

STRICTLY PRIVATE AND CONFIDENTIAL

THE CITIZENS ASSEMBLY

TRANSCRIPT OF MEETING

HELD ON SUNDAY, 9TH JULY 2017

AT

GRAND HOTEL, MALAHIDE

I hereby certify the following to be a true and accurate transcript of my shorthand notes of the evidence in the above-named matter.

APPEARANCES

THE CITIZENS ASSEMBLY: MS. JUSTICE LAFFOY, CHAIRPERSON
MS. SHARON FINEGAN, SECRETARY

EXPERT ADVISORY GROUP MS. SUSAN CLIFF
MR. EAMON O'SHEA
MS. PATRICIA RICKARD-CLARKE

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1 THE MEETING COMMENCED AS FOLLOWS ON SUNDAY, 9TH JULY
2 2017

3
4 **CHAIRPERSON:** would everybody please take their seats.
5 We've a very busy morning and I have to ensure that I
6 can live over my guarantee to let you out in time. I'm
7 a bit sceptical about that I have to say but in any
8 event good morning everybody, welcome to you all again
9 and welcome to all of the people who are joining us on
10 line.

11
12 This morning we must get down to business and fulfil
13 our first part of the mandate laid down by the Houses
14 of the Oireachtas. To make recommendations on the
15 challenges and opportunities of an ageing population.
16 Now the second part of that operation is that we have
17 to report on the topic and following this weekend I
18 will begin work with the Secretariat on the report in
19 the same way as happened in relation to the Eight
20 Amendment of the Constitution and it will be based on
21 the results of the balloting today. The report and the
22 recommendations will be based on what happens today.

23
24 When the report is finalised it will be circulated for
25 information to the Assembly Members before being
26 presented to the Houses of Oireachtas. It's my
27 intention, and I hope to live up to this, to finalise
28 the report by the end of September 2017. So, we now
29 have to begin our deliberations on the ballot paper and

1 that is no easy task believe me. I want to say this
2 and make a general observation.

3
4 How we come to these recommendations, the agreement on
5 the ballot, the careful consideration of words and
6 sentences and their potential implications is a
7 fascinating exercise that goes to the very heart of
8 deliberation and to the value of this particular
9 process. As always I want to involve the members as
10 much as possible in preparation of the recommendations
11 to go to the Oireachtas.

12
13 Now, earlier this week the members were circulated with
14 a draft Ballot Paper and we invited comments and
15 questions from the members. Once again the members
16 have been very engaged and this morning we have
17 circulated a revised draft Ballot Paper which takes
18 account of some of the suggestions which we have
19 received to date. Now, for clarity the changes to the
20 original draft have been marked in red and I am sure
21 you have noticed that already, on the versions we have
22 circulated this morning and I am looking forward to
23 hearing the members engage further on the Ballot Paper
24 this morning.

25
26 I will now proceed to describe each of the questions on
27 the Ballot Paper in turn. Following this the members
28 will move into private session and they'll have a round
29 table discussion about the Ballot Paper and then we

1 will go public again as they say and we'll have a Q&A
2 session after the roundtable discussion but in any
3 event the draft Ballot Paper is going up on the screen
4 and you have it in front of you. So whatever you find
5 the easiest to deal with do it that way but I just want
6 to make some introductory remarks.

7
8 Over the course of the last weekend, that's the June
9 weekend, and this weekend, all day yesterday, a long
10 day yesterday, the members of the Assembly have
11 considered a range of issues in relation to the second
12 topic and the Terms of Reference of the Assembly, the
13 Challenges and Opportunities of an Ageing Population.
14 Before this weekend's meeting, as I have already said,
15 a draft Ballot Paper was circulated to the members.
16 The draft attempted to capture some of the key issues
17 which have emerged during discussions during the
18 weekend in June and it also anticipated some of the
19 issues which would emerge during yesterday's
20 discussion. When it was circulated the members were
21 invited to provide initial observations to the
22 Secretariat. The revised draft Ballot Paper has been
23 circulated to the members this morning, as I've already
24 indicated, and it incorporates some of the suggested
25 changes.

26
27 It also incorporates some further suggestions from the
28 members during yesterday's feedback sessions. Before
29 the members go into private session to discuss the

1 revised Ballot Paper I want to provide a brief
2 explanation of each of the questions to explain what
3 the question is trying to get at. What each of the
4 options presented to the members mean and in some cases
5 why certain terminology has been used.

6
7 Following the roundtable discussion, the relevant
8 members of the Expert Advisory Group, who are here with
9 us this morning, and I welcome them again and I'm very
10 happy they are here. Patrick Rickard-Clarke, Eamon
11 O'Shea and Susan Cliff. They will come up to the
12 podium and together with myself and Sharon they will
13 attempt to answer any questions you have on the draft
14 and time has been included in the Agenda to allow any
15 amendment agreed by the members before you go to
16 voting. The results of the final ballot, as I've said,
17 will form the basis of the recommendations to be made
18 to the Houses of the Oireachtas.

19
20 Now, I just want to say to you briefly about the Draft
21 Ballot Paper structure because it has changed since
22 yesterday. The revised Draft Ballot Paper has an
23 introductory question dealing with implementation of
24 existing policies and it's followed then by three
25 sections and the three sections are Section A -
26 Long-Term Care; Section B - Pensions and Section C -
27 Member Generated Additional Questions. Under each
28 section one or more draft questions are provided. I
29 will now move on to explain these in turn. You may

1 have noticed there was a former section on
2 Opportunities in Retirement in the paper. We had
3 intended to include member generated suggestions under
4 that heading but none were received in those terms and
5 in any event, and this is really the important thing, I
6 think an over-riding theme of the Ballot Paper is about
7 enhancing the opportunities that arise from and for
8 older population. So I think that question was really
9 unnecessary. It was superfluous. So, we've taken it
10 out.

11
12 Just to remind you, well we've taken the section out
13 but just to remind you, the question that was in it was
14 question 11 and the question was *"do you agree that the*
15 *skills and experience of older people are not being*
16 *adequately utilised in social and economic life in*
17 *Ireland?"* And I think it's true to say that that has
18 been adequately covered in all of the other questions
19 and I do believe that it was really superfluous. So it
20 has been taken out. So to get down to the nitty gritty
21 as they say. Question 1, now the revised Ballot Paper
22 now includes a specific question about implementation
23 of existing policies and I think it's true to say that
24 this was perhaps the most dominant theme emerging from
25 yesterday's discussions and it was felt that it was
26 therefore appropriate to include it as the very first
27 question on the Ballot Paper and you may recollect that
28 yesterday I did mention the importance of
29 implementation on several occasions and I anticipated

1 it going on all day and I do think that it is
2 worthwhile to include the question.

3
4 You'll see from the screen and from what's before you
5 that it reads, it is whether

6
7 *"The Government should urgently prioritise and*
8 *implement existing policies and strategies in relation*
9 *to older people including for example the National*
10 *Positive Ageing Strategy"* which you remember was put on
11 the screen, on our website yesterday, *"a Carers'*
12 *Strategy and a National Dementia Strategy."*

13
14 So it's a very general question. I did think that
15 perhaps there should be a question underneath, *"do you*
16 *agree?"*. Just in terms of I had forgotten that but in
17 terms of structure. So really it comes down to a yes
18 or no answer. It's as simple as that.

19
20 So then moving on to the more difficult aspect of it
21 and we're going into Section A first and as you know
22 Section A is long-term care and the first question is
23 Question 2. It was formerly Question 1 on the original
24 draft. Question 2 seeks to obtain relatively
25 straightforward information from the Assembly. who
26 should be principally responsible for providing
27 required care for older people. The earlier draft of
28 this question also referred to the organising of this
29 care. However, based on the member feedback and

1 further reflection, I concluded that this only
2 complicated the question unnecessarily. So you'll see
3 that it's now worded in general "*who should be*
4 *principally responsible for providing required care for*
5 *older people?*"

6
7 As the short preamble to the question states, the
8 question is posed to establish the views of the
9 Assembly about who should be responsible for providing
10 care. In this question the Assembly will give its view
11 about where in society responsibility should lie. Now,
12 we've set out four options in the question, in question
13 two and your function is to select only one of those
14 options and just to go through them briefly.

15
16 Option 1, that the family or older person should be
17 totally responsible;

18
19 Option 2, that it is mainly the family or older person
20 which should be responsible but the State should have
21 at least some responsibility;

22
23 Option 3, that it is mainly the State that should be
24 responsible but that the family or older person should
25 have at least some responsibility and

26
27 Option 4, that the State should be totally responsible.
28 So essentially the question seeks to establish if the
29 members of the Assembly feel that responsibility should

1 rest either at individual level. That is to say the
2 family or the older person or with the state or
3 somewhere in between the two. So that's really what
4 that is about.

5
6 It's not an insignificant matter. As we heard at our
7 last weekend, in some countries families are viewed as
8 having primary responsibility for care giving, while in
9 others the role of the state is seen as central. Now,
10 although in the revised version it is not expressly
11 stated, it is implicit that the provision of care
12 includes organising the care. Now, that's implicit
13 even though as I say it's not stated explicitly. This
14 is in recognition of the fact that many families may
15 not be able to provide the care directly but help to
16 organise it on behalf of the older person. Equally and
17 perhaps more importantly, it recognises the fact that
18 many older people who require care and have the
19 capacity to do so, make those arrangements themselves.

20
21 Now, before I go further and I want to emphasise this.
22 This is very important. This question is not about who
23 should fund care. It's not about that. This is dealt
24 with in the subsequent questions and we'll go through
25 them shortly. I know that it can be conceptually
26 difficult to disentangle the two but they are distinct.
27 I might outline how some of the distinctions occur.
28 You might ask if I select family/older person in this
29 question how could it follow that someone other than

1 that same family or older person should be responsible
2 for payment of that care or indeed the provision of
3 that care, where no payment is provided.

4
5 I think the answer to that is, the distinction here is
6 that it is possible for the family to be fully
7 responsible but for the state to be fully liable for
8 the cost of this care. That's a possibility. By
9 voting for Option 1 you will be saying that the family
10 should be supported to care for the older person
11 through appropriate adequately funded state supports
12 such as a carer's allowance.

13
14 Moving to another point of clarification, in answering
15 this question you may find it difficult to decide how
16 best to vote when considering certain individual
17 circumstances that you are familiar with or aware of.
18 I am conscious of this from comments made by members.
19 For example, what about older people who do not have
20 families? You may ask yourself, how should I vote to
21 take account of their needs? Again I would ask you to
22 consider the question from the point of view of
23 individual responsibility. Ideal everyone would plan
24 ahead to make their wishes clear for their future care
25 needs well before that care is needed in the event that
26 it is. As such, do you want a society that places that
27 responsibility on the individual? If so, you may
28 decide to select option 1 or perhaps option 2 or 3
29 where that responsibility is shared with the state to a

1 greater or lesser degree.

2
3 You might ask, and this is an important point and it
4 came up yesterday, you might ask about capacity. What
5 if an older person does not have the capacity to make
6 that decision? Now arising from the debate yesterday,
7 or on the previous week actually, the Secretariat
8 circulated the document by the Citizens Information
9 Board, the relate document. It would have been, I
10 think it's online and would have been in your packs
11 yesterday. That is a very, very useful document. If
12 some arises the provisions of the Assisted
13 Decision-Making (Capacity) Act 2015 which although it
14 has been enacted, many of its provisions have not yet
15 been commenced. However, when those provisions are
16 mentioned, it will put in place a number of new
17 arrangements. These arrangements will include assisted
18 decision-making and co-decision-making and advance
19 health directives which have enable a person to make
20 legally binding agreements to be assisted and supported
21 in making decisions about their welfare, property and
22 affairs if the person happens to lack capacity in the
23 future.

24
25 In addition, and I think this point came up yesterday
26 as well in addition to the 2015 Act where it also set
27 out new arrangements in relation to enduring powers of
28 attorney. It provides also, and this is very
29 important, where a director of assisted support

1 services who will have statutory function in relation
2 to overseeing all of those services.

3 So the law is being improved to a very very high
4 degree, long overdue in my view and there will be far
5 more supervision and regulation in regulation in
6 relation to assisted decision-making, in relation to
7 capacity, wardship, enduring powers of attorney and all
8 of that. So things are improving. So you bear that in
9 mind when you are answering Question 2.

10
11 Now, what I have been talking about are cases where the
12 older person lacks capacity. I did a little bit of a
13 diversion to explain to you about the 2015 Act. But in
14 those cases you may feel that it is always appropriate
15 for the State to have a role and intervene, or indeed
16 for the State to have full responsibility. If that's
17 the case, and it's for you to decide, you may select
18 Option 4.

19
20 In your discussions you may well have other issues
21 which may emerge in relation to this question but in
22 considering the question I ask you to reflect on the
23 questions core objective. That is to establish the
24 view of the assembly as to where responsibility should
25 rest.

26
27 In terms of reporting on that question, the
28 recommendation of the assembly will be the option which
29 obtains the highest number of votes with the Chair

1 having a casting vote if that is required. The
2 majority will be determined by reference to the total
3 votes cast in favour of all options available. I will
4 be doing a little bit of diversion to explain the
5 voting system throughout this presentation but you will
6 recollect that you do have a note on the voting system.
7 It was in your packs yesterday and it will in due
8 course go up on the website. We spent quite a lot of
9 time and we got assistance in relation to it so that
10 you would understand and that there would be no
11 uncertainty about the manner of voting and the counting
12 of the votes.

13
14 Now going on to Question 3, that was Question 2 in the
15 old draft. Using terminology you will hear a few times
16 this morning it is a simple referendum style question
17 which asks a straightforward question with yes or no
18 options. The question is:

19
20 *"Do you think there should be an increase in public*
21 *resources..."*

22
23 All right, I was about to just recite Question 3.

24
25 *"Do you think there should be an increase in public*
26 *resources allocated for the care of older people?"*

27
28 So I just want to emphasise 'increase' there. In
29 recognition of the fact that generally speaking people

1 will vote for more money for everything unless they've
2 actually to pay for it themselves. Am I being very
3 skeptical? The question also asks you to remember when
4 casting your vote that any additional public resources
5 allocated will mean less money is available in other
6 areas of need and/or new forms of funding will be
7 required to pay for any increase.

8
9 Then the potential source of the funding is integrated
10 in Question 4 and we'll come to that. But bear in mind
11 that you are being asked should there be an increase in
12 public resources allocated to care of older people.
13 But you have to bear in mind that that is going to
14 affect other services provided,
15 or possibly it is going to require a new source of
16 funding.

17
18 So in relation to reporting on this question it's a
19 simple yes or no. A majority, and therefore the
20 recommendation of the assembly will be determined by
21 reference to the total votes cast in favour of yes or
22 no with the answer with the highest number of votes
23 being deemed to be the majority.

24
25 Then Question 4, that was Question 3 in the old draft,
26 and this is dealing with the funding. Some possible
27 options are areas of funding referred to in Question 3
28 are provided for in Question 4. When you look at
29 Question 3 it's formulation currently you will see that

1 we have underlined the word 'additional'. So I just
2 want to stress that we are talking about, this is about
3 where, or how rather, how additional funding is
4 sourced. So bear in mind additional, it's not the
5 funding for care of older people currently.

6
7 So as I've said I've actually -- what Question 4 says
8 is:

9
10 *"where do you believe additional funding for care of*
11 *older people should come from?"*

12
13 Then there are five potential options provided and you
14 are asked to select one, one of these. Option 1 is
15 that the additional funding for older people will come
16 from a reallocation of existing tax based resources.
17 In other words, funding will be diverted from some
18 other areas or funding will be obtained through a more
19 efficient use of resources.

20
21 Option 2 is that the additional funding for older
22 people will come from an increase and general taxation.
23 We have given examples of direct tax such as income
24 tax, valued added tax and indirect tax such as excise
25 duties, levies and property taxes.

26
27 Then Option 3 is that the additional funding for older
28 people would come from a compulsory social insurance
29 payment. Now this would be an earmarked tax for all

1 workers linked to the labour market, not unlike,
2 similar to I suppose the current PRSI mechanism and the
3 social insurance fund. It will be earmarked or ring
4 fenced or whatever to fund long-term social care for
5 older people. What is envisaged here is a payment
6 which would cover all employees and self-employed
7 workers. That's what we have in mind in relation to
8 Option 3, all employees and all self-employed workers.

9
10 Then Option 4 is that additional funding for older
11 people would come from long-term social care private
12 insurance. In other words privately funded by the
13 insured. The person would take out a policy. That
14 person would be the insured and they would pay the
15 premiums and that would be the source of the additional
16 funding. I think it's worth mentioning that this would
17 be somewhat similar to private health insurance.
18 That's the sort of thing we have in mind.

19
20 Option 5 is that the additional funding for older
21 people would come from cost sharing arrangements for
22 users of all services. Included in this, and when we
23 say services we are including home care in this. Such
24 a scheme would be financed by co-payments or by a
25 charge on someone's assets. An example of a similar
26 scheme with which you are familiar is the Fair Deal
27 Scheme.

28
29 So the older person would contribute by making a

1 payment or maybe -- or alternatively by a payment being
2 derived from the older person's assets at a later
3 stage. So as I say the Fair Deal Scheme is a good
4 example to bear in mind when considering that question
5 and in particular when considering option 5.

6
7 In terms of reporting on this question, the
8 recommendation of the assembly will be the option which
9 obtained the highest number of votes with the Chair
10 having a casting vote if required. So the
11 recommendation is based on the preferred option. The
12 majority will be determined by reference to the total
13 votes cast in favour of all of the options available.

14
15 Then going on to Question 5, which was Question 4 in
16 the old draft. At this point you will have answered
17 questions about whether additional funding should be
18 allocated and if so where it should come from.

19
20 Then Question 5 asks logically I think where this or
21 how this additional funding will be spent. The wording
22 of the question has once again been altered to aid
23 comprehension and consistency. So the question now
24 asked:

25
26 *"where do you believe additional funding..."*

27
28 -- and again you will see that 'additional' is
29 underlined.

1
2 *"...for care of older people should be primarily*
3 *spent?"*

4
5 So we're not talking about current resources. We are
6 talking about additional funding.

7
8 We reworded the ballot paper, this question on the
9 ballot paper for clarity as a result of your feedback.
10 I want to say again to be clear this question is not
11 asking where all funding should go. It is asking where
12 new or extra funding should go. Once again I emphasise
13 the underlining of the word 'additional'. In this
14 question the members are being asked to rank each
15 option in order of preference. Please note that you do
16 not need to mark a preference against each option but
17 you must express a minimum of one preference marked as
18 number 1 in order for your vote to count.

19
20 I just want to say something about spoiled votes. This
21 is again a bit of a diversion. This is covered in the
22 note you got but I think it's important to go through
23 it now. So what would constitute a spoiled vote on the
24 question I'm on now which is Question 5, and the same
25 logical applies to Questions 12 and 13 which we will
26 come to later.

27
28 *"where a voter marks 1 beside more than one option or*
29 *does not mark 1 beside any question, this will be*

1 *considered as a spoiled vote as the intention of the*
2 *voter is not clear."*

3 So the test is whether the intention of the voter is
4 clear or not. I suppose if you mark 1 beside more than
5 one option or if you don't mark 1 at all, your
6 intention is not clear because we are looking for
7 preference here.

8
9 Then just another example where a voter either skips or
10 duplicates a preference other than the first
11 preference, then only any preferences indicated up to
12 the missing or duplicated preference will be counted.
13 I will just give you an example of this, and I'm going
14 to do it by reference to five questions because it
15 illustrates it better.

16
17 For example, in a question with five options, if the
18 voter marks 2, 1, 3, 4 and then another 3, then
19 preferences 1 and 2 are counted and the remaining ones
20 are not. Another example, if a voter marks 1, 2, 4, 5,
21 then only preferences 1 and 2 are valid as the
22 intention of the voter is not clear. So that's just to
23 give you an understanding of what the spoiled votes
24 mean. As I've said already, the details of the voting
25 arrangements are in the note which is in the pack, and
26 if you have any questions on it just refer to that
27 first and hopefully you will find the answer.

28
29 Moving back to the options available on Question 5 and

1 the draft ballot paper. You will see that there are
2 three options presented. Option 1 is residential care
3 services. Option 2, home care services and supports,
4 and Option 3, community based integrated housing
5 models. Just in relation to that third option, if you,
6 it relates to supported independent living arrangements
7 of the type detailed by Professor Anthea Tinker at our
8 meeting in June. I think there is a note to that
9 effect in the preface to the question, so bear that in
10 mind. If you feel like it underline it now but I just
11 wanted to mention that. That's community based
12 integrated housing models. So you have those three
13 options, residential care services like nursing homes,
14 home care services and then the community based
15 integrated housing models.

16
17 I think the reality is that when you are looking at all
18 of those questions, really there is no right answer.
19 But in any event you have to make a choice. In this
20 case and in the case of Question 5 you may decide to
21 pick Option 1 if you feel this area needs more
22 expenditure to improve the quality of life and care and
23 experience of those living in residential care. On the
24 other hand you might pick Option 2 if you feel that
25 home care is underfunded and requires more investment.

26
27 Another alternative is that you may pick Option 3 if
28 you would feel that this type of service community
29 based integrated housing models would improve the

1 quality of life of older people in the long-term. So
2 it's a matter for you to choose from those three
3 options.

4
5 The voting mechanism to be employed here where you
6 express an order of preference means that you will be
7 able to weight your responses. So you are invited to
8 rank in order of preference.

9
10 Before I move on to the count, the issue of counting
11 the votes, I want to say a few words as was the case on
12 the last occasion now on the voting of the 8th
13 Amendment we had the help of John Fitzpatrick, is John
14 here? Yes. John and his team have assisted us in
15 preparing the ballot paper and they will be here to
16 deal with the counting of the votes. It worked very
17 well on the last occasion. There was no uncertainty,
18 lack of clarity which is extremely important. I am
19 delighted that John and his team are here today to
20 assist us.

21
22 Just to tell you then about the counting, well very
23 briefly insofar as I understand it. The results will
24 provide details of the number of votes cast in respect
25 of each option. In order to facilitate clear reporting
26 for these questions, the returning officer, that's
27 John, will assign a score to each question and these
28 scores will be added up.

1 For example, if there are five options in the question,
2 then each time an option is voted as the first
3 preference of a citizen, that question scores five
4 points. Similarly, a score of four points is awarded
5 to the second preference and down to one point for the
6 last preference. I am talking about five options. The
7 total scores are added up to give an overall vote for
8 each question and the results can be reported as a list
9 of options in decreasing order of preference. I hope
10 that's clear. It's in the note, isn't it? Yes. It is
11 in the note. It's an interesting way of doing it. I
12 wouldn't have conceived of it if I hadn't been advised
13 on it, so if you want to look at that more closely have
14 a look at the note on voting.

15
16 Then a majority and therefore the recommendation of the
17 assembly will be the option which obtained the highest
18 score. However the report of the assembly on this
19 topic will provide a full voting results and therefore
20 will reflect the full spectrum of opinion of the
21 members of the assembly. So that should be useful to
22 the Oireachtas to have that full spectrum.

23
24 Now I am moving on to Question 6 which was Question 5
25 in the old draft, and again it's a simple referendum
26 style question, yes or no options. The current
27 question asks:

28
29 *"Do you think that the government should expedite the*

1 *current commitment to place home care for older persons*
2 *on a statutory footing?"*

3 You may think that that overlaps with our new question
4 1 on implementation, but the reality is it's more
5 explicit and I think it's important to include it for
6 that reason. It refers specifically to the commitment
7 to place home care for older persons on a statutory
8 footing.

9
10 The question is informed by the fact that the
11 government has committed to developing a new statutory
12 scheme for home care services as you heard, and then on
13 Thursday this week the Department of Health launched a
14 public consultation to help the Department to
15 definitely develop plans for a new statutory scheme.
16 As such this question is asking if you believe efforts
17 to develop this policy should be accelerated. So it's
18 a very simple question. You are answering it in the
19 current context as I have just explained.

20
21 Now going on to Question 7 which was Question 6 in the
22 old draft. Question 7 is another referendum style
23 question, again two options, yes or no. The question
24 is:

25
26 *"Do you think that regulation such as that currently in*
27 *place for residential centres should be extended to*
28 *afford better protection to older and dependent people*
29 *in receipt of other health and care services?"*

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29

I'll just mention in passing that the wording has been changed slightly as you see. You'll see 'centres' there in red. The earlier draft referred to residential services but on reflection we concluded that the more correct term is residential centres. So that's that, that explains that.

Just by way of further explanation for the sake of clarity, the regulation referred to here that is currently in place in relation to residential services is the work undertaken by HIQA. So that's what we have in mind there.

Then moving on to Question 8. This follows, it follows on from Question 7. That question asks:

"If the government were to decide to extend regulation to other health and care services for older people, what other services do you believe should be regulated?"

-- and we have included four options here. You are asked to mark X for each service you wish to see regulated. I just briefly refer to the four options. The first is respite services. As you probably know this can be short-term respite or for example providing a carer with an evening off, or a much longer arrangement for a holiday. Schemes of respite care are

1 sometimes called break away or friendship schemes.
2 Respite care or temporary care may be based in the
3 community or in an institution.
4

5 Then the second option is day care services. This
6 would cover centres providing a range of social and
7 rehabilitative services for older people. The third
8 option is care and support services in the person's own
9 home. In a sense that speaks for itself but it's worth
10 it just saying that the regulation in this case would
11 refer to care providers being regulated to ensure that
12 they are following the best practice and have adequate
13 safeguards in place. It doesn't mean, this is what I
14 want to emphasise, that the people's home should be
15 regulated. It's the service providers and care
16 providers who are regulated.
17

18 Then option 4, care and support services through a
19 supported housing scheme. Again that is the type of
20 scheme which Professor Anthea Tinker referred to in the
21 first week.
22

23 Now just in relation to the reporting for this
24 question, the results will simply report for each of
25 the options the number of people who marked the option
26 along with the percentage of the electorate that the
27 number represents. So there will be a number and a
28 percentage opposite each option.
29

1 That's all the questions in Section A on long-term
2 care. All of those questions really have arisen from
3 the discussion, the presentations, the discussion and
4 the feedback and all of that that we had in the June
5 weekend.

6
7 I am moving on to the question of pensions in Section B
8 now which is related to what we heard yesterday.
9 Really the questions really have emerged from what we
10 heard yesterday.

11
12 Now the first of those questions is Question 9. It was
13 Question 8 in the old draft. It's again a simple
14 referendum style question, answer yes or no. The
15 question asks:

16
17 *"Do you think that the State should introduce some form*
18 *of mandatory pension scheme to supplement the State*
19 *pension?"*

20
21 Now we heard yesterday from a number of speakers about
22 possible options here including auto enrolment, but
23 also the possibility of enhancing the PRSI scheme to
24 supplement the State pension. In revising the draft
25 ballot paper we contemplated including new questions on
26 each of these but when we considered it carefully in
27 reality such schemes are highly complex. So we decided
28 it would be preferable not to go there.

29

1 Really the underlying factor is that I want to be sure
2 that the recommendation which the assembly makes is
3 meaningful and reflects the will of the members. In my
4 view those members who expressed a view on this matter
5 seem to be motivated by the desire to improve the take
6 up of pension schemes. The question allows the members
7 to express that view without being bogged down in
8 detail. We must remember that we are not pension
9 experts and we have a finite number of questions we can
10 include on the ballot paper. That is the
11 rationalisation of keeping the question very very
12 general. I think if we got into the nitty gritty of
13 what we heard yesterday about auto enrolment, about
14 maybe an expanded PRSI system being preferable and so
15 forth, I think we might get lost. I would certainly
16 get lost I think if I was dealing with that question.
17 So I think it's better to frame it the way we framed
18 it.

19
20 Then going on to question 10. This was Question 10 in
21 the original daft but it has been reformulated. Again
22 it's a referendum style simple question with just yes
23 or no options. The question is:

24
25 *"Do you think that the current anomaly which arises*
26 *when a person who must retire at 65 is not entitled to*
27 *the pension until 66 should be removed?"*

28
29 I think it's a very, it's a very simple question really

1 because it refers to the fact that there is a gap of
2 one year between the age at which particular
3 individuals must retire at 65 and that the age at which
4 those persons can access the State pension. So you
5 might be obliged to retire at 65 but currently you
6 would not be entitled to the State pension until 66.
7 The gap is going to rise because the entitlement to the
8 State pension is going to go up to 67 in 2021 and to 68
9 in 2028. So bear those probably increases in the gap
10 in mind but we've just framed the question by reference
11 to the current situation. If you must retire at 65, if
12 that's your contract of employment, you will not be
13 entitled to the State pension until you are 66. So we
14 are asking should that be removed and we heard a lot
15 about that anomaly and the gap yesterday and how job
16 seekers allowance does not build the gap. The
17 situation is going to be exacerbated in 2021 and 2028.
18 So we are just asking you to answer by reference to the
19 current scenario.

20
21 Then Question 11 is a new question. As I told you the
22 original 11 is gone, I explained that at the outset.
23 This is Question 11 which used to be Question 9 in the
24 old draft. Again it's a simple yes or no answer. The
25 question is:

26
27 *"Do you think that mandatory retirement on the basis of*
28 *age should be abolished?"*
29

1 we changed the wording slightly to make it more
2 explicit.

3 *"Do you think that mandatory retirement on the basis of*
4 *age should be abolished?"*

5
6 You will recollect yesterday that came up quite a bit
7 and we heard a number of perspectives on this issue,
8 the personal impact of mandatory retirement as well as
9 the impact on the wider economy and society. So that's
10 that question. Again a fairly simple question.

11
12 Question 12 is a new question. Again it's in general
13 terms but again you heard yesterday quite a lot on the
14 current situation and possibly what should be the
15 situation. So the question is:

16
17 *"Do you think that the State pension..."*

18
19 what we are talking about is the contributory old age
20 pension and the non-contributory old age pension.

21
22 *"...should be benched marked by reference to national*
23 *average income?"*

24
25 I think we were told yesterday that the suggestion was
26 that the figure should be 32% I think. But should it
27 be benched marked by reference to national average
28 income. Again you just have a yes and no answer.

29

1 Then Question 13 is another new question. Again it's
2 based on members' deliberations yesterday. Once again
3 it's just a simple yes or no answer required, what I
4 have been calling the referendum style simple question.
5 It's:

6
7 *"Do you think the government should take steps to*
8 *rationalise private pension schemes to include greater*
9 *transparency in relation to fees?"*

10
11 Basically again, I am relying on my own memory, what we
12 heard yesterday was that after Brexit 90% of private
13 insurance schemes in Europe will be in this
14 jurisdiction. We also heard yesterday, I think, that
15 they were only three private insurance schemes in the
16 Netherlands I think. But the point about it is that
17 you are being asked a very general question asking
18 should the government take steps to rationalise private
19 pension schemes and another issue which we have
20 included in the question which arose yesterday was the
21 issue of fees in relation to private pension schemes
22 and the lack of transparency in relation to fees. That
23 came across from the presentations and you may think
24 that, you may want to express a view on that.

25
26 Now Question 14 is a new question based on the members'
27 deliberations yesterday, and again it's just a yes and
28 no answer. The question is:

1 *"Should the government backdate the homemaker's scheme*
2 *to 1973?"*

3
4 You will recollect I think it was Justin who dealt with
5 this to the most extent and I was having a look at his
6 paper this morning, and if you feel like it have a look
7 at his paper. But as you will recollect from yesterday
8 the homemaker scheme was introduced in 1994 I think and
9 it wasn't backdated. Somebody who left work, a woman
10 who left work to look after her children in 1973 is
11 unquestionably disadvantaged by reference to person who
12 left in 1994 when the homemaker scheme came into force.
13 So again it is a very general question and you can
14 express a view on it.

15
16 Then I have a new Question 15 as well. Again this came
17 from members' deliberation and it's again a yes and no
18 question. I think we have sort of rejigged the
19 question somewhat, and the question again we've
20 rejigged it so that it is in general terms.

21
22 *"Do you think state support for carers including access*
23 *to education, retraining and pension arrangements*
24 *should be enhanced?"*

25
26 I think to some extent that question was prompted by
27 Eamon's personal experiences in the first weekend.

28
29 Now, I am moving on now to Section C. This is a

1 section that is headed 'Member generated additional
2 questions'. We have one Question 16 with at the moment
3 four elements to it. Just by way of introduction to
4 this, over the course of the two weekends when we were
5 discussing this topic, the challenges and opportunities
6 of an aging population a number of further issues
7 emerged in the discussions which were not directly
8 related to the topic of long-term care or pensions,
9 income and retirement. As your involvement in this
10 process is an exercise in deliberate democracy, the
11 issues outlined in Question 16 are as a result of your
12 input as members.

13
14 You are invited in this question to express, on this
15 occasion it's in order of preference which of these
16 issues you consider to be the most important. The
17 mechanism is favoured over individual questions on each
18 item as it is my view that it would not be appropriate
19 to include a wide range of distinct questions given
20 that the members did not receive expert briefings on
21 the matters included.

22
23 So I think on reflection going over this again this
24 morning I think maybe some rejigging of the wording is
25 necessary but the substance would remain the same. So
26 the first issue, and I am calling these issues as
27 distinct from questions, and again maybe that's
28 something that requires a further consideration. But
29 anyway the first element is the responsibility for

1 older people should be formally devolved to the
2 relevant Minister for State. So in other words if
3 there's a Minister for State looking after the elderly
4 in the Department of Health as is the case now, should
5 the responsibility be devolved to the Minister of State
6 as distinct from the Minister who was one of the 15? I
7 am just taking that as an example.

8
9 Issue 2, I think really it should be formulated as:

10
11 *"Should there be a dedicated one stop workshop for*
12 *older people to assess information about their*
13 *entitlements and should an education campaign be run to*
14 *support it?"*

15
16 Again that's something that has emerged from the
17 members and it really is important that older people
18 should have access to the information which affects
19 them but whether it should be done this way or another
20 way, whether you think the position is adequately
21 covered already it's up to you to make a decision on
22 that, on the second element.

23
24 The third element is I think maybe:

25
26 *"Should steps be taken to ensure that older people have*
27 *a stronger voice in determining their own care needs?"*

28
29 Again you probably have a view on that.

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Then the fourth issue is:

"Should stronger government leadership be ensured in relation to the prioritisation of health and social care needs of older people?"

Those questions are framed in very general terms but they may be of some assistance, your view on them may be of some assistance to the Oireachtas. You may have some other questions you want to add to Question 16 or other issues you want to add to Question 16, but I have to say at this stage I have overstepped the mark by in excess of ten minutes. You are going to have a half an hour to discuss these now and then we are going to have a public questions and answer sessions.

I mean I think, if I may put it this way, and I am talking to myself as much as to you on this, I think one has to be disciplined. We have a limited time. We have 16 questions which is an awful lot of questions. It's not just an issue of getting to understand the questions and to deciding how you are going to make up your mind but then there is the question of the counting of the ballot. The more questions there are, the longer it's going to take. So I think we have to be disciplined about that. So I'd ask you, and I am saying it to myself as well, I would ask you to approach it in that way.

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So will we say a quarter to 11? A quarter to 11. We will commence the questions and answer session at a quarter to 11. Thank you very much.

MS. FINEGAN: Can I just make a request of everybody that in light of the fact that there are 16 questions, if at the tables you could do two things, one is agree amongst yourselves which questions you're happy with and you're satisfied with don't require further discussion, and then to focus your time on which questions you do think needs further work or further consideration or further input from the members. That would be very helpful for us because there is time required for printing the ballot paper and so on. So if we could have early clarity on the questions that you're happy with, then that means we can get those ones printed and get it ready to go, just in the interests of getting everybody out on time. So if you think about that with your facilitators, and they've been briefed on this, so if you could bear that in mind that would be very helpful. Thanks.

THE MEETING ADJOURNED

1
2 **FOLLOWING A BRIEF ADJOURNMENT THE MEETING RESUMED AS**
3 **FOLLOWS:**

4
5 **FEEDBACK AND Q&A FROM MEMBERS**

6
7 **CHAIRPERSON:** All right. We're going to start now on
8 the Questions and Answers Session but I what I want to
9 do first is I'm going to go around each table to
10 ascertain the questions on which there is agreement by
11 that table and then we'll come back to questions.

12 **MS. FINEGAN:** we'll go in order.

13 **CHAIRPERSON:** Yes, we'll start with Table 1.

14 **TABLE 1 - FACILITATOR:** I am the Facilitator for Table
15 1. 1, is fine; 2 is fine; 3 is fine but there was a
16 note that there was a type in what was provided but
17 that was fixed on the slide.

18 **CHAIRPERSON:** Yes.

19 **TABLE 1 - FACILITATOR:** There is a question about 4; 5
20 is fine; there's a question about 6, 7 and 8; 9, 10 and
21 11 are fine; there's a question about 12; 13, 14 and 15
22 are fine and then 16 there's a query about 16.

23 **MS. FINEGAN:** Thank you. Table 2.

24 **TABLE 2 - FACILITATOR:** I'm the Facilitator for Table
25 2. Numbers 1, 2 and 3 are okay. Numbers 5, 6, and 8;
26 numbers 10, 11, 14 and 15 and then the remaining
27 numbers there's recommendations.

28 **MS. FINEGAN:** Okay.

29 **CHAIRPERSON:** It is just what you have questions on,

1 just that I'm clear on my mind?

2 **TABLE 2 - FACILITATOR:** So, number 4 there's a
3 recommendation; number 7, number 9, number 8 and number
4 16 and number 13 as well. So, question 4, question 7
5 and 8, question 9, question 13 and question 16, there's
6 recommendations on all of them.

7 **CHAIRPERSON:** Yes.

8 **TABLE 2 - FACILITATOR:** And everything else is okay.

9 **TABLE 3 - FACILITATOR:** Thank you Judge. I'm the
10 Facilitator for Table 3. The Citizens at this table
11 are okay with questions 1 through 6; question 8, 10 and
12 12 through 14. There are questions or clarifications
13 required in relation to questions 7, 9, 11, 15 and 16.

14 **CHAIRPERSON:** Thanks very much.

15 **TABLE 4 - FACILITATOR:** Thank you Judge. I'm the
16 Facilitator for Table 4. All questions were fine with
17 the exceptions of question 1 and question 12.

18 **CHAIRPERSON:** So everything but question 1 and question
19 12. Yes, thank you very much.

20 **TABLE 5 - FACILITATOR:** I'm the Facilitator for Table
21 5. The citizens were happy with question 1, 2, 3, 4,
22 5, 6, 8, 10, 11, 12 and 15. They had a few small
23 queries with question 2, 3, 4 and then they had
24 questions about 7, 9, 14, 16 and 17. Sorry, that's
25 they had a suggestion.

26 **CHAIRPERSON:** Yes.

27 **TABLE 6 - FACILITATOR:** I am the Facilitator for Table
28 6 and the Citizens at this table are happy with 2, 3,
29 5, 6, 7, 10, 11, 12, 13, 14 and 15 and then there is a

1 query or suggestions with question 1, 4, 8, 9 and 16.
2 **CHAIRPERSON:** Thank you very much.
3 **TABLE 7 - FACILITATOR:** I'm the Facilitator for Table
4 7. The citizens at this table have recommendations for
5 questions 2, 3 and 4.
6 **MS. FINEGAN:** So everything else you're?
7 **TABLE 7 - FACILITATOR:** Everything else is fine.
8 **CHAIRPERSON:** Two three and four?
9 **TABLE 7 - FACILITATOR:** Yes.
10 **MS. FINEGAN:** Can I just ask, I know I'm going to
11 breach the training that has been given to the
12 Facilitators but there is no need that you're the
13 Facilitator everytime from each table just in the
14 interests of time or that the citizens have the
15 following questions.
16 **CHAIRPERSON:** And we can see the yellow.
17 **TABLE 8 - FACILITATOR:** The citizens of table 8 have
18 queries around 2, 5, 8, 10, 15 and 16. They were happy
19 with the other questions.
20 **CHAIRPERSON:** Can you say it again please?
21 **TABLE 8 - FACILITATOR:** 2, 5, 8, 10, 15 and 16.
22 **CHAIRPERSON:** Thanks very much.
23 **TABLE 9 - FACILITATOR:** The citizens at Table 9 are
24 happy with the questions, eight questions, numbers 1,
25 3, 6, 7, 10, 11, 12 and 15 and they have comments and
26 suggestions and queries in relation to the other
27 questions which are 2, 4, 5, 8, 9, 13, 14 and 16;
28 **MS. FINEGAN:** Thanks Joe.
29 **TABLE 10 - FACILITATOR:** The citizens at this table

1 have questions or comments about numbers 4, 8, 11, 14
2 and 16 and the rest are okay.

3 **TABLE 11 - FACILITATOR:** The citizens at table 11 are
4 happy with questions 1 to 15 inclusive. They have a
5 recommendation or an amendment to a piece of number 16
6 and they have also an additional question which they
7 think would be suitable for the ballot paper.

8 **TABLE 12 - FACILITATOR:** Judge, I'm the -- the citizens
9 at Table 12 are happy with 1 to 16 with the exception
10 of 4, 14 and 15.

11 **TABLE 13 - FACILITATOR:** This table were happy with
12 questions 1, 4, oh sorry, there was issues arising with
13 questions 1, 4 and 11 and all the remaining questions
14 were okay.

15 **TABLE 14 - FACILITATOR:** The citizens at table 14 are
16 happy with most of the questions. They just have
17 issues with question 9, 10, 11, 13 and have some
18 suggestion for 16.

19 **CHAIRPERSON:** Right.

20 **MS. FINEGAN:** If you just bear with us, we'll just tot
21 this up.

22 **CHAIRPERSON:** Can I have your attention please. We
23 have been looking at the return we've got from the
24 tables and that is very helpful. I'm very grateful to
25 the members and to the Facilitators for giving us that.
26 Now, we have sort of done a little bit of sums here and
27 we see that the only questions in respect of which
28 there are more than six issues are question 4 in
29 relation to which seven tables have an issue. Question

1 8 in respect of which 8 tables have an issue. Question
2 9 in respect of which six tables have an issue and
3 question 16, nine tables have an issue with question
4 16. So I mean we are very limited in time and it would
5 appear, just taking an overview of it, that there is a
6 majority consensus in relation to the remainder of the
7 questions. The majority of the tables are happy with
8 the remainder of the questions. So what we decided
9 probably is the most realistic way of dealing with it
10 is to deal with those questions, 4, 8, 9 and 16. So
11 any way will we try that. Yes Linda?

12 **SPEAKER:** Can we deal with those four and then if we
13 have time go on to the others?

14 **CHAIRPERSON:** All right, yes and there are four
15 questions in respect of which four tables had a view
16 and then there were four questions in respect of which
17 three tables had a view. So that's the way it pans out
18 but it is very, very helpful. So we'll start with
19 question 4. Did Table 1 have an issue with question 4?

20 1 Q. **TABLE 1 - FACILITATOR:** There was a query in relation
21 to question 4 and the query was that the question says
22 being related to additional funding and there was a
23 query as to the meaning of "additional funding". Was
24 it extra funding, additional funding raised by the
25 State or was it the -- would it include the transfer of
26 funding from other Departments to be applied to the
27 matters at hand?

28 **CHAIRPERSON:** Eamon, would you like to say something.
29 We have been looking at that question as well. It

1 relates to additional funding. In other words it has a
2 link back. As we've framed it now and whether this is
3 a good idea or not is another's day work but it's
4 linked back to question 3 and it's additional funding
5 in terms of question 3 and then this question 4 is
6 trying to determine where it should it come from, that
7 additional funding. Whether that's a good idea or not
8 --

9 **MS. FINEGAN:** And it might be useful for Eamon to
10 explain our thinking.

11 **MR. O'SHEA:** Okay, so I don't know what the other
12 issues with question 4 across the other tables were but
13 just as a suggestion or point from my perspective, at
14 the moment it's set out as additional funding. As if
15 we want additional funding but it might be useful to
16 think about this question in terms of simply funding
17 the overall system. So, what way do you want to fund
18 the system. Is it the whole system, including any
19 additional funding. So at the moment it's funded
20 through general taxation but this question could be
21 simply a question of where do you believe funding for
22 care of older people should come from and that simply
23 becomes a question then, do you go from Option 2 to
24 Option 5. The current taxation, Social Insurance
25 system, a long-term private insurance system or some
26 cost sharing arrangements. That might simply and sort
27 of have it related to overall funding. That simply --
28 it's a very simple question then. How should we fund?
29 If you remember I gave a paper in the last where I

1 talked about funding systems and you know some
2 countries like Germany have a long-term care in Social
3 Insurance. Other countries do it by general taxation
4 and it becomes a very simple question. It's not tied
5 to additional funding. It's simply what way do you
6 want to fund the overall system. So it's just a point
7 of view.

8 **CHAIRPERSON:** Yes, that's very helpful. Table 5 had an
9 issue on that?

10
11 2 Q. **TABLE 5 - FACILITATOR:** Judge, the citizens were
12 wondering could they -- instead of ticking one box
13 could they have an order of preference, 1 to 5?

14 A. **CHAIRPERSON:** I suppose it could be done. I mean, yes.
15 We'd have to put it to a vote of the tables.

16 **MS. FINEGAN:** we'll keep going with the other
17 questions. I think table 2 had a question?

18
19 3 Q. **TABLE 2 - FACILITATOR:** It's the same.

20 **MS. FINEGAN:** It's the same, okay.

21 **CHAIRPERSON:** All right, any other questions on
22 question 4?

23
24 4 Q. **TABLE 7 - FACILITATOR:** So our Table 7 had just a
25 question in relation to I suppose the sequential nature
26 of question 4 and anyway question 3 asks for a yes or
27 no answer and if somebody were to answer no then they
28 don't have an opt out then in question 4 and that
29 happens a couple of times. So we were just curious

1 about that. Do they just not vote on that question
2 altogether?

3 A. **MS. CLIFF:** The reason we did that was because well
4 number 1 there are difficulties in doing a sequential
5 ballot in terms of reporting because there are
6 questions arise, do you discount -- you know what
7 happens, does that vote become redundant, that question
8 become redundant if the majority of the Assembly
9 decides that they don't want to assign additional
10 funding but nonetheless we thought this question as a
11 standalone was an important question to ask of the
12 majority, even if the majority felt that they didn't
13 want additional funding but there was a question there
14 and I suppose it goes back to Eamon's point about
15 whether the additional piece. So if we were to recast
16 the question, number 4, about a question about funding
17 more broadly that issue doesn't arise here and I mean I
18 suppose we have to go around other tables but if that's
19 a concern that's coming from tables I think we can
20 recast the question. To remove the reference to
21 additional and I think it may address those questions
22 that are coming from it.

23 **CHAIRPERSON:** And in fact it was because of the
24 difficulty in counting the votes that we made a
25 deliberate policy not to an 'if' at the commencement of
26 question 4. We've given that a lot of thought but I
27 mean the point you make is a good point unquestionably.
28 Anybody else?
29

1 5 Q. **TABLE 6 - FACILITATOR:** The citizens at Table 6,
2 similar to Table 5, they would like to see the mark of
3 X replaced with a weighted option. Say from one to
4 five and which would be the greatest weighting is one,
5 your first preference, to 5, just to clarify that?

6 **CHAIRPERSON:** Yes.

7

8 6 Q. **TABLE 10 - FACILITATOR:** The citizens at Table 10 had
9 the same issue in relation to the options for question
10 4. There should be an option for no additional funding
11 and that same issue arose in relation to question 8
12 also?

13 **CHAIRPERSON:** Right. Eamon?

14 A. **MR. O'SHEA:** So if you recast the question as a simple
15 question on funding the overall system you deal with
16 that issue. You know you deal with that issue. It's
17 not tied to question 3. Question 3 is a question on
18 simply saying do you think there should be more
19 resources, yes or no, bearing in mind that you have to
20 pay for, you know when you think about that question,
21 question 4 becomes almost a standalone question. *"what*
22 *do you think about funding the overall system.?"* So you
23 could say no to question 3 then but you could still
24 answer question 4 by contemplating. You know I think
25 there should be a different kind of funding system or
26 the same kind of funding system. It separates it out
27 very clearly I think and so on.

28 **CHAIRPERSON:** Does anybody else want to say something?

29

1 7 Q. **TABLE 9 - FACILITATOR:** The citizens at Table 9 in
2 relation to question 4 have three comments or queries
3 or suggestions. The first one is we're seeking
4 clarification on whether it is intended in relation to,
5 not unlike the current PRSI mechanism, whether that
6 implies or means that employers would also be asked to
7 make a contribution.
8 **CHAIRPERSON:** Yes, that's the PRSI system as it exists.
9 There's employer and employee contributions, yes.

10 8 Q. Thank you and the other suggestion is at option 1,
11 reallocation of existing tax-based resources, to add on
12 to that more efficient use of tax-based resources?
13 **CHAIRPERSON:** This is option 1?

14 9 Q. Option 1.
15 **CHAIRPERSON:** Now if we were to go -- as Eamon has
16 suggested, if we were to go the overall funding
17 approach, option 1 would be gone.
18 **MR. O'SHEA:** If we were to do that and Option 1,
19 because Option 1 is obviously related to a belief from
20 the earlier question that you don't think there should
21 be additional resources because there is enough in the
22 system but if you don't tie the two of them together it
23 becomes a simple question of a funding question and
24 then it becomes -- that question 1 is redundant or
25 sorry, Option 1 is redundant.
26 **MS. FINEGAN:** Table 13?
27

28 10 Q. **TABLE 13 - FACILITATOR:** There was a bit of a
29 discussion in relation to Option 1 whereby we were

1 wondering if, I don't know if it's an ad lib comment or
2 something but there was some reference to improvements
3 in efficiency would also be included in that option?

4 **CHAIRPERSON:** Yes.

5 11 Q. And if that's -- it's not actually explicitly printed
6 there but if that is the case and you take it out then
7 that option is gone as well.

8 **CHAIRPERSON:** Yes.

9 12 Q. So should that be explicitly put in then as an option
10 outside of what the panel just said if that makes
11 sense?

12 A. **MR. O'SHEA:** So the efficiency question and the
13 reallocation question would come in. If you say well do
14 you think there -- going back to question 3 and if you
15 take away the link to question 3, you are simply asking
16 a funding question. So you're not making any judgments
17 on the efficiency of the system. You are simply saying
18 there are four ways, well as we have here, there are
19 four ways to fund the system. General Taxation, Social
20 Insurance, Private Insurance or co-payments. You're
21 not making any judgement on the efficiency of the
22 system. You're simply making a judgement on the
23 financing of the system. The efficiency judgement
24 comes in if you think well, will only come in, it's a
25 really good point, if you are relating this question to
26 question 3. If you're talking about additional funding
27 because you could make the argument no, there's no need
28 for additional funding. Just be more efficient but if
29 we're decoupling question 3 and 4, then that's no

1 longer an issue. The issue of question 4 simply
2 becomes a financing question.
3 **CHAIRPERSON:** Yes. Anybody else?
4 **MS. FINEGAN:** 13?
5
6 13 Q. **TABLE 13 - FACILITATOR:** The citizens at this table
7 have a comment, similar to comments that have been
8 raised before but just to explain the rationale. In
9 reality it may be desirable to have multiple sources of
10 funding and they believe this should be reflected in
11 the options?
12 **CHAIRPERSON:** Say that again please?
13 14 Q. In reality it might be desirable to have multiple
14 sources of funding and so they feel that there should
15 be a means of reflecting this in their choices rather
16 than simply marking one X?
17 **MS. CLIFF:** So it's the rank order point.
18 **CHAIRPERSON:** Part of the rank, yes. Thank you.
19 **MS. FINEGAN:** Table 2?
20 **CHAIRPERSON:** Up to Table 2.
21 **MS. FINEGAN:** 12 first.
22
23 15 Q. **TABLE 12 - FACILITATOR:** Sorry, Judge, Table 12 concurs
24 with 5 and 6 and they would like them ranked one to
25 five?
26 **CHAIRPERSON:** Say that again?
27 **MS. FINEGAN:** They want them ranked 1 to 5.
28 **CHAIRPERSON:** Yes and I think Table 2?
29

1 16 Q. **TABLE 2 - FACILITATOR:** Just in relation to the removal
2 of option 1 under question 4, it's just a proposal that
3 for option 2 instead if we remove the "increase in" and
4 leave it to just general taxation and put "increase in"
5 in the bracket as one of the options under general
6 taxation instead?

7 **CHAIRPERSON:** Yes, that's what has been suggestion.
8 Thanks very much. That's very helpful. All right,
9 have we got another one?
10

11 17 Q. **TABLE 10 - FACILITATOR:** The citizens at Table 10 just
12 have a follow-up comment on question 4. They
13 appreciate what the panel have said about the
14 decoupling of questions 3 and 4 but that is not borne
15 out by the wording of question 4 by the use of the word
16 additional?

17 A. Oh yes.

18 18 Q. They are inherently linked.

19 **CHAIRPERSON:** Can I just at this stage indicate what --
20 if we were to go the route suggested by Eamon, what
21 would happen, look back at question 3, the reference,
22 the last sentence there would come out. "*Some possible*
23 *options for these areas of funding are provided in*
24 *question 3 below.*" So that would come out. Then
25 question 4, the actual question, the word "additional"
26 would be removed. So it would then read "*where do you*
27 *believe funding for care of older people should come*
28 *from?*" And we could put in the word "overall". I
29 don't know whether it would anything.

1 **MR. O'SHEA:** I think "overall".

2 **CHAIRPERSON:** Yes, "overall funding" all right and then
3 Option 1 is gone. An Option 2 "increase in", the words
4 are gone and I think the rest of the options are okay.
5 So you have Option 2 becomes Option 1 and it's general
6 taxation it starts off and I was inclined to put in "as
7 currently" at the end of it. Option 3 becomes 2;
8 Option 4 becomes 3 and Option 5 becomes 4 and then we'd
9 do the rank in order of preference rather than mark X
10 in one box.

11
12 Just when we were discussing this earlier, it might be
13 more logical, I don't know how much difficulty this is
14 going to cause but it might be more logical if question
15 4 became question 5 because question 5 as it is now is
16 linked to question 3 because it is dealing with the
17 additional funding. Do you see what I mean, yes. That
18 won't create too much difficulty?

19 **MS. FINEGAN:** No.

20 **CHAIRPERSON:** All right. I mean I'm suggesting those
21 changes. It's a matter for you to decide. So we might
22 do it by a show of hands? Those in favour of the
23 changes suggested? Practically a consensus, absolute
24 consensus. Thank you very much. So that takes care of
25 question 4. Now the next one is question 8 and we're
26 doing the switcheroo on 4 and 5 and the ending of 3.
27 So this is question 8.

28

29 19 Q. **TABLE 9 - FACILITATOR:** The citizens at Table 9 have

1 just suggested that a further option be put in as
2 option 5 in that "*all health --*
3 **MS. FINEGAN:** Is this on question 4?
4 **CHAIRPERSON:** No, 8.
5 20 Q. Eight.
6 **CHAIRPERSON:** Say it again please?
7 21 Q. Yes, no worries. So, question 8 adding in an
8 additional option 5 which would be "*all health and care*
9 *services for older persons to be regulated*"
10 **MS. CLIFF:** I think what you find there is that is in
11 essence what we mean in question 7. So by indicating
12 yes you're saying that in question 7, that regulation
13 as it currently stands for designated centres for older
14 people or designated centres for people with a
15 disability would extend to all health and social care
16 services. If we added in "all" to question 7. It's
17 question 8 or maybe if you do it in 7 it may not be
18 necessary in 8. "In all other health and care
19 services".
20 **CHAIRPERSON:** So, yes, do we need Option 5?
21 **MS. CLIFF:** No, because if you go back to question 7
22 then you don't need it in Option 5.
23 **CHAIRPERSON:** Yes. Are you happy with that? That it
24 is covered in question 7?
25 **MS. CLIFF:** "All" in 7. The last line. So it would
26 read "all health and care services". We take out the
27 "other" and replace it by "all".
28
29 22 Q. **SPEAKER:** Judge, the citizens were querying the word

1 "and" in question 7. Is it "older dependent people" or
2 "older and dependent people". which, I know it says
3 "older and" in question 7?
4 **CHAIRPERSON:** what do you think susan?
5 A. **MS. CLIFF:** we'd agree with you. That all older people
6 will be dependent and it is the older dependent people
7 are availing of the health and social care services.
8 So it would make sense to say "older dependent" as
9 opposed to "older and dependent".
10 **CHAIRPERSON:** All right. we'll take out the "and".
11 what you're suggesting is take out the "and" in seven,
12 yes. That's good, yes.
13
14 23 Q. **TABLE 6 - FACILITATOR:** The citizens at Table 6 would
15 like to have a yes or no option for question 8 instead
16 of X?
17 A. **MS. CLIFF:** so they would choose just one?
18 24 Q. No, sorry, for each of the sections they would like to
19 say yes or no rather than just an X on one particular
20 option?
21 **MS. FINEGAN:** But the construct is essentially that
22 because you can tick X for all that you wish to see
23 regulated. So where you don't put an X in you're
24 essentially saying no. So it's like individual
25 questions the way it's constructed precisely for that
26 reason. Does that make sense?
27 25 Q. Okay with that, thank you.
28 **CHAIRPERSON:** Anybody else on question 8?
29

1 26 Q. **TABLE 1 - FACILITATOR:** A concern was raised at the
2 table that the decision to extend regulation might be
3 unrealistic given the stringent standards that HIQA
4 enforces at the moment, in that the regulation would
5 not be appropriate if it actually extended to care, for
6 instance, in someone's own home?

7 A. **MS. CLIFF:** I suppose just to be clear, there would be
8 no intention for HIQA to go into anybody's home or
9 whatever authority was to end up regulating. So the
10 intention would be to regulate the service provider.
11 So in terms of home care, what you would be looking at
12 to see is that the provider who sending the people into
13 somebody's home has the appropriate vetting in place.
14 Has the appropriate assessment systems in place. Made
15 the appropriate checks to ensure that the care that is
16 supposed to be delivered is being delivered. That the
17 people who are going in are vetted to the highest
18 standard but there would be no intention that a
19 Regulator would cross the door of someone's house. We
20 wouldn't see that as being an option there but there is
21 a point. There's an underlying point there. That the
22 current system of regulation is not transferable. So
23 it would not be appropriate to applying the same
24 standard of regulation in a long-term centre for care
25 that has become somebody's home, as you would apply in
26 an area that's dealing with respite because you're
27 right. Those standards would be onerous and would
28 likely put services out of action. So what we have
29 been addressing with the Department of Health and with

1 anybody else who will listen to us, is that actually we
2 need a suite of regulations that are service specific.
3 So then a service provider says "this is what I'm doing
4 in this area" and we say well these are the regulations
5 that are relevant to that area of service delivery and
6 that's the space we would be hoping to move into. We
7 published two papers on that this year. One relevant
8 to care of the older persons and one relevant to the
9 Disability Centres and it has arisen out of our
10 experience in the Disability Centres, where people are
11 moving out into smaller and smaller settings. So now
12 you cannot have the same standards applying to a centre
13 that is essentially an apartment where two people may
14 be living in. So there is a recognition of a need for
15 service specific regulations for the point of view that
16 you do not want to be putting people out -- you don't
17 want regulation to become the factor that stops a
18 service being put in place.

19 A. **MS. RICKARD-CLARKE:** Could I just add, sorry Chair,
20 just there is a paper of the Law Reform Commission in
21 2011 which identifies in the debates this issue about
22 the different levels of care. So it's all about the
23 regulation of the service provider in terms of the
24 service provider employees, in terms of education,
25 training and standards in terms of care. So it's not
26 in relation to regulation of a person's home. Just to
27 emphasise that again but very importantly and I know
28 over the two weekends people have raised issues about
29 abuse and safe-guarding of older people. So there may

1 be circumstances where it is necessary to go into a
2 person's home and the National Safe-guarding Committee
3 at the moment are looking at legislation. Indeed a
4 Private Members Bill was introduced in April of this
5 year which got all party support. It's going back to
6 debate at committee stage in the Autumn and one of the
7 issues in that bill is access where it's absolutely
8 necessary to safe-guard a person and because of the
9 Constitutional right of privacy in a person's home et
10 cetera, obviously we need very specific legislation if
11 that power has to be used under legislation. So if
12 safe-guarding arises there may be a necessity to go
13 into a person's home but as I emphasise we need very
14 clear legislation in relation to that but generally in
15 terms of regulation of home care, it's about standards
16 of the service provider. It's about education in
17 training. At the moment you've people going into
18 people's homes who actually there's no standards
19 applied to them. They are not trained. They don't
20 understand dementia and all of those other things and
21 that's really, really important.

22 A. **MR. O'SHEA:** So just maybe a suggestion then on Option
23 3 would be *"care and support services delivered by*
24 *service providers in a person's own home"*. It might be
25 more specific if that's helpful?

26 **CHAIRPERSON:** Yes, I think so, yes. Really the overall
27 question, bear this in mind, the overall question is
28 about regulation. It doesn't say what the terms of the
29 regulation will be. That obviously would have to be

1 determined later but it's just about having the
2 regulation. That's the important point and as Patricia
3 said the National Safeguarding Committee is looking at
4 a broader picture and that will hopefully come down the
5 road at some stage. Yes?

6
7 27 Q. **TABLE 2 - FACILITATOR:** A member at Table 2 has said
8 that they feel that question 7 and 8 repeat each other.
9 They would like question 7 to be removed and to be
10 placed as part of question 8?

11 A. **MS. CLIFF:** well I suppose by having the two questions
12 separately it does allow people the option to say well
13 actually I don't think Day Care Services should be
14 regulated or I don't think Respite Services should be
15 regulated. Now obviously I think they all should be
16 regulated but if you put the two of them together
17 you've removed that option.

18
19 28 Q. **TABLE 9 - SPEAKER:** I've a question. In discussing
20 question 8 we have proposed changes to question 7 I
21 believe?

22 **CHAIRPERSON:** Yes, we have.

23 29 Q. And one of the changes that has been proposed is that
24 the regulation currently in place for Residential
25 Centres should be extended to afford better protection
26 to older dependent people?

27 **CHAIRPERSON:** Yes, the "and" comes out, yes.

28 30 Q. I have a problem with that or well an issue maybe, in
29 that we discussed last weekend that you know many older

1 people are independent and consider themselves
2 independent. So I would propose that the wording be
3 changed to "older and older dependent people". I think
4 putting all older people into the dependent, well
5 putting the services, excuse me now, maybe I'm not
6 making myself clear. The care services I believe
7 should be regulated but the care services would be
8 provided to older people and older dependent people.
9 Does that make sense?

10 A. Or is it just older people and take out the dependent?

11 31 Q. Yes, that'll do.

12 A. Is that the crux of it?

13 32 Q. I think so, yes.

14 **CHAIRPERSON:** Yes, that is better I think.

15
16 33 Q. **TABLE 8 - FACILITATOR:** The citizens at Table 8 would
17 like the answers to question 8 ranked in order of
18 preference?

19 **CHAIRPERSON:** Say that again?

20 A. They want the answers ranked.

21 34 Q. For question 8. To be able to prioritise the
22 regulation.

23 A. **MS. FINEGAN:** Just on that, we did reflect this and
24 just thinking about back to the note about reporting
25 and how this would be reported, so if we leave it as
26 the current construct, the recommendations of the
27 Citizens Assembly would be in the event that the
28 Assembly voted by a majority, for example, for Option
29 1, 2, 3 and 4, the recommendations would be individual

1 recommendations. *"The Citizens Assembly recommends*
2 *that regulation be extended to best respite services,*
3 *day care services, care and support services."* whereas
4 if you do the ranking that can't emerge as the
5 recommendation.

6 **CHAIRPERSON:** It's probably of more value.

7 **MS. RICKARD-CLARKE:** So it's the weighting that we
8 need.

9 **CHAIRPERSON:** The weighting, yes.

10
11 **CHAIRPERSON:** Is there another question. All right.
12 Well maybe I'll just review what we've discussed and
13 see can we agree on it. Question 7 first of all,
14 there's a suggestion of some minor, minor I have to
15 say, variations. So the second line would read "*to*
16 *afford better protection to older people*" simpliciter
17 "*and dependent*" comes out. "*In receipt of all health*
18 *and care services.*" I'll just read all of question 7:

19
20 "*Do you think that regulation such as that currently in*
21 *place for residential centres should be extended to*
22 *afford better protection to older people in receipt of*
23 *all health and care services?"*

24
25 That would be question 7 and then it's a very broad
26 question and there's probably value in having it and
27 perhaps value in not including it in question 8 as was
28 suggested but I'd ask you to bear that in mind, that it
29 was suggested.

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Then question 8. *"If the Government were to decide to extend regulation to other health and care services for older people, what other services do you believe should be regulated?"*

And then we have *"respite services; day care services"* and then option 3 the wording suggested now is *"care and support services delivered by service providers in a person's own home."*

Then option 4 remains the same and then we would -- I would agree with Sharon that it might be better, it would give more information to the Oireachtas to stick with the mark X for each such service you wish to see regulated. So maybe we'll have a show of hands just to make sure --

MS. RICKARD-CLARKE: Chair, just to make sure that people know that they can mark X on all four boxes, three boxes or two boxes. It's the weighting.

CHAIRPERSON: Oh yes, absolutely. It says "mark X for each service you wish to see regulated". So if you want them all regulated you put in X opposite each one or there maybe some you for some reason you think shouldn't be regulated. So I think that would provide useful information to the Oireachtas. So maybe a show of hands on those amendments to 7 and 8. Well there seems to be a majority. Yes, very good. So we'll move on to question 9 now. Question 9 was the next one.

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"Do you think the Government should introduce some form of mandatory pension scheme to supplement the State pension?"

35 Q. **TABLE 5 - FACILITATOR:** Judge, the suggestion from this table is there should be a second option. "Do you think that the Government should introduce an auto enrolment with an opt-out clause?"

CHAIRPERSON: Yes. Any other thoughts, we'll come back to that.

36 Q. **TABLE 9 - FACILITATOR:** In relation to question 9, Table 9 has suggested that there should be an additional question after question 9 which would entail "should the above be provided by 1. The State or 2. Privately?"

CHAIRPERSON: The State or?

37 Q. Privately. So assuming that you've answered yes to question 9, the supplemental question is --

MS. FINEGAN: The wording of question 9 however is predicated on it being a Government scheme. So the question says "do you think the Government should introduce some form of mandatory pension scheme to supplement the State Pension?" So it's premised on it being provided by the State.

CHAIRPERSON: It could be private either.

MS. CLIFF: If you go back to the three pillars that were referred to yesterday, where you had pillar one

1 was the State pension. Pillar 2 was the contributory
2 and then pillar 3 was your private PRSA's, AVC's, et
3 cetera. So it is that middle option that would allow
4 people to have income to supplement the State Pension
5 and improve their quality of life in old age.

6 **CHAIRPERSON:** Eamon, do you have any view on that?

7 **MR. O'SHEA:** well as I understand it the question is to
8 give options in terms of what the approach should be in
9 terms to improve the coverage of occupational pensions.
10 Isn't that the case?

11 **CHAIRPERSON:** Yes.

12 **MR. O'SHEA:** That you want to keep it as open as
13 possible where the policy change should come from but
14 the objective is to enhance essentially pension
15 coverage.

16 **CHAIRPERSON:** The State Pension.

17 **MR. O'SHEA:** So it really does depend on how much
18 detail you want to get into but sort of almost the
19 philosophical question is do you believe there should
20 be an enhanced or some intervention to increase
21 coverage and that could come from mandatory, an
22 auto-enrolment system or PRSI as I understand it. So
23 it depends on what you think the essence of the
24 question is. Is it simply saying yes, we believe this
25 is necessary because you know pension coverage is
26 likely to be under-provided.

27 **MS. RICKARD-CLARKE:** And regardless of the terms of the
28 contract or regardless of whether you're independently
29 self-employed or whatever. So a mandatory base

1 provision.

2 **CHAIRPERSON:** Yes, yes. In fact what I said when just
3 explaining the ballot, I referred to the fact that
4 yesterday we heard about auto enrolment but also the
5 other possibility of enhancing the existing PRSI scheme
6 to supplement the State pension. So we're talking
7 about supplementing the State pension but there are a
8 number of ways that it could be done and one is auto
9 enrolment and another is possibly enhancing the PRSI
10 scheme.

11 **MR. O'SHEA:** I'm just wondering do we know enough to
12 make these kind of specificities given that the
13 literature isn't always as clear.

14 **CHAIRPERSON:** Yes.

15 **MS. RICKARD-CLARKE:** And auto-enrolment appears to
16 refer to some occupational schemes and not to people
17 who are self employed. So if we get into the detail we
18 might be loosing something in it.

19 **CHAIRPERSON:** I mean I was thinking I suppose when we
20 were thinking about this, I was thinking do you go the
21 UK route. That's one which is auto-enrolment. That's
22 one possibility or do you go a PRSI route which I think
23 Alan was very keen on yesterday, wasn't he?

24 **MS. CLIFF:** well he was the one who introduced it and
25 then went on to say that he wasn't even sure he was in
26 favour of it himself, yes.

27 **CHAIRPERSON:** But it's an issue of whether we know
28 enough, we have enough expertise to get into the
29 detail. I think that's the problem and that's why we

1 framed it so generally. We thought of going into the
2 detail and then we thought no, well really maybe we
3 don't know enough about this. Yes, sorry?

4 38 Q. **TABLE 9 - SPEAKER:** Can I just add into this that this
5 is in the context of where we came from and we had a
6 meltdown in 2008. People's private pension providers,
7 some of them went to the wall. They were left with no
8 pensions. I, for one, if I want a mandatory scheme or
9 an auto enrolment I would prefer the safer option of
10 enrolling into a scheme provided by the State. So an
11 enhanced PRSI scheme I think is the safest one for me.
12 A pension scheme where I would be auto-enrolled into a
13 pension that would be decided by my employer is not
14 acceptable and that's the context of it.

15 **CHAIRPERSON:** Yes, anybody else?

16
17 39 Q. **TABLE 14 - FACILITATOR:** Table 14 would just like to
18 add on to the end of the question that we put in,
19 "within a specific timeframe". So it doesn't get
20 long-fingered.

21 **CHAIRPERSON:** Yes.

22
23 40 Q. **TABLE 6 - FACILITATOR:** The citizens at Table 6 would
24 like to see the amendment of "some form" to "a form"
25 which would be question 9. *"Do you think that the
26 Government should introduce some form of mandatory
27 pension scheme to supplement the State pension."* "A
28 form" rather than "some form"?

29 **CHAIRPERSON:** Yes. "A form", I agree, much better

1 language, yes.

2

3 41 Q. **TABLE 2 - FACILITATOR:** Thank you Judge, a citizen at
4 Table 2 has suggested for question 9 that the word
5 "mandatory" is removed and the word "additional" is
6 added in its place?

7 **CHAIRPERSON:** I don't know whether that will do the
8 business. What do you think?

9 42 Q. Or something similar to that effect, the citizens would
10 like to see a change?

11 **MS. FINEGAN:** The word "supplement" there suggests
12 additionally, doesn't it?

13 **CHAIRPERSON:** Yes, because it's a pension to supplement
14 the State pension.

15 **SPEAKER:** Some form of scheme.

16 **SPEAKER:** Just as it was stated yesterday, that not
17 everybody requires an additional pension and that not
18 everybody below a certain earning limit can afford a
19 pension.

20 **CHAIRPERSON:** Unless we did a mandatory and
21 non-mandatory?

22 **MS. FINEGAN:** Or you could say "introduce a form of
23 mandatory pension scheme with suitable built in
24 flexibilities to supplement the State". The mandatory
25 is the issue that you have, is it?

26 **CHAIRPERSON:** Yes, it's mandatory is the issue.

27 **MS. RICKARD-CLARKE:** Well isn't the issue then without
28 mandatory that it's the status quo, it is as we are
29 now?

1 43 Q. Sorry, something new that's now there now. So it's in
2 addition. So whether it's going to be optional or
3 voluntary or how it is going funded. We're talking
4 about the principle. So there are currently pensions
5 available but what we're being asked do we want
6 something else that would supplement. To supplement
7 the pension and the scheme are separate.

8 **CHAIRPERSON:** You can supplement your pension at this
9 stage, your State pension?

10 44 Q. Not everybody. So if we're talking about a universal
11 scheme that will allow people to supplement the pension
12 and whether that's voluntary or not is the next stage
13 but as principle.

14 **MS. RICKARD-CLARKE:** I suppose the thing is to get
15 coverage and the point about people can't afford to
16 pay, well if they can't that in terms built into the
17 scheme. That they don't have an obligation. They are
18 the flexibilities. So, I would go with Sharon. I just
19 feel at the moment you can supplement your pension.
20 You can supplement your pension.

21 **CHAIRPERSON:** You can take out a private pension.

22 **MS. RICKARD-CLARKE:** So this is really to cover people
23 who are not covered in occupational schemes. They may
24 be working zero hours and whatever but there would be a
25 basic mandatory. If they can't afford to pay that's
26 taken into account in the scheme and whatever. I think
27 it's a very broadly drafted question to try and pick up
28 -- the report maybe spells out some of the detail.

29

1 45 Q. **TABLE 3 - FACILITATOR:** The citizens on Table 3 had a
2 similar theme in relation to question 9. That possibly
3 the question would be amended to clarify that mandatory
4 does not necessarily mean compulsory but that it would
5 in some way accommodate auto enrolment or also opt out.
6

7 46 Q. **SPEAKER:** A citizen at this table wanted to emphasise
8 that they would have an objection also to joining a
9 mandatory scheme if it was privately run and picked by
10 the employer?

11 **MS. FINEGAN:** So I think the essence here is that you
12 want to have a question which allows it to express that
13 the Assembly wishes there to be additional pension
14 provision and coverage but you don't want it to be
15 mandatory and you want it to be able to express the
16 views of the Assembly that schemes like auto-enrolment
17 or PRSI is what you mean by that but we haven't the
18 expertise or the time to get into understanding which
19 one of those you feel would be preferable even though
20 some of you already clearly have a view. So to achieve
21 that I think we need to delete --

22 **CHAIRPERSON:** My inclination is that there is no point
23 in having it unless it's mandatory. I may be wrong in
24 that.

25 **MS. FINEGAN:** There's a few hands going up.
26

27 47 Q. **SPEAKER:** Sorry, I just want to put the point that
28 question 9 as it stands, "*do you think that the*
29 *Government should introduce some form of mandatory*

1 *pension scheme --*

2 **CHAIRPERSON:** A form of --

3 **MS. FINEGAN:** But as it stands.

4 **SPEAKER:** That's what I'm saying. As it stands, "*some*
5 *form of mandatory pension scheme to supplement the*
6 *State Pension*". As it's written is fine in the sense
7 that leaving in the word "some" covers that option
8 where there's queries about should it be mandatory,
9 should it be not. Having the word "some" means that
10 there's room for manoeuvre with it, if it actually
11 comes to the debate and that but just to actually get
12 the vote done on the question, that as it is written
13 there now is suffice to have a ballot on it rather than
14 because there's -- the suggestions and that that are
15 coming up are all valid but there's more and more of
16 them coming and it's removing. What we need to do for
17 most of the questions is to make them broad in their
18 structure but simplistic at the same time that we can
19 get them through. There's always going to be room for
20 debate, additions and all that at a later stage but to
21 get the actual vote through, to keep it as simple and
22 broad as possible but it still keeps the core of what
23 the question is about. So leaving the word "some" in
24 leaves the room, in my opinion, for whether it 's a
25 mandatory, whether it's a opt in. Do you know what I
26 mean but the question as it stands for the case of just
27 getting the ballot, in my opinion it's fine.

28 **CHAIRPERSON:** Any other views on that?

29

1 48 Q. **SPEAKER:** I'm just wondering whether we should
2 introduce another mandatory or compulsory or any kind
3 of tax in Ireland. Already people are paying the
4 Universal Social Charge and look at the pension levies
5 people are already paying and I think over the past few
6 years people have looked at their pay slips and just
7 wondered you know how much more are they going to have
8 to pay. Surely there should be enough there in the
9 kitty already to cover any additional costs?
10 **CHAIRPERSON:** Yes, but then you can answer no I suppose
11 is the answer to that.
12
13 49 Q. **SPEAKER:** A number of speakers have suggested that
14 removing the word mandatory out of the question might
15 be of assistance. Surely we have a voluntary system of
16 additional contributions at the moment. So we have
17 that already. So if we want something different it has
18 to be mandatory and not voluntary?
19 **CHAIRPERSON:** Is there an OECD recommendation that we
20 do it, I think, isn't there?
21 **MS. CLIFF:** Yes, I think there is.
22 **MR. O'SHEA:** It just seems to me that you're being
23 asked to think about additional coverage and I think
24 that's -- the essence is "additional coverage" and I
25 know people have different views about how that should
26 be framed but I think it's a realisation that coverage
27 isn't an adequate at the moment is the essence.
28
29 50 Q. **SPEAKER:** Sorry, there's a split actually at this table

1 as regards the mandatory term. I would thoroughly be
2 in favour of mandatory because I think it would also
3 mean that employers would have to opt in to it if it
4 was mandatory and provide a pension system for young
5 people in particular who don't realise that they need a
6 pension when they get older like me because they get
7 carried away in relationships and children and
8 mortgages and they just keep drifting it back. So I
9 think if it's mandatory no matter how small it is in
10 the beginning would be the best option and if you say
11 mandatory it has to be done.
12

13 51 Q. **SPEAKER:** I'm just split -- I just believe that --

14 **CHAIRPERSON:** There won't be fisty cuffs!

15 52 Q. **SPEAKER:** If we bring in a mandatory pension scheme to
16 supplement the State pension all there is is an
17 additional tax because you've already paid your PRSI to
18 your basic pension. You are going to have your
19 Universal Social Charges going to be incorporated into
20 the PRSI system and then you're asking people to pay an
21 additional tax to supplement their pension?

22 **CHAIRPERSON:** But we haven't precluded. It's so
23 general that the possibility of being able to opt out
24 isn't precluded. Isn't that right?

25 53 Q. **SPEAKER:** But you can't opt out if it's mandatory. You
26 can't opt out if it's mandatory in the auto --

27 **MS. CLIFF:** My understanding of what was being
28 delivered yesterday was auto enrolment. You were
29 automatically enrolled but if your circumstances

1 changed you could increase or decrease your
2 contributions to it and I think one of the speakers
3 actually said you could stop your contributions for a
4 period of time.

5 54 Q. **SPEAKER:** It's not mandatory then?

6 A. **MS. CLIFF:** well the scheme is there and you're
7 enrolled in it.

8 **CHAIRPERSON:** Yes, the scheme is there. The terms of
9 the scheme are variable I suppose is the answer. I
10 think what we should do in relation to this is we
11 should put it to you and we may have to do a count on
12 this one but I remind you there is a low option. If
13 you don't like it -- I think maybe we should have a
14 show of hands on question 9 in its current form. Those
15 in favour of question 9 without variation put up their
16 hands? Those against? Yes, it is a majority, yes. So
17 we will leave it and we will leave it as "some form".
18 Are you happy enough with that?

19 **MS. RICKARD-CLARKE:** And the report can go into some of
20 the detail then.

21 **CHAIRPERSON:** Yes. It will. The report because we
22 have very, very good material on this in the papers.
23 We have just 16 left.

24 **MS. FINEGAN:** I know we're running on but in the
25 interests of getting -- we will do the last question
26 and then we can have a break and have tea and so on but
27 we've just one last question. So if you can bear with
28 us I think it will ultimately get us out of here
29 quicker if we can try and get 16 done.

1 **CHAIRPERSON:** I agree. So we're on to 16 now and I
2 mean there's a lot in 16. Would we -- I mean it needs
3 to be reframed to a certain extent and I'm going to
4 call them issue one, issue two, issue three and issue
5 four just for the moment anyway and I think maybe first
6 of all I'll deal with each one separately and I'll
7 start with issue one.

8
9 *"The responsibility for older people should be formally*
10 *devolved to the relevant Minister of State?"*

11
12 Or the question would be *"should the responsibility"* or
13 if they are ranked in order of preference maybe it
14 should be *"the responsibility"*. I'll hear about
15 question 1, issue 1 rather. Yes?

16
17 55 Q. **SPEAKER:** In terms of issue one, the view of the table
18 is that that should be separated in to a separate
19 question.

20
21 *"Should the responsibility for older persons be*
22 *formally devolved to the relevant Minister?"*

23
24 And that the answer be a yes or a no rather than a
25 ranking?

26 **MS. FINEGAN:** A way which we could do, reflect that, is
27 to change the answer here from *"rank in order of*
28 *preference"* to *"tick each one which you believe should*
29 *be"*. The same construct as we have here. So if we

1 mark X for each option that you wish to see introduced
2 or whatever, implemented.

3 **CHAIRPERSON:** Anybody else in relation to issue one?
4

5 56 Q. **SPEAKER:** Judge, the suggestion is that the word
6 "relevant" be removed and include "Minister for State
7 at the Department of Health"?

8 A. **MS. CLIFF:** The only issue with that is there is more
9 than one Minister of State at the Department of Health
10 and the title can change. So like where we had the
11 Minister for State for Older Persons it has not become
12 Mental Health and Older Persons. So from a Government
13 programme to a Government programme, the number of
14 Ministers of State can change and the title can change
15 as well.

16 A. **MS. RICKARD-CLARKE:** And also I would add that the
17 Department of Social Protection have a huge
18 responsibility in relation to older people and the
19 whole question of financial pension and abuse is a huge
20 responsibility at the moment. This year 7.2 billion is
21 paid out to our 600 over 66 people. A high level of
22 financial abuse. So I would say the Department of
23 Social Protection has a huge responsibility.

24 **MS. FINEGAN:** And just to further supplement of that.
25 Often times a Minister of State will straddle more than
26 one Department and it's arguable that perhaps in
27 relation to older people that there are arguments in
28 favour of why that might be --

29 **MS. RICKARD-CLARKE:** And housing for older people and

1 you know the whole question of well-being of older
2 people. It's not just a health issue. So healthy
3 older people also need, somebody needs to have
4 responsibility to make sure they live well.

5 A. **MR. O'SHEA:** Could I just add one point to that. I
6 think there is great merit in having a specificity for
7 that Minister of State for older people, solely for
8 older people, given the cross-cutting element of that
9 and you know I think if you want to emphasise the
10 importance of older people then I think it might be
11 useful to focus the Minister of State only on older
12 people because of so much cross-cutting because it's
13 not at the moment.

14 **CHAIRPERSON:** Unless we said devolved and I'm wondering
15 should it be delegated. The Minister of State for
16 Older People. Would that help?

17 **SPEAKER:** Devolved to a dedicated Minister.

18 **MS. FINEGAN:** So the suggestion from the floor is
19 devolved to a dedicated Minister of State.

20
21 57 Q. **SPEAKER:** Were we not told yesterday that there's a
22 specific reform in the -- that the relevant Minister
23 has to devolve the responsibility down to the Minister
24 for State so that he has that responsibility. So
25 devolved is the word that's required here rather than
26 any other word?

27 **MS. FINEGAN:** Well actually we've --

28 **CHAIRPERSON:** We've looked up the Act and it's
29 delegated. It was originally the Ministers and

1 Secretaries Act of 1924 believe it or not. It's now
2 the Ministers and Secretaries Amendment Number 2 Act
3 1977 and what it says in the first subsection is "*it*
4 *shall be lawful for the Government by order made on the*
5 *request of a Minister of the Government to delegate to*
6 *a Minister of State assigned to the Department of State*
7 *of which the Minister of the Government has charge, all*
8 *powers and duties of such Minister of the Government*
9 *under any particular Act or any particular statutory*
10 *power or duty of such a Minister of the Government.*"

11 **MS. FINEGAN:** It's catchy! So yes, the word is
12 delegated. So as we are currently discussing I think
13 the construct would be "*the responsibility for older*
14 *people should be formally delegated to a dedicated*
15 *Minister of State for older people.*"

16
17 58 Q. **TABLE 3 - FACILITATOR:** Thank you. There was a point
18 of clarification requested from the citizens on Table
19 3. It's a suggestion to use the Minister of State to
20 address the limitation on the number of Ministers to 15
21 in the cabinet and to provide access to the cabinet
22 decision making?

23 **CHAIRPERSON:** well that I think is outside our remit
24 really, isn't it?

25 **MS. FINEGAN:** I think so, yes.

26 **CHAIRPERSON:** It's interesting but it's outside our
27 remit.

28
29 59 Q. **TABLE 6 - FACILITATOR:** Citizens at Table 6 would like

1 to, on the previous of what we were talking about,
2 would like to see the word 'sole responsibility for
3 older people'.

4 A. **MS. CLIFF:** I think that's covered if you say dedicated
5 Minister for older people, yes.

6
7 **CHAIRPERSON:** I think maybe we could put this to you
8 now because we'll be here until -- so it would now read
9 "*the responsibility for older people should be formally*
10 *delegated to a dedicated Minister of State for Older*
11 *People*". Are you happy enough with that wording, a
12 show of hands? All right. I mean I suspect it's not
13 perfect but on the basis of the information we have I
14 think it's the best we can do with it. All right.
15 We'll move on to question, issue 2. That was "*have a*
16 *dedicated one stop shop for older people*" and we're
17 going to have to -- whatever way, should there be a
18 dedicated one stop shop for older people to access
19 information about their entitlements and then "*and run*
20 *a National campaign to support it*". That wording isn't
21 very good. I don't like it a lot. We were talking
22 about it earlier and I'm just throwing this out as a
23 possibility. I'm not trying to sell it or anything.

24
25 "*Have a dedicated point of contact for older people to*
26 *access information about their entitlements and to have*
27 *a National awareness campaign on these matters.*"

28
29 Something like that might be better but I'll hear your

1 views because I know they'll be helpful.

2

3 60 Q. **SPEAKER:** Thank you Judge. A citizen at this table
4 would like to see a recommendation that a letter is
5 sent out five years before the retirement age and this
6 letter would state the stamps, entitlements of a person
7 going into retirement and they'd like to see this put
8 as part of issue 2?

9 **CHAIRPERSON:** Yes. Five years before retirement, yes.

10

11 61 Q. **SPEAKER:** Regarding issue 2 the wording is fine but
12 just where it says about their entitlements and run an
13 education campaign to support it. We were thinking to
14 stick in or add in "*including accessibility supports*"
15 because that incorporates the isolation issue or lack
16 of broadband or lack of computer skills for elderly
17 people but if it's included in, if it's emphasised in
18 it that including accessibility supports it means the
19 onus isn't put on the older person to oh well, if it's
20 out there it was up to you to find it. You know it
21 puts a bit of responsibility on the Government to
22 actually make sure they get access to it.

23 **CHAIRPERSON:** Yes.

24

25 62 Q. **SPEAKER:** The citizens of this table just want to
26 clarify, they want it rather than ranking order of
27 preference to be able to say yes or no to each option.
28 That was mentioned in a discussion of the first
29 question but it wasn't, they are not clear as to

1 whether or not that was adopted?

2 **CHAIRPERSON:** We haven't come to it yet but yes, it's a
3 good point. Any other issue on 2? All right, is there
4 anyway do you think that we could frame it so that the
5 onus is on the State to make the contact rather than
6 the onus being on the elderly person to access the
7 information?

8 **MS. RICKARD-CLARKE:** To have a statutory provision,
9 because you see if we have a dedicated Minister, you
10 could have a statutory provision whereby to provide for
11 a point of contact.

12 **CHAIRPERSON:** Yes.

13 **MS. RICKARD-CLARKE:** Then you're saying you want a
14 piece of the legislation to provide for that.

15 **MS. CLIFF:** But it's not really the point of contact --

16 **MS. RICKARD-CLARKE:** You know a statutory provision
17 that the Government provide a point of contact.

18 **CHAIRPERSON:** Yes, but do you have to make the contact.
19 If I want to find out what my Social Insurance
20 contributions were do I have to make the contact or is
21 there an obligation on Sligo to write to me and tell me
22 how many I have. I think that's a very --

23 **MS. CLIFF:** I agree it's a separate point. If you tie
24 the two of them together you lose the value of one or
25 the other. So the question is should it be an
26 additional point?

27 **CHAIRPERSON:** First of all we'll put the revised
28 wording on this and I'm conscious of the suggestion
29 that they should move within five years before

1 retirement. we'll come back to that. For the second
2 issue, "*should there be a dedicated point of contact*
3 *for older people to access information about their*
4 *entitlements*" and "*should there be a National Awareness*
5 *Campaign on these matters?*"

6
7 63 Q. **SPEAKER:** Just to make a point. I think when you look
8 at the Health and Safety Act, people just call it
9 Health and Safety and forget the fact it's Health,
10 Safety & welfare and I think under that Act. At 50 you
11 should be told what your social welfare contributions
12 are every year from then on and what your pension
13 entitlements are every year from then on. Number two,
14 there's so much information out there it's overload.

15 **CHAIRPERSON:** Yes.

16 64 Q. **SPEAKER:** So there's so many organisations out there
17 telling you about pension schemes, about entitlements,
18 it's overload. One of the good things about the HSE is
19 there is no problem getting information but information
20 has a --

21 **CHAIRPERSON:** I think this issue is about entitlements
22 to State benefits.

23 65 Q. One of the most frightening things I discovered before
24 I retired, that people died and their wives had to come
25 to the HR Department to find out exactly what their
26 pension was. Whereas nowadays you are told every year.
27 This is what pension entitlement is equal and this is
28 what your social welfare contributions entitle you to.

29 **CHAIRPERSON:** Are you told?

1 66 Q. Well you're told in some jobs.
2 **CHAIRPERSON:** In some offices, ah yes.

3 67 Q. **SPEAKER:** But to me it should be mandatory. If you pay
4 into a pension scheme you should be made aware from 50
5 onwards what your pension contributions are and the
6 same with social welfare contributions. Under the
7 Health and Safety and Welfare Act that we have.
8 **CHAIRPERSON:** Yes, I think we're confusing a number of
9 things. I mean there's certainly the case that if you
10 have a private pension with say an insurance company,
11 you're notified every year of the current value of your
12 pension every year.
13 **MS. RICKARD-CLARKE:** You have to get a benefit
14 statement and details of whether you're in employment
15 or whether you're retired.
16 **MR. O'SHEA:** I think the question he's asking is to
17 bring together.
18 **MS. RICKARD-CLARKE:** Yes, it's coordination.
19 **MR. O'SHEA:** It is a question about a co-ordinated and
20 integrated approach to the information and advice. So
21 let us not lose track of the essence. There is a lot
22 of information sources as the last speaker says around
23 the place but this one is to bring together. So I
24 think just maybe that's the essence of the question.
25 To make it simpler some way. It's not that the
26 Government should be -- we're not saying the Government
27 should notify everybody but make it simpler.
28

29 68 Q. **SPEAKER:** I was in a public benefit defined scheme and

1 started every year, from the age of 60 onwards, people
2 were told exactly what your pension entitlements were
3 and we got the social welfare done as well. That we
4 didn't have widows or partners coming up to work, to
5 the office, what's my husband's entitlements. They
6 should know and I think under the Health and Safety and
7 Welfare Act it's covered because it is welfare.

8 **MS. RICKARD-CLARKE:** But say if you want to know about
9 the fair deal or you want to know about if I get
10 dementia and I want to do an EPA, there is no single
11 point of contact. You know people, where do they go
12 for all of that diverse type of information and it is
13 really about getting a coordinated contact point for
14 various different pieces of information.

15 **CHAIRPERSON:** Well is the word "entitlements"
16 sufficient to cover that?

17 **MS. RICKARD-CLARKE:** Not really. I mean it's wider
18 than entitlements isn't it. It's about information for
19 ageing.

20 **MR. O'SHEA:** Services, supports and entitlements.

21 **CHAIRPERSON:** Yes, that might be better.

22
23 69 Q. **SPEAKER:** Can I make a suggestion that the State
24 proactively provide information to older people about
25 their entitlements and care options through forums such
26 as a one stop shop facilities. So that the onus is
27 shifting back and the State have to take responsibility
28 for pushing the information out or making it available
29 but you're still getting the coordination point through

1 the one stop shop. So State to proactively provide
2 information to older people about their entitlements
3 and care options through fora such as one stop shop
4 facilities.

5 **MS. FINEGAN:** Can you just say that again?

6 **SPEAKER:** Of course. The State to proactively
7 information to older people about their entitlements
8 and care options through fora such as one stop shop
9 facilities. It's just a suggestion. I don't think in
10 terms of -- there was a recommendation from one of the
11 other tables about issuing a letter whereas of itself
12 it might be a good suggestion, I don't disagree with it
13 but I don't think we should be getting into what the
14 elements of an education programme should be. The
15 report possibly could make reference to give example,
16 but in terms of a vote, I don't think we should be
17 voting on any element of what an education programme
18 would look like.

19
20 70 Q. **TABLE 6 - FACILITATOR:** A citizen at Table 6 would like
21 to pose this question. Currently the Citizens
22 Information Services provide information on services
23 for older people. Data does not equal information. So
24 it is necessary for someone to, similar to the Advocacy
25 available for the disabled, should this service be
26 extended to the Information Services for Older People?

27 **CHAIRPERSON:** It's a difficult one, you know.

28 **MR. O'SHEA:** I think it's really important in this
29 question that we don't create dependency where none

1 exists. So we just have to be careful with the words
2 we use about dependency and care options and the
3 majority of people are well and independent and they
4 may have questions about services and supports. I
5 think just be careful about language in terms of care
6 support. I mean services, supports, entitlements but
7 just in -- it's just a question of just making sure.
8 These are citizens like you and me. We don't
9 necessarily consider ourselves dependent.

10 **CHAIRPERSON:** There is on the screen the revised
11 version I called out. That instead of issue 2 as it is
12 currently worded --

13 **MS. FINEGAN:** I think we could dance around on this for
14 a long time about trying to get the correct wording and
15 I think the essence of what we're trying to get at is
16 there's an understanding that it's difficult sometimes
17 for older people to access information. If the
18 Citizens Assembly were to vote in favour by a majority
19 that would be a recommendation to Government to do
20 something about it. We can capture some of the points
21 that have been raised around the table. We have a
22 Stenographer here today. We can capture them in the
23 report as to what we were talking about but the essence
24 would be captured in that question and perhaps we
25 should put that to a vote of the members to agree that
26 rewording and move on from there. Will we do that?

27 **CHAIRPERSON:** Will we try that, yes.

28 **MS. FINEGAN:** So we can have as a show --

29 **CHAIRPERSON:** Can we have a show of hands for that and

1 again we might expand on it in the report in relation
2 to the questions, the points that were made. For
3 instance in relation to the relevant Department
4 furnishing the information.

5 **CHAIRPERSON:** was the show of hands okay?

6 **MS. FINEGAN:** Yes, it was carried.

7 **CHAIRPERSON:** All right. Just - the third issue, does
8 anybody have -- it's woolly, I think the remaining two
9 issues are fairly woolly and that has been deliberate.
10 Does anybody have any observations in relation to those
11 two issues, the remaining two issues in 16. As I say
12 they are woolly. Now does anybody and I think there
13 are people who do want to add to 16?

14
15 71 Q. **TABLE 9 - FACILITATOR:** There is a suggestion for
16 another issue to be added which is as follows:

17
18 *"the State should promote, encourage and organise non*
19 *financial inter-generational transfer. For example,*
20 *interactions between school children and the elderly."*

21
22
23 **MS. FINEGAN:** Can you call that out again Joe?

24
25 72 Q. **TABLE 9 - FACILITATOR:** Yes, the State should promote,
26 encourage and organise non-financial inter-generational
27 transfer. For example, interactions between school
28 children and the elderly?

29 **CHAIRPERSON:** I suppose that sort of work is being

1 largely by NGO's at the moment and we heard from Ita
2 yesterday. I thought what we heard was very, very
3 interesting. What do you think Patricia. I mean would
4 the State get involved in that or would it be better to
5 leave it to NGO's and maybe get some funding for NGO's?
6 **MS. RICKARD-CLARKE:** Well I suppose if the State
7 promotes, yes, you could leave it to the NGO's.
8 **CHAIRPERSON:** So you think it's not a bad idea?
9 **MS. RICKARD-CLARKE:** It's wide enough, yes. It's
10 really just to have it on age of society and have that
11 conversation and communication, yes.
12 **CHAIRPERSON:** Yes. Anybody else?
13
14 73 Q. **TABLE 9 - FACILITATOR:** Just in relation to that, the
15 bit of background to it is essentially the Department
16 of Education and the example of school children and the
17 elderly which is obviously a State organisation.
18 That's all.
19 **CHAIRPERSON:** Well it's phrased in fairly broad terms
20 and I don't see any difficulty with it.
21 **MS. RICKARD-CLARKE:** Well could we leave out -- I mean
22 it's inter-generational.
23 74 Q. **TABLE 9 - FACILITATOR:** That was only put forward as an
24 example now. It could cover a much wider --
25 **MS. RICKARD-CLARKE:** Yes, and it should. It should.
26 **CHAIRPERSON:** Okay. Anybody else have a view on it?
27
28 75 Q. **TABLE 14 - FACILITATOR:** Table 14 would like to add in
29 something along the lines of "that elder abuse needs to

1 be properly legislated for as a priority".

2 **CHAIRPERSON:** Right. Patricia, do you want to say,
3 just explain where we're at at the moment on that?

4 **MS. RICKARD-CLARKE:** Well I suppose one of the issues
5 first, it was mentioned by the Chair this morning about
6 the Assisted Decision Making Capacity Act of 2015 and
7 in that Act there are a huge number of reporting
8 obligations for people who are interacting with older
9 people in assisting them making decisions, being
10 co-decision makers and also for EPA's and decision
11 making representatives. So that's one element of
12 safe-guarding. On the other hand, as I've already
13 said, the National Safeguarding Committee has as its
14 main strategy zero tolerance of abuse and as its main
15 action plan is the enactment of adult safeguarding
16 legislation, to have an independent National
17 Safeguarding Authority with various, obviously working
18 out the organisation structures of service providers to
19 ensure that they have dedicated people in relation to
20 the whole question of reporting, safeguarding and
21 issues.

22
23 So as I said, it's coming back to the Oireachtas at
24 Committee stage in the Autumn and certainly the
25 National Safeguarding Committee comprises about 27
26 different organisations both State, non State, public,
27 private. So we have -- say the Law Society, the
28 Department of Social Protection, the Department of
29 Health, HIQA, Age Action, Alzheimer's. So 27 different

1 organisations all coming with different perspectives
2 but actually informing our debate about what should
3 that legislation look like. We're hoping that the Law
4 Reform Commission will look at the issue. They're at
5 the moment formulating their fifth programme of Law
6 Reform. So if there are issues you want on their
7 Agenda they're looking for submissions but we're hoping
8 they will do a piece of work and the IPA are already
9 working on a piece of research in relation to again the
10 structure of the National Safeguarding Authority.

11
12 So there is a lot of work currently being done on that.
13 The whole issue of financial abuse. You saw the HSE
14 figures there a week or so ago. That's only the tip of
15 the iceberg. Certainly organisations working with
16 vulnerable people or people who may be in vulnerable
17 situations, huge issues of abuse and as a Society we
18 have no, I suppose, we have no real legislation to
19 underpin or what do we do in those situations or indeed
20 do people know who they have to report to in particular
21 situations. The HSE have their protection teams around
22 the country. It's not underpinned by legislation and
23 we have a situation where they cannot go into things
24 like private nursing homes if they are not allowed.
25 So, there is a lot of work that has to be done in the
26 whole area of safeguarding vulnerable adults. It took
27 us a long time to get children and we need it for
28 adults.

29 **CHAIRPERSON:** How could the members, I'm sure everybody

1 in this room feels the way -- is in favour of that
2 suggestion. How could we frame it in general terms?

3 **MS. RICKARD-CLARKE:** The urgent need to enact
4 legislation to safeguard vulnerable and I'd leave it
5 very wide. People who may be in vulnerable
6 circumstances. Additional, you know just --

7 **CHAIRPERSON:** Yes, older people in -- how would that?

8 **MS. RICKARD-CLARKE:** The urgency is there, there's no
9 doubt about it.

10 **SPEAKER:** I think once it's urgent. I am personally of
11 the view -- you know it's very well to have Committees
12 and to speak about these things but unless you actually
13 have legislation no-one will be prosecuted.

14 **CHAIRPERSON:** Yes, but the whole objective of the
15 Committee is to move it along and I mean they are doing
16 very, very good work on that but I suppose there are
17 two aspects to it. There is commencing the relevant
18 provisions of the 2015 Act?

19 **SPEAKER:** Yes.

20 **CHAIRPERSON:** That's one aspect. That requires to be
21 dealt with urgently and secondly --

22 **MS. RICKARD-CLARKE:** Maybe through that as well because
23 while work is being done, the codes are being written
24 for the 2015 Act at the moment. We are the last
25 country in Europe that hasn't ratified the UN
26 Convention which is a disgrace. So you know the
27 urgency of -- we have the enactment of the 2015 Act.

28 **MS. FINEGAN:** What would the wording be?

29 **MS. RICKARD-CLARKE:** "*The urgency of the commencement*

1 *of the remaining provisions of the Assisted Decision*
2 *Making Capacity Act 2015" and then "the urgency to*
3 *enact legislation in relation to adult safeguarding."*

4 **CHAIRPERSON:** Yes or safeguarding adults against elder
5 abuse.

6 **MS. RICKARD-CLARKE:** Just vulnerability covers because
7 --

8 **CHAIRPERSON:** Safeguarding vulnerable adults.

9 **MS. RICKARD-CLARKE:** Well you know again being
10 politically correct, people say people who are in
11 vulnerable situations. Adults who are in vulnerable
12 situations.

13 **CHAIRPERSON:** Adults who are in vulnerable situations.

14 **MS. FINEGAN:** So it would be *"the State should urgently*
15 *commence the remaining provisions of the 2015 Act and*
16 *urgently enact legislation --*

17 **MS. RICKARD-CLARKE:** -- *in relation to the safeguarding*
18 *of adults who are or maybe in vulnerable situations."*

19 **CHAIRPERSON:** would the members be happy with that
20 wording?

21 **MEMBERS:** Yes.

22 **CHAIRPERSON:** So just a show of hands just to be clear.
23 So that would be added on as Issue 5. We will just put
24 in the whole name of the 2015 Act. The one about
25 inter-generational and transfer, we didn't vote on that
26 did we from Table 9. Are the members in favour of that
27 addition?

28 **MS. FINEGAN:** So the wording that was suggested was
29

1 *"the State should promote, encourage and organise*
2 *inter-generational transfer. For example, between*
3 *school children and the elderly."*

4
5 **CHAIRPERSON:** Don't use the word elderly, older people.

6 **MS. FINEGAN:** None financial information. (None
7 financial).

8 **CHAIRPERSON:** Very good. would the members be in
9 favour of that?

10 **MS. FINEGAN:** Show of hands?

11 **CHAIRPERSON:** show of hands please. Very good. well
12 that seems to be the majority. So then we have the two
13 additional issues. So I think we should call it a day
14 there.

15 **MS. FINEGAN:** The final thing to be decided is the rank
16 order.

17 **CHAIRPERSON:** Oh yes, I thought we were just going to
18 do the mark X.

19 **MS. FINEGAN:** we didn't take a vote on it.

20 **CHAIRPERSON:** we'll take a vote on that I think is the
21 wise thing to do rather than -- because they are so
22 unrelated I think. would you be happy with rather than
23 rank in order of preference, would you be happy with
24 the mark X for yes or no. Hands up?

25 **MS. FINEGAN:** Mark X.

26 **CHAIRPERSON:** Mark X, it's a yes or no. All right, I
27 think that's passed as well.

28 **MS. FINEGAN:** Great. So the Ballot Paper is almost
29 printed you'll be happy to hear. Just this last one to

1 do. So get your coffee and we'll be setting up the
2 Ballot Paper and we'll start instructing you when it's
3 available and the Facilitators should also leave at
4 this point. Thanks.

5
6 **BRIEF ADJOURNMENT**

7
8
9 **THE MEETING CONTINUED AFTER A SHORT ADJOURNMENT**

10
11 **CHAIRPERSON:** I didn't live up to my guarantee
12 regretfully, but in any event better late than never,
13 isn't that true? I'm going to read through the results
14 of the ballot and you will see it's very clear, it will
15 be up on the screen and it's very clear, and I'll only
16 read out what it is necessary to read.

17
18 So the first question is Question 1, and I'll just read
19 the question:

20
21 *"Do you agree that the government should urgently*
22 *prioritise and implement existing policies and*
23 *strategies in relation to older people, including for*
24 *example the national positive ageing strategy, the*
25 *carer strategy and the national dementia strategy?"*

26
27 There were 78 eligible voters in all and the 78 voted.
28 No invalid vote, so the total valid poll was 78.
29 Absolute no doubt about the result of this particular

1 ballot, 100% of the voters, that's 78 votes in favour
2 of that proposal. So 100% voted yes on that one.

3
4 Then going on to Ballot 2, this question:

5
6 *"In general, who should be principally responsible for*
7 *providing required care for older people?"*

8
9 Again the voting makeup was exactly the same. The
10 Option 2(1), as it were, that was, it is mainly the
11 family/older person which will be responsible but the
12 State should have at least some responsibility. There
13 were a total of 47 votes on that option equivalent to
14 60%. So that is the recommendation that there will be
15 for the Oireachtas. But we will set out the other
16 results in relation to the other options also in the
17 report. Only 1% were in favour of the family/older
18 person having total responsibility. 32% were in favour
19 of it mainly being the State which would be responsible
20 but the family should have some responsibility. Only
21 6% were in favour of the State being totally
22 responsible. So that's the result of Question 2.

23
24 Question 3 then:

25
26 *"Do you think that there should be an increase in*
27 *public resources allocated for the care of older*
28 *people?"*

1 There was one invalid vote on this occasion, so the
2 total valid poll was 77. 67 voters or 87% voted in
3 favour of that, in favour of an increase in public
4 resources allocated for care of older people. So that
5 was 87% as against 13% against.

6
7 Then moving on to Question 4:

8
9 *"where do you believe addition funding for care of*
10 *older people should primarily be spent?"*

11 There were 78 valid votes on this occasion. This was a
12 ranking in terms of preference. The first preference
13 was for home care services and supports. That was a
14 score of 198. The second preference was community
15 based integrated housing models. The third option, or
16 the third preference, I should say, was option 1,
17 residential care services. That particular question,
18 as I made clear this morning, relates to the addition
19 funding.

20
21 Then Question 5 is different because

22
23 *"where do you believe overall funding for care of older*
24 *people should come from?"*

25
26 Again 78 valid votes. Option 2 was the preference on
27 this occasion. Compulsory social insurance payment and
28 earmarked tax for all workers linked to the labour
29 market participation, not unlike the current PRSI

1 mechanism to fund long-term and social care for older
2 people. So the preference was for the compulsory
3 social insurance market. The second preference was for
4 general taxation. The third preference was for cost
5 sharing, and the fourth preference was for insurance
6 based long-term social care, private insurance.

7
8 So that again, that is fairly, very clear but I just
9 want to emphasise here as we emphasised this morning
10 that what we were concerned with here was overall
11 funding, all funding for older people, and that's the
12 way the members see the source of that funding,
13 compulsory social insurance payment being the
14 preference.

15
16 Then Question 6:

17
18 *"Do you think that the government should expedite the*
19 *current commitment to place home care for older persons*
20 *on a statutory footing?"*

21
22 As I said this morning this was an explicit question
23 which in a way fell within Question 1 but it was
24 explicit. Again 78, the total valid poll was 78, and
25 77 voters or 99% voted in favour of that, the
26 expedition of current commitment to place home care for
27 older persons on a statutory footing. So that was very
28 much consistent with Question 1.

29

1 Question 7:

2
3 *"Do you think that regulation such as that currently in*
4 *place for residential centres should be extended to*
5 *afford better protection to older people in receipt of*
6 *all health and care services?"*

7
8 Again the total valid poll was 78. The result is
9 similar to the result for Question 6, yes 77 votes in
10 favour of that, in favour of regulation and that
11 represents 99%. So again that is consistent with
12 Question 6 and also with Question 1.

13
14 Then Question 8:

15
16 *"If the government were to decide to extend regulation*
17 *to other health and care services for older people,*
18 *what other services do you believe should be*
19 *regulated?"*

20
21 Again the total valid poll was 78. On this occasion
22 there were four options. The vote in respect of each
23 option is relevant in relation to Option 1 respite
24 services. 90% of the voters were in favour of that.
25 In relation to the Option 2, day care services, 87%
26 were in favour. In relation to Option 3, care and
27 support services delivered by service providers in a
28 person's own home, 92%. Option 4, care and support
29 services provided throughout a supported housing

1 scheme, 91%. Very large element of consistency there.

2
3 Question 9:

4
5 *"Do you think the government should introduce some form*
6 *of mandatory pension scheme to supplement the State*
7 *pension?"*

8
9 On this occasion there was one invalid vote, so the
10 total valid poll was 77. Those in favour of the
11 introduction of a mandatory pension scheme to
12 supplement the State pension, those who voted yes, 87%
13 and 13% voted no.

14
15 Then Question 10:

16
17 *"Do you think that the current anomaly which arises*
18 *when a person who must retire at 65 is not entitled to*
19 *the State pension until 66, and that's aged 66, should*
20 *be removed?"*

21
22 Again there was a total valid poll of 78 of whom 75
23 voted in favour of the removal of the anomaly. So 75
24 votes, 96% of the vote in favour of the removal of this
25 anomaly.

26
27 Then Question 11:

28
29 *"Do you think that a mandatory retirement on the basis*

1 *of age should be abolished?"*

2
3 Sorry, I should have read that:

4
5 *"Do you think that mandatory retirement on the basis of*
6 *age should be abolished?"*

7
8 Again the total valid poll was 78. Of those 67 were in
9 favour of the abolition, that was 86%. So 67 voted
10 yes, or 67 voters voted yes which represents 86%

11 Now Question 12:

12
13 *"Do you think that the state pension should be*
14 *benchmarked by reference to average earnings?"*

15
16 Again we had a total valid poll of 78 of whom 69 voted
17 in favour of that proposal. So it was 69 votes or 88%
18 in favour of yes, and against, 9 votes or 12%.

19
20 Then Question 13:

21
22 *"Do you think that the government should take steps to*
23 *rationalise private pension schemes to include greater*
24 *transparency in relation to fees?"*

25
26 The total valid poll again was 78 and all of the voters
27 voted yes in favour of the government taking steps to
28 rationalise private pension schemes to create, to
29 include, to include I should say greater transparency

1 in relation to fees.

2
3 Question 14:

4
5 *"Should the government backdate the homemaker's scheme*
6 *to 1973?"*

7
8 Again the total valid poll was 78 of whom 68 or 87%
9 were in favour of backdating the homemaker's scheme to
10 1973.

11 Question 15:

12
13 *"Do you think state support for carers including access*
14 *to education, retaining and pension arrangements should*
15 *be enhanced?"*

16
17 Again a total valid poll of 78 of whom 77 or 99% voted
18 in favour of that proposal.

19
20 Then finally Question 16, I'll just go through it issue
21 by issue. Again the total valid poll was 78. 72
22 voters voted that the responsibility for older people
23 should be formally dedicated to a dedicated Minister of
24 State for older people.

25
26 Then on the next issue, 71 voters or 91% voted to have
27 a dedicated point of contact for older people to access
28 information about services, support and entitlements
29 and run a national awareness campaign to support it.

1
2 On the third issue, 69 voters voted in favour of taking
3 steps to ensure that older people have a stronger voice
4 in determining their own care needs. That was 88%.

5
6 On the fourth issue, 65 voters or 83% voted that there
7 should be insurance, that stronger governmental
8 leadership in relation to the prioritisation of health
9 and social care needs of older people, well to ensure a
10 stronger governmental leadership in relation to those
11 matters, that is to say health and social care needs of
12 older people.

13
14 The fifth issue, 57 voters or 73% voted that the State
15 should promote, encourage and organise non- financial
16 intergenerational transfer for example between younger
17 and older people.

18
19 Then finally the sixth issue, 72 voters or 92% voted
20 that the State should urgently commence the remaining
21 provisions of the Assisted Decision-Making (Capacity)
22 Act 2015 and urgently enact legislation in relation to
23 safeguarding of an adult who may be vulnerable or
24 adults who may be vulnerable.

25
26 So that's the voting. It's very clear cut it seems to
27 me. The result of the poll will form the basis of the
28 recommendations to the Oireachtas, both houses of the
29 Oireachtas. I hope that we will be in a position to

1 present the report to the Oireachtas by the end of
2 September, and of course it will be sent to the members
3 for their information in advance as I said this
4 morning.

5
6 Apart from that I have kept you here a very long time,
7 much longer, two hours longer than we had planned so
8 I'm not going to take up much more of your time
9 although I do feel I want to deal with the thank you's
10 because there are a lot of thank you's.

11 It was a very good weekend. I thought the speakers
12 were really great, and in fact over both weekends, I
13 don't know about the rest of you, but I found it
14 extremely interesting. It gave me great insight into
15 aging in Ireland and the work the experts are involved
16 in. I thought it was most helpful to our thinking on
17 the topic.

18
19 You will remember in the first week we had two older
20 people who gave prerecorded interviews and they were
21 very memorable and very touching and I want to repeat
22 my gratitude to them. I think they had an effect on
23 us. Then throughout both weekends we had the
24 facilitators and the note takers, I think they did a
25 very good job over both weeks.

26
27 Most importantly I want to say thank you to the expert
28 advisory group. They were absolutely crucial to the
29 development of the programme. It was such a broad

1 issue and I needed guidance and I think Sharon needed
2 guidance as to how we would appropriately narrow it
3 down. As you know we narrowed it down to long-term
4 care for one week and pensions, income and retirement
5 for the second week, and I think that was wise. There
6 are an awful lot of other issues concerning the elderly
7 but it would simply, it would simply not have been
8 possible to do any more within the two weeks.

9
10 So we had great assistance from Patricia who is still
11 here, Susan who has just left to go back to Youghal,
12 and Eamon who was here this morning. I am not giving
13 away any secret when I say he has gone to Thurles. You
14 know why he has gone to Thurles. Then we had three
15 other members in the expert advisory group, Mandy and
16 Roseanne who were here on the last occasion, and John
17 who has been with us in the EAG from the outset. They
18 have, they were most helpful. I want to express my
19 gratitude to them.

20
21 It's difficult when you have a weekend like this stuck
22 in the middle of the holiday period to get everybody
23 but we got great assistance. So I am really really
24 grateful, and of course I am grateful to the members.
25 Without you we wouldn't be here. I am very grateful
26 for your engagement with the issues which is remarkable
27 I think. You have given us guidance. As I see the
28 process now, I think it's a very useful process.

1 I know a lot of you are travelling home so I'm not
2 going to delay you. I'm just going to mention that I
3 won't be seeing you for six weeks. Is it six weeks?
4 Oh is it more, oh my God. In any event our next, well
5 I'll be seeing the members of the Steering Group in the
6 meantime. Our next topic, as you know, is very, very
7 interesting. It's how the State can make Ireland a
8 leader in tackling climate change. We have already
9 started on it. We have already got four members of an
10 expert advisory group. We've had one meeting, we're
11 having another next week so we are getting the show on
12 the road, if I may put it that way. But our meeting,
13 our weekend meeting will be on the 30th September and
14 the 1st October. I think it will be very, very
15 interesting.

16
17 So idir an dá linn as they say. Enjoy, have a good
18 summer and very many thanks for all your assistance.
19 Thank you.

20
21 **THE MEETING CONCLUDED**

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