

Think-tank warns over NI Protocol Bill damage

Bill will damage business, trade and politics in the North, report finds

Truss reportedly ready to let ECJ oversee protocol 'to break the deadlock'

PATLEAHY
Political Editor

A leading UK think-tank has warned the Northern Ireland Protocol Bill, which was considered by the British House of Lords on Monday evening, will damage business, trade and politics in the North.

"Far from bringing stability to Northern Ireland," the report finds, "the Northern Ireland Protocol Bill risks raising new dimensions of uncertainty for Northern Ireland's governance, economic status and trading relations."

It also says that the damage to relations with the EU which would be caused by the Bill's passage would damage inward investment to the UK.

The report, compiled by the UK in a Changing Europe think-tank, says that the Bill is "an extraordinary piece of legislation for several reasons".

However, it also says that given the opposition in the House of Lords, the Bill could be the subject of "an extended ping-pong between the Commons and the Lords", on in which the bill is amended by the upper House and sent back to the Commons where the amendments are struck out.

Sceptical

It is sceptical about many of the British government's suggested solutions and says that the proposed "red channel-green channel" approach, where only goods that were intended to pass through Northern Ireland and into the Republic would be subject to checks at Northern Irish ports, could only be accepted if there was some sort of checking regime.

"What is clear is that there will need to be at least occasional checks on goods in both red and green channels," it says.

The report also says that the EU has considered its responses to the passing of the bill "in detail".

The option to suspend parts or all of the exit deal with the UK will raise the prospect of

tariffs and controls on trade between the UK and the EU once notice periods elapse.

While noting that both sides say they want a negotiated solution, the report also concludes that the "two sides are a long way apart" and suggests that an independent international chairman could be brought in to assist in talks between the two sides.

Without agreement, the report says, Northern Ireland businesses will be placed in an extremely difficult position. "A major change in rules would place traders in the position of either failing to comply with UK law or failing to comply with international laws."

Concession

Elsewhere in Westminster, Boris Johnson's former Brexit negotiator David Frost warned prime minister Liz Truss not to back down on her objections to having the European Court of Justice (ECJ) adjudicate on disputes about the operation of the protocol in Northern Ireland.

The Sun had reported that Ms Truss was prepared to let the ECJ have role in overseeing the protocol "to break the deadlock" - which would be seen as a considerable concession by the UK and a sign, perhaps, that it is serious about wanting to secure a deal on the protocol.

Yesterday evening, Mr Frost told the House of Lords European relations committee: "The ECJ cannot have a jurisdictional or arbitrational role in the future," adding that "I think it would be better if that was acknowledged sooner rather than later."

Acknowledging that the ECJ had jurisdiction in many free trade agreements, he said that the politics in Northern Ireland was "too fragile" for such an arrangement.

But Labour peer Peter Mandelson, who was also giving evidence to the committee said that the reason politics in Northern Ireland is fragile is because Boris Johnson signed the protocol agreement "in bad faith".



Pandemic payment delay Nursing home staff protest in Dublin

■ Sr Mary Ward (centre), a resident of the Maryfield Nursing Home, with staff from private and voluntary nursing homes including nurse managers, nurses, healthcare assistants, catering and activity staff outside the Department of Health in Dublin. Staff from the sector are still to receive the Covid-19 pandemic payment, nine months after it was announced by Government. Nursing home staff have written letters expressing their frustration over the delay. PHOTOGRAPH: NICK BRADSHAW

RTÉ and SF deny party given access to Ross interview

Taoiseach suggests 'a political party' got access to listen to interview with author

MARIE O'HALLORAN
and **PATLEAHY**

RTÉ and Sinn Féin have said the party was not given prior access to an interview with former minister Shane Ross about his biography of Mary Lou McDonald which was never broadcast.

Taoiseach Micheál Martin told the Dáil yesterday "apparently" a political party had been given "access to the interview to listen to it".

"I don't think I was ever afforded that opportunity as the leader of the Opposition," he added.

But RTÉ and Sinn Féin later said in statements they had not been given access to the interview about the book, Mary Lou McDonald: A Republican Rid-

die. RTÉ sources said the interview was dropped as it was "a bit boring".

The Taoiseach was asked in the Dáil about the decision to drop the interview, which was widely covered in the Sunday Independent, for which Mr Ross writes. Mr Martin said RTÉ needed to explain its decision.

Mr Martin said the national broadcaster's move "demands greater transparency and explanation" and that such a development "has a chilling effect on public debate and democracy". The Taoiseach said the broadcaster was probably "taking a cautious position here and because of the fear of being sued".

Ms McDonald is currently suing RTÉ for defamation in the High Court. She is the latest in a series of Sinn Féin politicians to

take defamation actions, a trend that has been criticised by political opponents and others as having a chilling effect on free speech and political debate.

The Taoiseach was responding to Fine Gael TD Paul Kehoe, who accused RTÉ of "censorship of the highest order". The Wexford deputy noted that Mr Ross "was able to give interviews to Newstalk, Today FM and other independent radio stations" and said RTÉ has questions to answer.

'Censorship'
"It is a publicly funded organisation getting millions of euros off the taxpayer and off this Government in the recent budget, and they do have a duty of public service and public broadcasting," he said. "I'm not sure if they are afraid or who they are afraid of or what they are hiding, but this is censorship of the highest order. And it has, I believe, some very serious consequences for the national broadcaster and it's a very worrying development."

In a statement on the matter, RTÉ said that "broadcasters have editorial independence to decide what they cover and broadcast". It said this was a principle that the Broadcasting Authority of Ireland acknowledges.

"With many competing stories and items each day, it is not unusual for a pre-recorded interview not to be broadcast. In this instance, the decision not to broadcast was an editorial decision and was not influenced by any legal issues," it said. "RTÉ can also confirm that no one was given access to the recorded interview."

Sinn Féin said: "It is a matter for RTÉ what they choose to broadcast, or not. It is highly unusual for the Fianna Fáil leader to use Dáil time in this way; particularly when his information is completely incorrect - Sinn Féin did not receive a copy of any interview, nor was it sought."

Dáil sketch

Miriam Lord



TDs balance lack of words with duty to speak

There are no words. And a forever of things to say.

There are countless words. And so many things forever unsaid.

There are no words, yet they come tumbling out all the same.

And it all makes sense because the whole thing is so senseless anyway.

When the politicians returned to Leinster House yesterday they knew they had to talk about Creeslough, even if it felt like everything had already been said and what could they possibly do now to lessen the desolation of one small community coming to terms with inconceivable loss?

A chamber of lawmakers and - like the rest of us - utterly powerless in the face of such random destruction.

These national representatives, who specialise in producing words at will whether we want to hear them or not, were mindful of their insignificance in the unfolding tragedy but also of their duty to speak on behalf of the nation and for the people who elected them to do just that.

Yesterday, the Taoiseach, Tánaiste and TDs from all other parties and groupings in Dáil Éireann articulated the feelings of people all over the country by tendering official expressions of sympathy with Creeslough on the shocking deaths of 10 of their own who perished in an explosion at their village shop and petrol station last Friday.

Catherine Connolly, the Leas Cheann Comhairle, led the way, expressing the Dáil's deepest condolences. "Clearly, words cannot express the pain and grief of those who have lost family members or the loss felt by such a tight-knit community," she said, the first of many speakers to underscore the inadequacy of language when seeking to give even some small amount of succour while trying to comprehend the incomprehensible.

But they had to try.

The Taoiseach began by reading the names and ages of the victims - two of them teenagers and one a little child - into the Dáil record. Those names are there forever now.

"Women, men, boys and girls representing everything good, kind and beautiful about Creeslough, Donegal and our country, taken away in a tragic incident on a quiet Friday afternoon; fathers and mothers, sons and daughters, brothers and sisters, each one an enormous, incalculable loss in the lives of those around them," said Micheál Martin. "This is a community bereft."

Sorrowful silence
TDs sat in sorrowful, respectful silence as the Taoiseach paid tribute to the "most extraordinary courage, commitment, heroism and love" of local people and members of the emergency services who put themselves at risk by "doing everything humanly possible to save the lives of their neighbours" in the aftermath of the blast. All the speakers echoed his praise for the selfless locals and first-responders.

"Words on their own cannot comfort the fathomless grief that so many will feel in the weeks and months ahead."

Tánaiste Leo Varadkar decried "the cruelty and capriciousness of an unjust and random world" while, far away in the northwest corner of Ireland, Creeslough was burying the first of its dead: Jessica Gallagher (24) and Martin McGill (49).

Donegal TDs were not

present as all but one were at the funerals. Dublin South Central TD Joan Collins spoke on behalf of her Independent Group colleague and Donegal TD, Thomas Pringle, who was at the Council of Europe assembly in Strasbourg.

Catherine Martin, the Green Party Minister for the Arts and the Gaeltacht, delivering much of her contribution in Irish, told the hushed ranks of deputies: "The mourning is only beginning. We must honour those precious lives, support that broken community. And we mourn together as a nation."

Poor showing
The chamber was not as full as it should have been, with a particularly poor showing by Government backbenchers, given the subject at hand. This was in marked contrast to the Sinn Féin benches, where there was almost a full house.

Party leader Mary Lou McDonald was indisposed so Cavan-Monaghan's Matt Carthy deputised. As Catherine Martin had also done before him, he too read the names of the people who died into the record. Later, Labour leader Ivana Bacik would follow suit.

Matt Carthy said he had family living close to the village and he knew the area well, having previously been an MEP for the region.

Again and again, deputies struggled to find the right thing to say. "It's difficult at a time like this to find words that seem adequate to fully describe the intense heart-break and incomprehension we all feel," said Social Democrats co-leader Catherine Murphy. But even while that communal grief in Creeslough was "immense, relentless and overpowering", we could also "see signs of hope, a chink of light to illuminate the darkness" in moments of deep despair.

Mattie McGrath quoted St Francis of Assisi: "All the darkness in the world cannot extinguish the light of a single candle."

Kildare South's Cathal Berry, expressing sympathies on behalf of the Regional Group, choked up as he paid tribute to the 10 who died.

"I am sorry for getting a small bit emotional," said the former Army ranger, who is one of the quietest-spoken TDs in the Dáil, "but if grief is indeed the price we pay for love, and if mourning is indeed the eventual cost of companionship, then it is absolutely clear from what we have seen over the last few days that these people were hugely respected and will be terribly missed in their community."

The Government has promised to do everything it can to help the community overcome this tragedy. And beyond that are words. They are important, because they are the words of a nation and they are official words which, in years to come, people will be able to revisit and recall their loved ones with affection and pride.

"We put our arms around the bereaved and the injured," said the Taoiseach. "We pledge to support this community now and in the time ahead as it comes to terms with this trauma. We remember those who have died: Hugh, Robert, Martina, Martin, James, Catherine, Jessica, Leona, James and Shauna. Ar dheis Dé go raib a n-anamacha."

And after everything was said, the House stood and observed a minute's silence.

And there were no words, just the ticking of the gallery clock and the Seánad bell ringing in the distance.

Covid-flu 'twindemic' could see up to 21,000 hospitalised

PAUL CULLEN and **HARRY MCGEE**

Up to 17,000 patients could be hospitalised with Covid-19 and 4,350 with flu in the coming months, according to projections in the newly published HSE winter plan.

Should waves of both viruses occur, about 700 patients could require ICU admission for Covid-19 and 225 for flu, the plan states.

Even a low flu season could result in about 2,900 hospitalisations, including 150 ICU admissions, according to the projections drawn up by the Health Protection Surveillance Centre.

HSE chief clinical officer Dr Colm Henry pointed out that these were worse-case scenarios and said the outlook for this winter was uncertain. "There's

been a lot of talk about twindemics; while this is possible, it's far from certain that will happen," he told a media briefing yesterday.

In Australia's most recent winter, he pointed out, an early spike of flu cases was not followed by huge pressure on the health system. "Likewise we have not yet encountered a new variant of concern which has caused a level of disruption and illness that previous variants caused."

Vaccine programme
He urged people to "play their part" by "embracing" the vaccine programme in time for winter.

Funding of €169 million has been assigned to the winter plan, which envisages the recruitment of 608 additional posts. Previous winter plans

have failed to reach targets for recruiting staff.

A separate plan has been drawn up by the Department of Health for the possibility of a new Covid-19 variant of concern. The plan, which envisages the reintroduction of pandemic measures if an emergency occurs, was presented to Cabinet yesterday.

Minister for Health Stephen Donnelly told Cabinet colleagues of provisions for the rapid deployment of a nationwide testing and tracing operation, as well as a new mass vaccination programme, which would extend to all age groups if it was deemed necessary.

He said there are no plans in place to introduce compulsory mask-wearing. However, the plan does provide for masks to be introduced in certain locations and situations.

Time not right for block levy, say FF TDs

JACK HORGAN-JONES

Now is not the time for a levy on concrete blocks, a meeting of members of the Fianna Fáil parliamentary party has heard.

Speaking after yesterday's meeting, Tipperary TD Jackie Cahill said the "unanimous view [was] that with inflationary pressures, now isn't the time to introduce this levy".

The group, chaired by Dublin West TD John Lahart, met Minister for Housing Darragh O'Brien yesterday about the levy, announced by the Government as a means to raise funds to cover part of the cost the

€2.5 billion redress scheme for homes affected by mica defects. Afterwards, some members said they felt a deferral beyond this year's was needed.

Mr Cahill said he believed the concerns of the parliamentary party would be taken on board as the Finance Bill, which gives effect to measures announced in the budget, worked its way through the legislative process. Sources said the members present had a range of concerns if not with the general principle of the levy, then with the timing and application of it.

"The general push was for an awful lot more thought put into

it before it's levied," one source present said.

Mr O'Brien and Minister for Public Expenditure Michael McGrath, who was unable to attend the meeting, are to put together a paper on the levy highlighting the Fianna Fáil parliamentary party views and pass it on to Minister for Finance Paschal Donohoe.

The meeting heard a variety of concerns from members, including the breadth of the application of the levy, which is to be placed on 18 different categories of product, and its impact on cross-Border trade and imports and exports.

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