



Silver service Mageean takes second in 1500m

Ireland's Ciara Mageean celebrates after finishing second in the women's 1500 metre final at the European Championships in the Olympiastadion, Munich, Germany last night.

Magical Mageean strikes silver in Munich, Sports Weekend

Editorial comment, page 15

Photograph: Morgan Treacy/Inpho



An Bord Pleanála chairman under pressure over handling of Hyde claims

Minister told Walsh to block access to files as deputy was still rostered to consider cases

Hyde was never formally interviewed by chairman under specific legal procedures

ARTHUR BEESLEY

Minister for Housing Darragh O'Brien told An Bord Pleanála (ABP) to cut off Paul Hyde's phone and email three days before he stood aside as deputy chairman of the planning body, The Irish Times has learned.

The disclosure casts new light on the controversy that has rocked ABP for months as attention turns to how the body's chairman, Dave Walsh, responded to claims against Mr Hyde of impropriety and conflicts of interest.

The former deputy chairman resigned in July after three months of controversy over alleged conflicts of interest. ABP acknowledged yesterday Mr Hyde was never formally interviewed by Mr Walsh under specific legal procedures for cases in which the chair believes a board member's conduct "has been such as to bring the board into disrepute".

The Minister's move to cut Mr Hyde's phone came in a conversation with Mr Walsh late one Friday night in May when

the Pleanála chairman said Mr Hyde was still rostered to consider planning cases. This was despite Mr Hyde telling the board of his undeclared conflict of interest in an appeal taken by his sister-in-law.

Mr Walsh was told to immediately cut Mr Hyde's access to electronic and paper files as well as phone and email, measures that meant he could not consider any cases.

The intervention led to Mr Hyde's access to the computer systems being withdrawn at 9.09pm on the night of Friday, May 6th, hours after media started reporting his involvement in his sister-in-law's case.

In correspondence issued from Mr O'Brien's office at 10.49pm that Friday night, Mr Walsh was also told to provide a report on the affair to the Minister by noon the following Monday, preferably after interview-

ing the deputy chairman.

Mr Hyde stepped back temporarily from his post that Monday, without prejudice to a barrister's inquiry for the Minister, and resigned two months later. This week, Mr O'Brien sent the report on Mr Hyde by senior counsel Remy Farrell to the Director of Public Prosecutions and the Garda.

Prosecution

People familiar with the case believe Mr Farrell's findings and evidence gathered in his inquiry cannot for legal reasons be used to substantiate any prosecution because investigations are a Garda matter.

There was no comment yesterday from Mr O'Brien on his engagements with Mr Walsh, although the Minister has acknowledged publicly that An Bord Pleanála has been damaged by the Hyde affair.

Mr Hyde, who denies any wrongdoing, also declined to comment.

Fianna Fáil TD Pádraig O'Sullivan said the controversy over Mr Hyde had serious implications for Mr Walsh.

"There's an awful lot that has gone on under the current chair's watch and there are serious questions to answer I would imagine," he said.

"Stepping aside while various investigations, reviews – both internal, external – into the board's operations continue I think might be in the public interest and, most importantly, as I said, in saving some credibility or confidence in the board itself because at the moment it is undoubtedly damaged."

Mr Walsh had no comment on the TD's assertion.

In correspondence with Mr Walsh, the Minister's office noted measures in the Planning and

Development Act 2000 that allow the Pleanála chair to interview any board member.

An Bord Pleanála said a process had been initiated under the relevant part of the Act, with factual material gathered and legal advice sought.

However, An Bord Pleanála said Mr Hyde resigned before the process under the Act was completed. "I can confirm that no interview took place under the [section 110] process," it said.

An Bord Pleanála must now rebuild in wake of Hyde episode, page 3; Editorial comment, page 15

Parents alarmed over gaps in children's learning

CARL O'BRIEN

Education Editor

Many parents are alarmed over gaps in their children's learning due to Covid-related disruption and worry they will lag behind in the new academic year, a new survey shows.

As schools prepare to reopen in the coming weeks, a survey of 1,100 parents by Barnardos shows many parents are worried about their children's academic performance and feel that not enough additional support has been provided to help children catch up.

Schools closed twice for extended periods during the height of the Covid pandemic and many teachers reported

higher levels of absenteeism and lower levels of engagement in the last academic year.

The survey found that only 55 per cent of primary and 44 per cent of secondary school parents said their children had caught up educationally.

A majority of parents at both primary, 55 per cent, and secondary school, 65 per cent, disagreed that the Government had provided sufficient additional support to help children catch up.

One parent told the survey: "My child is behind on her reading due to missing school as a result of Covid. The support teacher that was allocated pre-Covid is no longer available so all responsibility is on me as the par-

ent to teach her."

Stephen Moffatt, national policy manager with Barnardos, said worrying gaps in education and social development among children are evident across its services.

"The additional measures to help children catch up were minimal," he said. "This was a huge proportion of children's lives, which was marked by absenteeism, closed schools, school refusal and other issues. We won't see the full repercussions of this for some time."

Academic research indicates that the most vulnerable pupils – such as children from poorer backgrounds and with additional needs – have experienced the steepest learning losses.

Louise Tobin, principal of St Joseph's Primary School in Tipperary, said teachers have been alarmed at gaps in learning among younger pupils, especially.

"There are significant delays in literacy and numeracy, which came up during our testing, but also in motor development; we've noticed it especially in junior infants up to first class," she said. "Some teachers were shocked at the significant level of delay and gaps in learning."

Minister for Education Norma Foley has pointed to the introduction of a Covid-19 learning and support scheme during the last academic year as an example of the Government's commitment to help children.

The €52 million investment provided extra teaching hours to allow schools to target children who needed it most with additional support. The Deis scheme for schools for disadvantaged areas has also been expanded this year to include an additional 310 schools.

Opposition politicians, however, said many children have fallen through the cracks and more ambition is needed to help tackle learning loss.

Labour's education spokesman Aodhán Ó Riordáin said: "I'm not surprised at the gaps emerging in the survey. We called for a much more ambitious programme of catch-up supports, but it fell on deaf ears."

Weather

A band of rain over Ulster will extend southwards, turning heavy or thundery at times, before clearing later. Highs of 15-22 degrees

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Home News

Housing: Hundreds of millions of euro could be saved if the State built or bought buildings instead of renting them, a Government study has found: page 2

Crime: More than half of hate-related incidents occurred in the Dublin region last year, according to Garda figures: page 4

World News



Ukraine: The Kremlin has said it wants international inspectors to visit a major Russian-controlled nuclear power station near the frontline: page 10

Business Today

Bartra: Developer Richard Barrett has sold a portfolio of four care homes to the listed Belgian property group, Aedifica in a €161 million deal: page 16

CRH: Workers at CRH's main UK subsidiary are threatening strike action over chief executive Albert Manifold's 24 per cent pay hike: page 17

Sports Weekend

Rugby: Ireland women's captain Nichola Fryday is wary of the challenge that awaits her side from Japan in today's historic first Test in Fukuroi City

Soccer: Brazilian midfielder Casemiro has signed for Manchester United from Real Madrid in a deal valued at €60 million

Lerner & Loewe's

My Fair Lady

Directed by Bartlett Sher

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'A ROLLS ROYCE OF A REVIVAL'
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An Bord Pleanála must now rebuild in wake of Hyde episode



Arthur Beesley
Current Affairs Editor

Further action in relation to planning board may be needed following 'confidence-building' measures proposed by Minister

The beginning of the end of Paul Hyde's time in An Bord Pleanála (ABP) came late one Friday night in May but it was only after an intervention from Minister for Housing Darragh O'Brien.

In new disclosures that call into question how ABP chairman Dave Walsh managed serious claims against his deputy, it emerges Hyde remained in line to consider planning cases days after he informed the board of an undeclared conflict of interest in an appeal taken by his sister-in-law.

In political and planning circles, that particular matter was considered highly damaging to Hyde and to ABP. But he remained in post as deputy chairman of the planning appeals body – and there was disquiet in the Department of Housing that he was still in line to decide on cases.

Hyde has denied any wrongdoing, disputing claims of impropriety in his legal declarations to the planning board and allegations he was conflicted in some cases.

An architect by training, Hyde grew up in Cork. He is well-known there in property circles and well-connected politically. He once co-owned a yacht with Minister for Foreign Affairs Simon Coveney, who appointed him to the board of the Irish Marine Institute in 2012. In 2014, he then minister for the environment, Phil Hogan, appointed him to the board of ABP.

He has never spoken publicly about the allegations against him, which surfaced first in reporting by the Ditch, an online news outlet. As well as his work for ABP and declarations to it, the controversy has led to scrutiny of his personal property investments and his debts.

This week O'Brien has sent a senior barrister's report on Hyde's conduct to gardai and the Director of Public Prosecutions, Catherine Pierce. The Minister's move, on foot of advice from Attorney General Paul Gallagher, has raised the prospect of a criminal prosecution being taken against the man who was the second-highest official in ABP before he stood back in May as controversy swirled around him.

The findings made by senior counsel Remy Farrell in his 120-page report for the Minister remain currently unpublished. O'Brien insists he wants to publish the document but must first get the DPP, the concern being to avoid prejudicing any prosecution.

ABP has been carrying out an internal review of Hyde's work and other matters, including "further allegations of wrongdoing". The precise nature of those allegations has not been made public. The review by ABP managers has been under way for months and ABP yesterday said it was now "expected to be completed by the end of August".

The Minister has acknowledged the affair has damaged ABP – and some Government and Opposition TDs say the apparent breakdown in the body's internal controls has serious implications for Walsh as chairman.

Serious questions

"There's an awful lot that has gone on under the current chair's watch and there are serious questions to answer I would imagine," said Fianna Fáil TD Pádraig O'Sullivan, a party colleague of the Minister for Housing who has long experience of planning matters from his time on Cork County Council.

"Stepping aside while various investigations, reviews – both internal, external – into the board's operations continue I think might be in the public interest and most importantly, as I said, in saving some credibility or confidence in the board itself, because at the moment it is



undoubtedly damaged," O'Sullivan added, saying he was speaking in a personal capacity.

"Given the serious nature of their work, given how central it is to the planning process, I think that fundamentally the only way to restore public confidence is to see a big shake-up there."

Walsh was asked through ABP whether he had anything to say about such assertions. No comments were forthcoming from him.

Similarly, Social Democrats housing spokesman Cian O'Callaghan said there were serious issues for Walsh.

Controls

"There's a lot of questions for the chair of the board in terms of what measures were in place to ensure that these sort of allegations [against Hyde] could never have arisen," he said.

"What controls were in place? What role did the chair of the board have in terms of those controls and procedures? Did they fail? Were they operating at all? We haven't had any full statement from the chair of the board on any of these things."

Responding to questions about these assertions, ABP said: "The board's internal review of the issues raised is focused on assessing the robustness and implementation of the systems, controls and procedures in place and on identifying actions to strengthen implementation of such controls, where needed."

Appearing before the Dáil Public Accounts Committee in July, Walsh declined to apologise for the controversy engulfing the body on the basis that the issues were still under review.

Walsh joined ABP as chairman in late 2018 from the Department of Housing, where he was assistant secretary, and it was he who recommended Hyde's appointment as deputy chairman to the then minister for housing, Eoghan Murphy. Hyde took up that post in January 2019, and was chairman of the ABP division that handled special fast-track planning applications for large housing developments, a contentious area which has led to many High Court challenges against ABP decisions.

Facing sharp questions this spring over alleged conflicts of interest in big planning decisions, Hyde insisted for weeks that all was in order in his legal submissions to the planning appeals body.

But a turning point came on Tuesday May 3rd when he told ABP's board secretary that he had signed off in a planning appeal his sister-in-law took in 2021 over works at the Dublin 4 house she co-owns with his brother Stefan Hyde.

Hyde insisted no conflict was declared because he simply did not know the appeal in question was taken by a close family member, or that it concerned his brother's Sandymount property.

But critics were quick to question that assertion, given the sensitivity of his senior role in ABP, a quasi-judicial body which has extensive powers to make or break building projects.

Hyde argued it was not ABP's practice to identify applicants or the exact address when appeals of that nature were presented for sign-off. But the disclosure prompted questions in political and planning circles when The Irish Times and other media reported it around tea-time on Friday, May 6th.

The Irish Times had asked



“It was put on record that O'Brien (above) sought information on the distribution of ABP business among its board members and whether Hyde (below) particularly remained on the roster. Because of the deputy chairman's statement, Walsh's confirmation that he was still in line to consider cases was a matter of specific concern to the Minister



ABP about the case on Wednesday, May 4th, questioning whether Hyde had recused himself from consideration of the appeal his sister-in-law Caroline Barron had taken under her maiden name. He didn't, and ABP's official record of the decision made it clear that no conflict was declared.

The first O'Brien heard about the Sandymount case was at a meeting with officials in his department that Friday evening, three days after Hyde's statement behind the scenes to the ABP secretary. Later that evening Walsh told the Minister that Hyde was still rostered to consider planning cases.

That met a decidedly cold response from O'Brien, who had already taken the serious step of asking senior counsel Remy Farrell to investigate claims made against the deputy chairman.

The Sandymount case meant Hyde's credibility was increasing in question – and there were issues of public confidence and trust for the planning authority itself, which must be seen to be transparent and even-handed in its consideration of all cases.

Still, it seemed Hyde planned to remain in situ and that ABP would, for the time being at least, allow him to do so.

Intense discussions within the Department of Housing followed, culminating in urgent correspondence to Walsh of ABP not long before 11pm that Friday night.

That correspondence reiterated in writing to Walsh the Minister had expressed serious

under planning law to interview an ABP board member and report to the Minister if the chair thinks the member's conduct has brought the board into disrepute or has been prejudicial to its effective performance. The procedure is known as a section 110 process, in reference to the part of the Planning and Development Act that sets out how it should be conducted.

The correspondence went on to say the Minister wanted a report from Walsh by noon the following Monday outlining his opinion on such matters, preferably after interviewing Hyde.

None of this was mentioned when ABP said late that Monday evening that Hyde was temporarily standing aside from his role.

In a statement at that time noting Farrell's appointment and the deputy chairman's denial of the allegations against him, ABP said: "In the context of these ongoing processes, Mr Paul Hyde has agreed with the chairperson to absent himself from his duties as deputy chairperson for the time being, on a strictly without prejudice basis."

Another two months passed before Hyde formally resigned his post.

Asked about Walsh's exchanges with the Minister that Friday in May and in the following days, ABP said the chairman had been liaising with his legal advisers prior to the Minister's correspondence that night "regarding aspects of the allegations" against Hyde.

ABP said: "Prior to initiating the [section] 110 process, the chairperson sought legal advice (including advice from senior counsel) to ensure that the ... process was undertaken in accordance with fair procedures. A failure to adhere to fair procedures could prejudice any subsequent action."

It added: "Consequently, the chairperson's letter to the Minister on 9th May confirmed that relevant factual material was being gathered and legal advice had been sought in connection with Mr Hyde's statutory declarations and the alleged conflicts of interest, to enable the chairperson to reach an informed conclusion on whether to form an opinion under ... the Act."

Resignation

ABP said Walsh's letter confirmed that IT access had been withdrawn from Hyde and that he had agreed to absent himself from his duties for the time being. "Mr Hyde had no further involvement in the consideration of case files. Mr Hyde tendered his resignation to the Minister before the [section] 110 process was completed."

Attempting to boost public confidence in the planning authority, the Minister has signalled an overhaul of its operations. One of the proposed actions is to compel ABP to submit monthly reports on its corporate governance to the Minister, a measure that speaks volumes about the current level of confidence in the institution within the Government.

Senator Victor Boyhan, an Independent member of the Oireachtas housing committee, said the affair raises questions as to whether ABP's board failed in its corporate governance and its duty of care to ensure public confidence in its planning functions.

"I want to know if the Minister has full confidence in An Bord Pleanála and its chairman," Boyhan said.

The Minister's spokeswoman said "yes" when asked whether he had confidence in the chairman. Still, O'Brien told reporters this week there was "no question that damage has been done" to ABP.

Asked whether Walsh believes he has the Minister's confidence, ABP said: "The chairperson and ABP have been co-operating and continue to do so in relation to assessing and addressing matters raised in respect of Mr Hyde and other issues."

ABP added: "We are committed to taking whatever actions are needed to ensure that its systems, procedures and controls are fully adhered to and fit for purpose and to restore full confidence in the board's role and its decision-making functions."

Although the Minister has cast his proposals to overhaul the board as "confidence-building measures", some in Government circles say yet more action might be required.

"The Minister's interventions at the moment can be seen as a stopgap," said O'Sullivan of Fianna Fáil, citing plans for a review of planning legislation in the autumn.

Council blocks development plans for Howth

Company wants to build retirement community and affordable housing

MARK HILLIARD

Plans for a retirement community and affordable housing on protected lands in the picturesque Dublin suburb of Howth have been set back following a council move to block rezoning.

However, Tetrarch, the property investor that purchased 470 acres around Howth Castle in 2019, has commissioned market research on local demand for housing which it is now using in an attempt to win over local councillors.

The company, which also plans to refurbish the castle and replace an existing hotel, is proposing 150 affordable homes – priced under €300,000 – for local residents via a housing agency alongside a retirement community across a total of 16.5 acres.

Some politicians have resisted those ambitions, adamant the lands remain undeveloped in accordance with existing zoning for the benefit of public use, and claiming there is scant local support for the proposals.

Fingal County Council's primary objective over successive development plans has been to limit housing construction in such high-amenity areas and there is no indication that will change.

"The rezoning of these lands is not considered acceptable and is contrary to proper planning and sustainable development of the area," Fingal County Council chief executive Ann Marie Farrelly said in her report, referencing several rezoning submissions in the area.

Ms Farrelly said there was already an "extensive provision" for housing suitable for an older population, permitted in principle on existing zoned land.

Her report further notes that Howth's high-amenity zoning specifically excludes retirement villages and residential care homes.

Its special amenity area order (SAAO) and surrounding "buffer zone" are specifically designated to protect the area from residential development "intended to meet urban-generated demand".

"The council is fully committed to the continued protection of the Howth SAAO and high-amenity landscape," Ms Farrelly wrote.

Regarding a proposed special local objective for social and affordable homes, she said a related change in zoning would represent a "piecemeal, uncoordinated" approach "for which there is no evidence-based need".

Howth Green Party councillor David Healy said the need to protect the open spaces remained paramount.

"There is enormous demand for housing in Howth but there is also a great need to protect the land, which is a great amenity for the city," he said. "We have significant residential development under construction in Howth at the moment."

While the decision appears to sound the death knell for Tetrarch's plans, the developer remains determined. RedC polling it commissioned in the locality showed "very strong" interest across all age groups in affordable homes such as those it has proposed at a price of €300,000.

More than 90 per cent of people trying to buy their first home feel they will ultimately be forced out of the area due to market conditions, the survey found.

Based on 312 face-to-face interviews conducted locally in June, RedC reported strong interest for a senior living development, with most people believing there was a lack of suitable accommodation.

The polling did not specifically reference the need to rezone high-amenity land for development.

Tetrarch principal Michael McElligott said its proposals would deliver on local demands, with housing for 150 families at a price "less than half what a typical family home would cost in the area".

The company is appealing to local councillors for support in the hope of keeping its zoning ambitions alive. In a letter, it sought a meeting to address concerns and said it would soon update the community on its plans.



Comhairliúchán Poiblí i dtaobh Reifreann ar Thithíocht in Éirinn seolta ag an gCoimisiún Tithíochta

Tá comhairliúchán poiblí maidir le reifreann ar thithíocht seolta ag an gCoimisiún Tithíochta chun tuairimí a fháil ar Reifreann ar Thithíocht in Éirinn.

Tá an Coimisiún Tithíochta ag iarraidh tuairimí na fheargóirí a fháil i leith an gá atá le leasú bunreachtúil, agus más amhláigh go bhfuil gá leis, measúnú a dhéanamh ar leagan amach an leasú

Tá an Coimisiún ag iarraidh an oiread daoine agus is féidir a spreagadh lena gcuid tuairimí a thabhairt sa chomhairliúchán seo. Tugtar cuireadh anois do phobal, d'ionadaithe poiblí, eagraíochtaí atá bainteach le tithíocht, daoine atá obair i réimsí bainteacha beartais agus dlí aighneachtaí a chur faoi bhráid chun cuidiú leis an gCoimisiún dul i mbun an chúraim atá aige comhairle neamhspleách a thabhairt don rialtas i ndáil le leasú bunreachtúil a d'fhéadfadh tarlú.

Tá trí cinn de bhealaí ann chun do chuid tuairimí a thabhairt:

- Trí fheagra a thabhairt ar an suirbhé, 'Comhairliúchán Poiblí maidir le Reifreann ar Thithíocht in Éirinn' ag an nasc seo: <https://ec.europa.eu/eusurvey/runner/ReferendumonHousing22>
- Trí aighneacht a sheoladh ar ríomhphost chuig: ConsultHC@housingcommission.gov.ie
- Trí aighneacht a sheoladh leis an bpost chuig: An Coimisiún Tithíochta, Teach an Chustaim, Baile Átha Cliath D01 W6X0;

Cuidigh leis an gCoimisiún aird chuí a thabhairt ar do chuid príomhphointí trí d'aighneacht a choinneáil ag 2,500 focal ar mhéad.

Fanfaidh an comhairliúchán poiblí oscailte go dtí Dé hAoine an 2 Meán Fómhair 2022.

Is féidir tuilleadh a léamh faoin gCoimisiún Tithíochta anseo: <https://www.gov.ie/ga/feachtais/an-coimisiun-tithiochta/>

Housing Commission launches Public Consultation on a Referendum on Housing in Ireland

The Housing Commission has launched a public consultation seeking views on a Referendum on Housing in Ireland.

The Housing Commission asks respondents to consider whether there should be a constitutional amendment and, if so, what form it should take.

The Commission is encouraging as many people as possible to have their say in this consultation. Members of the public, public representatives, organisations involved in housing, people working in related policy and legal areas are now invited to send in submissions to assist the Commission in its task of providing independent advice to the government on a potential constitutional amendment.

There are three ways to provide your views:

- Through responding to the consultation, 'Public Consultation on a Referendum on Housing' at this link: <https://ec.europa.eu/eusurvey/runner/ReferendumonHousing22>
- By emailing a submission to: ConsultHC@housingcommission.gov.ie
- By posting a submission to: Housing Commission, Custom House, Dublin D01 W6X0;

Please help the Commission to engage with your key points by keeping your submission to a maximum of 2,500 words.

The public consultation remains open until **Friday 2nd September 2022**.

Read more about the Housing Commission here: www.gov.ie/housingcommission

Sports Friday**Alexis Mac Allister:
Argentina's 'Irish man'**

GAVIN CUMMISKEY

★ There will never be another Pat Hickey

JOHNNY WATTERSON


Hilary Fannin
From 'snails' to 'cellos', it's all 'viva la vulva' in Goop-land
Arts&Ideas, page 9

Justine McCarthy
Mick Wallace's pro-Iran sympathies strip away his faux radicalism
Opinion, page 10

Business This Week
NCT wait times show up the problems of having a monopoly provider
Caveat, Mark Paul

Top officials objected to dismissal of Varadkar leak inquiry

Dissenting opinions revealed in watchdog decision not to carry out inquiry

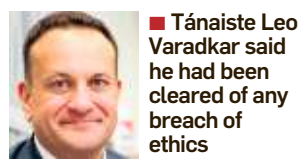
Ombudsman wanted preliminary hearing while C&AG cited 'low grade evidence'

ARTHUR BEESLEY

The public ethics watchdog spurned two of the State's most senior independent officials when it dismissed demands for an inquiry into Leo Varadkar's leak of a draft medical contract during his first term as taoiseach. The Irish Times has learned.

In private statements questioning how the Tánaiste defended leaking the document to a doctor friend, Comptroller and Auditor General Seamus McCarthy and Ombudsman Ger Deering dissented from the decision of the Standards in Public Office Commission (Sipó) to refuse a preliminary inquiry into the affair.

Mr McCarthy made a note saying some of Mr Varadkar's assertions "represent low grade evidence at best" and Mr Deering said the Tánaiste's claims that the document was no longer confidential were not supported by his own statements or public records.



■ Tánaiste Leo Varadkar said he had been cleared of any breach of ethics

The C&AG and Ombudsmen were outvoted by three Sipó commissioners in October when they ruled against an inquiry: the chairman Garrett Sheehan, a retired Court of Appeal judge; Peter Finnegan, clerk of the Dáil; and Martin Groves, clerk of the Seanad.

Split decision

Mr Varadkar said that split decision cleared him of "any breach of ethics or standards". But internal files released under the Freedom of Information Act show Mr McCarthy and Mr Deering wanted their objections noted.

The disclosures come eight days before Mr Varadkar starts his second term as taoiseach, at a time when he had hoped to have put the leak affair behind him.

After a long Garda investigation, the Director of Public

Prosecutions decided in July that the Tánaiste should not face criminal charges.

Still, Sipó examined the case under ethics law after receiving three complaints about the leak. The majority ruled against a preliminary investigation on the basis that Sipó had no remit to consider either the lawfulness of Mr Varadkar's action or the extent of the powers of the office of taoiseach.

'Significant interest'

In his statement, however, Mr McCarthy said Mr Varadkar implied that "any actions in his role as taoiseach" that he judged appropriate or in the public interest could not be questioned.

"Respondent argues that, at the stage he acted, there was no reason for the document to be treated as confidential, since so much of the detail was already in the public domain, and publication was imminent," he said.

"Assertions by the respondent represent low grade evidence at best, in a matter in which he has a significant interest."

Mr McCarthy also said it was "not relevant" to assert no one had made representations saying expectations of confidentiality were breached or that no harm had been done to anyone's interests.

Preliminary inquiry

Mr Deering argued Mr Varadkar was "not beyond the reach of Sipó", saying the complaints should proceed to a preliminary inquiry.

Such an inquiry is a fact-finding exercise before deciding whether there should be a full inquiry.

Mr Sheehan sent an email to a Sipó official the day after Mr Deering's statement: "Can you please also forward to me a copy of what Seamus McCarthy handed in to you on Friday. Would you please also remind me what Ger Deering has tried to do."

➔ **Varadkar's explanations cut no ice with two Sipó members: page 3**



A cracking performance Irish National Youth Ballet returns

Dancers perform in the Irish National Youth Ballet's production of The Nutcracker, its first run of unrestricted shows since 2019. The production, which features 46 dancers aged 10-20, runs until tomorrow night at The Helix in Dublin.

Photograph: Inpho/Tom Maher

Meta scales back plan to occupy new Dublin 4 HQ

Facebook owner tells agent to find occupier for Fibonacci Square development

RONALD QUINLAN and CORMAC MCQUINN

Facebook has decided not to occupy Fibonacci Square, the 34,838sq m (375,000sq ft) office space developed by Johnny Ronan's RGRE as part of the tech giant's new European headquarters in Dublin 4.

Having signed a 25-year

lease on the Ballsbridge property in November 2018, the company's parent, Meta, has now instructed agent Cushnagh & Wakefield to sublet all four of the newly developed blocks to a new occupier or occupiers.

The news of Meta's decision to sublet the space comes at a time of turbulence and retrenchment among tech compa-

nies worldwide.

Meta announced that it would cut about 350 jobs in Ireland last month as part of global cutbacks, while Twitter has confirmed 140 redundancies in the wake of Elon Musk's takeover.

'Slow-down'

The Facebook owner will still occupy the 31,536sq m (339,456sq ft) of office space across the four blocks to the rear of its new European headquarters campus in Ballsbridge.

The office blocks are in the Dublin Bay South constituency of Labour Party leader Ivana

Bacic. She said the news that Meta will not occupy the buildings is "symptomatic from what I'm hearing about a slow-down in the pipeline of big construction projects as we're seeing increasing uncertainty among investors and among developers about the economic situation".

She said: "I do hope they can find alternative tenants precisely because I'm conscious in my own constituency how many people are employed directly by the big tech companies. For those working in these firms I think it's really uncertain time" and the recent job

losses in the sector have been "a huge worry to many people".

Asked if Tánaiste Leo Varadkar is concerned at the news, a spokesman for the Department of Enterprise said he was "of course concerned" at recent developments in the tech sector but that the economy is "well-diversified".

He added: "The Department and its agencies are in close contact with companies involved in recent job loss announcements and we are working with them to minimise the impact on people's livelihoods and the wider economy."

It remains unclear at this point what impact, if any, Meta's decision will have on the much-anticipated sale of Fibonacci Square to the family firm of Zara founder Amancio Ortega. While Pontegadea had been due to exchange contracts with the scheme's owners, Fortress, four weeks ago, the signing was delayed as the blocks had not yet reached practical completion.

The Irish Times understands that, as of yesterday, the deal with Pontegadea remains on track for a price of about €525 million.

UCC repatriates mummified human remains to Egypt

OLIVIA KELLEHER

University College Cork (UCC) has announced it is to repatriate a number of objects in its heritage collection to the Egyptian State.

The items in question include mummified human remains, a sarcophagus, a set of four Canopic jars, and items of cartonnage (coverings) dating from about 975BC to 100AD.

UCC is collaborating with the Egyptian Embassy, the Department of Foreign Affairs and the National Museum of Ireland over how best to prepare and transport the objects, which is expected to take place next year.

The university came into possession of the mummified remains through a donation in 1928. The only available records show that "a mummy of an Egyptian Queen" was donated

to the college by the "African Missionaries" on Cork's Blackrock Road. This record is understood to refer to both the sarcophagus and the mummified human remains.

Initially there was a mistaken assumption that the mummified remains were that of a queen because the sarcophagus was excavated from the Valley of the Queens. However, it has since been established the remains are that of an adult male, estimated to be between 45 and 50 years old.

Inscription

The wrapping of the remains date it at around 305BC to 500AD. The sarcophagus is wooden, probably made from sycamore, and dates from between 625 to 600BC. An inscription indicates it belonged to a man named Hor.

The coffin was excavated by

Ernesto Schiaparelli sometime between 1903 and 1904, from tombs in the Valley of the Queens. It is possible that it was subsequently sold at the Salle de Vente in the Egyptian Museum in Cairo.

The four Canopic jars, purchased by UCC from the firm of JE and EK Preston, in Harrogate, Yorkshire, England between 1911 and 1912, are believed to be the oldest of all the items being returned to the Egyptian state, with an estimated date of between 945-700BC.

The set of cartonnage pieces in the collection date to before 100AD. They comprise a chest covering, lower body covering, foot case and head covering.

The journey to Egypt by UCC's mummy is to be documented in Kinship, a creative project led by artist Dorothy Cross and producer Mary Hickson.

Weather

Dry in most parts with low sunshine. Very cold with icy stretches and some lying snow. Highs of 0 to 4 degrees.

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Home News

Health: Consultants sought four-month paid sabbaticals every seven years as part of a generous package that was shot down during pay talks: page 2

Car trade: The number of used car registrations has plummeted since Brexit, the Dáil's PAC has heard: page 3

World News

Germany: Investigators say further arrests are likely over an alleged coup d'état plot by a far-right group, particularly among police and army officers: page 7

Business This Week

Medicine: Pharmacists are calling for a "serious shortage protocol" to allow them to dispense alternatives for some prescription medicines amid supply issues.

Retail: Stationery and books retailer Eason has shelved a plan to sell its flagship O'Connell Street store in Dublin.

Sports Friday

Gaelic games: Kevin McStay's Mayo against Galway is set to be the standout tie on the first weekend of the 2023 Allianz Football League.

Rugby: The IRFU has pledged an additional €1 million towards boosting facilities and pathways development for women in the sport.

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€18.5m social housing scheme to be built on city site without developer

Housing association Circle hires builder 'directly' to construct 47 apartments

OLIVIA KELLY
Dublin Editor

An €18.5 million social housing scheme is to be constructed on a vacant site in Dublin city centre under the first "direct build" social housing scheme in generations.

Voluntary housing association Circle has begun work on 47 apartments on a former Dublin City Council site on Railway Street, behind the old Seán McDermott Street Magdalene laundry building, which was first earmarked for regeneration more than seven years ago.

Unlike the standard model which has been in use for the de-

livery of social housing for several decades, the scheme will not involve a developer with Circle instead hiring a builder to construct the apartments under a direct-build contract.

"Normally we would buy off the peg from developers," Circle chief executive John Hannigan said. "What normally happens is we agree a forward purchase contract or a turnkey contract which says that the developer would go off and build X number of homes and we pay for them at the end of the period. You're reliant upon the developer to do all the work in terms of the planning and building, and sell it at a price to us at

the end. This one we're building directly ourselves. We've procured the builders, we've procured the architects, and we are being funded directly to build this. So we are in control of the whole process from start to finish."

The project is being funded by the Department of Housing and through a loan facility from AIB, Mr Hannigan said.

"It's the first time AIB have lent to an approved housing body for construction as well as long-term investment.

"They're funding the construction, and at the end of that we transfer it into a long-term loan with AIB. It's the first time they've done this in the AHB sector for social housing and hopefully not the last time because we are hoping to do much more with them and on a much bigger scale."

In addition to having more control over the specifications and finishes of the apartments, the direct-build contract is designed to achieve cost savings, Mr Hannigan said.

"We can save money in two ways on this particular build. We've been able to buy the site at a good price from Dublin city so we're not paying huge developer profits on the land price which keeps the cost down. And because we're the developer effectively, there are no developer profits involved, so we come in cheaper than we would have done otherwise."

Open market

Circle paid the council approximately €1.2 million for the site, which Mr Hannigan said would be valued at approximately €7 million on the open market. The apartments, 10 one-bed-

27 two-beds and 10 three-beds, are costing an average of €375,000. While this is less than if Circle was buying from a developer, it is significantly more than Circle had projected when it began talks with the council in 2015.

"If we had done this seven years ago or even five years, we would have got that around €250,000 each. We've seen very significant cost inflation over that period of time."

The delays were challenging Mr Hannigan said.

"Quite a bit of time was spent trying to work through local consultation, trying to get the design right, trying to understand what was required in the locality."

"Then we ran into difficulties in respect of funding. It took a period of time to actually get it to cross the line from a State

perspective and from a private finance perspective."

The planning process was also lengthy he said. "We had a lot of objections, primarily from homeowners in the surrounding area, but some who weren't in the surrounding area but who wanted to object to the height." The blocks range from four to seven storeys.

The site was previously part of the old Liberty House flat complex, but had been vacant for many years and become a source of difficulties locally, said the council's area housing manager, Paul White.

"It has been a long time in the works, but it is a really positive development for the area."

It is expected to be ready for tenants, who will be nominated from the council's housing waiting list, within 12 to 18 months.

Varadkar's explanations cut no ice with two Sipo members



Arthur Beesley

Current Affairs Editor

Tánaiste declared affair closed but divisions in ethics watchdog ran deep

The question for Sipo was whether it should initiate a preliminary inquiry into the affair, essentially a fact-finding exercise, before deciding on a full-blown investigation.

Sipo sought legal opinions and wrote to Varadkar on September 29th seeking views on document confidentiality, his powers as taoiseach and "your motivation for sharing the document."

Varadkar replied on October 3rd, enclosing his 2021 Garda statement and press and Dáil statements: "It is the full truth about what occurred and has stood up to the scrutiny of a thorough Garda investigation and that of the DPP."

The document was "empirically not" a contract, he insisted. Though watermarked "confidential and not for circulation", it was no longer confidential because the IMO "announced" the deal and the HSE "launched" it. "I think it is noteworthy that in the course of the two years since this matter came to public attention, nobody has come forward to say that I breached their confidentiality," Varadkar said.

In the majority view of Sipo, evidence sufficient to sustain a complaint "was not and will not be available, even in circumstances where the disclosure of the agreement is not in dispute".

This was more than enough for Varadkar to declare the affair closed: "I have been now cleared of criminal wrongdoing and any breach of ethics or standards. This is always the outcome I expected."

But divisions in Sipo ran deep and very senior figures were not convinced, as is clear from the minutes of its decision meeting on the afternoon of Friday, October 21st.

Varadkar's "lack of recall" was unsatisfactory. "If there

Tánaiste Leo Varadkar claimed vindication when the State's ethics watchdog decided against calling an investigation into his leaking of a confidential draft GP contract to one of his medical friends.

The ruling split the Standards in Public Office Commission (Sipo), the first time in its 21-year history it ever lacked unanimity for a ruling. Now new information has come to light, revealing a schism in the commission as it grappled with complaints about Varadkar's 2019 leak of the draft contract to Dr Maitiú Ó Tuathail when he was taoiseach.

Only eight days before Varadkar resumes as taoiseach, internal records show that his explanations cut no ice with two of the most senior independent officials in the State who serve as Sipo members.

Comptroller and Auditor General (C&AG) Séamus McCarthy and Ombudsman Ger Deering were never named as the dissenters. But files released under the Freedom of Information Act make clear their objections, casting doubt over the credibility of Varadkar's justifications and questioning the basis for Sipo's decision not to initiate a preliminary inquiry.

"Assertions by the respondent represent low-grade evidence at best, in a matter in which he has a significant interest," McCarthy said in his analysis of Varadkar's response.

Deering said Varadkar never addressed his own "conflicting evidence", adding that the Tánaiste was "not beyond the reach" of Sipo: "I am not satisfied that the respondent has conclusively addressed the queries put to him."

In the event, however, McCarthy and Deering were outvoted by three other commissioners: chairman Garrett Sheehan, retired judge of the Court of Appeal; Peter Finnegan, clerk of the Dáil; and Martin Groves, clerk of the Seanad.

"It was the opinion of the commission that the complaints made were legally misconceived, in circumstances where it is not the function of the commission, nor within its remit, to determine the extent of the implicit executive functions of the office of the Taoiseach in the furtherance of the policy goals of the Government," the ruling said.

The majority ruling was made without the sixth commissioner, former Fianna Fáil senator Geraldine Feeney, who recused herself case because of a potential perception of a conflict of interest.

Feeney had worked for the National Association of General Practitioners (NAGP), the group Ó Tuathail led at the time of the leak. This was a rival body to the Irish Medical Organisation (IMO), which signed the draft contract.

'Culture of insiders'

Although Varadkar later apologised to the Dáil for the "inappropriate" leak, he said he gave Ó Tuathail the document because he wanted an agreement similar to the IMO deal with the NAGP.

One complaint to Sipo said the leak "speaks to a culture of insiders helping insiders, with confidential information provided to an individual as a result of his friendship with, and political support for, Mr Varadkar".

Sipo had deferred consideration of complaints against Varadkar because of a Garda investigation into the leak.

When the DPP decided in July not to take criminal charges it was a pivotal moment for Varadkar, removing a potential obstacle to his return as taoiseach after Micheál Martin's term. But the ethics complaints – one from People Before Profit TD Paul Murphy – meant he still faced scrutiny under laws on the rules of conduct for elected officials.

66 When the DPP decided in July not to take criminal charges it was a pivotal moment for Varadkar

was a significant legitimate intervention by the taoiseach in a matter, in the public interest, then it should have been memorialised."

Deering submitted his statement at 10.28pm on the Sunday after the meeting. While accepting the document was not a contract, questions remained. "This is not the end of the matter as it does not establish the nature and confidentiality of the document," Deering wrote.

"In his response to Sipo the respondent said the document had ceased to be confidential at the point at which he provided a copy to [Ó Tuathail]."

"This, in my view, is not supported by other of his statements and by documents in the public domain. Therefore, the respondent has not, in his response to Sipo, addressed to my satisfaction, whether or not the document was confidential when he gave it to [Ó Tuathail]."

Requests for the document from then health minister Simon Harris were refused after the leak. One Department of Health official said unilateral publication without IMO approval for the text would be a "serious" breach of trust.

"These records released under FOI suggest that the agreement was confidential, as they were part of very sensitive negotiations, so much so that the minister for health was not able to get a copy of it," Deering said.

"Because of this conflicting evidence I am unable to come to a conclusion on the status of the confidentiality of the document at the time it was shared by the respondent based on the information/evidence currently available to me. As this conflicting evidence has not been addressed by the respondent I don't propose to consider whether it was appropriate for the respondent to share it at the time he did."

Number of used UK cars drops to 34,000

CORMAC McQUINN
Political Correspondent

Brexit has "fundamentally changed" the used car market in Ireland with the number of registrations plummeting since the UK left the EU, the Dáil's Public Accounts Committee (PAC) heard yesterday.

Revenue chairman Niall Cody told TDs the number of second-hand car registrations may only reach 40,000 this year, down from about 120,000 a year before Brexit as most used cars came from the UK.

He outlined the large drop in used car registrations after Fianna Fáil TD James O'Connor asked if he was concerned about the ability of car dealerships to maintain their businesses amid a "crisis" that includes a manufacturing shortage of new vehicles and the high cost of importing cars from Britain.

Mr Cody said Brexit had "fundamentally changed" the Irish second-hand car market.

He said that in 2019 there were 115,000 second-hand car registrations, most from the UK. By 2021 – after the end of a transition period in which Britain remained in the customs union and single market – there were 65,000.

Divergence

As of two weeks ago, just 34,000 used cars were registered in Ireland this year, he added.

He suggested it might reach 40,000 by the end of 2022.

"That's the consequence of the UK leaving the single market," he said.

He said that before Brexit there had been "nearly a single market within a single market" between Ireland and Britain and the impact has been fundamental on post, customs and e-commerce.

Mr Cody referred to an Ibec report on the divergence of the economies of the UK and Ireland and said: "As regulatory changes happen, I think that it's going to become more so."

He said he hoped the ongoing Brexit negotiations would lead to "a greater convergence than divergence".

Leo Varadkar said yesterday he would seek a meeting over the Christmas-New Year period with British prime minister Rishi Sunak to discuss Northern Ireland.

The Tánaiste, who will become taoiseach next week, said he hoped the meeting could be arranged "either before the end of December or in the new year" and that he also intended to travel to Northern Ireland to meet party leaders.



Green for go as live crib beds in at new home

MARK HILLIARD

Dublin's live crib came to life in its new St Stephen's Green setting yesterday.

A donkey, a sheep and a goat slouched around in the hay under the watchful eyes of giddy children, oblivious to the supporting role they played in a fleeting, festive political stand-off.

"I see it as a commonsense approach that has been taken to resolve something," said Patrick O'Donovan, Minister of State at the Office of Public Works whose intervention helped keep the 30-year-old city tradition alive.

In the name of the season and rural Ireland, O'Donovan

had stepped in to find this new, arguably superior, setting for the crib whose traditional Mansion House home had been cancelled by Green Party Lord Mayor Caroline Conroy, partly on the grounds of animal welfare.

But why intervene? "You can see the answer there: look at the way the children are hanging in over the railings in absolute awe of something that they don't see day to day," the Minister said in his Christmas jumper. "I take it for granted in the part of the world I come from [Newcastle West, Co Limerick]. They are entitled to see it because it's part of Christmas."

Yesterday's grand unveiling at the green's Summer House – complete with choir and an-

gel-winged children from the Augier Street YMCA creche – was notable for attending Fine Gael politicians and a lack of Greens.

Opening the crib, the Irish Farmers Association (IFA) president Tim Cullinan made a point of acknowledging the Minister's intervention, amid "huge concern" it might not have gone ahead.

Sentiment

"We have lost some of that tradition of people knowing where their food comes from and I think having that interaction between rural and urban is very important," he said.

That was a sentiment shared by Fionn Sherlock, the third

generation of a farming family to carry on the tradition of transporting well cared for animals to and from Enniskerry, Co Wicklow every day. They do a part-time shift – 10.30am to 3.30pm until December 22nd.

"A lot of people mightn't have the same exposure to farming and they might think it's cruel but at the end of the day the animals wouldn't be in any better condition at home," he said. "The conditions are exactly the same ... it's just people in Dublin and far and beyond get to see them, that's the only difference."

There was a consensus the Mansion House cancellation might be a blessing in disguise; many people commented on

■ Jack Anderson (3), with some friends from the YMCA creche on Augier Street, and Daisy the donkey at the official opening of the live animal crib at the Summer House in Dublin's St Stephen's Green.

PHOTOGRAPH: ALAN BETSON

the serene, tree-lined setting. And not an animal-rights activist in sight. "Once they're wrapped up well somewhere at night," smiled Aimee Doran who, with her husband Stephen, was showing the animals to their one-year-old son Josh. "It's just the novelty of it, I don't know, it's a lovely touch I think, it would be hard to get rid of it now."

TDs criticise Mental Health Commission chief

KITTY HOLLAND
Social Affairs Correspondent

Mental Health Commission (MHC) chief executive John Farrelly was yesterday accused of being "flippant" and "not using [his] powers very well" on the closure a residential centre for people with severe mental illness in Middleton, Co Cork.

During some exchanges with members of the Oireachtas committee on disability matters, Mr Farrelly said at the start he was "not going to speak about the Owenacurra centre". He also said he could not dis-

miss the HSE decision to close Owenacurra as doing so could prejudice any regulatory enforcement on it.

The MHC inspected Owenacurra in the last fortnight and awaits a HSE response.

MHC inspection reports have been cited by the HSE in its decision to close Owenacurra and move the 19 residents, most of whom are from the area, to other settings considerable distances away. Though due to close in June 2021, a campaign by local residents and public representatives kept Owenacurra open, albeit with

far fewer staff and just six residents.

Sinn Féin TD Pat Buckley said the HSE had "spun" the situation "to blame the commission for Owenacurra's closure".

He asked: "Can you go back to the HSE and ask them to clarify the commission never asked for its closure?"

Mr Farrelly said the commission had never contacted the HSE about what use they made of their reports, and would "have to think" about corresponding with them on it. Green Party TD Neasa Hou-

rigan said the commission should "take ownership of your own reports" adding while she would in the past have been supportive of broadening the commission's powers, "not based on this session because I don't see that you are using your powers very well".

She told Mr Farrelly the commission should have provided the committee with "evidence" in advance of the meeting of the reasons it could not discuss Owenacurra.

"You cannot come to a committee and say, 'Ah there's something regulatory going on.

We're not talking about it'. No, I am sorry. Committees don't work that way and you don't get to come in here and say, 'We're not talking about that'. You have to give reasons," she said. Mr Farrelly replied: "This is not a court of law. Where do you think you are?"

"I am at an Oireachtas committee that has a statutory footing," said Ms Hourigan. "You have privilege when you sit in here and it is very serious and what is happening to those people is very serious. So you can be flippant about it if you want but it is very serious."

Lottery defends spending unclaimed millions on advertising

CORMAC McQUINN

The operators of the National Lottery have defended using the vast majority of unclaimed prizes to spend on advertising its games in the face of sharp criticism by members of the Dáil's public spending watchdog.

Representatives of Premier Lotteries Ireland (PLI) were accused of "taking the piss" by al-

locating just 2 per cent of almost €122 million in expired unclaimed winnings for extra prizes, with the rest being spent on marketing.

Chief executive Andrew Algeo defended the practice during an appearance at the Dáil's Public Accounts Committee (PAC). He insisted that the advertising spend was the best way to promote the National Lottery to ensure it was sustain-

able and to increase sums for prize money and good causes.

A Comptroller and Auditor General report outlined how there had been just over €124 million in unclaimed prizes since 2015.

By the end of 2021 almost €122 million had been used for the promotion of the lottery and its games. Of this, 98 per cent – €120 million – had been spent on marketing with the re-

maining 2 per cent – under €2 million – spent on top-up prizes.

PLI began operating the National Lottery in 2014 and Mr Algeo said that since then around €1.7 billion had been raised for good causes.

He said it operated in an "intensely competitive market" and it was "essential" the lottery was promoted to ensure its continued success.

Mr Algeo said the licence from the State was designed to ensure unclaimed prizes did not go to the profits of the operator but were instead used to promote the National Lottery.

He said the proportion of prize funds going unclaimed had almost halved since PLI took over.

Sinn Féin TD Matt Carthy said: "You're taking the piss really in terms of what you're giv-

ing towards top-up prizes". He put it to Mr Algeo that the operators were doing the "absolutely bare minimum".

Mr Algeo said the firm strictly complied with its licence. He added that how to promote the lottery "might actually be one of the more critical decisions that PLI has to make and we take it very seriously that we do it in a way which sustains the National Lottery as best we can".

Sports Monday

★ Late goal keeps German World Cup hopes alive

★ Underdogs Newcastle West reach Munster final



Conor Pope
Beware of extra charges when Christmas shopping online
Pricewatch, page 11



Una Mullally
Leo Varadkar's housing crisis comments are 'cold, mean gaslighting'
Opinion, page 12



Pilita Clark
Trying to cut emissions to nearly zero was always going to cause problems for business
Business, page 15

Direct provision unlikely to end by 2024

Head of advisory group believes it is not possible to meet promised timelines

Report calls for establishment of a State agency for integration of asylum seekers

JENNIFER BRAY
Political Correspondent

A Government commitment to end direct provision by 2024 looks set to be shelved in light of continuing accommodation pressures exacerbated by the war in Ukraine.

Catherine Day, the head of an expert advisory group set up to report on the Government's promise to scrap direct provision, said she believed it would no longer be possible to meet the timelines set out by the Coalition.

In an interview with The Irish Times as part of an in-depth look at immigration issues, Ms Day, the former secretary general of the European Commission, also urged the State to adjust the targets in the Housing for All plan to take account of the significant increase in the country's population.

In 2021, the Government said it would phase out the system of direct provision by 2024. Asked if these timelines were still possible in light of the consequences of the war in Ukraine, Ms Day said: "I think, frankly, no. That does not mean we can't be much closer to it by the end of 2024."

"I think we have to act now even if we don't get there exactly on schedule, that we are well on the way and that everyone can see it is going to be a thing of the past, because we have put a better programme in place and because we have taken action towards it. We need to take extra measures to get back on track and to deliver this," she said.

'Blended' system

The Coalition's White Paper on ending direct provision proposed a two-stage "blended" accommodation system. Newly arrived asylum seekers would spend a maximum of four months in State-owned reception centres before moving into not-for-profit housing secured through approved housing bodies (AHBs).

Ms Day's expert group delivered a report to the Minister for Children Roderic O'Gorman this month that recommended the State urgently use

emergency powers to build two reception centres on State-owned land by May 2023, and another four by the end of 2023.

"One of our messages is that the State has to take up its responsibilities. Using the private-sector option – whether it be hotels or trying to find private-sector accommodation – is not ideal, to put it mildly," Ms Day said.

State agency

The group's report also called on the Government to establish a State agency for the accommodation and integration of asylum seekers by the end of 2024. Departmental responsibility for the agency would be with the Department of Housing.

"We don't think it is a Civil Service activity to have to source and provide accommodation," Ms Day said.

"Inevitably, Civil Service departments are understaffed and they have lots of other duties to carry out. We think, given the fact we have these flows in the future, there should be an agency. The risk of proposing an agency now is that it will then distract everyone from the task in hand. That is why we said there should be a build-up to the agency and then it should come in at the end of 2024, because it will take time to pass legislation to create it and give it a budget and staff."

The report was also critical of the overall Government response and found that most of the "heavy lifting" is being done by the Department of Children. "You have to ask the question: why do we have a department managing this, which has no housing experience, when we have a housing department which is better prepared and geared up for it," she said.

Minister for the Environment Eamon Ryan confirmed yesterday that Roderic O'Gorman would retain responsibility for accommodating refugees and those seeking international protection, after December 17th, when Leo Varadkar replaces Micheál Martin as Taoiseach.



Refugees on the move Mother's fear for son

Oksana Kopernyk with her children Yehor Sribiyi and Milan Kopernyk at the Ibis Hotel in Clondalkin, Dublin. They have stayed there since April, after fleeing their home in Dnipro, eastern Ukraine, but are scheduled to move to Trabolgan today. Oksana fears the move will be devastating for Yehor, who is autistic.

Report: page 4

Photograph: Nick Bradshaw

China warns Irish Huawei ban could harm economic ties

ARTHUR BEESLEY
Current Affairs Editor

China has hit out at Government moves to ban Huawei equipment from Ireland's telecoms network, saying the measures could undermine economic ties with the country.

Stinging criticism of the proposed ban from the Chinese embassy in Dublin comes days after the Biden administration banned Huawei technology in the US because of "unacceptable" national security risks.

The Government proposed the ban in October on the eve of

a committee debate on draft communications law. With the Dáil debate already scheduled to move on to other matters, critics say the ban needs more scrutiny.

In an implicit reference to US measures, China claimed the motivation came from outside Ireland. "A sovereign country has its legitimate rights to protect its cyber security. But the concept of 'high-risk vendor' is a groundless accusation invented by some people out of Ireland to suppress Chinese high-tech companies," the embassy said.

Huawei was not named in Communications Regulation Bill amendments from the Department of Environment, Climate and Communications, which gives the Minister powers to ban equipment from "high-risk vendors."

But Huawei and companies using its equipment believe Huawei is the target, given US moves against the business. There was no comment from Huawei, which employs 510 people in Ireland.

The Government insisted the measures were "not aimed at any particular country or ven-

dor" and were based on the "EU 5G security toolbox", a European cybersecurity drive to protect networks.

"The new provisions provide for the Minister to assess the risk profile of vendors. No such assessment has yet taken place," the Department said.

Risk assessment

Vendors will be assessed using objective criteria, it added. "Any exclusions or restrictions will be based on clear legislation and a thorough risk assessment, in cases where there is a threat to national security."

For national security reasons, the law will allow the Government to keep the reasons for any ban secret. It will be an offence with a prison term of up to five years for any company to breach an order to keep a ban confidential.

Independent TD Michael McNamara said the limitation on appeal rights could be open to Constitutional challenge, arguing that the lack of debate was akin to "legislation by decree."

"It's a very fundamental principle of Irish law that you can challenge your accuser. If

that principle is abandoned once, then it's something that will inevitably spread to other areas. For the Dáil to legislate for that principle to be abandoned is a big step," Mr McNamara said.

"For the Dáil to do it without any debate would be in my view perverse. It would be very ironic if all of this was to happen to combat concerns about democracy and concerns about an independent judiciary in another country."

➔ Analysis: page 2

Ireland builds too many large houses, says construction body

OLIVIA KELLY
Dublin Editor

Home sizes need to be cut by 28 per cent and the construction of detached houses discouraged if the State is to have a chance of meeting its climate goals, the chief executive of the Irish Green Building Council (IGBC) has said.

Terraced houses are neck and neck with apartments when it comes to the most carbon-efficient homes, while detached houses are least efficient, even when they have been built to the top energy rating standards, Pat Barry said.

"Our homes have been getting more energy efficient per square metre over the past 20 to 30 years, but they have also been getting bigger so the impact of building bigger homes has offset the efficiencies," Mr Barry told the IGBC annual

conference in Dublin on Friday.

When the energy used to run homes is assessed, mid-floor apartments are the most carbon efficient, followed by mid-terrace housing, semidetached houses, then detached houses. Detached bungalows have the highest ratio of exposed external area to internal usable area.

'Embodied carbon'

However, the picture changes when considering the "embodied carbon" used to produce homes. Terraced houses are ahead of apartments, with detached houses, particularly larger ones, still the worst.

Continuing to build these oversized, detached houses will prevent the State meeting its targets, Mr Barry told the conference. The IGBC is a non-profit organisation which represents professionals involved in sustainable construction.

"We have huge inefficiency built into our planning system that allows oversized housing," he said. "If we build at the current densities, in order to deliver 400,000 homes by 2030 we will need 349sq km, which is about a third of... Co Dublin."

New detached homes averaged 244sq m – typically three times larger than required, he said. "The average size of household is about 2.5 persons... So if you take the amount of space needed – about 30sq m per person – multiply that by 2½ and you get 75sq m... If we were building 75sq m homes, which would probably be on average a mix of one-, two- and three-beds... we would be well on the way to solving the housing crisis."

➔ Housing issue 'could shred middle ground of Irish politics': page 4

Weather

Dry and sunny with isolated showers, mostly near western and northern Atlantic coasts. Highs of 8 to 11 degrees.

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Home News

'Health tapes': A civil servants' union has asked Minister for Health Stephen Donnelly for clarification on secret recordings: page 4

Spiritans abuse: A former pupil at Rockwell College has claimed he was raped by a priest in the college church: page 6

World News

China: Demonstrators and police clashed in Shanghai yesterday in the third day of protests against China's zero-Covid policy: page 9

Business Today

Aughinish: Directors and auditors of Russian-owned Aughinish Alumina have warned of 'material uncertainty' over its viability: page 14

Bewley's: The Grafton Street cafe made a loss of €1.7m last year due to Covid-19 restrictions and inability to secure a rent reduction: page 14

Sports Monday

Gaelic games: Kilmacud Crokes will face Ballyhale Shamrocks in their first ever Leinster club senior hurling decider.

Rugby: Eddie Jones will learn his fate as the England head coach in the next fortnight after the RFU's review of the autumn campaign.

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Citizens' Assembly votes to hold referendum on biodiversity loss

Delegates seek radical overhaul of national approach to managing environment

Conservationist says 'greatest reason for hope' is young people changing the world

SARAH BURNS
and CONOR POPE

The State has "comprehensively failed" to tackle the biodiversity crisis and a referendum on the issue is needed, according to the Citizens' Assembly on biodiversity loss.

As well as voting overwhelmingly in favour of a referendum on an amendment to the Constitution to protect biodiversity and a radical overhaul of the national approach to managing biodiversity loss, the assembly also agreed to extend its deliberations on a series of sector-specific recommendations.

The recommendations as well as the extension – which will require the backing of the Oireachtas – were agreed upon by the 99 randomly selected members of the public at the seventh meeting of the assembly which took place in Malahide, Co Dublin, at the weekend.

Members voted in favour of holding a referendum and recommended it include a "range of protections for substantive and procedural environmental rights for both people and nature".

The view that the State has "comprehensively failed in rela-

tion to biodiversity" was also endorsed while recommendations for "fundamental change to the funding, implementation and enforcement of national policies, EU biodiversity-related laws and relevant directives" were also agreed upon.

Members said an extension to their deliberations was needed to allow further discussion on agriculture; freshwaters; marine and coastal environments; peatlands; forestry/woodlands/hedgerows; protected sites and species; invasive species; and urban and built environments.

Once the assembly has concluded its work in the new year, the recommendations will then be compiled into a final report that will be provided to the Government and Houses of the Oireachtas in compliance with its terms of reference.

Speaking at the end of the two-day session, chairwoman Aoihbhinn Ní Shuilleabháin noted that it had been the first Citi-

zens' Assembly on biodiversity loss anywhere in the world.

She said "significant and major decisions including inserting a specific commitment to protecting biodiversity [in the Constitution] ... demonstrates the level of priority that we believe needs to be afforded to environmental protection".

She noted the calls for "new centralised structures for co-ordinating and implementing national policy on biodiversity loss to ensure that those laws and regulations to protect the environment that are already in place are properly enforced."

On Saturday, the assembly heard that climate change could not be ignored, with flooding, droughts and bushfires taking place around the world.

Conservationist Jane Goodall said her "greatest reason for hope" in terms of biodiversity loss and climate action were young people who were "changing the world".

Via a virtual address, she said: "Once young people understand the problems and we empower them to take action, they are changing the world. It's not that they can, they are."

Dr Goodall said her Roots & Shoots education programme on environmental conservation for young people had grown from 12 students in 1991 to hundreds of thousands.

"Young people's imaginations are extraordinary, they are always coming up with new ways of helping the environment," she said.

"They're my greatest reason for hope, they're raising awareness among their peers, changing attitudes of their parents and grandparents, who may sometimes be in high decision-making positions."

Dr Goodall also stressed the importance of collaboration partnerships and the "greening of cities", in order to bring about urban biodiversity.

"This will be incredibly beneficial for the people living in inner cities who don't have the chance to go out into nature."

"We now know that being in nature is beneficial for our physical and mental health. In fact, doctors in some places are prescribing time in nature for people with mental problems or people who are stressed from overwork and so on."

Ian Talbot, chief executive of Chambers Ireland, said while small and medium-sized enterprises were aware of their responsibility to address biodiversity loss, the sector needed assistance from large businesses, relevant authorities and the State in order to implement the changes that were required.

Codie Preston of the Irish Schools Sustainability Network told the members of the need for biodiversity loss to be made part of the national curriculum with necessary resources and training for teachers.

China questions Irish motivation over Huawei



Arthur Beesley Analysis

Strong measures could eliminate certain companies from Irish market

China has responded in robust terms to Government moves to give Ministers the power to ban Huawei equipment in Ireland.

By any standards these are strong measures that could eliminate certain companies from the Irish market without any need to publicly document the reasons once national security is cited.

The lack of transparency is as glaring as the tension stirred with China, although it is hardly a beacon of transparency.

In unusually blunt criticism of draft laws under debate in the Dáil, China's embassy in Dublin questioned the motivation for moves against "high-risk vendors". The very idea was a "groundless" invention, it claimed, arguing the concept originated outside Ireland to suppress Chinese companies.

This was a clear reference to sharp disputes between Beijing and Washington over Huawei, which is based in Shenzhen, China. The row intensified at the weekend when the US banned new Huawei equipment for national security reasons and four other Chinese groups: ZTE; surveillance equipment maker Dahua Technology; video surveillance company Hangzhou Hikvision Digital Technology; and telecoms operator Hytera Communications.

Although the Government insists the power to ban certain groups is neither company-specific nor country-specific, Huawei is perceived to be the target. That view is widely held in business circles, particularly among telecoms groups using Huawei kit who face the prospect of being forced to remove and replace it.

"I would have thought that there would be substantial issues around compensation arising," said Independent TD Michael McNamara, a critic of the proposed ban.

China has made the same conclusion about the focus on Huawei, adding weight to its argument by saying "remarkable progress" in economic relations has helped to create thousands of Irish jobs. "We do hope the amendments to the Communications Regulation Bill will be fact-based, fair and non-discriminatory, and the good momentum of trade and investment co-operation between China and Ireland will not be undermined."

That is unlikely to deter Irish Ministers as the force of American diplomatic influence in Dublin far outweighs that of China.

'Toolbox'
The Government casts the power to ban company technology within the framework of the "EU 5G Security Toolbox", saying such measures are essential for prosperity and national security. But there is no doubt the US is the driving force behind the western clampdown on Huawei.

The problem from an Irish perspective is that there is no basis for interrogating claims that any company's technology compromises national security.

The Minister for Communications will have powers to prohibit components made or supplied by high-risk vendors, restrict their use or require companies to remove, disable or modify them.

There will be no requirement to explain why in cases "where the Minister considers that specifying the reasons" would be contrary to national security or public order.

Ministers will also be empowered to give information under oath at a High Court hearing in which the appellant is not represented, on the basis that such information "shall not" be provided to the other side. The Minister can ask that only a "summary" is provided to banned companies, greatly limiting scope for any appeal.

These are novel manoeuvres that call into question the ability of a company targeted by ministerial intervention to challenge it in the courts.

"The ability to challenge your accuser is a cornerstone of Irish law, and up to now has been considered to be a right protected by the Constitution," said Mr McNamara, adding that he has been critical of China's human rights record. "I have no views whatsoever on Huawei. I'm not a tech expert, but for me this is about the principle of the erosion of access and recourse to justice."

Report page 1

Plans to decommission Moneypoint plant by 2025 delayed

HARRY MCGEE
Political Correspondent

The Government's long-standing commitment to stop burning fossil fuels at Moneypoint power station by 2025 will be delayed following a key decision to convert the facility from coal to oil to prevent power outages over the next few winters.

The coal-burning plant on the Shannon Estuary is the State's largest generating station but is also the single biggest contributor to greenhouse gas emissions in the sector.

A significant portion of the 21 per cent increase in emissions from electricity in 2021 was attributed to a greater reliance on Moneypoint.

The Government's Climate Action Plan for 2023, to be published in early December, includes a new commitment to convert Moneypoint from coal to oil.

With growing concerns over security of the energy supply in the State, the Government is not in a position to decommission Moneypoint as a fuel-burning station in the near future. Indeed, it will also need to purchase gas-burning jet turbines at a cost of €300 million to be used as emergency backup for electricity generators at times of peak demand.

It was confirmed by the Government yesterday that Moneypoint will convert to oil generation from 2023. Oil is a less "dirty" fuel than coal, and will emit lower volumes of greenhouse gases. The long-term plan for Moneypoint is to convert



vert the power station into a centre that will manufacture wind turbines and which will convert wind-generated energy into green hydrogen. However, the deadline for that change has been pushed back into the second half of the decade. This

change of policy has been signalled by senior figures in Government for some time. Earlier this autumn in the Dáil Tánaiste Leo Varadkar referred to Moneypoint and the nearby station in Tarbert, Co Clare, power station when saying it was too

soon to ditch the older power stations: "I don't like the fact we are burning oil in Tarbert, but we do actually need to do so, and we may need to do so for many years to come. Those plants will not be decommissioned until we are confident that we are able to replace them with secure supply and secure renewables, and that might take a bit of time."

Action plan
With overall emissions rising in 2021, and with no significant change expected in 2022, the new action plan is expected to focus on more immediate measures that can result in reductions of emissions during the remaining 2½ years of government. Addressing the Green Party convention on Saturday,

Mr Ryan pledged to double the ambition for solar power achieving the target of 5,000MW of capacity five years early, reaching it by 2025 rather than 2030. He said this would be achieved by simplifying the planning process and also providing grants and incentives to homeowners, to farmers and businesses. At present there are solar panels on 40,000 buildings.

In a series of interviews yesterday, Mr Ryan promised that by 2025 there would be sufficient solar power from homes and from solar farms to power the entire country on sunny afternoons. The new action plan will also formally remove the actual figure for the number of electric vehicles (EVs) it hopes to have in the State by 2030. That figure of 950,000 vehicles

will be replaced by a percentage, 30 per cent of the entire fleet. The Department of Transport said the reason was that focusing on the actual number of vehicles gave the impression that the strategy was all about cars when the focus is on a more sustainable transport scenario featuring public transport, shared mobility and active travel, as well as EVs.

A spokeswoman added that 30 per cent of the fleet would approximate to 950,000 vehicles in any instance.

Green Party leader Eamon Ryan following his address to the party's convention in Athlone, Co Westmeath, at the weekend.
PHOTOGRAPH: ALAN BETSON

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McDonald denies allegations of SF links to Hutch family

Sinn Féin leader Mary Lou McDonald has rejected allegations that she used the Hutch family for money and votes, claims that emerged in a high-profile gangland trial in Dublin.

Former Sinn Féin councillor Jonathan Dowdall was secretly recorded making the claims and criticising Ms McDonald for not attending the funeral of the brother of murder accused Gerry "The Monk" Hutch.

The claims emerged in the Special Criminal Court where Hutch is on trial for the murder of David Byrne, who was shot dead at the Regency Hotel in February 2016.

Ms McDonald has rejected the allegations.

She told the BBC NI Sunday Politics show: "That is absolutely not true. Let me further say that that case is ongoing in Dublin. "This case is as a result of incredible, sterling work by the gardai over many years, and I'm certainly not going to say anything that would in any way jeopardise or undermine or influence the outcome of that important trial."

"But let me tell you, and repeat again for the avoidance of any doubt, that I have stood resolutely on the side of the com-

munity and against exactly the type of individuals who find themselves now in the courts on these charges for my entire life.

"Any suggestion that there has been anything improper is entirely wrong, that is simply not the case."

Unionists have called for an investigation into the allegations, and Ulster Unionist leader Doug Beattie wants a cross-Border police inquiry.

Ms McDonald said: "I have no link, alleged or otherwise. I'm unclear how you investigate something that didn't happen."

"As to people attacking me or taking this as a golden opportunity to have a go, as they say, I'm not surprised by that. I'm not surprised at all because the reality is that across the island, the mood for change is obvious."

"Those who are very attached to the status quo, and frankly want to keep things as they are, those who don't share our ambition for an Ireland that's free and equal and based on social justice, will do what they can to hold back that tide of change."

DUP leader Jeffrey Donaldson has also requested a meet-

ing with PSNI Chief Constable Simon Byrne about the allegations. Mr Donaldson told party members and supporters that he will seek further information to "inform our next steps".

He added: "Let's be in no doubt, given the gravity of the allegations about Sinn Féin being in cahoots with major international crime gangs, this matter cannot be swept under the carpet."

Poll
"We all have a right to know whether gangland money is being used to influence politics, and there must be full transparency. We will not be deflected from pursuing this but will always seek to shine a light on the murky underbelly of republicanism."

It comes as a new opinion poll revealed Sinn Féin has lost support but remains the Republic's most popular party. The Red C Poll for the Business Post shows support for the party dropped four points, while support for Fine Gael has increased by three. The poll shows Sinn Féin on 31 per cent, Fine Gael on 24 per cent and Fianna Fáil down one point on 15 per cent. - PA

Pressure mounts on Coalition over road toll increases

HARRY MCGEE
Political Correspondent

Coalition divisions over the recently announced increases in road tolls are expected to come to a head at tomorrow's Cabinet meeting.

Last week, Transport Infrastructure Ireland (TII) announced it was increasing motorway tolls across the State to "maximum levels".

The decision was condemned by Opposition parties and was also criticised by Taoiseach Micheál Martin and Tánaiste Leo Varadkar. However, Green Party leader and Minister for Transport Eamon Ryan, in interviews over the weekend, indicated he had accepted the increases and argued that they could be as little as 10c per toll in some instances.

It comes as Sinn Féin has tabled a Private Member's motion in the Dáil for this week calling for the increases to be scrapped.

They are due to be activated from next January. The motion will be debated in the Dáil tomorrow.

Government response
The timing of the motion has put pressure on the Cabinet to give a formal Government response to the decision and to indicate what action, if any, it will take to address the cost implications of the increase for motorists.

There is a strong possibility that the motion will force the Government's hand to either

subsidise some of the increases or to ask TII to reverse its decision.

Sinn Féin's transport spokesman Darren O'Rourke said yesterday: "The price hikes will hit people's pockets at a time when their finances are already under unprecedented pressure due to the cost-of-living crisis. These price hikes must not go ahead."

"Eamon Ryan has made it absolutely clear that he has no interest in bringing toll operators to heel and is abdicating his responsibilities. He needs to take his head out of the clouds and he must bring all possible pressure to bear on toll road operators and to scrap price hikes," he said.

Private operators
Mr O'Rourke argued that the private operators of the tolls were making millions of euro in profit. He said the operator of the M3 toll had reported €11 million in profit from the previous year.

A senior Government source said last night that there had been no meaningful discussion to date on the issue. Mr Ryan was away last week at Cop27 in Egypt and travelled to Paris later in the week for the formal signing of the contract for the Celtic Energy interconnector. The Taoiseach was also in Paris on Thursday and Friday.

"The Sinn Féin Private Member's motion will likely flush out the overall view [of Government] in the next couple of days," said the source.

Pharmacists criticise delays in worker visas

'Impossible' for some professionals from outside EU to get visa for training – IPU
'Known anomaly' preventing urgently required staff from obtaining work visas

PAUL CULLEN
Health Editor

Pharmacists say urgently needed overseas staff are unable to complete the training they need to be able to work in Ireland due to the difficulty in obtaining a visa.

A growing shortage of pharmacists needs to be addressed in the short term by recruiting more qualified professionals from overseas, yet hundreds of applicants from outside the European Union remain in a lengthy application process, the Irish Pharmacy Union (IPU) said.

Yesterday, The Irish Times reported that hundreds of overseas nurses are stuck in a visa "logjam" caused by delays in obtaining a temporary visa allowing them to do a qualifying exam in Ireland.

Similar issues have arisen

It points to the general indifference to the pharmacy profession

in pharmacy, where it is "in effect impossible" for some applicants from outside the EU to complete the required adaptation period because of a "known anomaly" that prevents them obtaining a visa, the IPU told the profession's regulator last year.

"I would like to reiterate our disappointment in the lack of progress made to date in the known anomaly in the visa progress," acting IPU general secretary Derek Reilly told the Pharmaceutical Society of Ireland (PSI) last month in a letter seen by The Irish Times. "It is unacceptable that this situation persists."

Mr Reilly criticised the "slow pace" and "lack of urgency" of their regulator in facilitating the registration of overseas application to practise in Ireland.

"It points to the general indifference to the pharmacy profession and, in particular, the resource pressures cur-

rently being felt by our members," he said.

There are 285 applicants from outside the EU going through a route known as third country qualification recognition, according to the regulator. Some 86 of these are at the application form stage; 119 at an equivalence exam stage; 70 undergoing an adaptation period; and 10 doing a professional recognition exam. A further eight applicants have a qualification certificate and are eligible to submit an application to register.

Public interest

While agreeing it is in the public interest that the regulator is satisfied applicants have relevant qualifications and knowledge to practise as a pharmacist in Ireland, the IPU argues its current approach is unfair to applicants applying under the third country qualification recognition route.

Though the 7,169 pharmacists on the register last month is a record figure, the regulator said it recognises there are recruitment and retention issues in the sector.

Last year, 349 pharmacists were added to the register – 155 via a route for Irish applicants, 194 for other applicants, including 90 from the EU and 104 from outside the EU (this includes 88 from the UK). So far this year, 136 pharmacists have been added to the register.

The PSI said it intends to make longer-term recommendations on the future planning of the pharmacy workforce later in the year.

"We appreciate that some applicants find it difficult to obtain a visa to undertake an adaptation period that is required to be completed by them as part of the qualification recognition process," a spokeswoman said.

"The PSI is currently engaging with the Department of Health to liaise with the relevant Government departments [Justice and Enterprise, Trade and Employment] concerning this matter."



Sand hassle Up to their necks in fun on the beach

■ Danny Maher (8) buries his friend Harry O'Mahony (9) in the sand on Burrow Beach in Sutton, Dublin. PHOTOGRAPH: TOM HONAN

AG queried constitutionality of telecoms security measures before taking up post

Fanning was in private practice when he was co-author of a legal opinion for Huawei

ARTHUR BEESLEY
Current Affairs Editor

Attorney General Rossa Fanning questioned the constitutionality of new telecoms security measures shortly before he took office last December, in a legal paper for Chinese company Huawei.

The draft law was partly changed in February, two months after Mr Fanning became the chief law officer of the State. However, the Government has said he had no role in that move.

"Since his appointment, the Attorney General has given no advice whatsoever in relation to the Bill," the Government said in reply to questions.

"The Attorney General was not involved in drawing up the technical amendments to the Bill that were considered in the Seanad and Dáil in February."

Mr Fanning was a senior counsel in private practice when he was co-author of a November legal opinion for Huawei. At issue were laws giving Ministers sweeping powers to force companies off Irish telecoms networks for national security reasons.

Huawei believes it is the target but Ministers insist the measures were not aimed at any specific country or business. The company declined to comment on the legal opinion, which said parts of the legislation were "constitutionally disquieting" and "fundamentally objectionable to the rule of law".

President Michael D Higgins signed the measures into law in March but they have not yet taken force legally. Amid European moves to tighten telecoms safety, the Irish law follows a US ban on Huawei because of

"unacceptable" national security risks.

Mr Fanning co-wrote the 44-page legal opinion for Huawei with barrister Niall Buckley, under instruction from solicitors Philip Lee. The document was sent to IDA Ireland, the inward investment agency, and forwarded later to the Department of Enterprise, Trade and Employment.

The Huawei paper said the draft law was an "unprecedented suite of legislative measures of draconian scope" and raised "severe doubts" about its validity under Irish and EU law.

'Highly vulnerable'

"Their breadth of scope, severity of impact, opaque operation and curtailment of effective court review are virtually without domestic law precedent and render them highly vulnerable to challenge."

The Government dismissed such complaints, saying the law was in line with a European drive to protect networks, the "EU 5G security toolbox".

But in February it granted a last-minute concession in

amendments introduced by Minister of State for Communications Ossian Smyth for the final Seanad and Dáil debates on the law.

The amendments removed the damaging tag "high-risk" vendor from any company hit by the measures, using instead

'Since his appointment, the Attorney General has given no advice whatsoever in relation to the Bill,' the Government said in reply to questions

the neutral expression "relevant" vendor.

The replacement of the negative language may make it easier for companies hit by the restrictions to try to limit the fallout in other parts of their business. While any ban handed down under the laws is supposed to be confidential, a

"high-risk" designation could still be deployed by rival groups against target companies.

Asked about Mr Fanning's legal paper, the Government said: "When in private practice, the Attorney General provided written advices to an Irish firm of solicitors acting on behalf of their client, Huawei, on one occasion in 2022. That was the extent of his role and he had no contact with Huawei. The Attorney General has a duty of confidentiality to clients in respect of his previous private practice."

Amendments

The Government said the February amendments were drawn up "on the approval of the Minister" by the Department of the Environment, Climate and Communications working with the Office of the Parliamentary Counsel. "They did not require further Government approval."

China's ambassador to Ireland attacked the law last year in rare public criticism of domestic legislation, saying it would "suppress" high-tech companies from his country.

Savers losing out on €120m a month, analysts warn

CONOR POPE
Consumer Affairs
Correspondent

The failure of Irish banks to increase deposit interest rates in line with multiple rate hikes from the European Central Bank (ECB) since last summer is costing Irish savers more than €120 million every month, financial analysts have warned.

While the ECB has upped its key deposit rate from zero to 3.25 per cent in the past 12 months, there has been no comparable movement on deposit interest rates in Ireland.

There is about €150 billion on deposit with the State's banks and every 1 per cent that is not passed on to savers amounts to €1.5 billion in lost interest each year, according to Karl Deeter, the chief executive of online mortgage firm onlineapplication.com.

He pointed out that "many deposit rates are half or three-quarters of 1 per cent when they should be at least 1.5 or 2 per cent. Spain, France and many other countries in the EU are offering much better rates than Ireland and the idea that Irish banks are just so brutally regulated or so brutally inefficient that they can't offer higher deposit rates simply isn't true," he said.

His concerns were echoed by Daragh Cassidy of price comparison and switching website bonkers.ie.

He told The Irish Times that Irish banks' "slowness to pass on the ECB rate hikes has largely come at the expense of savers. While deposit rates of over 3.5 per cent are now on offer with some banks in the rest of the euro

3.5%

Deposit rate on offer from some euro zone banks; the highest rate in Ireland is 1.5 per cent

zone, the best rate here is 1.5 per cent. In essence, savers are now subsidising mortgage holders."

He suggested Irish banks "are awash with deposits. They don't need to offer decent rates to savers" and he expressed the view that banks could increase their deposit rates somewhat "without having to up their mortgage rates."

"For example, some of AIB's fixed rates are now over 4.5 per cent while the best savings rate it offers is a measly 1 per cent."

ECB rate increases

Financial adviser Mark Coan of moneysherpa.ie noted that despite multiple ECB rate hikes there had been "almost no movement" in Ireland excluding tracker holders.

"The generosity of the main banks in not passing on ECB rate increases appears out of character," he said. "Cynics may suggest that by not increasing variable rates the banks are more able to justify not increasing deposit rates. By holding deposit rates at near zero the banks can pocket juicy returns for themselves by maximising the spread between the rate they pay savers and the rate they charge lenders, known as their net margin."

An AIB spokeswoman said the bank had "insulated the vast majority of our deposit customers during a sustained period of European negative interest rates over eight years". She added that it had increased deposit rates in recent months and, in "light of the evolving interest rate environment, we constantly keep all our rates under review".

Bank of Ireland said it had been "very measured in the application of mortgage rate increases over the past year" and had made no change to variable mortgage rates but increased fixed rates by up to 1.5 per cent. "Along with a range of other deposit increases, we recently announced a new savings product offering a rate of 1.5 per cent. We will continue to take a measured approach into the future."

A spokeswoman for Permanent TSB said it keeps rates "under review on an ongoing basis", adding that no ECB rate increases have been passed on to variable-rate customers. It said it has "increased our deposit rates three times since November 2022 by up to 1.5 per cent".

Net tightens around Kinahan cartel after Byrne's arrest



Conor Lally Analysis

Garda crackdown following Regency attack has wiped out cartel's Irish operation with more than 60 jailed

The arrest of Liam Byrne in Mallorca at the weekend means another senior and trusted figure around the leaders of the Kinahan cartel is now behind bars, with the wheels of international justice continuing to grind slowly towards the Kinahans.

Though Byrne (42) has been a prominent gangland figure for most of his adult life – and led the biggest and most powerful drugs gang in the Republic – the gun-running charges now awaiting him in Britain are the first gangland charges he has ever faced. If convicted and jailed, it would effectively complete the dismantling of the cartel's Irish operation which he once led.

When the Kinahan-Hutch feud erupted in 2015, Byrne was the established leader of the cartel's Irish operations.

His brother-in-law Thomas "Bomber" Kavanagh was the cartel's leading figure in Britain and the Kinahans lived off the proceeds of their drug-dealing empire, first in Spain and then Dubai, an extradition-shy regime.

However, in the intervening years, the cartel's world has become much smaller. Its Irish operation has been wiped out by a major Garda crackdown against the Kinahan and Hutch gangs. That policing operation began after the Regency Hotel attack in Dublin in 2016, when Liam Byrne's brother, David, was shot dead by gunmen trying to murder Daniel Kinahan.

The results of the Garda crackdown have been spectacular and have brought the organisation to its knees in the Republic, with more than 60 members, associates or contractors jailed, many on feud-related charges.

Almost untouchable As its Irish operation crumbled, the cartel leadership which proved almost untouchable for two decades also came under intense pressure. In 2021, US law enforcement imposed financial sanctions on founder Christy Kinahan snr, his two sons – Daniel and Christopher jnr – and four of their closest associates. Rewards of up to \$5 million were also offered for information resulting in the arrest and conviction of the Kinahans.

In Britain last year Kavanagh was jailed for 21 years for his role in smuggling some €35 million worth of cartel narcotics into the United Kingdom. That was a hammer

blow to the Kinahans, putting their British operation under the same pressure its Irish business had endured for years.

However, as the organisation's Irish operation was dismantled in the post-Regency period, its leader Liam Byrne always seemed to stay one step ahead of law enforcement. As his home in Crumlin, Dublin, was being seized by the Criminal Assets Bureau – a process concluded in 2019 – Byrne fled to the UK.

He was soon placed under

22-year-old son of Bomber Kavanagh – with firearms offences linked to their alleged gun-smuggling activities. But as both were living in Dubai, they were safe from extradition.

But last Tuesday, May 30th, when James Kavanagh was flying from Dubai to Turkey, he was arrested during transit at Malaga Airport. Four days earlier, May 26th, Liam Byrne had jetted into Mallorca for his family holiday. While he went undetected initially, he was tracked down to the Alcúdia area and arrested there on Sunday evening while having a meal.

Spanish custody

Both Byrne and Kavanagh remained in Spanish custody on last night. They were detained by Spanish police at the request of Britain's NCA. The British authorities are now seeking their extradition to face charges in relation to the same alleged gun-running conspiracy.

Garda Assistant Commissioner Justin Kelly, who commands Organised and Serious Crime in the force, referenced Byrne by name, which is unusual, in remarks released when news of his arrest emerged on Monday.

"The arrest of Liam Byrne is a particularly significant development in the efforts of international law enforcement to dismantle the operations of the Kinahan organised crime group," he said. "These arrests are a demonstration of An Garda Síochána's continued co-operation with our colleagues in the National Crime Agency."

66

When the Kinahan-Hutch feud erupted in 2015, Byrne was the established leader of the cartel's Irish operations

investigation there on suspicion of smuggling firearms to sell to other criminal gangs. As that inquiry neared an end, Byrne was on the move again, this time relocating to Dubai, which is yet to extradite even one individual linked to the cartel.

The National Crime Agency (NCA) in Britain was granted permission by the Crown Prosecution Service in recent years to charge Byrne and James Kavanagh – the

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Sports Tuesday

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I'm not an alcoholic

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Health&Family



Fiona Reddan

With health insurance costs rising, are you getting the most out of your policy?
Business



Ukraine Letter

'People are tired, but they want to help each other and finish this war'
Daniel McLaughlin in Odesa, page 7

President makes rare apology after raising chairwoman's objectivity

HARRY McGEHE and MARK PAUL

President Michael D Higgins has issued an unprecedented personal apology over "throwaway remarks" that questioned the objectivity of the chair of the Government's Consultative Forum on International Security Policy.

The President singled out

Prof Louise Richardson in a weekend interview where he pointedly referred to her status as a Dame of the British Empire (DBE).

A statement issued by Áras an Uachtaráin yesterday said the President's reference to Prof Richardson of Oxford University and her "very large letter DBE" was made in a casual manner during the course of a

long interview with the Business Post.

"The President intended no offence by such a casual remark. He apologises for any offence which he may have inadvertently caused to Professor Richardson by what was a throwaway remark," said the statement.

It is the first time in almost 12 years in office that the Presi-

dent has issued a specific statement of apology.

The reference to Prof Richardson and her DBE title was received in some quarters as disparaging her objectivity. It formed part of a strong attack on the forum by the President in which he claimed Ireland was on a "drift" away from neutrality.

He also claimed the speaking

panels for the forum were stocked with "the admirals, the generals, the air force, the rest of it". He also asserted that representatives from Nato countries were invited to speak, to the exclusion of speakers from militarily neutral countries.

Yesterday, Tánaiste Micheál Martin stood over the forum, which will discuss defence and security policy as well as exam-

ining the question of neutrality. In his second robust defence of the forum in two days, he doubled down on remarks he made on Sunday in which he implicitly criticised President Higgins's remarks, without naming him.

Yesterday, Mr Martin, who was visiting London, said he did not want a situation where academics were being decried for speaking at conferences.

"Part of the [forum] initiative was about facilitating debate and now we are having debate," he said. He declined to directly condemn the President's remarks: "I have never sought to embroil the presidency in any controversy and I'm not going to do so now."

Taoiseach Leo Varadkar disputed any suggestion that Ireland was going to join Nato.

"That's not on the agenda of this Government," he said. "It is very clear we are going to continue with our military neutrality."

➔ Higgins crossed a line with neutrality remarks: page 2
Power of presidency relies on incumbent's restraint: page 14

Contractors pause work at children's hospital

Board has told contractor to stop work on ceilings in 11 of the 22 operating theatres

BAM is to establish extent of remedial works required on air circulation system

JACK HORGAN-JONES
Political Reporter

The lead contractor on the national children's hospital (NCH) has been told to stop key building work on half the facility's operating theatres, amid claims that a fresh setback could cost tens of millions to address.

The National Paediatric Hospital Development Board (NPHDB)'s agent wrote to BAM, the contractor, at the end of May relating to 11 of the NCH's 22 operating theatres.

A copy of the letter outlines that BAM was being "directed to stop work to the ceilings and any services installed in or above" the operating theatres.

A spokeswoman for the NPHDB confirmed BAM had been told to engage with the hospital's design team to "review the impact should revised design and additional works be required in 11 operating theatres" - but said it is yet to be determined if a revised design and additional works were needed. "No change order has been issued to amend the works."

It is understood the decision was taken to assess the potential impact of a matter related to the layout of the air circulation system in the theatres.

'12 months, €50 million' Sinn Féin's health spokesman, David Cullinane, said a source close to the project had informed him that the development could "add 12 months and over €50 million to the project".

A Department of Health source downplayed the significance of the development, ar-

guing it would not materially affect the timeline for the NCH, while it remained to be seen who would pay for any remediation if needed.

Mr Cullinane called for more clarity from the NPHDB. "We need to hear from the development board about how this problem came to be. When did they learn about it first? How much will this delay the contract? And, how much will it cost?"

A second letter sent in June instructed BAM to start workshops which would "establish the full extent of the remedial works" before an order was issued. The NPHDB spokeswoman asserted that the review was "no different" from similar steps taken "to investigate more significant changes in design" that had been proposed by BAM during the project construction.

She said there had been no material change to the design of the hospital and that change orders such as those issued reflect "the ongoing evolution of design on-site".

A statement from the contractor said: "BAM has received the instruction from the Employer's Representative and we are now engaged in joint workshops to develop the revised scope."

The NPHDB spokeswoman said the board had repeatedly requested a programme from BAM to determine a timeline for completion of the project but said that the contractor "has failed to provide a contract compliant programme".

➔ HSE chief orders freeze on recruitment of managers: page 5



Climate protest Thunberg arrested

Police officers carry away Swedish climate activist Greta Thunberg and others from the Ta Tillbaka Framtiden (Take Back the Future) organisation, yesterday, on the fifth day of their blockade of oil tankers at the port of Malmo in the Oljehammen neighbourhood.

Photograph: Johan Nilsson/TT news agency/AFP/Getty

Europe is warming twice as fast as the rest of the world: page 3

Officials clashed over impact of law on Chinese investment

ARTHUR BEESLEY
Current Affairs Editor

Government officials have clashed over new telecoms security legislation that could be used to ban equipment from Chinese-owned group Huawei from Irish networks.

The measures were advanced by Minister of State for Communications, Ossian Smyth, on the advice of the National Cyber Security Centre, the State body responsible for dealing with threats and vulnerabilities in computer systems.

Internal files show how the Department of Enterprise, Trade and Employment found parts of the law "extremely unhelpful" while IDA Ireland, the inward investment agency, questioned whether the legislation went "unnecessarily" beyond EU requirements.

The records, released under the Freedom of Information

Act, cast new light on divisions within the Government and Huawei's efforts to block the measures.

The company submitted a legal opinion against the law, cowritten by Attorney General Rossa Fanning when he was a senior counsel in private practice. That opinion questioned the constitutionality of the measures.

The Government has said Mr Fanning had no role in moves to change the law after he took office, by replacing the damaging "high-risk" vendor designation on target companies with the neutral expression "relevant" vendor.

However, IDA Ireland cited Mr Fanning's opinion for Huawei in talks on the legislation.

"From IDA's perspective, it is important to consider the unforeseen consequences of retaining the phrase 'high-risk

vendor' as it is seen diplomatically as a de facto reference to China. IDA expressed concern that this perception might have an adverse effect on investment," said a January meeting note.

"IDA also cited a recent report commissioned by Huawei on the matter expressing strong concerns from a legal perspective. IDA met with Minister [Simon] Coveney, who expressed concern about the situation and has requested a brief on the issue," the note added.

The measures were opposed by China's embassy in Dublin, which took the unusual diplomatic step of publicly challenging legislation as it went through the Oireachtas.

The law took force this month, but remains subject to new regulations.

➔ Deep split over laws on 5G tech and Chinese firm: page 5

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Home News

Nkencho shooting: A file has been sent to the Director of Public Prosecutions, whose office will determine if any gardaí should face criminal charges. Page 5

Childcare: A union representing workers has claimed the sector can afford to pay an extra €2 an hour. Page 2

World News

US/China: The US and China have agreed to stabilise and intensify contacts following Antony Blinken's visit to Beijing. Page 8

Mortgages: The average income of solo first-time buyers last year was €67,000, a banking lobby says. Page 17

Business + Your Money

AIB Life: The banking group's new life and pensions venture with Canada's Great-West Lifeco has launched with the partners investing €250m. Page 16

GAA draws: Galway will play Mayo in the All-Ireland SFC preliminary quarter-final on Sunday; the other three will be played on Saturday. Page 22

Sports Tuesday

Golf: Rory McIlroy is one of three Irish players at The Travelers \$20m competition in Connecticut. Page 23

Deep split over laws on 5G tech and Chinese firm



Arthur Beesley
Current Affairs Editor

Released files show the extent of Huawei's efforts to block legislation

Private Government talks on telecoms security measures opposed by China ran into a "procedural hitch" in January when a change to draft law before the Oireachtas was delayed unexpectedly.

At issue was a significant legal concession to groups such as Huawei, the Chinese-owned business which fears its equipment may be banned from Irish networks. The legislation had met a frosty response from the Chinese ambassador, He Xiangdong. But now moves were in train to remove the damaging "high-risk" tag from any target company, using instead the neutral expression "relevant" vendor. The advantage was clear: replacing negative language could help limit the business fallout.

The Department of Enter-

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The files refer also to a legal opinion casting doubt on the constitutionality of the measures that Huawei commissioned from Rossa Fanning SC when he was in private practice as a barrister before he became Attorney General in December

prise, Trade and Employment was displeased when communications officials said this change would be delayed. So too was IDA Ireland, the inward investment agency.

"I agree it is disappointing but the intention to introduce the change as the Bill proceeds through the Seanad is positive," said an email from Eileen Sharpe, a senior IDA official.

"I will speak with the client [and] with the Chinese ambassador to update them." The client was Huawei, which was campaigning against measures introduced on the advice of the National Cyber Security Centre, the government body responsible for dealing with cyber threats. The change was made in February in the final Seanad debate, just before President Michael D Higgins enacted the law in March. The law was "commenced" this month but security measures remain subject to ministerial regulation.

National security
Such moves come as the Biden administration takes steps to ban Huawei technology from the US for national security reasons. They are in line with European security measures, although Dublin officials clashed on whether the Irish law went beyond the scope of EU requirements.

Huawei's objections – and those of He – have been known for months. In rare public criticism of domestic legislation last November, the

ambassador attacked the Irish law and said it would "suppress" Chinese hi-tech companies. The embassy's intervention questioned Government claims that powers to ban certain groups were neither company-specific nor country-specific.

Eir, which uses Huawei kit, also opposed the law. Redacted notes of a November meeting show it warned of a potentially "serious impact" from the law and implications for "Ireland's brand in terms of attracting trade and investment".

But it is only now, through Freedom of Information records released to The Irish Times by the Department of Enterprise, that deep divisions within the Government administration itself have come to light.

Communications officials
At the centre of it all was tension between cyber security and communications officials, who were concerned about new "security threats" from fifth-generation 5G networks, and officials charged with encouraging inward investment into the State.

"IDA expressed concerns about references to countries that do not operate a democratic model as this may be construed as referring to China and, as such, may be perceived as discriminatory," said a note of talks on January 13th between IDA and Department of Enterprise officials. At that meeting, IDA officials suggested an alternative designation to high-risk vendor.

The files show the extent of Huawei's efforts to block the law. They embrace letters to then tánaiste Leo Varadkar and Minister of State for Communications Ossian Smyth in November and submissions the company made to the IDA of English-language translations of similar laws in Germany and the Netherlands.

Huawei told Varadkar the German legislation was "a more reasonable proposition" and that both the German and the Dutch laws were "much more balanced".

Sharpe of the IDA later forwarded the translations provided by Huawei to Department of Enterprise officials, saying they seemed to provided a "more balanced outcome".

Varadkar's office told Huawei he was unable to meet the company due to his heavy schedule but said it may wish to contact Minister for Environment, Climate and Communications Eamon Ryan.

The files refer also to a legal opinion casting doubt on the constitutionality of the measures that Huawei commissioned from Rossa Fanning SC when he was in private practice as a barrister before he became Attorney General in December.

'Strong concerns'
At the January 13th meeting, IDA cited what was described as a "recent report" commissioned by Huawei "expressing strong concerns from a legal perspective" about the legislation.

In an email later that afternoon to Sharpe of the IDA, Huawei said it provided the legal opinion "for the purpose" of discussion and dissemination. "Upon agreement with Huawei Ireland, IDA Ireland can share the document with relevant stakeholders." Within one hour, Sharpe forwarded the Huawei opinion by Fanning and barrister Niall Buckley in an "confidential" email to Enterprise officials.

The Government has said Fanning had no role in the February move to eliminate the "high-risk" designation, adding that he gave "no advice whatsoever" in relation to draft law.

But it is clear that the legislation itself created quite a stir.



Kilkenny 'School of Sanctuary' celebrates international event with pupils from 25 countries



Jade Wilson

Bunscoil McAuley Rice received award earlier this year for promoting diversity

Sitting at a colourful stall in their school, second class student Deeksha Pradeep Pai and first class student Andrea Anil wore their traditional Indian clothing and offered Indian breads and snacks to visitors on the school's International Day.

Standing beneath a wall covered with dozens of Irish paper tricolours, the students were surrounded by several other stalls representing the school's 25 different nationalities.

Bunscoil McAuley Rice in Co Kilkenny was the first primary school in the county to receive a School of Sanctuary award earlier this year for its work championing diversity in the school.

Founded in 2019, Schools of Sanctuary Ireland is a programme which recognises schools that have created an inclusive, welcoming and safe environment for pupils and their families, especially newcomers who come from refugee and migrant communities and other ethnic minorities, including the Traveller community.

The schools awarded have

also built knowledge and understanding among the students and the staff about forced migration due to violence, persecution, famine and other threats to life and freedom.

Bunscoil McAuley Rice was one of 13 schools from around the country which gathered in Ireland in February to receive the award from Minister of Children and Equality Roderic O'Gorman.

Last week, the school celebrated International Day by having the children from the school set up stalls offering traditional cuisine, displaying traditional instruments or other objects from the country, as well as pictures and maps of the areas.

James Manuel, in first class, was dressed in yellow and wore a headscarf with the word Brasil on it. At the Lithuania table, Martin Jagtybskas, a fifth class pupil, wore red and green and held a Lithuanian flag high above his friends as they posed for photos.

Glazed Syrian cake
Three girls from Syria, Sham, Sidra and Rahat, were handing out slices of glazed Syrian cake.

"Once a year we celebrate International Day in our school. Our children are learning about how other people live their lives and what their traditions are," John Moloney, principal of Bunscoil McAuley Rice, said.

Video
International Day at Bunscoil McAuley Rice
irishtimes.com



Bunscoil McAuley Rice pupils Deeksha Pradeep Pai and Andrea Anil; and (left) James Manuel celebrating International Day at their school in Callan, Co Kilkenny. PHOTOGRAPH: BRYAN O'BRIEN

School of Sanctuary is about creating a warm, welcoming, safe environment for those students and for their families – Principal John Moloney

"We're a school of 425 pupils in Callan, 10 miles outside Kilkenny city. I've been principal in the school here for the last 21 years, and when I arrived there were very few different nationalities in the school. That's reflective of how Ireland has changed as a society and it's of great benefit to everybody in society and in our school," he said.

'Very different backgrounds'
"We're very aware that some of our students come from very different backgrounds. Some decided to move here for work or to better themselves, and then we also have students from Syria and Ukraine. School of Sanctuary is about creating a warm, welcoming, safe environment

for those students and for their families," Mr Moloney said.

Homayoon Shirzad, a co-ordinator with Schools of Sanctuary, and a refugee from Afghanistan, addressed the pupils on the day, thanking them for their "amazing journey" in making "students from all parts of the world feel welcomed and valued".

Teacher Mark Kelly awarded several sixth class students for their "commitment to others" and "dedication in giving up your lunchtime to help our students from Syria and Ukraine with their reading".

The reading club, which aims to help new students from other parts of the world learn English, is one of several initiatives set up by the school to create an inclusive environment.

Sophie Gregg Murray is one of the sixth class students

awarded for her participation in the initiative. "Every Thursday we'd usually have a reading club for the refugee students and we'd partner up with them in the library and read books to them," she said.

"If people come here without English, when they first enter the school we give them a bilingual welcome booklet and a tour of the school, and if someone speaks the same language, we have them give them the tour. If students don't help other students, they can feel left out and a bit upset," she said.

Participation
Her friend, Maeve Moore, was also awarded for her participation. There are students in the school from "most parts of the world", she said, adding: "It makes it more interesting because you can learn a lot about different countries and their cultures and get to know that place if you want to visit later in life."

It was important to help those students learn English, she said, "because if no one's helping them then they just get stressed or worried or won't feel like they fit in".

'Two-tier' refugee system criticised

JADE WILSON

Ireland's family reunification legislation is "not fit for purpose", the Irish Human Rights and Equality Commission (IHREC) has said, calling on the State to "urgently address the two-tier system" between international protection applicants and Ukrainians seeking to bring family members to Ireland.

Refugees who were "already in the most vulnerable and isolating of circumstances" were being "effectively forced" to remain separated from their loved ones, under the International Protection Act 2015, which was "not in keeping with international best practice", the commission said.

Speaking ahead of World Refugee Day today chief commissioner Sínead Gibney said barriers to family reunification "keep families apart and in some cases can put them at risk".

The 2015 International Protection Act, which replaced the 1996 Irish Refugee Act in December 2016, narrowed the definition of family and resulted in only certain family members being permitted to be reunited.

Adults may apply for a spouse or civil partner or children, as long as they are aged under 18 and unmarried, to join them in Ireland, while children aged under 18 and unmarried may bring their parents here. Elderly parents and siblings aged over 18 are not included in the definition.

Refugees who have become naturalised Irish citizens cannot apply to be reunited with family under the scheme while those who do apply must do so within 12 months of receiving refugee status or subsidiary protection.

International protection
"For refugees and other beneficiaries of international protection living in Ireland, that can have a negative impact on psychological and emotional wellbeing, as people worry about those they left behind and miss loved ones," Ms Gibney said.

"Family reunification is core to social inclusion, as it enables those who have fled persecution to integrate into a new life here, knowing that their loved ones are safe. When we delay or obstruct family reunification, we risk the mental and physical health of some of the most vulnerable people in our community, while making it more difficult for them to achieve a positive and fulfilling life," she said.

HSE chief orders freeze on recruitment of managers

PAUL CULLEN
Health Editor

Health Service Executive chief executive officer Bernard Gloster (right) has ordered a freeze on the recruitment of managerial and administrative staff as hospitals overspent by almost €150 million in the first two months of the year.

No duration has been specified for the "temporary pause" on the recruitment of managers and administrators and a HSE spokesman said "specific actions" have been taken to "slow" recruitment for the rest of this year.

More than 5,200 management and administrative grades have been added to the health service since December 2019 – one in four of all staff recruited.

The HSE continues to take on managers and administrators at a greater rate than it does doctors, nurses and other health professionals. Over the past three years, more than twice as many staff in these categories have been recruited, compared with doctors.

About 24,000 whole-time equivalent managers and administrators are employed by the HSE, which says it is continuing to recruit in clinical and other areas.

Candidates who have applied for high-level posts have been told by the HSE that "all normal/routine recruitment at Grade VII and higher is



More than 5,200 management and administrative grades have been added to the health service since December 2019 – one in four of all staff recruited

temporarily paused". "Consequently this means that this recruitment campaign will now be paused at its current point and therefore your application will not proceed any further for the moment. Unfortunately I am unable to tell you, at this time, when or if the campaign will proceed," candidates have been told.

Sinn Féin health spokesman David Cullinane described the rate of hiring of management and administrative grades in the HSE as concerning. "What this data shows me is that it is far easier and quicker to recruit management and administrative staff, and this is why we are seeing these numbers balloon. "It is much more difficult to

recruit frontline healthcare workers because the numbers we need don't exist.

"That is a failure of workforce planning. Government after government has failed to take health workforce planning seriously. At the same time, many of our young graduates and experienced professionals have moved abroad in recent years to work in better health systems."

Hospitals overspent their budget by almost €150 million in just the first two months of the year, a HSE board meeting last March 31st heard. The period was marked by record overcrowding driven by a bad flu season and high levels of Covid-19.

However, the deficit in acute operations of €146 million was partly offset by surpluses in community services (€26.5 million), other operations (€29.9 million) and demand-led services (€1.8 million).

Last week, Ministers were warned of a growing "financial risk" to the Department of Health's budget, due to an emerging deficit in HSE spending. At the end of 2022, the department needed a €1.4 billion financial bailout, due largely to higher-than-expected spending related to the Covid-19 pandemic.

Despite a record €23.7 billion budget this year, the HSE claims this sum could be more than €2 billion short of what it actually needed to run the health service.

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→ The stakes are high. One in four women in this country will suffer abuse from a current or former partner. Sarah Benson, page 14