

# 'It's refusal after refusal': parents hold Dáil sleepout over school places

CARL O'BRIEN  
Education Editor

Lewis Rock, who will turn seven later this year, should be at school.

Instead, he is at home each day where his mother tries to teach him and hopes he will get a school place next September. "For the past two years, we haven't been able to get any education for him," his mother, Jasmine Graham, from Stoneybatter in Dublin, said.

"We keep getting refusal after refusal due to schools being oversubscribed. Last year, we applied to over 15 schools. This year, we've applied to 11. He's on endless waiting lists for everything."

She was one of dozens of parents and supporters who gathered outside Leinster House yesterday – also World Autism Day – as part of a 24-hour sleepout aimed at drawing attention to shortages of school places for children with special needs.

It was the second protest of its type in recent weeks, organised by parent-led campaign group Equality in Education.

The group, which represents 200 parents of children with additional needs, said authorities do not have an official figure of children without school places.

'Top priority' Minister for Education Helen McEntee said yesterday that the Government is "fully committed to supporting autistic children and young people, as well as their families and school community".

She confirmed 369 new special education classes have been sanctioned and education authorities are working to ensure they are ready for September.

In addition, five new special schools are progressing towards opening in the coming school year in Dublin, Cork, Monaghan and Tipperary.

"As Minister for Education, enabling children with special education needs to receive an education is a top priority of mine in my new role," she said. "Bringing more



Jasmine Graham and Adam Rock with their son Lewis (6). They were among dozens of parents of children with additional needs who protested outside Leinster House yesterday over a lack of school places. PHOTOGRAPHS: NICK BRADSHAW; BRIAN LAWLESS/PA WIRE

special education classes on stream is vitally important for those children and students with complex needs."

Ms McEntee thanked schools for engaging with the National Council for Special Education but said she will "not hesitate" to use statutory powers to compel schools to open any of the remaining classes if required.

Autism charity AsIAM said poor plan-

ning and data collection was contributing to families having to fight for places and sleep out in order to help secure their constitutional rights.

Adam Harris, the charity's chief executive, said its annual report captured the experiences of more than 1,400 autistic people and their families. It revealed ongoing exclusion and systemic failures across education and other areas, he said.

"It shows that 27 per cent of children documented in the report do not have an appropriate school place. That is children out of school entirely in placements that don't align with their psychological reports' recommendations or travelling long distances to access school. This really needs to end."

Mr Harris also said 70 per cent of respondents felt the education system was not inclusive, while a similar proportion of

children were not currently receiving therapeutic supports from their local HSE office.

Ms Graham, meanwhile, said her son faces challenges but has huge potential and would flourish with access to an appropriate education.

"He is a beautiful child. He is so funny, clever and highly intelligent. He knows big numbers. He can tell you every planet in

the solar system. He loves numbers, colours, the planets – anything with a pattern or sequence. He is really, really bright," said Ms Graham, adding that she gave up her job and set up a home school to teach him for the last two years.

"Imagine, with the right school placement, how much he would thrive. These children are the future, and they're being denied their constitutional rights."

# Gardaí should raid religious orders, TDs told

Social Democrats acting leader calls on Government to 'flex some legal muscle'

MARIE O'HALLORAN

The Government has been challenged to "flex some legal muscle" to force religious orders involved in mother-and-baby homes to contribute to redress for survivors of the institutions.

Social Democrats acting leader Cian O'Callaghan alleged these congregations had "operated as criminal networks" as he accused the Government of continuing to "roll over" after years of being ignored when trying to get them to pay.

"When is the State finally going to flex some legal muscle when it comes to these religious orders? Why are these orders not being raided by the Gardaí?

Why are assets not being seized?" he asked.

"It's unbelievable that the approach of successive governments to these orders, which operated as criminal networks, is to roll over."

Taoiseach Micheál Martin said the Government would consider "what options we can take within the law" to pursue religious orders but "we simply can't just go in and raid people".

The Irish Times reported yesterday how just one order has made a "serious offer" of cash to pay redress to survivors following attempts by government negotiator Sheila Nunan to secure cash commitments

from seven Catholic bodies and the Church of Ireland. She submitted her final report on Monday to Minister for Children Norma Foley.

Speaking in the Dáil, Mr Martin said he had only "read the report of it this morning in the media".

"We will assess the report and then consider what options we can take, within the law obviously, in terms of pursuing religious orders," he said.

Raising the issue during Leaders' Questions, Mr O'Callaghan said Roderic O'Gorman, who was then minister, had written to the orders in 2021, but "his begging letters were ignored" and in May 2023 he appointed Ms Nunan to negotiate with the orders.

She was given six months to get a "best and final offer" from the orders.

Two years later, her final report showed "just one order has

made a serious offer of cash to pay redress".

The Dublin Bay North TD said "going cap in hand to religious orders was not a successful strategy".

"We know these orders would much prefer to pay their armies of lawyers than the women and children that they tortured and abused," he told TDs.

He said the orders "own assets worth hundreds of millions", and "for decades in Ireland, unimaginable horrors were perpetrated in mother-and-baby homes".

The Taoiseach agreed that "religious orders will utilise lawyers to frustrate Government's attempts", but said the Government has introduced an €800 million redress scheme.

"If we'd been waiting around for a legal process to get the necessary resources from religious orders, 'you'd never have a redress scheme", he said.

# Decades after last home closed, church reparations seem as far away as ever



Arthur Beesley Analysis

Government efforts to persuade religious groups to pay money for mother-and-baby home redress have run aground, after prolonged talks finished with only one "serious offer" of cash from an order of nuns.

Four years after talks began, a report delivered to Minister for Equality Norma Foley suggests the end point is rather like the 2021 starting point. The Bon Secours sisters committed again to paying, but there was little or nothing by way of cash offers from any other order.

Now, Taoiseach Micheál Martin is facing Opposition demands to force religious orders to make a contribution.

"When will the State finally flex some legal muscle when it comes to these religious orders?" Social Democrats deputy leader Cian O'Callaghan asked Martin in the Dáil yesterday. "Why are these orders not raided by the Gardaí? Why are their assets not seized?"

Legal hurdles Martin was non-committal, rejecting claims that ministers went "cap in hand" to the religious orders and now had nothing to show for it. "We will assess the report and see where we go next. One cannot simply go in and raid people."

Lawyers say any attempt at compulsion would face huge legal hurdles and run the risk of flouting constitutional property rights. "Property rights can be regulated but they can't be expropriated," said a senior Dublin solicitor.

"An Act of the Oireachtas imposing liability without judicial process would be

manifestly unconstitutional. It would [be] Trumpian in terms of its level of unconstitutionality."

For all the controversy that followed the October 2020 report of the commission of investigation, the grave harm caused to thousands of unmarried pregnant girls and women is well established.

But most religious groups said they would not, could not or should not pay money into the €800 million State redress scheme for survivors.

The position taken by most religious groupings is similar to the stance of drug company GSK, formerly GlaxoSmith-Kline. Urged to accept "corporate responsibility and moral obligation" arising from clinical trials on 1,148 children without the consent of parents or guardians, GSK refused outright to pay reparations.

When then minister and now Green leader Roderic O'Gorman failed to make headway in talks, he hired former trade unionist Sheila Nunan in May 2023 with directions to strike a deal within six months. Nunan finally sent her report to Foley on Monday afternoon, the final day of her 23rd month as negotiator.

The Catholic orders in question are the Daughters of Charity of St Vincent de Paul; Sisters of the Sacred Heart of Jesus and Mary; Our Lady of Charity of the Good Shepherd; the Sisters of Mercy; the Sisters of St John of God; and the Legion of Mary, a lay organisation.

Talks were also held with the Church of Ireland, which insists "it did not found, own or manage any of the homes".

Excluding Bon Secours money and any prospective property transfers from other orders, taxpayers are on the hook for almost all redress costs.

So what happens next? Foley's spokes-

**66 The question now is whether the Government has any appetite to deploy legal means to extract contributions from naysaying religious**

man declined to comment and would not say when the Minister will publish the Nunan report.

Whether the report embraces the financial assessment of orders' resources that was carried out by accountants EY is unclear. Although EY conclusions remain under ministerial seal, public filings to the Charities Regulator show religious orders hold valuable assets.

Moral argument

Data for 2023 show the Sisters of Bon Secours Ireland had net assets of €106.8 million. The Daughters of Charity of St Vincent de Paul had assets of €88.9 million. The assets of the Our Lady of Charity of the Good Shepherd congregation were valued at €74.5 million. The Irish province of the Sisters of St John of God had €50.5 million in assets. The assets of the leadership of the Sisters of Mercy were valued at €35.4 million. The net assets of the Representative Body of the Church of Ireland were €632.5 million.

After the moral argument failed, the question now is whether the Government has any appetite to deploy legal means to extract contributions from naysaying religious. This is a matter for Foley in the first instance but is also one for Rossa Fanning, the Attorney General.

The Dublin solicitor, speaking on condition of anonymity, said there were many potential pitfalls. "The imposition of civil liability is a matter for the court," he said.

"If you're contending as a TD that the Oireachtas is going to pass an Act saying that 'you are going to pay this because you are liable for that', you're breaching the separation of powers."

Any historical legal claims also face challenges under the statute of limitations, which sets the maximum period for starting an action. The limit for breach of contract claims is six years from the breach, and the limit for negligence is six years from the date of damage. This is relevant to the mother-and-baby homes inquiry, which covered the years 1922-1998. Decades after the last home closed, church reparations seem as far away as ever.

Comhairle Cathrach  
Bhaile Átha Cliath  
Dublin City Council

**FÓGRA POIBLÍ**  
AN TACHT UM PLEANÁIL LIMISTÉIR MHUIRÍ, 2021 AGUS RIALACHÁIN NA GCOMHPHOBAL EORPACH (ÉIN AGUS GNÁTHÓGA NÁDÚRTHA), 2011  
CUIREADH CHUN AIGHNEACHTAÍ POIBLÍ MAIDIR LE HIARRATAS AR CHEADÚNAS ÚSAÍDE MUIRÍ AGUS MEASUNÚ CUI

Chuir Comhairle Cathrach Bhaile Átha Cliath iarratas isteach ar an 22 Eanáir 2024 chuig an Udarás Rialála Limistéir Mhuirí ("MARA") ar cheadúnas úsáide mairí faoi alt 117 den Acht um Pleanáil Limistéir Mhuirí 2021 chun suirbhé comhshaoil agus oibreacha imscrúdaíthe a tainn a dhéanamh d'fhonn bonn eolaí a chur faoi dheardh Dhroichead an Phoilte agus Tionscadal Leathnaithe Tom Clarke atá beartaíthe.

Cuireadh ráiteas tionchair Natura gaolmhar isteach leis an iarratas ar cheadúnas agus an ráiteas tionchair Natura ar fáil lena n-ádhadán ar shuíomh gréasáin MARA LIC230007 - MARA - An Rialála Mhuirí agus ag an seoladh seo a leanas trí cheapachán - An tUdarás Rialála Limistéir Mhuirí, 2ú hUrlár, Teach Menapia, Páirc Ghnó Dhraighní, Draighneach, Loch Garman, Y35 RF29.

Féadfaidh daoine den phobal ar mian leo aighneacht a dhéanamh i scríbhinn chuig MARA maidir leis an iarratas ar cheadúnas agus an ráiteas tionchair Natura é sin a dhéanamh ag iua tagairt: LIC230007 chuig an seoladh ríomhphoist seo a leanas [licence@mara.gov.ie](mailto:licence@mara.gov.ie) nó trí an bpost chuig an seoladh seo a leanas - An tAonad Ceadúnais, An tUdarás Rialála Limistéir Mhuirí, An 2ú hUrlár, Teach Menapia, Páirc Ghnó Dhraighní, Draighneach, Loch Garman, Y35 RF29.

Is é an dáta deiridh agus an t-am le haighneacht scríofa a bheith faighte ag MARA ná 17.30 a chlog ar an 6ú Bealtaine 2025.

Déanfaidh MARA ansin, a luaithe is indéanta, an cinneadh measúnaithe iomchuí i gcomhréir le Rialachán 42 de Rialachán na GComhphobal Eorpach (Éin agus Gnáthóga Nádhúrtha), 2011. Deonóidh MARA an t-iarratas ar cheadúnas ina iomláin, go páirteach nó diúltóidh sé é tar éis an cinneadh a ghlacadh.

Arna dhátú an 3ú lá seo de Aibreán de 2025.

An tUdarás Rialála Limistéir Mhuirí

A shinigh: John Flanagan,  
Leas-Phríomhoifigeach Feidhmiúcháin agus Innealtóir Cathrach.

Ar son agus thar cheann Chomhairle Cathrach Bhaile Átha Cliath.

**PUBLIC NOTICE**  
PROPOSED MARITIME USAGE LICENCE  
LIC230007

**PUBLIC NOTICE**  
THE MARITIME AREA PLANNING ACT 2021 AND THE EUROPEAN COMMUNITIES (BIRDS AND NATURAL HABITATS) REGULATIONS 2011  
INVITATION FOR PUBLIC SUBMISSIONS ON AN APPLICATION FOR A MARITIME USAGE LICENCE AND AN APPROPRIATE ASSESSMENT

Dublin City Council submitted an application on 22nd January 2024 to the Maritime Area Regulatory Authority ("MARA") for a maritime usage licence under section 117 of the Maritime Area Planning Act 2021 to undertake environmental survey and ground investigation works in order to inform the design of proposed Point Bridge and Tom Clarke Widening Project.

A related Natura impact statement has been submitted with the above licence application. The licence application and the Natura impact statement are available for inspection on MARA's website LIC230007 - MARA - The Maritime Regulator and at the following address by appointment - Maritime Area Regulatory Authority, 2nd Floor, Menapia House, Drinagh Business Park, Drinagh, Wexford, Y35 RF29.

Members of the public who wish to make a submission in writing to MARA on the licence application and the Natura impact statement may do so quoting ref: LIC230007 to the following e-mail address [licence@mara.gov.ie](mailto:licence@mara.gov.ie) or by post to the following address - Licence Unit, Maritime Area Regulatory Authority, 2nd Floor, Menapia House, Drinagh Business Park, Drinagh, Wexford, Y35 RF29.

The closing date and time for a written submission to be received by MARA is 17.30hrs on 6th May 2025.

MARA will then, as soon as practicable, carry out the appropriate assessment determination in accordance with regulation 42 of the European Communities (Birds and Natural Habitats) Regulations 2011. After the determination, MARA will either grant, part grant or refuse the licence application.

Dated this 3rd day of April of 2025.

The Maritime Area Regulatory Authority

Signed: John Flanagan,  
Assistant Chief Executive and City Engineer.

For and behalf of Dublin City Council.

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