healy-Rae, Michael.</i>	
<i>English, Damien.</i>	<i>Howlin, Brendan.</i>	
<i>Farrell, Alan.</i>	<i>Kenny, Gino.</i>	
<i>Feighan, Frankie.</i>	<i>Kenny, Martin.</i>	
<i>Fitzpatrick, Peter.</i>	<i>Kerrane, Claire.</i>	
<i>Flaherty, Joe.</i>	<i>Mac Lochlainn, Pádraig.</i>	
<i>Flanagan, Charles.</i>	<i>MacSharry, Marc.</i>	
<i>Foley, Norma.</i>	<i>McGrath, Mattie.</i>	
<i>Griffin, Brendan.</i>	<i>McNamara, Michael.</i>	
<i>Haughey, Seán.</i>	<i>Mitchell, Denise.</i>	
<i>Heydon, Martin.</i>	<i>Munster, Imelda.</i>	
<i>Higgins, Emer.</i>	<i>Murphy, Catherine.</i>	
<i>Hourigan, Neasa.</i>	<i>Murphy, Paul.</i>	
<i>Humphreys, Heather.</i>	<i>Mythen, Johnny.</i>	
<i>Kehoe, Paul.</i>	<i>Nash, Ged.</i>	
<i>Lahart, John.</i>	<i>Nolan, Carol.</i>	
<i>Lawless, James.</i>	<i>O'Callaghan, Cian.</i>	
<i>Lowry, Michael.</i>	<i>O'Donoghue, Richard.</i>	
<i>Madigan, Josepha.</i>	<i>O'Rourke, Darren.</i>	
<i>Martin, Catherine.</i>	<i>Ó Broin, Eoin.</i>	
<i>McAuliffe, Paul.</i>	<i>Ó Laoghaire, Donnchadh.</i>	
<i>McConalogue, Charlie.</i>	<i>Ó Murchú, Ruairí.</i>	
<i>McGrath, Michael.</i>	<i>Ó Ríordáin, Aodhán.</i>	
<i>McGuinness, John.</i>	<i>Ó Snodaigh, Aengus.</i>	
<i>McHugh, Joe.</i>	<i>Pringle, Thomas.</i>	
<i>Moynihan, Aindrias.</i>	<i>Quinlivan, Maurice.</i>	
<i>Moynihan, Michael.</i>	<i>Ryan, Patricia.</i>	
<i>Murnane O'Connor, Jennifer.</i>	<i>Sherlock, Sean.</i>	
<i>Murphy, Verona.</i>	<i>Shortall, Róisín.</i>	
<i>Naughton, Hildegard.</i>	<i>Smith, Bríd.</i>	
<i>O'Brien, Darragh.</i>	<i>Stanley, Brian.</i>	
<i>O'Brien, Joe.</i>	<i>Tully, Pauline.</i>	

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<i>O'Callaghan, Jim.</i>	<i>Ward, Mark.</i>	
<i>O'Connor, James.</i>	<i>Wynne, Violet-Anne.</i>	
<i>O'Dea, Willie.</i>		
<i>O'Donnell, Kieran.</i>		
<i>O'Donovan, Patrick.</i>		
<i>O'Dowd, Fergus.</i>		
<i>O'Gorman, Roderic.</i>		
<i>O'Sullivan, Christopher.</i>		
<i>O'Sullivan, Pádraig.</i>		
<i>Ó Cathasaigh, Marc.</i>		
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<i>Rabbitte, Anne.</i>		
<i>Richmond, Neale.</i>		
<i>Ring, Michael.</i>		
<i>Shanahan, Matt.</i>		
<i>Smith, Brendan.</i>		
<i>Smyth, Ossian.</i>		
<i>Stanton, David.</i>		
<i>Varadkar, Leo.</i>		

Tellers: Tá, Deputies Jack Chambers and Brendan Griffin; Níl, Deputies Richard Boyd Barrett and Paul Murphy.

Question declared carried.

The Dáil adjourned at 10.30 p.m. until 9 a.m. on Thursday, 7 October 2021.