



DÍOSPÓIREACHTAÍ PARLAIMINTE
PARLIAMENTARY DEBATES

DÁIL ÉIREANN

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

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DÁIL ÉIREANN

Dé Céadaoin, 12 Iúil 2023

Wednesday, 12 July 2023

Chuaigh an Leas-Cheann Comhairle i gceannas ar 9.12 a.m.

Paidir agus Machnamh.
Prayer and Reflection.

Ábhair Shaincheisteanna Tráthúla - Topical Issue Matters

An Leas-Cheann Comhairle: I wish to advise the House of the following matters in respect of which notice has been given under Standing Order 37 and the name of the Member in each case:

Deputy Brian Stanley - to discuss primary school places in Portlaoise.

Deputy Michael Moynihan - to discuss the future of the SouthDoc service in Kanturk, County Cork.

Deputies Donnchadh Ó Laoghaire and Thomas Gould - to discuss the situation facing tenants of Cork City Council on Noonan's Road.

Deputy David Stanton - to discuss the need to support older tenants to remain in their rental property in circumstances where the property owner has decided to sell.

Deputy Seán Sherlock - to discuss the need to ensure out-of-hours GP services are protected in the CHO 4 Region in Cork/Kerry.

Deputy Ciarán Cannon - to discuss the need to expedite publication of the All Island Rail Review so that the urgent development of rail and cycleway infrastructure in east Galway can proceed.

Deputy Catherine Connolly - to discuss the ongoing closure of the day centre in Áras Mhic Dara, An Cheathrú Rua, County Galway.

The matters raised by Deputies Ciarán Cannon, Donnchadh Ó Laoghaire and Thomas Gould, Catherine Connolly and David Stanton have been selected for discussion.

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Saincheisteanna Tráthúla - Topical Issue Debate

Strategic Infrastructure

Deputy Ciarán Cannon: I thank the Minister of State, Deputy Peter Burke, for being here. This has been a very long-running saga in the west, and in my constituency of Galway East in particular. What is deeply disturbing for those of us who are ambitious about the future of east Galway, and in particular its towns and villages, is that there is a piece of public infrastructure that has now been left to rot for more than 14 years. It has no function or purpose in serving the economic and social needs of the people of Galway East. It has been left in abeyance for a very long time.

There have been efforts on the part of two particular cohorts of people in Galway East to convince numerous different Ministers for Transport of the merits of putting this piece of very valuable public infrastructure back into use.

One group has been campaigning actively for the re-opening of a rail service on the line connecting Athenry to Claremorris and they have made many arguments as to why that is a good idea. Key to their argument is the fact that this is a piece of public infrastructure that could serve a useful purpose, but it has been left to decay instead. The second group emerged over the last ten years or so. It campaigns for the development of a greenway. It looks with a great degree of envy at the success of places like Westport to Achill, Waterford to Dungarvan, the recently opened Limerick to Rathkeale and Kerry. There are other locations that have already been identified on the same western rail corridor, such as a section of Collooney in County Sligo in that particular region. As I said, they are looking on with a great degree of envy at the significant transformation that communities have experienced in these locations in terms of the injection of badly needed economic activity and tourism activity in particular into these areas. As well as that, and this is often forgotten, there are huge societal benefits to the people who live in these areas for their health, well-being and being able to engage as a family in walking or cycling activities in safe and welcoming environments.

These two campaigns have been on the go for a very long time. We had hoped that by this point a significant decision would have been made about the future use of the western rail corridor. The Minister, Deputy Éamon Ryan, instigated what he described as an all-island rail review well over a year ago. Despite our best efforts, as well as the efforts of those campaigns in encouraging the publication of this review and in allowing for the publication to unlock the potential of this piece of infrastructure, we are no further on. It is my understanding, and the Minister has made it quite clear at times, that it will not be possible to publish the review until such time as the Northern Ireland Executive is re-established, because he and whoever the incoming Minister responsible for transport would be able jointly to announce the publication. I do not think that will happen for quite a while to come, unfortunately. I urge the Minister of State, Deputy Peter Burke, to urge the Minister to publish this document to allow for planning to begin for the development of a critically important piece of public infrastructure. It serves no one now and it has weeds growing up through it, but it has such significant potential to transform east Galway and the west of Ireland.

Minister of State at the Department of Foreign Affairs (Deputy Peter Burke): On behalf of the Minister for Transport, Deputy Éamon Ryan, I thank Deputy Cannon for the op-

portunity to address this issue and to provide the House with an update on the future all-island strategic rail review. As the Deputy is aware, the Department of Transport, in co-operation with the Department for Infrastructure in Northern Ireland, has commissioned the all-island strategic rail review. The two Departments have collaborated closely throughout the review.

The Minister for Transport and the Minister for Infrastructure have met on several occasions to discuss the review, announce the public consultation and be updated on the latest progress. The results of the review will inform the development of the railway sector on the island of Ireland over the coming decades.

The all-island strategic rail review is considering the future of the rail network with regard to improving sustainable connectivity between the major cities, including the potential for higher speed and high-speed, enhancing regional accessibility, supporting balanced regional development and rail connectivity to our international gateways.

The review is considering the scope for improved rail services and infrastructure along the various existing, or potential future, corridors of the network including disused and closed lines, including the western rail corridor. The review has been informed by a public consultation process which concluded last year and which received a great response both North and South. Work on the review is now at an advanced stage and it is expected that a draft will be published for the purposes of strategic environmental assessment, SEA, public consultation later this month. Following the SEA process and finalisation of the report, it is expected to be published this autumn, following Government approval.

Until the report is finalised, it would be premature to discuss publication arrangements or specific projects within the report. However, it is worth emphasising that this has been a collaborative effort between the two Departments from the outset. This is the first all-island review of the network since the formation of the State and will provide a framework to develop a much-needed improved rail network in the decades ahead.

I look forward to its publication as I believe the review will provide an opportunity for transformative change in the system. Separately, it is important to note that €4.65 million has been allocated to Galway County Council in 2023 for greenways. This allocation relates to the Connemara greenway and a potential greenway between Athenry and Milltown. With regard to the Connemara greenway, a 76 km long route connecting Galway city and Clifden, the €3.9 million allocation is being split between three projects as follows. Some €1.2 million has been allocated to a section between Galway city to Oughterard. Galway County Council has progressed the section to the options selection phase. Some €2.5 million has been allocated to a 21 km section between Clifden and Recess. This section is due to be completed in December 2023. Some €200,000 has been allocated to a section between Derrygimlagh and Kylemore Abbey. This section is at the scoping and pre-appraisal stage. A total of €300,000 has been allocated to the proposed Athenry to Milltown greenway, a 45 km route along the disused railway between Athenry and Milltown. This greenway has been identified as having a high value as a commuter route. This route is currently at the scoping and pre-appraisal stage. A strategic assessment report has been completed and a feasibility report is being prepared.

Deputy Ciarán Cannon: I thank the Minister of State for that very comprehensive response. I am aware of, and am very pleased with, the significant investment already committed to the development of the greenway from Athenry to Milltown. Those of us campaigning for that greenway like to describe it as “The Quiet Man” greenway because it allows for users

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to cycle through Ballyglunin railway station, which featured extensively in “The Quiet Man” movie many years ago. That is a 45 km route along that disused railway between Athenry and Miltown.

Our ambitions are aligned with those who would like to see rail services opening up along that route. They are not mutually exclusive but are quite complementary. I am hopeful that this response from the Minister of State, and ultimately from the Minister, Deputy Ryan, is indicative of an intention to see this line reopened for public use in some shape or form.

Three options have been presented. There is the option of developing a greenway only, there is the option of developing a new rail freight and passenger service with the greenway alongside it, and there is the option of doing nothing. We are more than supportive of the first two options, as the Minister of State might expect, but we are deeply fearful that the publication of the report may result in the do nothing option. I urge the Minister of State to engage with the Minister, Deputy Ryan, to ensure this is not the case. The Minister of State may be aware that a number of weeks ago a US company, Dexcom, made a significant announcement of an investment of €350 million in its first ever manufacturing facility in the European Union, basing it in Athenry and creating 500 jobs during construction and 1,000 jobs on an ongoing basis. This is only the beginning of what is possible in that location in Athenry. To have people who work in that facility being able to commute either on a rail service or by bicycle would be a hugely attractive opportunity for the town of Athenry, for Dexcom and, indeed, for east Galway. This is an opportunity we cannot squander. I urge the Minister of State to actively engage with the Minister, Deputy Ryan, to ensure the do nothing option, which is the one I am deeply fearful of, is the last option that should be considered.

Deputy Peter Burke: I thank Deputy for his response and commitment to the sector. The Deputy is very passionate about it and I will raise with the Minister the Deputy’s comments, which are on the record of the Dáil. This all-Ireland strategic rail review is being conducted on an all-island basis in full co-operation with our colleagues in the Northern Ireland Executive and at official level in the Department of Infrastructure in Northern Ireland. It would, therefore, provide a holistic view of the potential of rail on the island. The review is considering the scope for improved rail services and infrastructure along the various existing or potential future corridors of the network, including disused and closed lines. It would be premature, however, to comment on the reopening of the western rail corridor or any other line before the review is finalised.

As mentioned in my opening statement, work on the review is now at an advanced stage and it is expected that the draft will be published for the purposes of the strategic environmental assessment public consultation later this month. Following the SEA process and the finalisation of the report, it is expected to be submitted for the approval of the Minister for Transport and the Government in the autumn, as well as to the Minister for Infrastructure in Northern Ireland. Should there continue to be an absence of ministers in the Northern Ireland Executive, approval will be considered to take into account the relevant decision-making framework set out in Northern Ireland legislation at that particular time. It is expected the final review will be published in the autumn of 2023.

Dáil Éireann
Housing Schemes

Deputy David Stanton: I thank the Office of the Ceann Comhairle for selecting this topic and I thank the Minister of State, Deputy Burke, for being present to respond. This topic arises as a result of a family approaching me. I am sure colleagues have had similar cases where the principal earner is over the limit and cannot get a mortgage because of age, and where the income in the household is above €53,000. I welcome the tenant *in situ* scheme. It is a very good scheme and I have directed quite a number of constituents towards it and it seems to be working quite well. In this case, however, the family cannot get a mortgage, their income is higher than the limit for the scheme, and they have to leave their home.

As in similar cases, there are adult children in the household. They will move out eventually but their income is also taken into account. In cases like this, I ask that the income of the adult children be disregarded. This would make a difference to a certain number of people who have worked hard all of their lives and who now find themselves in this position. In one particular case I am dealing with, there are adult children, including an adult child who has a disability. I am aware that the carer's allowance is disregarded, which is good.

I am looking for some clarity with regard to adult children who are in households. There are other circumstances where older tenants cannot get a mortgage, their houses are being sold, they have to move and they cannot find anywhere else to go. Perhaps the Minister of State will be able to tell me how many of these cases there are. Has the Department looked at this? I am aware that there must be an upper income limit at some point but perhaps €53,000 is a little bit low. In particular where there are adult children in the household, this may be something the Government could look at and disregard their income. The children might soon be moving out, maybe to go to college or to an apprenticeship. We all know young people want to move out. Their income should not be taken into account in circumstances like this.

I look forward to the Minister of State's response on this. It is a small niche issue that could be resolved quite easily by disregarding the income of adult children.

Deputy Peter Burke: Under Housing for All, the Government will deliver 47,600 new build social homes and 3,500 social homes through long-term leasing in the period 2022 to 2026. Our clear focus is to increase the stock of social housing through new build projects delivered by local authorities and approved housing bodies. In light of the number of landlords exiting the market this year, the Government has agreed that there will be increased provision for social housing acquisitions. Local authorities will be funded to deliver at least 1,500 social housing acquisitions, which is 1,300 higher than the original Housing for All target. These additional acquisitions will be focused on local authorities on properties where a HAP or RAS tenant has received a notice of termination due to the landlord's intention to sell the property. Local authorities have delegated sanction to deliver the 1,300 additional acquisitions, subject to those acquisitions being within acquisition cost guidelines.

The Government has also introduced a new scheme, the cost rental tenant *in situ* scheme, for tenants who are not eligible for social housing supports but who are at risk of homelessness due to the landlord's intention to sell their rental property. This scheme is being administered by the Housing Agency.

Government policy in relation to housing for older people, is set out in Housing for All: A New Housing Plan for Ireland, and outlines measures to support people to live with dignity and

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independence in their own homes and communities for as long as possible, to allow them to age in place close to their families, friends and in their community.

Pathway 2 of Housing for All commits to expanding the housing options available for older persons, building on the work done under the 2019 joint policy statement, Housing Options for our Ageing Population, the objective of which is to provide housing options for older people to facilitate ageing in place, in their own homes and communities, with dignity and independence, and deliver an appropriate range of housing and related support services, in an integrated and sustainable manner.

Under Housing for All, local authorities have prepared a housing development action plan, setting out details of social and affordable housing delivery over the period 2022 to 2026. This includes details of the location of projects and housing typologies, including housing for older people. Social housing for older people is delivered across a range of models, including the social housing capital investment programme, SHCIP, the capital advance leasing facility, CALF, and the capital assistance scheme. A total of €96 million of capital funding was provided 2022 for the capital assistance scheme and increased to €137 million in 2023. This funding is being provided to approved housing bodies for the further development of housing for priority categories of housing need, including older people. As for the Deputy's critical point regarding the calculation of income for adult children, I will raise that directly with the Minister for Housing, Local Government and Heritage and revert to him.

Deputy David Stanton: I thank the Minister of State for outlining what is being done and what the plans are. The Government is certainly moving on this very critical issue of housing, as I can see in my area, where a lot of new starts are occurring and people are being offered houses, which was not the case previously.

I thank him also for promising to revert to me with respect to the critical issue I raised. I asked a parliamentary question on this and the response stated, "If household incomes are above the limit to be eligible for the Cost Rental Tenant In-Situ Scheme, tenants can contact their local authority who will be in a position to advise them of other measures which may be appropriate for their specific situation." We are not sure what those other measures are, so perhaps the Minister of State can revert to me on that. The critical point is that if adult children, whether students or apprentices, are living in the house, they will move out soon. They will not be the main tenants paying the rent and whatever income they have should be disregarded, which would allow the core family to remain in the house if the Housing Agency or the local authority can purchase the house, as the tenant *in situ* scheme envisages. It is a modest proposal that would not affect many people but would make a huge difference to the small number it would affect. When a scheme such as this excellent one is started, we are bound to come across anomalies, and it is our job to come to the House, point them out and ask that they be addressed. I look forward to the Minister of State's response in due course.

Deputy Peter Burke: It is critical the Government supports older people to live independently in their community. I will convey to the Minister the queries the Deputy raised regarding measures in respect of the local authority. It is important we keep pace with housing delivery because it is critical for our communities, as can be seen in all our communities, where we as a Government can point to housing developments at scale. Builders are delivering those massive housing developments and that is so important for our communities. Obviously, for those with current tenancies who are under pressure for whatever reason, it is vital, as the Deputy noted, to respond to those needs because there can be very particular needs in that regard. I will under-

take to speak to the Minister on the issue.

Message from Select Committee

An Leas-Cheann Comhairle: The Select Committee on Justice has completed its consideration of the Gambling Regulation Bill 2022 and has made amendments thereto.

Saincheisteanna Tráthúla (Atógáil) - Topical Issue Debate (Resumed)

Housing Schemes

Deputy Donnchadh Ó Laoghaire: I thank the Minister of State for taking this matter, which relates to an issue over which residents of the Noonan's Road area are tearing their hair out. We talk about Noonan's Road, but we are really talking about the few flats just off it as well, in St. Finbarr's Road and other locations. Noonan's Road is the main thoroughfare in the area and was developed in the 1960s and 1970s after the lanes and tenements that had existed there were cleared. The area has never seen any real remediation in that time. In conversations with Cork City Council about maintenance requests for that ward of the city, this area and these apartments dominate.

If the Minister of State visits Cork over the coming months, I would love for him to meet the residents and see the desperate condition of these apartments. They are damp and cold and it is becoming clear there has been only tinkering around the edges. There have been numerous applications to the city council from the apartments and a lot of them have been turned down, although there has been a lot of back-and-forth between the Department and the council over the course of the past year and a half, since Deputy Gould and I last raised this with the Minister of State, Deputy Noonan, in December 2021. At that time, there was an indication there was some back-and-forth with the council about funding, but it is now becoming apparent that tinkering around the edges is not going to do the job and that it needs full-scale regeneration.

The residents are organised and handed in a petition to Cork City Council on Monday. I commend them on what they are doing. What we need to hear from central government is that when Cork City Council comes with a serious proposal for full regeneration, the Department will fund it.

Deputy Thomas Gould: I agree with my party colleague Deputy Ó Laoghaire. We have been dealing with the residents of Noonan's Road for years, but even before that, the residents of Noonan's Road and St. Finbarr's Road had been promised works on their flats for years, with very little done. These flats were built in a bygone time. We have to move beyond that now. Deputy Ó Laoghaire and I are looking for full regeneration, similar to other regeneration projects, where the flats would be knocked down and the residents would be moved elsewhere locally. Cork City Council now has two developments in the area, where houses that will be built could allow the residents to come back. That is happening in other areas that are being regenerated.

On Monday night, a petition was handed in. I mention in particular William O'Brien, who

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is organising the residents, and Sinn Féin councillor Fiona Kerins, who has raised this matter numerous times with Cork City Council. The houses are cold, damp and full of mould. These are very proud people who love their community and love where they live. They do not want to leave it but they cannot live in these conditions.

In 2019, energy efficiency monitors were put on some of those houses but we have never got the results of the report. Why was the report not released to the residents and councillors? This is a wonderful community. A bit of retrofitting or maintenance work will not do it. The flats are not fit for purpose. They need urgent regeneration action now. If this were a private landlord, they would not get away with keeping tenants in these conditions. Will the Minister of State commit to funding a full regeneration project for Noonan's Road, St. Finbarr's Road and the surrounding areas?

Minister of State at the Department of Foreign Affairs(Deputy Peter Burke): I thank the Deputies for raising this important matter and am glad to have the opportunity to discuss the issue of housing conditions in Noonan's Road in Cork's inner city. The Government and the Department of Housing Local Government and Heritage are committed to ensuring tenants in social housing are provided with adequate housing that meets the standards most recently laid down in the Housing (Standards for Rented Houses) Regulations 2019.

The Department is actively engaging with the local authority sector to promote the preventative maintenance of local authority housing stock and provides significant funding for stock improvement works. In addition to funding provided by the local authorities in respect of their own housing stock, the Department provides funding for a number of programmes to support the local authorities' work to maintain and improve their social housing stock. In all cases, it is the local authorities that identify priorities. The continued work of local authorities in undertaking stock condition surveys and their responsive and planned maintenance programmes, as well as important programmes such as the energy retrofitting and voids programmes, seek to support the local authority maintenance programme.

Cork City Council has advised the Department that this scheme was discussed at a recent council meeting and that councillors were briefed by the deputy chief executive on advancing a project to refurbish the homes in Noonan's Road. Noonan's Road comprises a number of properties dating from the 1960s, and Cork City Council has informed the Department that it recognises the scale of the challenge but also the significant potential of delivering the optimal solution for all of its tenants. The Department is aware Cork City Council has planned the refurbishment and upgrade of the Noonan's Road housing development to include a deep energy retrofit programme and is cognisant of the residents' concerns with regard to the longer term refurbishment and maintenance of the complex.

In that regard, Cork City Council has recently undertaken a detailed survey and assessment of the housing scheme in Noonan's Road with a view to the progression of its refurbishment and upgrade. The council is reviewing the survey findings to consider next steps for the progression of sustainable and appropriate solutions to the housing development in Noonan's Road. While the Department of Housing, Local Government and Heritage has not yet received a funding application, the Minister and his officials very much look forward to receipt of this submission from the council in this regard and will work closely with Cork City Council to ensure a sustainable solution is found for residents at Noonan's Road.

Deputy Donnchadh Ó Laoghaire: There is a bit in that. The Minister of State said the

Department is waiting on an application from the city council. I suppose that is true and I will come back to that. The first thing I want to say is that I appreciate that he and the Minister, Deputy O'Brien, are busy people. However, I am sure they will be in Cork at some stage over the course of the next year. The Minister likes to come down when there are positive developments. If he is in Cork in the next couple of months, I want him, or the Minister of State, to visit Noonan's Road because they need to see the condition of this place. They are a really strong and proud community but what they have been asked to live with is completely unfair.

I spoke to Councillor Fiona Kerins this morning and she recalls being at a meeting in 2003 or 2004. That is how long this has been going on. The work that has happened in that time has been very limited to individual houses and apartments here and there. The Department has a number of streams of funding, the largest of which is to do with retrofitting. What kind of funding stream is there for regeneration beyond retrofitting? Is a scheme available from which funding can be pulled? Will the Minister of State tell us more about that?

Deputy Thomas Gould: The Minister of State spoke about preventative maintenance, planned maintenance and deep retrofitting. There has been no planned maintenance or preventative maintenance done in Cork since I became a councillor in 2009. There has been none. The Minister of State came in here and gave us an answer. There has been no funding to Cork City Council for those works to be carried out. I remember being chair of the housing committee in Cork City Council and being told it would be every three years. Then, I was told it was every five years, and then, because of cuts due to the financial crisis, there was no maintenance. It is time now to stop messing around.

This affects not only people on Noonan's Road but those in Clashduv, Dean Street, Cattle Market Avenue and others. I will give the Minister of State one example. A similar flat complex on Baker's Road was retrofitted approximately ten or 12 years ago and it is now back in the same condition. There is only one answer here and that is full regeneration of that area. As Deputy Ó Laoghaire said the next time the Minister of State is in Cork, he, or the Minister, Deputy O'Brien, needs to come and see what these people are living in.

Deputy Peter Burke: As I said in my response, the Department has not yet received a funding application for this particular project. Obviously, we cannot ascertain or put a figure on what needs to be done when we have not received the application from the city council. I suggest the Deputies talk to their counterparts in Cork City Council and get that application into the Department.

Nursing Homes

Deputy Catherine Connolly: Gabhaim buíochas leis an Aire Stáit. Tá a fhios agam nach bhfuil an tAire Stáit sa Roinn Sláinte in ann a bheith anseo inniu. Is mór an trua é sin ach tuigim go bhfuil cruinniú aici.

Tá orm an t-ábhar seo a ardú arís agus arís. Bhreathnaigh mé siar ar cé chomh minic is atá sé ardaíthe agam agus cuireann sé alltacht orm i ndáiríre go bhfuil mé fós ag caint faoi Áras Mhic Dara i gceoláir na Gaeltachta, ionad lae atá dúnta anois ó am Covid. Tá na cúiseanna taobh thiar den áit a bheith dúnta ag athrú an t-am uilig - easpa foirne, easpa éilimh agus modúl nua. An uair dheireanach, dúirt mé go raibh sé thar a bheith deacair gan a bheith éadóchasach ó thaobh na bhfreagraí atá á fháil againn. Tá mé sa chás ceannann céanna inniu. Ag dul siar cú-

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pla seachtain, bhí cruinniú poiblí i gConamara maidir leis an ábhar seo agus d'fhreastail cúpla céad duine air. Ní raibh na Teachtaí Dála a bhí ann in ann a mhíniú dóibh cén fáth go raibh an t-ionad lae seo fós dúnta. Ní rabhamar in ann agus bhí sé sin an-deacair dúinne mar Theachtaí Dála nuair atá ionad chomh riachtanach leis seo dúnta.

Unfortunately, faraor géar, I must raise the continued closure of the day centre in Connemara. I raised it as a Topical Issue matter a few months ago and previously under Questions on Policy or Legislation. I have raised it everywhere. When I look back, I am sure I am going to get the same answer from the Minister of State today although I really hope not. I know he is in a difficult position and that the Minister of State, Deputy Butler, cannot be here today. I had the choice of not taking this Topical Issue matter today but I chose to take because it is so important.

The ongoing closure of the day centre is simply unacceptable. I ask the Minister of State if he could depart from the script if it is no different from the previous script. At some stage, we need human intervention here from Ministers and the Government if the explanations keep changing. We are in the middle of a Gaeltacht area and this is what we are being told by representatives. I have a presentation in my hands - look at the size of this file. We got a wonderful presentation on Zoom and we were told it was going to open in April. April came and went; it was an April Fool, presumably. Then, May came and we were told it was going to open, and they managed to open it for one day and then closed it. They told us there was no demand. We are talking about a day centre for elderly people that everyone attended before Covid-19. We were told there were not enough staff and then that it was for infection reasons. Then we were told there is a whole new model of social care.

As somebody at the meeting said, they are actually telling elderly people they would want to be able to run the city marathon before they can attend a day centre that is under the social care model because they have to be able to entirely look after themselves, take their medication and so on. That is the social care model, which is not suitable. I have no difficulty with it, but it is not suitable for the people we are talking about. They opened the centre for a day and nobody knew it was open. They did not tell the radio or the newspapers.

We now have a situation where HIQA representatives have visited three times in recent years. The last one gave it a glowing report with regard to the nursing care. Unfortunately, this time and the previous time, they did not even mention the day centre, which is of great concern to me. It is underutilised as well in terms of the bed capacity. It is getting a glowing report from the staff and residents. However, it is underutilised as a nursing home and as a day centre; it is non-existent.

What am I really doing as the end of term approaches? I am appealing to the Minister of State on a human level. I ask that he please not read out a script to me if it is the exact same answer as the last time. I understand his difficulties and that he is standing in for another Minister of State. He might please tell me, in his opinion, whether this is acceptable.

Deputy Peter Burke: I am sure the Deputy will appreciate that I am not a Minister of State in that Department. Therefore, it is very difficult for me to come into this Chamber and depart from a script when I am not over the issue. I would appreciate if we could be fair on the issue.

On behalf of the Minister of State with responsibility for mental health and older people, I assure Deputy Connolly that the Government has been driving important reform initiatives,

working to deliver on the objectives of Sláintecare and building the capacity of our health service to address the changing needs of our growing and ageing population.

A key focus of our Sláintecare reform programme is recognising the need to enable older people to age well at home and in their communities for as long as possible with the correct wraparound supports. Older people want to age well at home and it is important the supports they need are in place, including wraparound services like home support, day services and meals on wheels.

There should be no doubt that investment in social care and home support has been a substantial priority for me and the Government. In May, the Minister of State, Deputy Butler, announced the allocation of €5.25 million funding for meals on wheels and day centres for older people to organisations throughout the country. In addition to this, a further €2.1 million was secured for dementia-specific community day services. Access to centres can make an important contribution to our goal to support older people to age in place in their communities by providing invaluable support, advice and social interaction for older people who may, for any number of reasons, be experiencing isolation and loneliness.

As the Deputy is aware, the Health Service Executive has operational responsibility for planning, managing and delivering health and personal social services. A wide range of core services are provided for older persons, including home support, day care and community supports in partnership with voluntary groups and intermediate care as well as long-stay residential care when remaining at home is no longer feasible. These services are fundamental to the health and well-being of our older population.

The Minister of State, Deputy Butler, is committed to working alongside HSE Community Healthcare West to ensure those who need to access health services can avail of such services within their community. The HSE has provided reassurances that, as previously committed to and planned, it will provide a day service at Áras Mhic Dara that will cater for eight to ten people. An area within the centre has been identified for providing the service. It is planned that two healthcare support assistants will be employed when the day service is operational, with the support of a clinical nurse manager off site. A minimum of eight people is necessary to reopen this service. To date, only one person has expressed an interest in the day centre. The HSE has advised the Department of Health that all communications regarding the day services were provided to the local public health nurses and GPs in the area. The HSE has further advised that the message was also broadcast through the local media and that local politicians in the area were informed.

The Minister of State, Deputy Butler, previously promised the Deputy that her officials would monitor the position. They will continue to engage with the chief officer in community healthcare west in respect of this matter.

Deputy Catherine Connolly: I am always fair or attempt to be. I realise the Minister of State is in a difficult position. However, he will understand the frustration I have outlined on behalf of the people. A day centre is closed and the reasons for that are constantly changing. We were told the place was not suitable. I welcome that there is now a commitment to open it in the nursing home. That is new. The position has been changing all the time. We have now been told that information was broadcast. That did not happen. The HSE opened the centre for a day without telling anyone and then said there was no demand. No attempt has been made to reach out to the area and talk to the people. The GP spoke at a public meeting for at least 20 minutes

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and outlined the great need for a day centre in the area. None of that seems to have taken hold with the HSE. I want to work with the HSE. In March or April when it made a presentation we were delighted a date was given for the day centre to re-open but it did not re-open. When I stand here agus frustrachas orm ó thaobh an ábhair seo agus go bhfuil an t-ionad fós dúnta, is ar son mhuintir an cheantair atá sin á dhéanamh agam. Bheadh sé i bhfad níos éasca gan an t-ábhar seo a ardú go rialta mar atá sé ardaithe agam. Ar a laghad, tá geallúintí anois go mbeidh an tseirbhís á oscailt arís laistigh den ionad agus go mbeidh foireann curtha ar fáil ach tá i bhfad níos mó oibre ag teastáil chun a chur in iúl do na daoine go bhfuil an tseirbhís ar fáil. This has to be resold to the people. They must be told that the day service is considered essential and will be available and functioning. An educational and communications programme is needed to let people know it is open and available.

Deputy Peter Burke: I note the Deputy's comments. I will raise the local issues with the Minister of State, Deputy Butler, including advising people of the process that is in play. As already stated, the Minister of State announced €5 million for day care centres and meals on wheels. This is pertinent, important and key for the local community. I will bring the matter to her attention. As I am not a Minister of State in the Department of Health, I cannot go into any further detail at the moment.

Cuireadh an Dáil ar fionraí ar 9.53 a.m. agus cuireadh tús leis arís ar 10.00 a.m.

Sitting suspended at 9.53 a.m. and resumed at 10.00 a.m.

Investment in Football: Motion [Private Members]

Deputy Aodhán Ó Ríordáin: I move:

That Dáil Éireann:

recognises that:

— football, the “beautiful game”, is the most popular sport in the world, and the number one participation team sport in Ireland with 220,000 people playing for Irish clubs and schools, but Ireland has historically never invested in our domestic league, and exported our best players abroad;

— football has traditionally been a working-class game in Ireland, but has suffered over the last 100 years from poor leadership and chronic underinvestment;

— football was excluded from many primary and secondary schools before 1971, limiting its potential for growth, but is one of the best ways to build community cohesion and integration; and

— significant investment is needed in all sports to deliver new facilities and gender equality with a dedicated focus on changing facilities for women and girls, combined with access to playing pitches, not just for those playing football, but also in the Gaelic Athletic Association (GAA) and other sports;

notes that:

— Ireland's football facilities have fallen behind our European counterparts and

the Football Association of Ireland (FAI) have outlined a 15-year plan that needs an investment of €863 million over 15 years across 2,500 projects, including:

- €426 million for grassroots;

- €390 million for League of Ireland; and

- €47 million for international;

- the Irish team will compete in the Women's World Cup this summer in Australia for the first time, and there has been a surge of interest from women and girls in the sport, but major gender equality issues remain;

- attendances at League of Ireland Premier Division games have increased by 23 per cent over the last year, with an average attendance of 3,430 compared to 2,784 in June 2022;

- 55 per cent of clubs in Ireland do not own their facilities and rely on leases, with half of these for 15 years or less, while about a quarter have leases of less than one year, resulting in financial uncertainty and instability, and exclusion from Government funding streams;

- Ireland has a deficit of approximately 1,000 full size grass pitches, needs far more all-weather pitches to meet demand, and there are not enough facilities to cater for everyone, especially women and girls, with 38 per cent of clubs not able to offer female-friendly toilets at all; and

- football has a strong record of inclusion, engaging those from marginalised and disadvantaged communities, new Irish and migrant players, those from different ethnicities and those with disabilities, building community cohesion and integration;

further notes that:

- Irish football has been historically mismanaged, but through grassroot campaigns, progress in the League of Ireland, and through the FAI's facility investment vision and strategy, the potential for a new future is clear and achievable with investment;

- between 20 and 30 per cent of bets placed in Ireland are on football and a 1 per cent increase in the betting tax would raise €50 million a year providing a dedicated investment stream to invest in football, and other sporting codes;

- football has weak linkages with the education system, and many professional players in the League of Ireland have only a Junior Certificate qualification, but the transition year football and fitness course in Fingal has been successful over a number of years, it will be expanded to girls from August, and ensures players retain a strong link within the education system; and

- Brexit has impacted on the development of Irish football with far more young players remaining in Irish clubs and academies, as they cannot join an English team until they turn 18 years of age;

recalls that:

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— in 2017 the Irish international women's team had to resort to industrial action to ensure they received adequate support; and

— it is seven years since the international men's team last qualified for a major international tournament at the European Football Championship in 2016, and 21 years since our last participation in the men's World Cup; and

calls for:

— the Government to give it's full backing to the FAI report on facility investment with a comprehensive State backed investment programme to develop the domestic football game covering grassroots, the League of Ireland and international teams;

— an increase in the Betting Levy to 3 per cent in Budget 2024, with the proceeds to fund domestic football facilities, and other sports:

— with a specific commitment to addressing gender equality access issues to changing facilities and pitches; and

— a commitment to shared community playing facilities for all towns with a population greater than 5,000;

— a review of the Sports Capital and Equipment Programme grant;

— recognition by the Government that football is one of the greatest tools available to support integration of new communities, participation for those with disabilities, and gender equality in sport;

— a programme that ensures our players can forge careers in Ireland, including centralised contracts for young women and men that would support them to stay in the game in Ireland for a minimum of three years, and education scholarships to build links between the League of Ireland and third-level educational institutes;

— the expansion of football as a transition year subject countrywide, through the development of a football academy structure;

— the League of Ireland clubs to get a portion of broadcast revenues, and a programme for national promotion of the game;

— Government supports for the potential of an all-island league;

— support for the development of a national football museum; and

— the ambition for Ireland to develop one of the best women's and men's leagues in the world.

Football is Ireland. The story of Irish football is the story of Ireland. It is a game that has traditionally been despised by official Ireland but loved by Irish people. It is a game categorised by underinvestment and poor administration but still a game that has lifted this nation like no other. The reasons for its shortcomings have always been rooted in class. Football is Ireland is at an historic moment. The League of Ireland is experiencing sell-out crowds, the women's league has turned semi-professional and our women's team plays in the World Cup next week,

only six years since having to threaten strike action. The FAI has produced a groundbreaking report into the infrastructural deficit in the game that the Labour Party demands Government support for, because football is Ireland.

The Irish Football Association was founded in 1880. By 1905, the GAA had imposed its famous ban on foreign games. Football was the garrison game, the English game. In a 1932 debate in this House regarding the imposition of an entertainment levy on football, from which the GAA was exempted, Deputy Seán F. Gibbons stated: “It must have been a great revelation to the Soccer and Rugby people who visited Croke Park on the occasion of the last all-Ireland final, when they saw revealed to them the heart of Ireland for the first time.” Those words were spoken in 1932. That religiosity of the Gaelic codes may still resonate with some people today, but I proudly repeat that football is Ireland. The seminal weekend in the history of the Labour movement, namely, the 1913 Lock-out and the baton charge on O’Connell Street, was all sparked by a riot at a game involving Shelbourne and Bohemians in Ringsend. That was because football is Ireland. In 1914, Ireland won the British Home Championship with a team captained by Patrick O’Connell, who later managed Barcelona. The team also included a Dublin All-Ireland Football Championship winner, Val Harris, and a Lithuanian refugee, Louis Bookman. Mr. Bookman was a refugee, because football is Ireland. The War of Independence saw activism on the part of footballers like Todd Andrews, Oscar Traynor and Sam Robinson, who took part in the 1920 Bloody Sunday assassinations. His cousin, William Perry Robinson, was shot dead in Croke Park later that afternoon. Sam later played international soccer for Ireland and his great grand-daughter, Aoife Robinson, plays for Bohemians. She recently cut through the anti-immigrant narrative online by posting her Refugees Welcome Bohemians shirt, because she knows that football is Ireland.

The first player to score in Dalymount Park, Harold Sloan, died in the First World War, because football is Ireland. Football is partitioned because football is Ireland. Football has been dogged with infighting and mismanagement because football is Ireland. Football people were brutalised in school because football is Ireland. Eoin Hand hid his face in underage team photos, lest it give cause for another beating from his bigoted Christian Brother teacher. Liam Brady chose to play for the Ireland youth team rather than his school Gaelic football team and was told not to return to school. John Giles said that when he left school he thought he was not Irish because he was told he was not Irish and that he was only a corner boy going up to Dalymount Park. Football was educationally homeless because of those teaching religious orders that felt that football was beneath them and that brutalised anybody caught playing what one Christian Brother termed “Peil Luther”. In 1938, the President of Ireland, Douglas Hyde, was stripped of his role as patron of the GAA for attending a soccer international.

What of those special moments in those early days? I mention the first Irish team in 1924, which flew the Irish flag when we took our place among the nations of the Earth because football is Ireland. When ex-IRA man Tom Farquharson from Dublin won the FA Cup in England with Cardiff City in 1927, he became known as the penalty king. He saved so many penalties that the rule was changed for goalkeepers to stay on their line. Another IRA man, Jimmy Dunne, beat every goal-scoring record imaginable in England and then refused to perform the Nazi salute when captaining Ireland in Bremen in 1939. He screamed down the line at Irish team-mates who had their hands aloft: “Remember Aughrim, Remember 1916”. That was because football is Ireland.

There were dark days too. Con Martin refused his 1941 GAA Leinster Football Championship medal because he was a soccer player. Belfast Celtic folded as a club in the aftermath of

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a sectarian riot in December 1948. The Archbishop of Dublin tried to cancel a soccer international against communist Yugoslavia in 1955 but a Member of this House, Oscar Traynor, stood firm. He was a Minister and president of the FAI and he would not bow to the pressure from the Catholic hierarchy to interfere in the game he loved so much because football is Ireland. When Liam Whelan of Manchester United died in the Munich air disaster of 1958, they said it was the biggest funeral in Glasnevin since that of Michael Collins, because football is Ireland.

Our teams, filled with those of our nation born overseas, including Shay Brennan in 1965, have been generations of footballers who have given expression to their Irishness by wearing the green. Yet it was us, those who were born here, who questioned their Irish identity because of their accents or unfamiliarity with the national anthem. These children of Irish communities in the UK or America who were forced to leave this country, returned to proudly wear the shamrock on their chests, because football is Ireland. The story of Shay Brennan, the late Alan McLoughlin, Courtney Brosnan and Sinead Farrelly is the story of Ireland.

I mention the story of the black Irish, from Ray Keogh, raised in a mother and baby home, the first black League of Ireland player, who played on the Drumcondra side that beat Bayern Munich. This is a legacy built on by Chris Hughton and then by three of the back four who held the Italians at bay in New Jersey in the 1994 World Cup. All three were black Irishmen. This is a true representation of the Irish nation. Today, our under-15 team is showered with racist abuse online, Cyrus Christie has spoken of the disgusting comments he hears and our under-21 team walked off the pitch because of racist abuse. With all of that poison in our country in recent years, our senior side, led by John Egan, took the knee in the spirit of Jimmy Dunne, to a chorus of boos in Hungary, but we could never have been more proud of them because football is Ireland. What an incredible role model Savannah McCarthy is as she proudly speaks of her Traveller heritage when representing her country. Football remains one of the most effective anti-racism, anti-poverty and anti-addiction tools we have. Listen to the words of Sherriff Street's Olivia O'Toole. She has 130 caps and 54 goals for Ireland. She saw at first hand how heroine was ripping her community apart in the 1980s and 1990s. She said:

When I was around 13, my sister would have been 16 or 17, and I could see her disintegrating before my eyes because of drugs ... If I'd picked the wrong path, I wouldn't be speaking to you today. Many of my friends who went the other way are dead now.

Olivia had football.

As a country, we cannot forget those moments that united us, including when Ray Houghton put the ball in the English net, when the nation held its breath and when the ball left the toe of Amber Barrett. I mention those family moments, like when a ten-year old boy plagues his dad to bring him to an Ireland international, even though his Christian-Brother-educated father was deeply suspicious of football. However, when Liam Brady's shot hit the net against Brazil in 1987, my first ever game, I turned to my dad and he was on his feet with his arms in the air because football is Ireland.

We will only achieve this again if we invest. There is a clear and obvious link between the success of this game and the amount that politics cares. Historically, politics has not cared enough and the FAI made that easy in the past but we have a new dawn. The time for photo opportunities is over and it is time for cold hard cash. The FAI report spells it out; including the lack of basic facilities for young players, especially girls. Lisa Fallon described so well at our Oireachtas briefing last month how every girl in Ireland knows the skill of changing her jersey

in the open air. That is just not good enough. It is not good enough that so many of our League of Ireland grounds are crying out for redevelopment. How will we support these young players to stay in our system until they are 18 because access to the UK has been closed off? Some 18 of the 20 players on the under-17 squad are with Irish clubs. Are we supporting them in every way that we can? Why are we losing every talented girl from the League of Ireland as soon as they turn 18? Why can we not have the vision to create a pathway for them to play professionally in a domestic league and live out their dreams here? Some 12 years ago, 70% of the Irish women's team played in the League of Ireland, but only two of the squad who have gone to the World Cup in Australia play domestically now. Centralised contracts should surely be part of the discussion. They suffer from short-term contracts, poor facilities and a lack of basic respect for their talents. This is a game locked out of so many schools and it is not good enough any more. Irish football people are finally saying that enough is enough.

We need to support the FAI report. Funding of €862 million over 15 years is nothing compared with the joy this game gives to thousands across the country. Children, players, coaches, fans, so many of us who will endure the inevitable misery defeat can bring because of the hope for that golden moment, the explosion of joy, the sweetness of victory against the odds. We stand alone as a footballing nation. Maybe we are the only ones who think that Wes Hoolahan is a god, Ronaldo is a cod and Stephanie Roche was robbed for the goal of the year. Maybe we alone can tell a good player from a great player. Football is Ireland. It inspires, it lifts, it binds and it empowers. It needs politics to step up to respect and fund it. Jack Charlton died three years ago this week. In his immortal words, we intend to keep the Minister under pressure because football is Ireland.

Deputy Alan Kelly: Well done, Aodhán, fantastic speech on the day that is in it.

We in the Labour Party are bringing forward this motion very much on purpose. Our ladies are going to the World Cup and we all wish them well and give them our support. It is also an opportunity for us to focus on this sport which is across every part of Ireland yet does not have the support, facilities or engagement that it should have. We are proposing that an increase in the betting levy, given the amount of gambling on football that unfortunately goes on, would help to fund the programme that is being put forward by the FAI.

I want to raise a few issues as somebody who supports many soccer clubs in my constituency and county. My daughter captained the first underage girls' soccer team for Arra Rovers in our village to their very first win. I have skin in the game. I look at the likes of them and my local club that has no facilities. They are trying to buy somewhere at the moment and I am trying to help them. Nenagh Celtic is a club in my home town which comes from very much working-class areas and has a long history. It has no facilities. There are hundreds of examples my colleagues will go through as well. This is not sustainable. It is unfair, wrong and discriminatory. Football is a very inclusive sport. People who work in it on the ground work very hard to bring people with them, for many of the reasons Deputy Ó Ríordáin eloquently outlined. We need to support them. There are thousands of clubs around the country that simply do not have the facilities such as boys' and girls' changing facilities. They are changing in cars. It is completely unacceptable.

When Sport Ireland was before the Committee of Public Accounts recently, I asked about this FAI plan. The chief executive had no opinion. This is a real issue. Sport Ireland said it was ambitious because I pressed it but it had no opinion. We need to change Sport Ireland. It should be the regulator but it is not. Sport Ireland issues policy guidelines but it has no power

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as regards directing investment into facilities like the FAI report. Sport Ireland does not decide capital sports grants. It has direction over policy and guidance but when it comes, dare I say it, to the sexy capital funding requirement, that is still with the Department. There is no joined-up thinking or long-term vision. The implementation of this plan from the FAI, which the Minister should support, should be brought through Sport Ireland as a full-time regulator as should all other sporting codes. The role of Sport Ireland should be changed to reflect that. We need to look again at the sports capital application process to ensure we can get a wider amount going out to various soccer clubs around the country.

I want to focus on two more things. The impact of Brexit on the future of young players coming through is quite dramatic as they have to stay in Ireland until they are 18 years of age. That has changed a lot for players who would have otherwise gone across the water to Britain. We need to look again at how we grow and keep these players into the future. The success of the International Rugby Experience in Limerick is something I am very much taken by. Given the history we have when it comes to football and everything my colleague, Deputy Ó Ríordáin, outlined so eloquently, it is time we put in place a plan for such a museum here in the heart of Dublin to show our history and bring people along with our tradition as regards football as well.

Deputy Brendan Howlin: I commend Deputy Ó Ríordáin, whose passion for this subject has been evidenced today. We have been listening to it as a parliamentary party for quite some time. His passion has convinced us to give very precious Private Members' time to what is truly an important issue for every community and every one of our constituencies. We have in this motion an opportunity for every party and the House collectively to do something really important, to meet the passion of so many young people in all our communities, a passion for football. It is the most played and most popular sport on the planet. We know the value of participation in sport, any sport, for health, well-being, social and emotional development. In truth, the Government has in recent times made substantial public funding available for sports clubs and facilities. That is an absolute truth.

The motion wants us to recognise, in acknowledging the good and the bad from the past, what is potentially there for the future, to be forward-looking, progressive, ambitious. Government, in truth all politicians, love a plan. We particularly like a plan that has set and clear objectives, timelines and costings. Right now we have such a plan, a 15-year development vision across 2,500 projects to transform the facilities available to every child, youth and adult who wants to play football in Ireland. I understand how public money is decided. I have some experience in that at central Government level. Those projects best prepared and ready are most likely to be advanced and funded. Projects need to have ownership of land or at least a very long-term lease. Up to now, it is true that not every sport has had equal capacity to draw down the funds available. That is an inescapable truth. As the motion calls for, it is time now for the State itself to have a comprehensive, State-backed investment programme to develop the domestic football game covering grassroots, League of Ireland and the international teams. The core of what we are asking is that the State would embrace this opportunity, with our women's team playing at the highest international level, with an enormous support base and enormous enthusiasm. We call on the Government to ensure that is captured and that all those children and youths who want to will be able to play in decent facilities. We were all shocked by some of the stories we heard, particularly of young women having to pass urinals to get to showers. That is simply not good enough.

I know football is in a healthy state in my county. Great work is ongoing and that needs to be recognised and acknowledged. Many clubs such as Bunclody Football Club have ambitious

plans to build full-size, floodlit pitches. Rosslare Rangers is hoping to provide an astroturf pitch and there has already been a broad community outreach to immigrants and so on. I can see what is happening on the ground. Wexford Celtic, which are represented in the Gallery, have ambitious plans to provide better facilities. The Wexford and District Schoolboys League, a huge league in Wexford, needs a permanent pitch. There is so much happening, and so much more could happen if we embrace the opportunity that this plan now gives us and decide, as an Oireachtas, to provide every community and young, ambitious, football-loving person in this country with the facilities to reach their ambition and fulfil their dreams. There is strong support across the House for action. Let us decide, in accepting this motion, to provide money for what we all believe is the right thing.

Minister for Tourism, Culture, Arts, Gaeltacht, Sport and Media (Deputy Catherine Martin): Ba mhaith liom mo bhuíochas a ghabháil leis na Teachtaí as ucht an deis seo a thabhairt dúinn plé a dhéanamh ar chúrsaí infheistíochta sa bpeil. I am glad to have the opportunity to discuss this important sport in the Dáil, and I assure Members that the Government recognises the importance of investment in football as one of the key participation sports in Ireland. Football is the beautiful game, and a sport which I know is very close to Deputy Ó Ríordáin's heart. That was very evident from his passionate delivery of his "Football is Ireland" speech earlier. From my engagement with him, I know how genuine that passion is. I compliment him and the Labour Party on tabling the motion today.

There has been a sustained commitment in that regard by Government, particularly so in recent years when, as the House will recall, a significant financial support package was put in place which ensured the FAI remained solvent, allowing it to continue to function as the national governing body for football and to rebuild after the financial mismanagement and subsequent implosion of the association just a few short years ago. That support package provided for the restoration and doubling of funding for football development to €5.8 million each year from 2020 to 2023. An additional €7.6 million was provided between 2020 and 2022 towards the FAI's licence fee for the Aviva Stadium. In total, between the support package, Covid support funding, energy support funding, women in sport funding and other various programme funding, almost €62 million has been provided to the FAI between 2019 and 2022. That is quite a significant level of Government investment in one sporting organisation.

While I applaud the motivation behind this motion and will not be opposing it, it is important to broaden the debate out to wider State investment in all types of football, whether association, Gaelic, rugby or even American football. In fact, we should go beyond investment in football to all sports. Tá an Rialtas tiomanta tacú le cúrsaí spóirt in Éirinn, agus an maoiniú a chuirtear ar fáil do na heagraíochtaí spóirt a mhéadú. Tá sé seo fíor i gcás gach spóirt. Faoin bPolasaí Náisiúnta Spóirt, tá gealltanas tugtha ag an Rialtas go ndéanfar leibhéal infheistíochta an Stáit i gcúrsaí spóirt a mhéadú ó €111 milliún in 2018 go dtí €220 milliún faoi 2027.

As a result of the Government's strong commitment to the development of sport in recent years, we are well on track to achieve our investment targets. This year, the budget for sport is more than €175 million. In addition, it is important to recall that more than €160 million was provided in Covid-19 funding between 2020 and 2022 to support the sport sector and aid its recovery. A further €35 million was provided under the sport energy support scheme since last autumn. It should also be noted that State funding to sport comes from a range of other sources, including under the Urban Regeneration and Development Fund, URDF, which is managed by the Minister for Housing, Local Government and Heritage; and the Community Recognition Fund, which comes under the remit of the Minister for Rural and Community Development.

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Sports-related projects currently being supported under both of these schemes are estimated at €38 million and €18 million, respectively. These figures do not include the substantial funding that is also being made available for parks, recreation facilities, walkways and cycleways across the country.

There are a number of elements to this motion which do not come under my remit. With regard to an increase to the betting levy, it is a matter for the Minister for Finance. It is understood that money raised from the betting duty goes into general Exchequer funds rather than being ring-fenced for particular purposes. I would, of course, support any measures, such as an increase in the betting levy, which could in turn feed in to increased funding for sport more generally.

On building links between the League of Ireland and third level institutions, I am pleased to note that third level scholarships are already available to high-performing sports players at many of our third level institutions. In recent years, the Sport Ireland Institute developed the ASAS accreditation, which is based on providing equal opportunity to all high-performing student athletes to combine sport and education, and is grounded in the right to education. The accreditation outlines clear dual career criteria that third level institutions must have in order to receive the accreditation. The accreditation aims to identify and establish a network of accredited institutions who support elite athletes to achieve dual career excellence by applying guiding principles. I would hope to see more third level institutions engaging with this system in the years ahead. Further development of links with League of Ireland clubs would be a matter for the clubs themselves, and one which I would welcome.

With regard to the football museum concept, my Department, through Fáilte Ireland, has previously supported the National Football Exhibition which toured the country between 2018 and 2020 in advance of the planned 2020 European Championship which, unfortunately, were disrupted by Covid-19. The exhibition was a recognition of 60 years of the European Championship and a celebration of the history of Irish football, and I understand it is planned to adapt the exhibition for use in the future by the FAI.

Additionally, a new masterplan for the development of the Sport Ireland Campus was approved by Government in November 2022. The masterplan provides a framework for the further development of the campus over the next 15 to 20 years. The vision for the future of the campus includes the development of a national sports museum, which will celebrate the history and heritage of sport in Ireland as well as recognising the achievements of past and present Irish athletes.

The ability of sport, including football, to support integration of new communities, participation for those with disabilities, and gender equality in sport is already well recognised and supported by Sport Ireland through its diversity and inclusion policy, and through numerous initiatives supported through the Dormant Accounts Fund and through the women in sport programmes. In accordance with the Government's memorandum of understanding with the FAI, €5.8 million will be allocated to the FAI for football development each year between 2020 and 2023. From that amount, €0.8 million is to be dedicated to programmes that underpin the development of the League of Ireland and the Women's National League. Sport Ireland has advised that more than €2.9 million, or more than 50%, of the €5.8 million grant funding to the FAI was apportioned towards women's and girls' football in 2022.

Members will be aware that increased participation in sport by women and girls is another

key aim in the national sports policy. Our aim is to eliminate the gender participation gap by 2027. The latest data show that the gap is still at 5%. We know that there is a significant challenge in keeping teenage girls in sport. It is very concerning that while teenage girls are aware of the physical, mental and emotional benefits of being active, only 7% currently meet the recommended guidelines. As the Irish women's team continue their preparations in advance of their opening game against Australia at the World Cup next week, it is important to acknowledge that football is a key sport in contributing to our aims for greater female participation in sport. We know that there has been huge growth in the number of women and girls playing football. Much of that growth must be attributed to the success of the women's national team and the way they are inspiring females around the country to become involved in football and in sport generally.

The Government is continuing to support the FAI, and many other sporting organisations, in growing their sport among women and girls. Last week, the Minister of State, Deputy Byrne, and I announced additional programme funding of up to €500,000 to support women's and girls' football. This funding will be provided to the FAI through Sport Ireland, and will be invested primarily in the areas of coaching, grassroots and female leadership. This significant investment will help to ensure the further development of women's and girls' football in Ireland, and is a fitting legacy of the Irish women's national team's qualification for the FIFA Women's World Cup 2023.

As Ministers with responsibility for sport, the Minister of State, Deputy Byrne, and I want to ensure that every woman and girl has the opportunity to get involved in sport and to experience everything sport has to offer. We are looking to achieve a step change in funding for women in sport this year so that the closing of the participation gap between women and men, which might take a decade or more at our current pace, can be greatly accelerated and achieved in a much shorter timeframe. I would encourage football of all types, and all other sports, to consider what programmes could be developed with extra funding that will bring more women and girls into sport and keep them there.

Before concluding, I would like to add that the Minister of State and I were pleased to announce today that a new round of the sports capital and equipment programme will be open for applications from next Monday, 17 July. The Minister of State, Deputy Byrne, will provide more detail on this and our continued investment in sports infrastructure.

Deputy Frankie Feighan: I thank the Deputy Ó Ríordáin and the Labour Party for bringing this motion forward and I thank Members for coming here today. As a former secretary of Boyle Celtic, and the first to get a grant from the lotto of £20,000 for the County Roscommon District League in 1987, I can say that this is a most important motion. Soccer has come out of the doldrums since the ban. I remember going to the first game following the lifting of the ban in 1971, when two Sligo Rovers players, Gerry Mitchell and David Pugh, lined out for Sligo GAA, with Tony Fagan on the bench. It was the first time after that ban that they played for Sligo against Roscommon in the Connacht semi-final, which really brought soccer out of the doldrums.

I ran a double-decker bus to Germany in 1988. It was a great day. Twenty-two of us went. It was the first time it brought great confidence and great hope to our country. They say it started the Celtic tiger.

As a former Minister of State, I believe soccer needed to get its act together and is getting its

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act together. It needs to be like the GAA. There are so many young women and so many young men around the country. The one thing Governments and Ministers want is good governance and data. If we have that, there is loads of money out there. I wish the proposers of the motion every success.

Deputy Duncan Smith: I ask Deputy Feighan to correct the record. There is not only one Rovers; there are the champions, and they play in Tallaght.

The era of poor old soccer, football, being at the back of the queue has ended. I commend my colleague, Deputy Ó Ríordáin, on his passion and commitment to this - not this week, last week or last month but throughout both his teaching life and his political life. That was evident in his opening statement. The mismanagement at the top of football for years, we believe, has now ended, and there is confidence in the years ahead. The years of abandonment and ignorance of our League of Ireland, we believe, has now ended. We see that with the sellout crowds we have week in, week out, the increased fanbase and the increased reach our national league has. The decades of negligence, the mismanagement at the very top and the abandonment on the part of the political class of football in terms of our grassroots, we believe, has now come to an end.

Therefore, we bring forward this motion not because football is in a state of crisis but because this is the moment to strike. We have the report from the FAI. We believe in it. We believe that football, from the grassroots through the League of Ireland up to the top, can make a real difference. If we miss this opportunity, this chance, we may never get it again. We therefore ask the Government to take this motion seriously and to think of it beyond being just a Private Members' motion on a Wednesday morning by just another Opposition party. This is our chance. When the bunting comes out and is put away after the Women's World Cup, which we are all excited about, this cannot go away as a political issue and a political commitment. Football, for too long, has been in the political shadows, a working-class sport rooted in working-class communities but which cuts through across all classes. We will see that in the coming weeks and we have seen it many times before, but football has always had to do that through struggle, through cutting through systemic struggle that we in politics have helped create but that we in politics must fix.

We know all the clubs in our own areas, and I am happy to see clubs from my constituency such as Balbriggan FC, Swords Manor, St. Ita's, Rush Athletic, Swords Celtic and River Valley Rangers here today. They are volunteers committed to their clubs and their communities. They know the impact football has. The report the FAI commissioned sees the impact football has - the social impact, the economic impact and the health impact - so we need to support it. We need to do so, as Deputy Ó Ríordáin said, with cold hard cash. We have passion for this sport up and down our country throughout all our families, but we have never seen that reflected in the political structures or systems. Again, some of that has been the fault of football itself, particularly of mismanagement right at the top in the FAI, but, as we said, those eras have ended.

I have a football-mad sister who played football everywhere she could. Her five-year-old daughter is so excited about the few weeks ahead and is asking where she can play, where she can just use her feet. That is what she wants to do. She wants to play football. We have to ensure she can.

I commend Fingal County Council, my local council, on its transition year programme. It is the first county council to roll out a programme for transition year students to ensure that girls in

school in particular have a chance to play and to commit to and to continue to play football into their late teens and early adulthood, when we know from what Lisa Fallon told us two weeks ago that the drop-off in participation rates explodes.

I see passion in the people in my life for this sport, whether it is my family attending League of Ireland matches week in, week out, or whether it is Carol Reynolds in my office, who has been playing football from a young girl right through her teens into her late 30s, her entire life committed to a game that ignored her and her fellow players. She is so happy to see where women's football is now but she does not want to see that lost beyond this summer. We see the flags for Abbie Larkin as we drive through areas like Ringsend already, two weeks out. We need to support this game. We across both sides of the House need to support this game this summer, next year and in the years ahead. We need football, the beautiful game, to be our national sport. As Deputy Ó Ríordáin said, football is Ireland.

Deputy Sean Sherlock: I acknowledge the presence in the Public Gallery of Tegan Lyons, Sophia King, Lexi King and Amelia Kee from Mallow United. I am glad they are here because their achievements to date have been exceptional. They are accompanied by Paul Lyons and Philip King. They have won division 1 of the Cork Women's and Schoolgirls Soccer League. They have won the Denise McArdle Cup. They have won the Schoolgirls Football Association regional cup. They have reached the semi-final of the under-12 girls' national cup, when they were defeated by Lucan. On their way to the semi-final, however, they won three rounds to get out of Cork and then beat Dunboyne, from Meath, Curracloe, from Wexford, and Killavilla, from Tipperary, although Deputy Kelly tells me that is an Offaly team. We will see. In total they have played 30 games all season and their only defeat was to Lucan.

The reason I speak for these four young women is that I now have something tangible I can grasp, and that is the FAI's Facility Investment Vision and Strategy. It is an excellent report. It gives us, as public representatives, something tangible to grapple with. I have no doubt but that the Minister's office, that the Minister, Deputy Martin, and the Minister of State, Deputy Byrne, if they have not already done so, will engage with the FAI on the contents of the report. The Minister of State, Deputy Byrne, is nodding assent, so that process has started. That is the key template.

I will speak only for women and girls today because this is about facilities, and the Minister articulated that in her speech. What are we about today? We are about wanting people like Tegan, Sophia, Lexi and Amelia to continue on their journey through the game of football, and we do not want any impediments put in their way. Key to that is ensuring that there are facilities for them. The report is excellent in that it speaks to what the grassroots need. It refers to the ground ownership challenge, which Deputy Howlin spoke about earlier, where there are clear metrics. The report states: "27% of clubs have leases for less than one year meaning financial uncertainty and instability." It refers to the lack of overall capacity and states:

31% of clubs are required to operate out of secondary facilities in order to meet the required pitch demand for training and matches. Some clubs, particularly those which are well-structured and organised to grow our game ..., are struggling to meet demand from local communities.

It refers to grass pitch availability and states: "Versus UEFA industry standard (per capital), Ireland is short of circa 1,000 full-size grass pitches." It refers to the challenges women and girls face and states that there is, "A lack of basic female-friendly facilities to cater for the 34k

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women and girls currently playing and the 50k more that will be playing by 2026”, and we know that is only going to keep going upwards.

Today I draw a link between Tegan, Sophia, Lexi, Amelia and the thousands of girls and young women like them because we want to ensure that they have the basic facilities and that the investments are made by the Government in those basic facilities. I acknowledge the amount of funding the Government has expended to date in respect of facilities through the sports capital programme and so on. However, if we can continue to engage on this report, let it be the template. Let us ensure there is a future and that young women and girls in particular continue in the game. That is always the greatest challenge. These women are playing at under-12 level and we want them to continue right through to adulthood. Part of this motion is essentially about those young women.

Deputy Chris Andrews: I welcome this important motion. Deputy Ó Ríordáin captured the romance of football. I send my well wishes to the women’s football team, in particular Abbie Larkin, who is from the heart of football in Ringsend, in the Women’s World Cup, which is starting on 20 July.

League of Ireland football is in a good place, but that will stop being the case if we do not invest in it. The FAI’s investment proposal is welcome. Crucially, it is based on evidence, namely, an audit of the current infrastructure. I welcome that, under the plans, 50% of the funds will go to grassroots football. It is important the Government would carry out a long-overdue national sports facilities audit. From this, we would have a national sports facilities strategy. This would mean facilities for all sports would be developed where they were needed as opposed to being based on the profile of the club or current ministerial preferences. It would also mean facilities would not be dependent on clubs having deep pockets. A sports facilities strategy would avoid a situation where the county of Wexford would have no full-sized 11-a-side AstroTurf pitch. It would mean we would not have ten counties with no full-sized hockey pitches. Sinn Féin published our national sports facilities strategy, which set out clearly the need to provide facilities in the communities that required them, not in the communities that simply lobbied the best.

We need to reform the sports capital grant programme. It is weighted against working-class clubs and benefits more affluent clubs. For example, clubs need large savings to pay for projects upfront before they can draw down grants. As a result, some clubs have to take out loans. Other clubs may never be able to draw down grants because they do not have the savings to spend upfront. A large number of football and other sports clubs do not have their own grounds and so cannot apply for the sports capital grant. Of Dublin’s football clubs, 73% do not have their own facilities. Clubs in less affluent areas do not find it as easy to access professional services as affluent clubs do.

Ireland is bottom in terms of European investment in sport. If we were in a league, we would have been relegated long ago. Sinn Féin supports an increase in investment in domestic football. Any such increase would be funded through the Exchequer rather than any specific revenue stream. Therefore, the economic impact of any proposal to increase a specific revenue stream should be analysed closely.

Football is not the only sport that has seen underinvestment. All sports have, and we must change that. We need to invest in all sports and all sports must be treated equally, including having equal access to sports funding based on the needs of the public, not on political needs

and political expediency.

We need to create a football industry. Irish football needs to be professionalised so that it can generate the bulk of its own income. If we invest in Irish football and professionalise the sport, we will create jobs in football and attract interest and investment into it. When the film industry was on its knees, the State invested in it. Today, it is thriving. The State needs to do the same for Irish football. The high-tech industry was and is supported by the State. The same must be done for Irish football. We need to introduce the leisure card scheme to address the rising cost barrier to participation. A recent report found that 20% of children had either stopped or reduced participation in sport due to the cost of living. A leisure card scheme would support these families and help to keep children involved in sport. Through increased participation, sports clubs will increase their funding.

Deputy Pa Daly: The broad outreach and everything else that is good about football in this country was brought home to me at the end-of-season matches in Kerry. The captain of our B team was from Tibet. Looking around at the three teams present, there were also Ukrainians and Nigerians. The most inclusive and welcoming sports clubs in the country are probably those that play football. It is the international game that reaches all the way down to the local level. The positivity and inclusivity were there to be seen locally.

We are at a crossroads in terms of investing in the game and facilitating its expansion. There is a significant lack of municipal facilities. Around the Continent, there is a place in nearly every square where someone can muck in and play football. There has been a considerable expansion in the women's game. Significant investment is needed.

I welcome this Labour Party motion. I see from it that 55% of clubs do not own their own facilities. When CLÁR funding was recently provided, it seemed to me that most of the clubs in Kerry that had applied did not get the funding they deserved for all the work they had been putting into their communities. The silver bullet is facilities. We need more funding for them at local and national levels.

Deputy Louise O'Reilly: I thank the Leas-Cheann Comhairle for the opportunity to contribute. I wish to declare an interest. My grandson is a rising star for the Corinthians football club in Cork, as indeed are all of the under-8s whom I had the pleasure of watching play recently.

Irish football is at a crossroads and the direction it takes will be influenced by the support it receives from the State. That is a fact. Irish football has suffered from chronic underinvestment by the State. It is not the only sport that has suffered, but it has suffered much more than most. The reason and motivation behind this are simple – it is about politics and class. In addition, football and many other sports were attacked to the point that they even struggled to fundraise to pay for their running and to get facilities. As Deputy Daly pointed out, facilities are the silver bullet. They are what is needed.

I make these historical points because they partly explain the current difficulties the sport faces in terms of facilities and structures. We are all aware of the past governance issues, but the FAI is heading in the right direction now. In any event, the sport and its participants should not suffer because a small group at the top transgressed.

The success of our underage national teams and, in particular, our senior women's team, who will represent Ireland for the first time at the Women's World Cup in a few weeks' time,

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points to the positivity that exists in Irish football. I wish Diane Caldwell and the team all the best.

I will point to the hard work of our League of Ireland teams. Doubtless, there has been success on the pitch in their performance in European competitions, but we must also congratulate them on the work they do in their academies and off the pitch. It is not for nothing that crowd sizes have been increasing by 23% year on year.

Football is undoubtedly owed its fair share of funding relative to participation and numbers and to right the wrongs of historical underinvestment.

Deputy Denise Mitchell: The recently published FAI master plan outlined the considerable investment that would be needed in grassroots football in the coming year. It identified that approximately €430 million was needed to bring grassroots football up to a decent standard. For decades, we have seen volunteers pour their hearts and souls into their local football clubs. Without them, many of our local football clubs would not exist.

In my area, many of our clubs have been fighting and campaigning for years for all-weather facilities. They have engaged with local councils and others, but to no avail. Come September, our local teams will have nowhere to train. We are on the eve of the women's football team competing in their first world cup, yet we still have women and young girls changing in cars on the side of pitches and roads. This is shocking.

For its plan, the FAI surveyed clubs at grassroots level and found that 55% of them did not own their own facilities and 25% had leases of less than one year. It is very difficult for the clubs to plan for their future when they are so worried about the present. For these reasons they are not even considered when it comes to funding. I support this motion and I hope the Government backs the FAI plan. It can only benefit our young people and our communities

Deputy Pat Buckley: I thank the Labour Party for tabling the motion. Ireland is a sport-mad country. We are absolutely bonkers when it comes to sport. With regard to the FAI report, it is nice it has acknowledged that we need a bottom-up approach. Many people have mentioned women's sports in particular. It is right that it is about proper facilities. It is also about being part of a community and strengthening communities. I welcome all those in the Gallery. I congratulate Mallow United. Deputy Sherlock listed everything out and saved me doing the research.

Recently I was at an event at my club in Middleton, which is 50 years old. It has more than 860 young children in the club. It is lucky to have a strong voluntary group. It is about getting local facilities. I remember a long time ago I played above in Home Farm against Drumcondra. I will not say the result because it was more like a hurling match than a soccer match. We did not come out favourably from it. There is a very good story in sport helping communities and what it gives back. I am very proud of having taken part in a soccer match in Cork City FC's grounds in Turners Cross that involved Munster rugby players, Cork hurlers and footballers and Cork City League of Ireland stars. It was for raising awareness of mental health. All the local sports give back and their community impact is unbelievable.

It would be very bad if I did not mention the upcoming Women's World Cup. It is an amazing achievement. I have never forgotten Italia 90. I am looking forward to this World Cup and I hope the women of Ireland will give us as much fun. I also hope the Government will not forget to extend the pub hours if the team does well so we can all celebrate it. I commend the motion

and fully support it. I hope we will all work together in the right direction for this.

Deputy Paul Donnelly: I thank the Labour Party for tabling the motion. Anyone who is involved in sport recognises that a club having a home, having its own place and having security of tenure gives it the capacity to plan, organise, grow and develop. I commend the mentors, coaches, background volunteers and all those who give thousands of hours free and voluntarily. All they ask for are facilities. Sadly, for most football clubs facilities are not available. There has been progress and recently I attended the opening of an amazing facility in Porterstown in Fingal. It is a brilliant facility but there are too few of them. Other longer established clubs have worked very hard for decades.

Over the decades, Corduff, Verona, St. Mochta's and Hartstown Huntstown have developed their own facilities with support from the council and sports capital grants. However, many of these clubs still have just basic changing rooms with showers and maybe a container as a clubroom or toilets. They need much more. They need all-weather facilities and they need to be able to train in winter. They need more pitches to cater for the number of children coming to play the game. There has been an explosion in particular of young girls and women playing football and sport in general. This will only get better with Ireland's women's team in the World Cup this month in Australia. I wish them the best. What will we do to facilitate these numbers? When will we get real about investing in sports for our communities, and mostly working-class communities at that?

Recently in Fingal we have been advocating for toilets in our park for Tyrrelstown FC and Tyrrelstown GAA club. Imagine in this day and age we were trying to battle so that children could have toilet facilities in the local park. This shows how badly serviced football clubs are and continue to be. I commend the motion and I hope there will be investment in football and other sports.

Deputy Imelda Munster: I want to speak about grassroots soccer, the League of Ireland and the publication at the beginning of June of the FAI's facility development strategy, which shows the association recognises the need for long-term investment and the development of Irish football. It comes at a time when we see most stadiums in the men's Premier Division selling out in advance of matches week in, week out. While this is enormously positive for League of Ireland clubs garnering unprecedented growing support, it also highlights the fact that grounds throughout the country are no longer fit for purpose. Facilities that enable clubs to grow and evolve while enabling the needs of communities are crucial, particularly as populations increase.

Drogheda United FC has as its chairperson Joanna Byrne, who is the first female chair of a League of Ireland club ever elected. Drogheda United FC, the Premier Division team of my home town, has seen a staggering 39% increase in attendances this season, which is the highest in the league by a mile. However, it cannot expand its capacity for supporters due to insufficient infrastructure. United Park might hold a strong place in the hearts of many supporters but it is outdated and in a state of disrepair. This is reflected nationwide. We need to see the Government work with the FAI, local authorities and sporting bodies planning effectively and ambitiously for Irish football. The Government needs to support the FAI to create the infrastructure that enables top participation in sport in this country to thrive. Additional funding from the Government is required to allow for the provision of proper infrastructural development of facilities and this is needed urgently.

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Deputy Donnchadh Ó Laoghaire: I thank the Labour Party for tabling the motion. When I think of grassroots football, one of the first people that comes to my mind is Aidan Herlihy from Togher, or Gaffer as he is known to everyone. Gaffer is my stepson's coach at Pearse Celtic FC. He has given incredible service to grassroots football and the community in Togher. He set up a schoolboy section for the first time in Pearse Celtic. He set up Football for All in the club. Sadly, in the past week, Ann Herlihy, Gaffer's mam, died. She gave countless hours in support of Pearse Celtic, including washing football gear. Her son-in-law, Gary, her daughter, Lorraine, and her grandchildren are all involved. I thank the Herlihy family for services to the community and to say our thoughts are with them at this time.

People such as Gaffer and the Herlihy family are the very essence of grassroots football in the community. The goal and the focus is not glory or professional leagues, although they are important, but making sure young people and people generally have a chance to participate, to be active and to enjoy themselves and make a community stronger. The football population in Ireland cannot be equated with many of the facilities, especially for the women's game and at underage level. When I was a teenager playing with Everton AFC, we used to get changed in repurposed shipping containers. While progress has been made in many places, including in my community in Togher, unfortunately, there are still too many places where there are ramshackle facilities or no changing facilities.

Having to own their own premises is a serious obstacle to football clubs seeking sports capital grants. We need to look at the sports capital grants. I know local authorities can apply for municipal facilities but that is very much the local authority's decision. There needs to be some avenue for communities to be able to push the local authority to apply on their behalf. Attendances for the League of Ireland are very encouraging, reflecting the work that clubs have done. The fact is for far too long the league has been neglected and undervalued, including by the FAI. This needs to be a major focus for investment.

Deputy Ruairí Ó Murchú: I am under instruction to welcome Palmerstown FC on behalf of Deputies Mark Ward and Eoin Ó Broin. Other people were declaring an interest and I suppose I should declare at this stage that I still play badly at seven-a-side in the Gaels on a Monday night and occasionally on a Thursday. I also want to refute what I heard at a recent meeting. I thank the Labour Party but I must call out Deputy Nash because there was an implication he is a very good footballer and I refuse to believe it.

On some level there is agreement across the board. We welcome the work the FAI has done. We know we need facilities from top to bottom. My county has two teams. There is some team called Drogheda United and there is also Dundalk FC, which I wish the best in its game against the Magpies in Gibraltar on Thursday. I hope we can have an element of a European run but who knows.

In Dundalk there seems to be good news, and Deputy Fitzpatrick would be able to say more on the Louth GAA stadium and the plan coming to fruition. Oriel Park, United Park and many other grounds are not up to the standard they need to be.

11 o'clock

If we want soccer to be the industry it could be, there is a need to address the issues that have arisen for players since Brexit. It has created difficulties in the context of making it with teams in England.

We need to put all those pieces together. There is real interest and the numbers are up but, even in terms of sustainability or getting television stations interested, it has to be about facilities. We need local authorities, the large scale sport infrastructure fund and sports capital grants to be considered. An across-the board solution is needed. The likes of Woodview Celtic in Dundalk do not have grounds. This is about engagements that are happening across the board.

Deputy Gary Gannon: I thank Deputy Ó Ríordáin and the Labour Party for tabling the motion. The Deputy's contribution showed his passionate for the subject. This is an interesting, timely and important motion.

I will lay out my stall. Football has meant the world to me. I benefited massively from its properties and I ardently want all others, young kids in particular but older people too, to have the same opportunities to play the game in a structured and safe environment surrounded by people who want them to do well, be that in the game or in life.

In speaking in support of the motion and the funding aspect that comes with it, which is important and substantial, I do not aspire for the conclusion of that to be having an amazing national team competing for trophies or even for the League of Ireland to continue to develop in the manner it undoubtedly has through the past decade. All that will come. I just want the State to facilitate all kids being able play football on fantastic and accessible pitches that are local to them, with changing rooms that afford dignity to all who play the game. I want all kids, regardless of their proficiency in the sport or the capacity of their parents to pay or to have time to do the drop-offs and pick-ups which often create great pressure, to be able to access the game. I want all those kids and young people to have great mentors and role models who are accredited to a high standard to coach them in the game they have chosen. Those roles can be careers or just how a person makes his or her contribution locally but all coaches should all have a minimum standard of certification enabled in collaboration with the FAI and the State. In so doing, we need to move a million miles from the ridiculous scenario that existed in the past in footballing circles, when children between the ages of ten and 13 were identified as being more or less talented than their peers and treated as such. With this investment, it should be mandated that all kids have the potential for greatness and that it will arrive in its own time and form. An investment such as the figure requested in the motion must be viewed as a societal investment that will undoubtedly benefit society first and football thereafter.

Many politicians or people who are getting a little older often talk about being the first in their families to go to college or university. I do so almost too regularly. By way of taking the legs out from under me, one of my three brothers will come forward to acknowledge that I am the only one in my family who has never represented the country at underage level. I recognise that one of the primary reasons I got that opportunity, and probably the reason I am here today speaking in our national Parliament, is how lucky I was to have been part of the footballing family that is Sheriff YC for more than 15 years. Stephen Dunleavy is in the Public Gallery representing the club, as his father, Brian, did for decades before him.

I had planned to speak about the Icelandic model, with which most Deputies present are familiar. Loosely, it is a national programme to confront substance misuse among young people. It had a profoundly positive effect socially and nationally on the game in Iceland. It was about investment in young people and giving them access to culture, sport and other truths as a way of lowering consumption and use. After what happened in Tallaght last night, however, when Shamrock Rovers were beaten by an Icelandic team, I have decided to move away from that completely in order not to cause offence. Rather, I will highlight the fact that there are clubs the

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length and breadth of the country that have been pursuing that model for decades, just without the aid of State support. The Icelandic model could equally be called the Sheriff YC model or the East Wall Bessborough FC model. I see Daniel in the Public Gallery, who is taking great strides in developing East Wall Bessborough, as his father, the late Geoff, did before him. He did amazing things for that club. John from Belvedere FC is in the Public Gallery, too. It could also be said of Finglas Celtic FC and Sacred Heart FC. These are young clubs in working class areas and they have been far more than football clubs to those who have benefited from being part of their teams. They have become quasi-counsellors. They step in to provide emotional support. They aid the parents of children who are stepping into difficulty. That is what football has done. It is a universal game that penetrates more than what happens between the lines on a Saturday morning. It is all-encompassing.

I hope colleagues will allow me to be a little indulgent and speak on my experience in that regard. I mentioned being part of Sheriff YC as a young person. I never would have got that opportunity when I was seven years of age if it was not for a coach named Liam Nolan, who must have been incredibly young at the time. He would finish his job down at the docks, walk up and collect me from my home in Summerhill, walk me back down to Sheriff Street and then walk me back home after training. It was because of the contribution the late Liam Nolan made that I was able to go on and get all the discipline that comes with being a part of a sporting club such as Sheriff YC. After that, I had coaches like Willo White, who welcomed me and others into his family. They were the first people to bring us on holidays and overseas. I had Paul Ryan, a great mentor and friend, as a coach. By God, if we showed up on a Saturday morning looking in any way glassy-eyed, Paul was the person of whom we were terrified. I got to play for the club for more than 12 years and during that time we had other great coaches and role models. Linda Gorman was inducted into the FAI hall of fame last year. They are the type of role models and mentors I experienced but I know other young people the length and breadth of the country have similar coaches, and it matters. It matters more than anything.

As regards facilities, I read the FAI report. It is a good and worthwhile vision for the future. It refers to having central hubs equivalent to St. George's Park in England, but it also refers to having local hubs. There is a vision from Belvedere and East Wall Bessborough, and from Sheriff YC separately on the other side of the pitch, for such a hub to be developed on the Alfie Byrne Road site, just outside my constituency of Dublin Central. Within the north inner city, which I am proud to represent, there is no 11-a-side football pitch. There has not been one there for a very long time. There is Grangegorman, which charges €190 a session to use its pitches. Every Saturday and Sunday morning and twice during the week, hundreds of kids gather with their families to play on a pitch on the Alfie Byrne Road site, near Clontarf, that is unsuitable and not accessible. Daniel Ennis often talks about a horrendous experience there a couple of months ago which motivates him. A person in a wheelchair showed up to watch his kid playing football but was not able to access the pitch because he could not drive the wheelchair through the grass. That is a horrendous state of affairs. I am happy to support this investment but the benefactors of it must be communities, clubs such as East Wall Bessborough, Belvedere and the families that show up every weekend to bring their kids to play football.

Football is a universal language. The Minister rightly pointed out there are other sports, and I appreciate that. However, if one thinks of the new communities that have come to Ireland in recent decades and from which we have benefited massively, every one of them speaks a singular language and that is football. There are other sports but they have more access to cultural capital that enable them to fill out the large forms that come with sporting infrastructure grants

and sports capital grants. That is evidenced when one sees the facilities some rugby or hockey clubs have and compare them to the facilities football or boxing clubs have. It is very different. If we get football right, the benefits to society as a whole will be massive.

Deputy Richard Boyd Barrett: I apologise for being late. I was outside the gates of Leinster House at a protest on the cost of living. I thank the Labour Party for bringing forward this important motion.

I am very grateful to grassroots football for the role it played in my life, instilling certain discipline, experience and education about the importance of working together with others, team discipline, comradeship, being part of a community and just having fun and mixing with people from all sorts of background. I thank the many clubs I played for in Dún Laoghaire. They are Cabinteely, which had only just started out then but which has gone on to much bigger and better things; St. Joseph's Boys, for whom I played for many years; Ballybrack FC; St. Joseph's Boys in Glasthule; Dunedin; and UCD. That is probably not the full list; there have been many clubs. I owe every single one of those clubs a great debt, particularly for what the unpaid volunteers did.

The number of volunteers outlined in the FAI report is just extraordinary, with 45,000 people registered as volunteers. These individuals are out working with young people for absolutely no personal gain. They are mostly inspired by the belief that if we do not give young people something positive to do, they can end up getting into trouble. However, if young people learn how to play football and engage in a positive team sport, that will stand to them for the rest of their lives. There is absolutely no doubt that is true. Setting aside that, we all think it is important that the Irish team or League of Ireland teams do well, and we celebrate the fact that some players may make it to higher levels of football in the English premiership, other English leagues or internationally. For what it does for every single young person who gets involved in grassroots football and for communities, there should be no end of thanks to all of those volunteers for what they do. They make a contribution, particularly to working class and disadvantaged communities, to the integration and cohesion of communities and to teaching people skills that will stand to them for the rest of their lives.

The problem is that successive Governments have failed to make the necessary investment. For every one of the teams I mentioned, and I could mention a few others, the question of facilities or lack of them has always been an issue. The lack of pitches, changing rooms, showers and financial resources has always been a major issue. It is even more so now when there is an absolute explosion of interest in grassroots soccer, certainly in my area. Others have testified to this. Obviously, the flourishing of women's and girl's soccer is absolutely extraordinary, but it is not even remotely closely matched with the level of support, investment, resources and facilities necessary to accommodate teams and ensure that they flourish and reach their capacity.

I will name-check a few clubs in my area in that regard. I recommend that the Minister watch "The Story of Pearse Rovers". Pearse Rovers Football Club was set up in the 1950s. The club is based in Sallynoggin, which is a working class area. Paul McGrath, one of our greatest footballers, started out with Pearse Rovers. To this day, the club has never had decent facilities. For years, it was literally operating out of a tin can in Sallynoggin Park. I got changed in there when playing against Pearse Rovers as a young person. The club is still fighting to have its own dedicated facility. It has raised all the necessary money. It is working with approximately ten other community and sports organisations that it is willing to share the facility with, but at every single turn there are difficulties. There is always a problem. There is a blockage rather than

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a proactive effort to support and resource it. There is always a reason things cannot be done. That is just not on. I ask that we start to have a proactive response. As well as what it does in football, Pearse Rovers recently raised money for someone in the community who had a bad brain injury and who had family members on the team. Pearse Rovers holds mental health days four or five times a year. It contributes to the community at so many levels.

Another team I visited recently is Granada Football Club in the Blackrock area. Granada has gone from having 500 boys and girls five years ago to 1,300 boys and girls now. It has dedicated teams for kids with disabilities and for those with dyspraxia and autism. It used to have three mixed teams; it now has 20 girls' teams. As we speak, it does not have a pitch for the coming season. The club has some pitches that are being redone, and it welcomes that. For the next 18 months, however, while those pitches are being redone, it has to beg, borrow, and steal pitch space from other clubs that do not really have it. This is because there are not enough pitches. This is a problem that is replicated with club after club.

Park Celtic Football Club in Cabinteely is another team that does not have changing rooms that can facilitate girls. Carriglea Football Club in Monkstown Farm has a lack of pitches, facilities and resources. I could go on through the list. Before I came to this debate, I looked at a comparison of expenditure on sport generally in Ireland versus countries in the rest of Europe. We are at the bottom of the league table by a considerable margin in terms of the amount of resources we put in to sport. Undoubtedly soccer is one of the poor relations. I could also mention amateur boxing in that regard. There is a connection between the most poorly-resources often being the ones that are in working class, and disadvantaged communities. We have to address that. How can we expect football to thrive at the higher level if we do not nourish, feed, resource and facilitate the grassroots, particularly where there is an explosion of interest on the part of girls, boys, men and women in these sports? There is enormous potential but the State must come up to the mark in terms of providing the necessary resources. In budget 2023, the Government cut the amount of money going into sport by approximately €10 million, reducing it from €181 million to €174 million.

Deputy Thomas Byrne: They were Covid-19 supports.

Deputy Richard Boyd Barrett: We need to invest.

An Cathaoirleach Gníomhach (Deputy Verona Murphy): We now move to the Regional Group and Deputy Lowry. The Deputy has eight minutes.

Deputy Michael Lowry: Funding for all forms of sport is wise and represents a fruitful investment. Helping to nurture a love of sport is a gift that will keep on giving, especially for our young people. Ireland is a nation of sports lovers. From our cities to our villages and our crossroads, there will always be those who mentor players, those who love to run clubs and maintain facilities, and of course those who love to actively participate in sport. Sport brings communities together. It builds and strengthens them. Sport of any kind is a leveller because it connects people from all backgrounds and unites them in a shared aim. For generations, the majority of Irish people have been sports fanatics. Team colours are worn with pride. Flags are flown outside homes and businesses. The joys and misfortunes of games are debated at every opportunity. Successes are celebrated like the Second Coming, while a bad day is dissected and lamented endlessly. Either way, the passion for sport ignites people's minds and builds lifelong bonds and friendships with fellow players and supporters.

While our passion for the GAA will always hold a huge place in Irish hearts, there has also been a spiralling love of football, so much so that it has become the number one participation team sport in the country according to Sport Ireland. Football has become so popular among Irish people that, similar to the GAA, it now boasts clubs in every corner of the country. Ireland has an ever-growing reputation for producing exceptionally talented players. Legions of supporters are devoted to the game. Statistics have shown that approximately 16% of Irish people play and watch football in Ireland, while 3.5 million young people aged over 16 play football at least once per week. On any given evening, across my constituency of Tipperary and in every part of the country, we will find people engaged in some aspect of sport. These sporting activities generate revenue both locally and nationally. Sporting events attract supporters who spend money that supports businesses, creates jobs, and stimulates the economy both locally and nationally. Pre-pandemic figures show that sports-related spending contributed €3.7 billion in value, which is added value, to the economy. That is the equivalent of 1.4% of GDP. What these figures do not show are the economic savings that result from people's participation in sport.

The greatest benefit of sport is its positive impact on the physical and mental wellbeing of those involved. This, in turn, significantly reduces the burden on our health system. Whatever people's chosen sport may be, their participation is to be welcomed, applauded and, above all, encouraged. Sports encourage people to reach their fitness goals and maintain a healthy weight while also encouraging the making of health decisions, such as decisions not to smoke, drink or engage in substance abuse. Sport provides excellent mental health benefits, such as greater confidence, and improves social and personal skills, including co-operation and leadership. This can have a positive, protective influence on a young person's life by preventing boredom and isolation, while at the same time creating greater self-awareness and self-confidence through the positive social interaction that sports allow for.

This motion calls for an increase in funding for the FAI. It requests an improvement in all sections from grassroots clubs to League of Ireland clubs and international teams. Right across Tipperary, there are local clubs that cater for players of all ages, and they would enthusiastically welcome additional funding. A funding increase should be directed primarily at this local level. It should be spent on providing coaching and facilities for the youth and incorporated to a greater extent into our schools. This is the level that will ultimately benefit most from involvement in football. It will lay the groundwork for the future.

We must support football. It needs hard cash to develop and achieve its potential. It is essential for us to provide facilities and equipment. We need to modernise the small clubs across Tipperary and the rest of the country. I have supported and assisted many clubs across Tipperary. Much more needs to be done.

The FAI has a strong case that stands on its merit but it is a mistake for it to criticise the racing fund and seek to divert part of it. The FAI case for funding is a stand-alone one. I support the principle of Exchequer funding to build, grow and develop football, release the potential that exists and guide the sport through a successful and cost-effective future.

Investment in sport yields a dividend in cash returned to the Exchequer and in many other ways. A perfect example is the investment in the bloodstock industry. For decades, strong Government support ensured we could build a fledgling racing industry into a world leader in racing and bloodstock. That industry continues to grow and is worth €2.5 billion to the Irish economy. In excess of 30,000 jobs were supported by the racing and breeding industry in 2022.

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These jobs are mostly rural and provide vital economic activity in towns and villages throughout the country. This means that for every euro of Government support in 2022, the racing and breeding industry returned €35 to the Irish economy, €17 of which was from the core industry. More than €500 million in annual expenditure on racing and breeding is from foreign direct investment. That investment would not be sustained if investors did not have the confidence to invest in an industry that has Government support. Ireland competes for investment in a highly competitive international bloodstock market. Every other racing jurisdiction Ireland competes with is funded directly or indirectly by its government. Therefore, I support the motion wholeheartedly. Investment in football and other sports is wise. It pays a dividend and we should continue to do it.

Deputy Michael Collins: I welcome David Hall and Michael Burgoyne from the west Cork schoolboys' and schoolgirls' leagues, who made the journey up from west Cork today to the Gallery for the debate. West Cork boasts an ever-increasing footballing population, with a current active player register of 3,000, from under eight to adulthood. In recent years, the league has gone from strength to strength in terms of participation and success. Its academy recently achieved third place in the SFAI's most prestigious annual competition. To put this into perspective, it draws on a pool of 200 players, of whom 10%, or 20 players, enter and represent the league in competition. The area has to compete with large urban centres such as Cork, Dublin and Waterford, which have thousands of players to choose from and enjoy facilities that west Cork can only dream of. Furthermore, the larger clubs receive significant financial support. Despite the odds, those in west Cork have gone from being ranked last in the country, at 30th, to third, as well as winning several national and regional titles in various age categories.

It has been disconcerting and disheartening to see a distinct lack of recognition of the efforts of the boys and girls of west Cork in the west Cork schoolboys' and schoolgirls' leagues. West Cork's grassroots leagues and clubs are strategically very well placed to really benefit from multi-agency funding and the mix of funding sought as part of the FAI facilities strategy countywide. Collaboration would help them to deliver some legacy projects that would support continued growth and cater for the exponential growth in participation in the game of football. It would also serve to meet the wider health, wellbeing and social development of west Cork.

I pay tribute to the many players, parents and volunteers who help train soccer teams the length and breadth of west Cork, from Bandon and Kinsale to Mizen AFC. It would be remiss of me in my last few seconds not to pay tribute to one of the finest trainers and youth development workers of Bunratty United AFC, Martin Briscoe, who passed away several years ago. He put so much time and effort into volunteering at the club and into west Cork soccer. It is people like him who have promoted the game of soccer and made it what it is. Of course, he and I had a very close affiliation because we both supported the great soccer club Arsenal.

Deputy Danny Healy-Rae: I am glad to have the opportunity to support this Labour Party motion. It is very important because we all know that sport is so important in developing youth and bringing communities together.

For many years, Gaelic football and hurling were the dominant games in Kerry but soccer is now coming forth. We are glad to see Kerry FC, which is now in the League of Ireland, doing very well this year. It needs financial support to ensure it develops further. We are glad the Kerry ladies will have an under-17 team starting out in next year's League of Ireland competition. This is very good for youngsters. The ladies aspect is progressing very much and we must ensure we help them financially. Every euro spent on sport is money well spent because once

you keep youth occupied and active, it helps them in many ways. It helps their health, including their mental health, and they gain friends they would not meet if they were not involved.

A big problem for soccer and football clubs starting out concerns the ownership of fields and property. They cannot get any grants if they do not have a field or property of their own. This needs to be examined to ensure they can get funding to start out or help them to buy places.

It would be remiss of me not to mention that the Kerry team is playing Derry next Sunday. I wish the players well. They are doing very well and we wish them further success. The big problem is the paywall that has been put up by the GAA and RTÉ, preventing people who cannot travel to it from seeing the match.

An Cathaoirleach Gníomhach (Deputy Verona Murphy): The Deputy should stick to the topic. His time is up.

Deputy Danny Healy-Rae: That must be looked at and rectified.

Deputy Mattie McGrath: I thank the movers of this very good motion. I take the opportunity to wish good luck to the mná of the Republic of Ireland football squad who have flown out to Australia for the country's first ever appearance in the FIFA Women's World Cup. I wish them good success and enjoyment.

The FAI's newly published strategic analysis and vision for the next 15 years details that the association requires €862 million to modernise facilities and standards. Goodness knows I want to see that happening in all clubs. We have some great clubs in Tipperary and great organisers such as Richard Power of the Tipperary Southern and District League and Ned O'Connor, a former county manager, who did great work with John Delaney, let us face it, Denis Lehane and others. These people went into schools and organised the sport. We are playing a catch-up game. We have clubs like St. Michael's AFC in Tipperary town, which is world-renowned. Cahir Park is 105 or 106 years old and has fabulous facilities. We have Clonmel Town FC and Cashel Town FC. In the rural areas, there is Burncourt Celtic and Fr. Sheehy's GAA. There are many clubs that do tremendous work with nothing. I salute the men and women who support the clubs and teams. They are the real movers.

Audits carried out of each county's pitches have shown that almost 40% of them have temporary dressing rooms or toilets. For more than 20% of clubs, their spend on pitch maintenance falls below €1,000. Old Bridge FC is a another Clonmel club, which is having huge trouble with trespass, with animals breaking in and everything else. The EU average expenditure on sport is 0.8% of GDP, whereas Ireland's figure is 0.4%. We are in bad company with Malta and Bulgaria at the bottom of the spending league. It is very sad.

Sport, whether hurling, football, rugby, soccer, ladies' football or anything else, gives young people a great outlet. It helps with character formation and enables them to go on to be hugely successful. Tom Finnan of St. Michael's FC in Tipperary town is one of many people who have done fabulous work to which they have dedicated their life. I take this opportunity to extend my sympathy to John Delaney, who lost his father recently and his mother only a short time ago.

Governance ran amok and not only in the FAI, as we have seen. Ordinary people must be supported. Ní neart go cur le chéile. We must support the clubs at ground level and the people who are driving this and who have the vision and passion to achieve for Ireland and for all the individuals involved. You would never see the likes of such bonding. The people involved also

do a huge amount of fundraising for charities.

Deputy Thomas Pringle: I welcome the opportunity to speak in this debate. I support the motion and its call for the Government to give its backing to the FAI report on facility investment with a comprehensive State-backed investment programme, its call for a review of the sports capital and equipment programme grant and its call to address gender equality access issues within football.

There is no doubt there has been underinvestment in soccer in this country. This, coupled with poor leadership, has made it hard for clubs and players to develop. An example is Finn Harps FC in Donegal, which has been trying for years to get approval for funding for a new stadium in Ballybofey.

Deputy Thomas Byrne: The funding has been approved.

Deputy Thomas Pringle: I am glad to hear it. The club has been waiting a long time. The completion of a new stadium, finally, is vitally important to ensure football can continue as best it can in the club.

Despite underinvestment, we have managed to produce many brilliant soccer players, such as Séamus Coleman from my hometown of Killybegs. However, these players are forced to move abroad to further their careers in football. It is obvious that Ireland's football facilities have fallen behind those of our European counterparts. Some 55% of clubs in Ireland do not own their facilities and must rely on leases, which makes it very difficult for clubs to develop. It is clear there are not enough facilities to cater for everyone. The first to miss out are women and girls. We need to address the lack of pitches, including all-weather pitches. Clubs like St. Catherine's FC in Killybegs provide football for boys and girls of all ages from Glencolmcille to Portnoo. There are far too many teams relying on just one pitch that often gets waterlogged and must be closed for repairs. This also causes issues with funding, with many teams in the one area in search of funding from a small pool of people and businesses. In the case of my club, St. Catherine's FC, the pitch has continually had to be closed for repairs, which means the club has to go looking for alternative pitches on which the young people can play. It is just not acceptable at this stage.

It is becoming increasingly difficult to secure sponsorship, on which clubs heavily rely. It is completely unacceptable that 38% of clubs are not able to offer female toilets. We have seen a surge of interest in the Irish team, whose members will compete in the Women's World Cup this summer. It is the first time Ireland has reached the competition, which is fantastic to see. We need to make sure girls and women are given the appropriate facilities and opportunities to be able to develop as players in Ireland. Irish player Amber Barrett, another fantastic footballer from Donegal, believes an important issue to address is the drop-off of interest in sport among teenage girls. We must ensure there is full media coverage of women's games. I hope the Women's World Cup will be covered to the same extent as is the men's competition. Amber Barrett has stated: "When something is on TV, we all take notice, so recognising the need for women's sport to be more visible has really helped". She went on to say: "[T]he more success we see in women's sport, and the more female coaches involved, the more it will improve."

I am glad this motion addresses some of the gender equality issues. However, an issue it overlooks is disability access. We should be doing all we can to make football and other sports are far more accessible for the disabled community. At the moment, facilities and pitches are

not suitable for those with disabilities. This is a real shame. I welcome that the FAI now has five full-time staff with responsibility for facilitating a clear pathway to cater for players with various disabilities, as provided for under the Football For All programme. However, far more is needed, particularly in rural communities. Looking at the Football For All clubs map, one sees that most of the midlands and north-west soccer clubs are left out of the programme. There are only two clubs in Donegal that facilitate Football For All, namely, Buncrana Hearts FC and Letterkenny Rovers FC. The latter is located more than 70 km from Killybegs. This leaves out the entire disabled community in south-west Donegal. Northern Ireland seems to be addressing the needs of its disabled community far better than we are through its Disability Football development strategy. This may be another of many reasons we should be pushing for an all-island league. We can learn from what is being done in Northern Ireland. We need to ensure better opportunities for our rural and disabled communities. I urge the Government to give consideration to that for the future.

Minister of State at the Department of Tourism, Culture, Arts, Gaeltacht, Sport and Media (Deputy Thomas Byrne): I pay tribute to the Labour Party for tabling this motion. I pay particular tribute to Deputy Ó Ríordáin for his obvious passion in this debate and his genuine interest in soccer. He gave a fantastic speech this morning with which people on this side of the House would not disagree. I pay tribute to everybody who took part in the debate and the visitors in the Public Gallery.

The value of football certainly is not lost on me. My father played with Drogheda United in the League of Ireland and was subsequently player-manager at the club. I am very proud of that connection and I am a regular visitor to United Park. My appreciation for football stems from my upbringing. I would not say my father chose football over Gaelic sports but he certainly was put in that direction through one thing or another.

In her earlier remarks, the Minister, Deputy Catherine Martin, covered many aspects of the motion. I will talk about investment in sport infrastructure generally and, specifically, how we can help football clubs to improve their facilities. The sports capital programme is the primary vehicle to get funding into clubs for capital improvements. We launched a new round today, which will open for applications from next Monday, 17 July. Since 1998, more than €1 billion in funding has been given under the programme. I am really keen for football clubs to apply for the scheme. It is a fact that the ask from Gaelic sports in recent years was much greater than that from football clubs. Various reasons for this have been outlined by speakers, with some suggesting capacity is an issue. If that is so, we have asked the FAI to address it and, in addition, the Department is willing to help clubs with applications, as are Deputies on all sides of the House.

Another factor is that in some quarters in the FAI, there was an attitude of it dealing with it; that there was no need to go to the Government. I am glad to say that attitude has changed. I probably have engaged with the FAI more than I have with any other organisation in regard to the upcoming sports capital programme. It is no coincidence that between the Minister and me, we had two football teams photographed at the launch yesterday, namely, Dunshaughlin Youths FC and Rosemount Mulvey FC from the Minister's constituency. We have had a lot of engagement with the FAI. Indeed, we also had a boxer, Aoife O'Rourke, with us. I am having an engagement with the Irish Athletic Boxing Association today. It has been suggested that there is some kind of class issue. I am engaging with the boxing authorities about this today as well to make sure that those clubs are equipped and capable of applying for sports capital grants, because that is really important.

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Under the last round of sports capital grants, soccer projects received €25 million. That is up from €6.6 million in the previous round. Every single valid soccer application was successful in the most recent round and I would love it if that continued. I cannot promise any club or any sport that it will happen again this time but we will certainly discuss the matter with the Minister, Deputy Donohoe, when the applications come in. The reality is that more soccer clubs applied this time and that is why they benefited from the scheme. I want to see that continue.

We do not ring-fence money for particular sports. As a Minister of State, I have responsibility for sport rather than for any particular sport and I certainly want to be as fair as possible in this regard. We have reviewed the sports capital programme. That review is published and out there. We have also published the guide. There are a number of new features to this round of the sports capital programme. The top priority under the sports capital programme is disadvantage. That is the top priority so the programme is weighted towards disadvantaged communities and areas. It always has been and always will be. There are a number of other features to the programme this year. We have told national governing bodies that there will significant funding cuts if they do not achieve 40% gender representation on their boards. That will have to be done if these bodies want to draw down funds from the sports capital programme. To be fair, while the FAI is not there yet - neither are the governing bodies of the other four or five major sports - it is getting there. I note that the FAI recently appointed Maeve McMahon to its board and I believe it is on track to reach the 40% by the end of the year. It has to do so, as do the bodies governing rugby, boxing and the GAA. We will be publishing an update on that soon. I have also said that under no circumstances will capital funding be provided unless the applicant body confirms it is in compliance with the Equal Status Act. There is also an additional requirement for all applicant bodies to provide access to facilities for men and women on similar terms. That is a radical new change we have made to the sports capital programme. To be quite honest, I think most football clubs are in the happy position that they already do so. This will advantage football.

The scheme will be open for applications from 17 July to 8 September and we want to see as many projects funded as possible. The application form is quite user-friendly and officials in the Department are always available to take phone calls from clubs or Members of the Oireachtas regarding the sports capital programme. They have a reputation for that.

On some of the large-scale projects, Finn Harps was mentioned. That is a complicated project that has been around for many years but I gave final approval from the Department on 8 June 2023. It is with the Chief State Solicitor's Office to tie up some legal loose ends but, as far as the Department is concerned, the approval is done. We look forward to the project. I was at the ladies' game in Tallaght Stadium. That stadium has been the beneficiary of significant funding under the sports capital programme. Through the urban regeneration and development fund, the Minister, Deputy Darragh O'Brien's has also put significant funding into that stadium. You can see on the new stand that development was supported by Project Ireland 2040. That is real investment. Unfortunately, when Shamrock Rovers came to Drogheda on Friday night, they were not able to put that investment into securing a win against Drogheda FC.

Deputy Ged Nash: It will be next door to us.

Deputy Thomas Byrne: We also have the large-scale sports infrastructure fund. I will be publishing a review of that fund soon and I hope to announce a new call under it at some point this year. We have written to all applicants regarding potentially offering a small amount of extra funding because we recognise that some projects have been delayed for various reasons. To

be honest, there was a project I was trying to activate in Glanmire in County Cork but the FAI announced that it was not able to do it. We have asked it for urgent proposals on an alternative. We are very anxious for that to happen. There could well be extra funding for that depending on what comes back. We want to see that funding delivered. The Bohemians facility at Dalymount has also received planning funding. I hope that can be continued in the future.

This debate is about the FAI's vision and strategy for investment, which was published last month. I met with the association about the strategy, as I indicated. The level of Government funding the FAI is proposing is ambitious. It is at the same level as the entire sports capital budget. I do not blame the association for being ambitious. The Government is strongly committed to sustained investment in necessary facilities for all sports. In the longer term, the appropriate level of sustained investment needed to meet the needs of a growing population and to support increased levels of participation by people of all ages at all levels is a matter we are considering. The FAI strategy is a very useful input into that. Government investment in sport is money well spent. There are loads of examples of such investment working to benefit communities. I am working really hard to ensure that clubs look for the money. In my area, I have seen the GAA getting funding when soccer did not. People nearly blame me for this but, when I look into it, some clubs just did not apply. The last time, every valid application from a soccer club got funding so I am really keen for all clubs, not just those in my local area that did not apply the last time but all clubs across the country, to apply because we want to see facilities develop.

I take the point about pitch space and so on. That is a serious issue all over the country, especially in Dublin and suburban areas such as my own. Sport Ireland is conducting and has nearly finished an audit of sports facilities. This is a fantastic project that it has undertaken. On the one hand, there is a public-facing aspect. It will be a guide to local facilities, including walking trails and so on, across the country. On the other hand, at the back end, it will give really good information to central government as to what is there and what is missing. It will be possible to match this data with information from the census, Pobal and so on. That is a really useful project that Sport Ireland is in the process of completing. We will continue with that. That national digital database is a very exciting project.

I will go through some of the other issues that were raised. Deputy Paul Donnelly mentioned a really good example in Porterstown in west Dublin. It is a fantastic football and athletics facility funded by the sports capital programme. There are examples of funding working well. I will say to Deputy Munster - Deputy Nash will also know this as he has almost met the club - that I have met with Drogheda United about its plans for the future. It would like to get a better facility, if it can. I will not go into detail here but I have said that I am here to help it to do that, just as I am available to Meath GAA with regard to Páirc Tailteann. An application was made to the large-scale sports infrastructure fund in respect of Páirc Tailteann a number of years ago and a lot more applicants were successful in that programme. We want to change that. A new round of funding under that fund is upcoming. We are not going to oppose this motion.

Deputy Ivana Bacik: I will start by paying tribute to our colleague, Deputy Ó Ríordáin, for his immense passion and his immense and long-standing commitment to the game of football and for the incredible eloquence of his "Football is Ireland" speech earlier, which everyone has commended. I thank colleagues across the House for supporting the motion. I welcome those joining us in the Gallery from local clubs and our great international players, Niall Quinn, Paddy Mulligan and Turlough O'Connor. I thank the members of my local teams who joined us outside, particularly the great players Millie, Zoe, Rose and Matilda from Harold's Cross Youth Football Club and Councillor Fiona Connelly and the team from Larkview FC in Kimmage. It

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was wonderful to see so many outside with us earlier for our Labour Party motion. I will also mention a club in my local area that would have loved to attend and that has sent strong support and expressed to me its frustration at the lack of resources for pitches and so on. The team, Belmont FC in Donnybrook, cannot be here today. Very sadly, many of its members are attending this morning's funeral in Donnybrook church of Andrew O'Donnell, one of the two young men, along with Max Wall, who tragically died in Ios so recently. I attended Max Wall's funeral on Monday. I again extend my sympathies and condolences to his family and to the family of Andrew O'Donnell, whose funeral is today. They are an immense loss to their communities and their families and friends.

There are few sports that are so capable of lifting communities as football. We have seen that expression of support for soccer across the House. Many of us are old enough to remember the excitement of Italia '90. I know we are all hopeful and optimistic that our wonderful women's team is going to capture the spirit of a nation again and lift our spirits in Australia and perhaps even in New Zealand over the coming months as they play in the FIFA Women's World Cup. We also know how much football helps to bond communities at local level. I have mentioned some of our local clubs in Dublin Bay South but there are so many great clubs, including Cambridge FC and St. Patrick's YFC in Ringsend and Irishtown, Lourdes Celtic FC in Kimmage, Terenure Rangers and Beechwood FC, to name just some. These clubs are really helping to bond groups within communities, and to lift health and morale among children in particular.

However, I want to say that for far too long girls' football has been the poor relation. While football has been a poor relation politically among sports in Ireland, unfortunately, we have seen girls' football in particular really disadvantaged. I am someone who is passionate about bringing girls forward through football. I have worked for many years at local level through Larkview FC, and before that Inchicore Athletic FC girls, to bring up girls' football. We have seen that significant barriers remain to girls' and women's participation at equal level in sport. We had Lisa Fallon speaking passionately to us recently at an Oireachtas briefing about just how difficult it is for so many girls to participate fully in sport, particularly with the lack of facilities. We know from the FAI's report that 38% of clubs do not have women's toilets, and I want to commend the FAI on putting forward a very strong 15-year strategy that looks to grow the sport at local grassroots level and at League of Ireland and international levels. I agree with its strong emphasis on developing facilities, and ensuring that there are equal changing facilities for women and girls.

I welcome the Minister of State, Deputy Byrne's announcement, with the Minister, Deputy Catherine Martin at Farmleigh last week, of the additional funding for women's sport to bring forward women's coaching, player development, but we need to see that investment in facilities as well. We will certainly be continuing to press for that.

We also want to see stronger support programmes for players, including centralised contracts for young women and men. We are all mindful that it is only six years since the women's international team had to strike to get decent facilities. I was chairperson of the Joint Oireachtas Committee on Gender Equality and we made recommendations about making sports funding conditional on gender equality measures. Again, I very much welcome the Minister of State's announcement on sports capital funding. That is very important, but we need to ensure football is accessible to all, including children with disabilities, and LGBT children and adults. We need to see football moving to tackle racism and homophobia, and to see football being inclusive for all, with the development of all-weather pitches so everyone in every community can play. I know that is the vision we all share.

The time has come for football. We are glad that the Government has not opposed our motion, but the campaign does not stop here. We in the Labour Party will continue to work to realise that ambition for Ireland to develop one of the best women's and men's leagues in the world, to make football fully accessible to all, and to break down the barriers that still hinder the participation of women and girls in the beautiful game. I want to end by wishing Vera Pauw's army the very best, the wonderful Abbie Larkin from Ringsend, Katie McCabe, and all the players on our team. We will be rooting for them in the FIFA Women's World Cup.

Deputy Ged Nash: The two things that define me are my football and my class. They are linked inextricably. One of my very first memories is of Northern Ireland playing Spain in the 1982 FIFA World Cup. I was playing football on the street in Newfield, an estate the Minister of State would be familiar with, and I remember being called in to watch a hugely-anticipated match. I drank that match in with two very close friends, with whom I grew up sharing a love of playing football. Twenty years later, one of those lads played for Ireland at the 2002 FIFA World Cup, Ian Harte, who won 64 caps for Ireland and was a UEFA Champions League semi-finalist. As the Minister of State knows, his brother Michael went on to have a stellar League of Ireland career. Sadly, I did not.

Deputy Thomas Byrne: We both played against them.

Deputy Ged Nash: My point is this: football fills us with hope. It fills us with dreams. It allows us to think big things for ourselves and for our communities. My colleague, Deputy Aodhán Ó Riordáin, articulated so eloquently earlier on the place of football in our society and history, which has often been derided, scorned and sneered at through our State's history. Nothing that he said was wrong. For example, I played at the highest level of underage and youth football. Our Drogheda team was consistently in the top eight teams in the country, yet our Christian Brothers school, on the north side of Drogheda, denied us the chance to bring football success to our school by refusing to establish our own team in our own school. That did not happen until a lay principal took over and that was after we left. In fact, it was after we won a Leinster GAA title. The deal was that if we won a Leinster GAA title, the school would provide us with the capacity to set up a football team but we were denied that.

Thankfully in those 30 years, attitudes have changed radically. Ireland has changed, and our national policy approach to football must change too. Yesterday, the Labour Party met privately with senior FAI officials. It was a day, of course, when a phalanx of photographers gathered outside the gates. I mused that thankfully, and for a change, they were not there to snap FAI officials coming in, in crisis, to face the music before a committee in Leinster House. There is no need to have a recital of the FAI's crisis years here today. We are all too well aware of what happened. The new FAI team, and indeed the support received from Government to stabilise and reform the association, deserves great credit. We have now moved on from a permacrisis to a situation where our game has a world of opportunities opening up before us. We are at an inflection point, when we can finally talk less about the history of Irish football and more about the future of our game in this country.

From a funding and political point of view, we need the Government and the political system more generally to move away from "olé, olé, olé" to "okay, okay, okay" when it comes to backing our ambitions for our game. The FAI, as has been acknowledged across this House today, has got its collective act together, and it is now time that the system responds.

This has been a very good day for football and a good day for politics and for those who are

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watching in. It can be an historic day as well, and it is an historic day when we have got some high-profile senior football correspondents in the press gallery in Leinster House. That is very welcome indeed.

When we speak of the funding of football, which the Minister of State did earlier on, we cannot lose sight of the fact that the reality is that the sports capital grant system is not a panacea with regard to the kind of investment we need in our game. The kind of sustained investment needed to help fund the FAI plan and beyond frankly goes beyond the allocation that any Government would be prepared to make through a general sports capital grant allocation, and indeed the scope of the programme. I say this not because of any necessarily in-built obstacles for clubs that may be interested in applying, although we know there are obstacles there, like land ownership, lease agreements and so on. Given the historic and sustained underinvestment in our game, the need for a football infrastructure development programme is very obvious for all of us to see.

The FAI plan itself, which we have referred to repeatedly today, is not necessarily all that ambitious. It is important that we remember that it is simply designed to bring us up to what we might consider to be European Union norms and standards.

I am delighted to welcome here representatives of my club, Drogheda United Football Club. I am from a county that is lucky to have two League of Ireland Premier Division clubs. I also welcome representatives of Castletown Belles FC, a girls' team in Dundalk. Those two clubs really represent a microcosm of where we are at in football today. What we need over the next few years, for example, is a commitment to the Castletown Belles girls, and other girls playing football in Louth and across the country. They will be watching the FIFA Women's World Cup this month, and they have got the same ambitions to represent this country at the 2035 FIFA Women's World Cup. Let us give them the dignity of the dressing rooms they do not have. Let us make sure that we learn from the mistakes of the past, and make sure that we learn the lessons of the past, and make sure the stadium development is not exclusively developer-led, although Drogheda United is, thankfully, close to welcoming some significant investment in the club. As the Minister of State knows, as a Drogheda United supporter himself and with his family history in the club, that cannot be allowed to happen, because we have paid the price for that before.

I welcome the fact the Government is not opposing this motion. We need to build a consensus on football and the funding of football across this House, and if we can do that, it would be a good thing for this House and for the game that we all care so passionately about.

Question put and agreed to.

An Ceann Comhairle: Is it not great to have unanimity every now and again?

Deputy Thomas Byrne: Sport brings us together. We should have a few more debates on sport.

12 o'clock

Ceisteanna ó Cheannairí - Leaders' Questions

Deputy Pearse Doherty: Gabhaim buíochas leis an gCeann Comhairle. Inné, rinne an Taoiseach tráchtanna a rinne iarracht locht na géarchéime tithíochta a aistriú ón Rialtas go dtí

na hoibrithe agus na teaghlaigh atá gan tithe. Goilleann d'fhocail orthu siúd atá gafa san éigeandáil tithíochta. Is ar Fhine Gael agus ar Fhianna Fáil atá an fhreagracht as an ngéarchéim seo agus ní ar oibrithe agus ar theaghlaigh atá gan tithe. The housing crisis has dominated life in Ireland for more than a decade now and many people are struggling to put a secure and affordable roof over their heads. This social catastrophe is ruining the potential and aspirations of an entire generation. Workers, families and our young people, who could never have imagined they would end up without a home, are living this nightmare through no fault of their own. It is a deeply traumatising experience for people who find themselves in this awful situation.

Yesterday, the Taoiseach twice made remarks that would cause real hurt and anger among those caught up in the housing crisis. The first was at a Government press conference on housing and then later on the floor of the Dáil, where he stated that very many people in emergency accommodation have refused offers of permanent housing. Not only is that remark untrue, it seeks to shift the blame for the Government's failed housing policies away from Fine Gael and Fianna Fáil and place it onto the victims of this crisis. It creates the impression that those faced with homelessness are choosing to be in this situation. This is not true for those living in emergency accommodation or, indeed, for those thousands of others who are sofa surfing or back in the box room of their parents' homes.

We have had cases, and the Taoiseach knows about these because we have spoken about them in the Dáil, of retail staff who work every single day, every hour that God sends, and still they find themselves in emergency accommodation. What about the nurse sleeping in her car with two children while she desperately searches for a home? What about the teachers evicted from their rented accommodation with no fall back option? These are people who, for more than a decade, have struggled to buy a home, endured extortionate rents and languished on social housing waiting lists year after year with no end in sight.

Can the Taoiseach, just for a moment, imagine how they felt yesterday when he stood here and they heard his remarks not just once but twice? He should apologise for those comments and he should do it today.

Workers and families are not at fault for not being able to put a roof over their heads and the Taoiseach knows this only too well. That fault lies with his Government. On the watch of Fine Gael and Fianna Fáil, house prices have gone through the roof, rents are out of control and social and affordable housing targets are far too low, and the Government has even failed to meet those low targets year after year. The Government's record is that 12,700 people are homeless and 3,700 children have nowhere to call a home in this State. This is a shameful record on the part of the parties in government and not that of the individuals who find themselves in this situation.

Fine Gael has now been in power for 12 years. For seven of those years, the party has been joined at the hip with Fianna Fáil. The policies these parties have implemented together over the course of the last decade have brought us to where we are today. The housing crisis and all the damage done to the lives of ordinary people is the greatest failure of this Government. Those caught up in the crisis are looking on at a Government with plenty of money and resources but which still cannot deliver the homes people need. Does the Taoiseach accept that he was wrong to try to shift the blame for the housing crisis onto the victims of this crisis? Will he apologise for this remark?

The Taoiseach: I have just checked. First, the Deputy has misquoted me. Second, he has

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misrepresented me. I have never sought to blame anyone for the housing crisis or for homelessness, not the people who experience it nor the people who try to help them, whether this is the Government, the local authorities, NGOs or anyone else. The Deputy has misquoted and misrepresented me and-----

Deputy Pearse Doherty: I have not.

The Taoiseach: -----this is bad politics as far as I am concerned, but let us move on.

Deputy Pearse Doherty: No, I have not. The Taoiseach said there were very many.

The Taoiseach: I did not actually.

Deputy Pearse Doherty: He did.

The Taoiseach: I did not.

Deputy Paschal Donohoe: No.

The Taoiseach: Let us move on to the issue at hand. We are experiencing a very deep housing crisis in this State and we have done so now for quite some time. It affects lots of people in lots of different ways, whether it is people who are struggling to pay the rent, people who cannot find their first home to buy or people who have been living at home too long. I know this and I get it. I deal with this every day in my constituency service in trying to help people, as I am sure the Deputy does.

The Deputy wants to do something very simplistic. He wants to just blame it all on the Government. He makes out, for example, that the housing crisis has somehow been created by the Government or Government policy. This is far too simplistic. A large number of countries, unfortunately, are facing housing crises now, including in Northern Ireland. This happens for many different reasons. It is happening in Ireland because we have had a dramatic increase in population, we have smaller house sizes and we had a prolonged period, about seven years, during which almost no new homes were built in this State. This followed a financial crash when the Government was broke, the banks were bust and the construction industry was destroyed. Two thirds of construction workers had to leave the country. This is why we have a huge deficit of housing that we have this State.

This Government, and the one before it and the one before that, has done everything possible to turn this around. We are now, at long last, seeing some real progress. I know it is not enough but it is real progress and it is something I think the Deputy should acknowledge. Some 30,000 new homes were built last year, more than in any year in more than a decade. A record level of social housing is being built now, more than we have seen since the 1970s. The Deputy may not know this, but the proportion of people living in social housing is now higher than it was ten years ago. This is both in percentage terms and raw numbers.

We are also seeing a big increase in the number of first-time buyers and this is very encouraging. Each week, 700 people are getting mortgage approval and perhaps 400 to 500 people each week buying their first homes. We have not seen this happening in the best part of 20 years.

Instead of the Deputy misrepresenting and misquoting me, and trying to put words into my mouth and accusing me of blaming people I have never blamed for anything, he should at least

acknowledge some of the progress that has been made in the past couple of years.

Deputy Jennifer Carroll MacNeill: Hear, hear.

Deputy Paschal Donohoe: Hear, hear.

Deputy Pearse Doherty: The Taoiseach stood there yesterday and said that many people had refused offers of accommodation.

Deputy Thomas Gould: Yes.

Deputy Pearse Doherty: This is the fact. He can deny it all he wants. He knew exactly what he was doing. He was shifting the blame for the housing crisis from the Government, whose responsibility it is, onto the shoulders of the victims.

Deputy Jennifer Carroll MacNeill: No.

Deputy Josepha Madigan: No.

(Interruptions).

Deputy Pearse Doherty: Not once-----

Deputy Paschal Donohoe: No.

Deputy Pearse Doherty: He has not even decided to apologise for that.

(Interruptions).

Deputy Pearse Doherty: The reality, and the Taoiseach and his Ministers do not like to hear this, is that under their watch-----

Deputy Paschal Donohoe: No-----

Deputy Pearse Doherty: I ask Deputy Donohoe to listen to this for a second.

Deputy Paschal Donohoe: Yes.

Deputy Pearse Doherty: Under their watch, we have never seen homelessness as bad in this State. Some 3,700 children woke up this morning with nowhere to call a home. This is their legacy. We have record levels of homelessness and it is increasing every month. We have targets for social and affordable housing that are far too low and even then the Government misses them. We have an entire generation of people who believe that they will never own a home in this State and this is why they are deciding to pack their bags and go to Sydney, and different places in Australia, to London and to Canada.

Deputy Paschal Donohoe: At least they are-----

(Interruptions).

Deputy Pearse Doherty: This is reality.

(Interruptions).

An Ceann Comhairle: Please, Deputies.

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(Interruptions).

Deputy Pearse Doherty: It is not me. These people are deciding to do this.

(Interruptions).

An Ceann Comhairle: Deputy Doherty without interference, please.

Deputy Pearse Doherty: The Taoiseach made those comments yesterday. He made them deliberately. Does he acknowledge the housing crisis, and those people who feel they have been let down-----

An Ceann Comhairle: I thank the Deputy. He is out of time now.

(Interruptions).

Deputy Pearse Doherty: -----by his Government, a Government he has now led and been involved in for 12 years-----

An Ceann Comhairle: Please, Deputy Doherty, the time is up now.

Deputy Pearse Doherty: -----and has seen this crisis deepen as rents continue to go out of control, as house prices are out of control and as those in emergency and homeless accommodation have never been higher in the history of this State?

An Ceann Comhairle: I thank the Deputy. I call the Taoiseach.

The Taoiseach: Those comments were made in response to an individual case given by another Deputy. There are many individual cases and everyone has their story and everyone's story is different. That is the truth of it. It is a simple fact that there are people on the housing list who have refused offers of accommodation and, in some cases, multiple offers of accommodation. Often, this is for good reasons.

Deputy Thomas Gould: What about-----

An Ceann Comhairle: Deputies, please.

The Taoiseach: One of the reasons we have choice-based letting now is that people will have more choice regarding the offers they get. This has been a big success and something that was introduced by the last Government.

Deputy Thomas Gould: The Taoiseach is wrong.

An Ceann Comhairle: Please, Deputy.

Deputy Louise O'Reilly: The Taoiseach is-----

The Taoiseach: It is a huge leap to say that stating the fact that people refuse offers of accommodation is somehow blaming them for-----

Deputy Pearse Doherty: The Taoiseach said very many.

(Interruptions).

An Ceann Comhairle: Deputy Doherty, please.

Deputy Pearse Doherty: The Taoiseach should apologise for his comment.

The Taoiseach: Ah stop.

Deputy Pearse Doherty: Not very many people of these 12,000 people have been offered accommodation and the Taoiseach knows this fine well.

An Ceann Comhairle: Deputy-----

Deputy Pearse Doherty: He should apologise for putting the blame for the housing crisis on their shoulders.

An Ceann Comhairle: Deputy Doherty, please.

Deputy Pearse Doherty: It was disgraceful. They have to deal with enough without the Taoiseach trying to blame them for being homeless.

(Interruptions).

An Ceann Comhairle: Please, Deputy Doherty.

The Taoiseach: If it would help, and help to contain the Deputy and his outburst, I am happy to rephrase the term “plenty” to “some”.

An Ceann Comhairle: I call Deputy Bacik now, please.

Deputy Ivana Bacik: Gabhaim buíochas leis an gCeann Comhairle. This week, as the focus has been on other matters in the news, a hugely significant story has gone relatively unmarked. According to the UN, the first week of July was the hottest week on record globally ever. Indeed, June 2023 has blown away all temperature records for that month. The science is clear. All that we hold dear is threatened by the climate crisis. Unless we as a species choose to live more sustainably, we face extinction.

I refer to the choice to live more sustainably because it is a choice. Political choices are made every day and are what can save us from climate and biodiversity breakdown.

I welcome that just in the past few minutes MEPs have voted to adopt the Nature Restoration Law in the European Parliament and in particular, MEPs voted against the shameful attempts by the European People’s Party, the Taoiseach’s own political grouping, to force a boycott of the Nature Restoration Law. I welcome the fact that Fine Gael MEPs voted not to block the Nature Restoration Law. We understand from them that they faced down pressure from within the EPP and they have said that they prefer to engage with the process. Their choice is a welcome departure from the very dangerous rhetoric we have seen from their EPP colleagues, and notably the EPP president, Manfred Weber.

I ask the Taoiseach to clarify and confirm his own commitment to the vitally important Nature Restoration Law. Does he condemn the rhetoric of Manfred Weber who is the president of the European People’s Party, the Taoiseach’s own party in Europe, and does he agree with the Labour Party’s sister parties and the Party of European Socialists who have really driven the Nature Restoration Law, along with their Green Party colleagues in the green group? They have said that Mr. Weber has engaged in disinformation on the law and has courted the support of the far-right in Europe.

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I wanted to seek clarification on another important Government climate policy which relates to just transition and supporting a transition to a low-carbon economy in a way which leaves no one behind. Mary Robinson said at COP 27 that just transition requires a series of just transformations, a rising tide to lift all boats to tackle the inequality and injustice while building a sustainable future.

The Taoiseach's Government has previously committed to establishing a just transition commission to design an inclusive response to the climate and biodiversity crises. Last night, the National Economic and Social Council called for the speedy establishment of the commission and the Taoiseach welcomed that but I understand that there are real concerns that the project to establish this commission has been stalled and, indeed, trade union and civil society representatives have written to the him this week warning against any further delay in establishing the commission. Will the Taoiseach use his powers under the National Economic and Social Development Office Act to set up the just transition commission without delay and will he ensure that it is based on social dialogue in keeping with the International Labour Organization, ILO, just transition principles? We want to see its terms of reference place that emphasis on social dialogue to ensure that the real and meaningful just transition is reached?

The Taoiseach: I thank the Deputy. I am happy to confirm my and the Government's support for an EU nature law. We have seen an extraordinary loss of biodiversity in Ireland, Europe and around the world in the past few decades. For me, it was brought into sharp focus by one of the David Attenborough documentaries I watched where he pointed out that 97% of all animal life on earth by weight is us and the things we eat. That only left 3% for nature. That is one of the reasons why I and this Government support a new EU nature law.

But it is important that we get it right. It has to be a law which works with farmers and not against them, one that respects rural and coastal communities, and has to be a law that does not conflict with climate action and with the things we want to do in installing wind power, solar power etc.

As a Government we have signed up to a version of that law agreed by the European Council. Around the European Council table there are many EPP Prime Ministers and I happen to be one of them. The original proposal put forward by the Commission was too far-reaching and is not the one that we agreed to as a Government. We agreed to a different version, the Council version. I know that it needs to be understood - I know that Deputy Bacik understands this but people who do not follow European politics as closely may not - that there are different versions of this law. It is still only a draft law and much negotiation must still be carried out. It is important that we get it right and that we bring farmers, rural and coastal communities with us because if we try to impose things on them that they will not accept, it will backfire, and backfire badly. That is why we have taken a constructive approach and are not just blindly accepting the original proposal from the Commission but actually saying that we wanted a better law. That is what we succeeded in negotiating round the European Council table, with negotiations led by the Minister of State, Deputy Noonan, by the Minister, Deputy O'Brien, and others.

I, quite frankly, do not agree with some of the statements made by the president of the EPP. We do not agree on everything but it is important to recognise that the EPP is a big political organisation. The original proposal made by the European Commission, probably the greenest Commission we have ever seen in Europe, has an EPP President in President von der Leyen. One has differences of opinion within political parties. That happens in Ireland and it certainly happens at European level also.

We are doing some work on the just transition commission at the moment but I cannot give the Deputy a date for its establishment just yet but I will follow that up and come back to her.

Deputy Ivana Bacik: I welcome the Taoiseach's words of support for the Nature Restoration Law and indeed his comments on community engagement. That is the issue with the correspondence he has received this week from representatives of the Irish Congress of Trade Unions, ICTU, from the Environmental Pillar, Irish Rural Link, Social Justice Ireland, Friends of the Earth, and others, who are concerned about the delays in establishing the just transition commission. Indeed, if we look at the great work of the citizens' assembly on climate action and biodiversity, it also talks about the need for community engagement. That is why we need to see that commission set up without delay and to ensure that it does engage meaningfully with the community. We know that communities which have the most to lose from transition need to be consulted with, invested in and supported. We have also seen this reflected at international level where the ILO is talking about just transition having to include consultations, exchange of information and forms of dialogue between the social partners and governments.

How will the Taoiseach be responding to the civil society groups and trade unions which have corresponded with him this week on the just transition commission and can he give a commitment - I know he said he cannot give a date - that the commission will be established within a particular timeframe and that its terms of reference will be clear on that need for social dialogue?

The Taoiseach: I have not actually seen that correspondence yet. I will have to see it and I will then confer with the Minister, Deputy Ryan, and other Government colleagues. I will ensure that I do see it and that we will respond to it as soon as possible. I absolutely agree that social dialogue is crucial. Everybody wants climate action and actions to be taken which help to reverse the decline in biodiversity. Once these actually happen or are proposed we then run into significant opposition and that is why it is important that we try to bring people with us and have social dialogue.

Deputy Verona Murphy: I want to discuss with the Taoiseach the School Leavers Ability Project: creating expectations, exploring choices and supporting transitions. Initially, this School Leavers Ability Project started in 2018 and for the following three years it was funded by Pobal. In the past three years it has been funded through the dormant account fund but that funding will be coming to an end in December of this year. A very small team has been set up in Cumas New Ross which has four facilitators who have helped students with a diagnosed disability to transition from school leaving into PLC, post-leaving certificate courses, colleges, day-care services and-or employment. This both assists individuals and their families with an individualised service that supports each of them to make choices for their future.

The team works with mainstream schools in Wexford and they extend it out to special educational schools in the counties of Wexford, Waterford, Kilkenny and Carlow, primarily within the community healthcare organisation, CHO 5 area, where possible. Teachers observing their students from Wexford, in the CHO 5 area as well, are primarily responsible for the referrals and have attested to the essential service that it has been over the past four and a half years.

As it stands the service and its team have facilitated 556 individuals, including 339 who have exited the programme successfully by taking employment or going to college and 227 are currently actively being supported. The programme was originally meant to cater for 40 people and that funding has not increased even though the numbers have increased exponentially. The

policy context of the programme involves co-ordination of the UN Convention on the Rights of Persons with Disabilities, the Transforming Lives report of 2016, the HSE's New Directions policy and the Comprehensive Employment Strategy for People with Disabilities 2015-2024.

A survey was conducted across the stakeholders which included individual users as well as parents and guardians and professionals such as teachers. The comments are unbelievably positive. User comments included: "Put me in touch with employability and supported me to get work"; "Very helpful for discussing options in college and PLCs"; and "Explored options after school and supported me with travel and training". One of the professionals said:

This allows 1:1 time the teachers don't always have the resources to implement. There is a clear gap between school and adult services and the project helps to bridge that gap.

That programme is funded through the Dormant Accounts Fund to the tune of €160,000; that is just to support Wexford. If it were to be rolled out throughout the CH05 area, a proposal has been sent to the office of the Minister of State, Deputy Rabbitte, it would cost in excess of €300,000. The HSE CEO, Bernard Gloster, was in the facility on Monday. He was impressed and I am sure that he will also make a submission. I ask the Taoiseach to support the Minister of State, Deputy Rabbitte, and the Minister, Deputy O'Gorman, to promote this. Surely, we cannot have an end to this funding given that it is such a specialist service.

The Taoiseach: I am not familiar with the particular service or programme but from what the Deputy has told me, it seems to be very successful and it seems to be a very good one. I am told there is another transition pilot programme for school leavers which involves 20 schools in Dublin and elsewhere looking after children over two years. I will certainly take on board what the Deputy has said today. I will speak to the Minister of State, Deputy Rabbitte, and see if there is a way it can be funded. I am sorry I cannot give a better answer than that. I am happy to follow up on it.

Deputy Verona Murphy: I appreciate that there would not be a better answer. It is more about considering the impact if the funding is not renewed. The other two-year programme the Taoiseach mentioned is probably similar because this one starts in the second last year of school. I am greatly concerned about the people who have entered the programme; if the funding ceases in December they will not be able to complete it. In essence 556 people have been supported with a relatively small budget and a small staff, and over 60% of them now are in jobs or careers. Without the programme they might have just entered day services and probably would not have the confidence to attain employment. With four and a half years' experience it would be an absolute crying shame if it were not to be refunded. We can sit down and discuss the extent of that funding but it absolutely must be sustained where it is and maybe rolled out more extensively in the future especially as the country is awash with money.

I take this opportunity to wish you all well. It is not that we will not be working we - will all be working very hard - but it is the last day that we meet for an engagement like this, so enjoy the recess.

The Taoiseach: The Deputy has my assurance that I will make some inquiries about it and speak to the Minister of State, Deputy Rabbitte, and the other relevant Ministers. As we know, often when something is funded from the Dormant Accounts Fund, it is only funded for a short period of time and then it can get picked up and funded and on a more sustainable basis by another body. As I am not fully across the programme, I do not make any commitments here but

I will definitely follow up on it.

Deputy Michael Collins: I have heard the Taoiseach has visited west Cork twice in the past two years. Last year he went as far west as my parish in Goleen, passing my own door on the way to Schull and the last weekend he went to Bandon and Courtmacsherry. In contrast to the recent visit by the Minister, Deputy Stephen Donnelly, who is sitting next to the Taoiseach, my biggest regret is that the Taoiseach did not contact me about these visits as I would have welcomed him to west Cork and shown him the positive moves communities are making. I also would have asked him to meet communities that are struggling. Last year in Goleen, he posed for photos outside the most south-westerly post office in Ireland, which had closed its doors just three weeks before his visit and will never reopen again as it was not viable as many interested people told me.

The Taoiseach went on to Schull that morning and posed for photos outside the newly proposed marina which would have been a game-changer for the Mizen Peninsula. A number of years ago members of the community were taken to the office of a then Fine Gael Minister where they posed for photos with senior Ministers congratulating them on getting the money, only for the same massive funds to be redirected to the constituency of another Minister who was struggling politically at the time.

When in west Cork last week, did the Taoiseach meet members of Cork County Council to discuss the AIRO report, an independent report commissioned by Cork County Council showing that for decades it has been the local authority receiving the lowest amount of funding in the country? This is the funding for roads, local improvement scheme, LIS, projects, urban-village renewal as well as rural regeneration funds and many more.

On his visit did he meet the thousands of frustrated users of cars, lorries, tractors and other vehicles who daily drive on the most appalling roads in west Cork? These people in west Cork get up early in the morning. They pay their car tax, their insurance and their income tax in the expectation of having a half-decent road. There are roads like the bog road in Schull falling into the neighbour's field, and roads like the roundabout beside Dunnes Stores where a car going into a hole will need to be pulled out of it. There is the Skibbereen to Leap road where if the front or back wheels hit the holes, they will burst a tyre or damage a rim.

On his two trips to west Cork, did the Taoiseach visit the unfinished southern relief road in Bandon the completion of which is now decades behind? Did he look at the much-needed northern relief road in Bandon? Did he call into the people of Innishannon and apologise to them for not working with me on their relief road for which I and others in this Dáil have been begging? Did he call to the people of Bantry and apologise to the people in Bantry and Beara for not pushing for the relief road for Bantry? These projects lie decades behind. There is no movement but promises from Fine Gael and Fianna Fáil politicians at each election. We are left without a sod turned or a cent given.

The people of west Cork are sick of being treated like second-class citizens when it comes to funds from the national purse. West Cork is sick of getting crumbs from the rich man's table while pristine tar is laid on top of pristine tar in and around our capital. When in west Cork, did the Taoiseach meet the council or National Transport Authority, NTA, to discuss simple passing bays that could be created between Bandon and Clonakilty, Clonakilty to Skibbereen on the N71, or Bandon to Ballineen on the R586, thus preventing drivers being held up behind lorries or tractors for half an hour some days?

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After two visits to west Cork, has the Taoiseach addressed the AIRO report carried out by Cork County Council or has he progressed any of the bypasses I mentioned? If so, I ask him to tell me the progress now.

An Ceann Comhairle: I hope the Taoiseach brought his diary.

The Taoiseach: My diary is published.

It was a real pleasure to have a chance to visit west Cork again. It is surely one of the most beautiful parts of the country. I was really glad to meet people in different parts of it and talk to them on this occasion. I got to visit Bandon, Clonakilty, Timoleague and also Courtmacsherry. While I did not meet the people the Deputy mentioned, I met a number of councillors who impressed on me the need to find more funding for road maintenance and restoration. In Senator Lombard's office in Bandon, I met with business groups from the town. They specifically raised the issue of the relief road. These are issues on my agenda.

The issue of road maintenance and restoration is not a problem unique to Cork or west Cork. It is coming up all over the country that the budgets allocated to local authorities to repair and restore roads are not going as far as they went in previous years because of inflation. We acknowledge that. In recognition of that the Minister, Deputy Eamon Ryan, allocated an additional €22 million for local and regional road maintenance in the past week or so. We are examining whether it is possible to find more money within the transport budget to do that. I do not know if that is possible yet but it is something we are certainly considering. The Minister, Deputy Humphreys, is working on finding additional funding for local improvement schemes which are very important for rural laneways in particular. The budget for that has increased considerably under the Minister, Deputy Humphreys, in recent years.

I was briefed on the Bandon relief road project when I met the business leaders in Bandon and I have agreed to follow up on it. Every year we have a budget of about €250 million for new roads. The Deputy will be familiar with the works at Dunkettle which are almost complete. There has been huge investment there and it will benefit people from Cork city and west Cork. It is never the case that there is enough funding to advance every project that we would like to advance, but there are projects that we will be able to advance in the future.

Deputy Michael Collins: I thank the Taoiseach for his reply. He does not seem to grasp the crisis I am talking about. He is always welcome to west Cork, one of the most stunning parts of our country. However, it is not Jurassic Park, where you drive in and drive out waving and smiling. We live there with the unfinished bypasses and those that have not been done at all. We live with no simple passing bays being built on the N71 or the R586. It is not going on for two or three years but for decades. The Taoiseach keeps mentioning one bypass but it is two bypasses for Bandon. I am shocked Senator Lombard did not sit the Taoiseach down with Cork County Council officials and arrange a meeting to talk about the lack of funding in the AIRO report.

I ask the Taoiseach one more time to take up my offer. I invite him to west Cork to discuss the roads funding crisis for bypasses and passing bays immediately so the people of Goleen, Ballydehob, Schull and Skibbereen, all the way into Clonakilty, Bandon and Kinsale, can have the same type of road structure most people have throughout the country. We do not have it and are decades behind for bypasses in Bantry, southern and northern relief roads in Bandon and in Innishannon. It is on the Taoiseach's watch. Will there be moves on any one of those bypasses?

The Taoiseach: I will be happy to come back to the Deputy in detail on the specific projects he raises. I know from my visit to west Cork in the past couple of days there has been huge investment in the area. The Deputy knows in the town of Bandon the amount of work that has been done to install flood relief. We all remember the floods in Bandon. Under the previous Government and this one, millions of euro have been invested in flood protection works. Also in Bandon, I saw the work being done to upgrade the main street. I think about €30 million has been put into that town by this Government in recent years, which I know the Deputy neglected to welcome but I am sure he does welcome it.

I heard very encouraging news from the councillors I met there on the uptake of the derelict buildings grant. I think there have been about 500 applications in County Cork alone for people to take on, refurbish and renovate derelict buildings and bring them back into use. That is really encouraging because we want to bring old buildings back into use. There has been huge investment under the LEADER programme, the town and village scheme and the national broadband plan. I am glad to see that is working. I absolutely acknowledge more investment is needed in west Cork and around the country in coming years, but that investment will only be possible if we can pay for it and we will only be able to pay for it if we continue to have a Government made up of parties that supported the economic policies introduced in this country over the past ten or 12 years.

Ceisteanna ar Reachtaíocht a Gealladh - Questions on Promised Legislation

Deputy Pearse Doherty: Yesterday I raised the issue of the national children's hospital with the Taoiseach and the need to have it built and open for the children of Ireland. It has been delayed time and again and is now the most expensive hospital in the world. The Government has lost all control and credibility when it comes to the national children's hospital.

Today at the health committee we learned that, of the 3,000 rooms that should have been completed by now, only 27 are completed. Also at the committee, the board confirmed it has requested even more money from the HSE to finish the programme. This is above the €1.7 billion total programme costs. Will the Taoiseach tell us how much additional money the board has requested from Government? Will he clarify if that request is for outstanding claims by the developers or just to complete the work? Will he tell us, once and for all, when this fiasco will end? When will it open, how much will it cost and what is the additional money they are now looking for?

The Taoiseach: I think I answered that comprehensively yesterday. The allocation for the project is €1.433 billion. That allocation was made in 2018 and has not been increased since. It will cost more than that, as I said in the Dáil yesterday. We cannot say how much more it will cost at this stage because we are disputing the multiple claims for more money made by the contractor. It is clear it will be significantly in excess of €1.433 billion.

Deputy Pearse Doherty: There is a request.

The Taoiseach: I do not know the amount of the request.

Deputy Pearse Doherty: The Minister knows.

The Taoiseach: You can ask him.

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Deputy Pearse Doherty: Can the Minister answer?

Deputy Sean Sherlock: I speak on services provided by GPs, red-eye services and out-of-hours services, specifically in relation to SouthDoc. It is being reported the centre in Fermoy, County Cork, is to be reduced. I want the Minister, through the Taoiseach, to give a commitment that the centre in Fermoy will not be closed and, second, that there will be active GP cover on a red-eye basis from 10 p.m. to 8 a.m. for the centre. The Minister will be familiar with Kanturk but I ask specifically about Fermoy. We do not want to see Fermoy closed.

Minister for Health (Deputy Stephen Donnelly): As it happens, the issue of Kanturk was raised by Deputy Michael Moynihan with me in recent days and I was able to respond to him in writing last night that there are no plans to close the centre in Kanturk, and I will-----

Deputy Sean Sherlock: I did not ask about Kanturk, a Cheann Comhairle. I asked about Fermoy in the precious time I have.

An Ceann Comhairle: Yes. Let the Minister answer, please.

Deputy Stephen Donnelly: If you let me finish the sentence, I will get straight to your question, Deputy.

Deputy Sean Sherlock: Do not play down the clock, please.

Deputy Stephen Donnelly: Will I answer?

An Ceann Comhairle: Go on.

Deputy Stephen Donnelly: When it comes to Fermoy, I will revert to the Deputy. I make the point that the HSE is not responsible for running these centres. This is an obligation on GPs to fulfil their out-of-hours obligations. SouthDoc is a private company run by the GPs but we will-----

Deputy Sean Sherlock: Funded by the taxpayer in part.

Deputy Stephen Donnelly: Funded by the GPs.

Deputy Sean Sherlock: Funded partly by the taxpayer.

Deputy Stephen Donnelly: It is the GPs' obligation to provide these services. Nonetheless, I will revert to the Deputy on Fermoy as I did to Deputy Moynihan on Kanturk.

Deputy Holly Cairns: The Taoiseach's comments on homelessness yesterday were shameful. They were beneath him and his office. In Dublin alone, the number of homeless families increased by 33% last year. I was at a Society of St. Vincent de Paul briefing earlier and there has been a 65% increase in homelessness for children in the past year alone. For the Taoiseach to home in on what he homed in on yesterday in the broader context of the homelessness crisis does not make sense. Because he is apparently outraged about it being referenced this morning, I will quote him so he does not say I am misrepresenting what he said. He is quoted as saying there are "lots of people in emergency accommodation [and] have refused multiple offers of social housing." He is homing in on that, even though there is a whole other big picture in relation to homelessness. As the Taoiseach, he cannot say things like that and then feign outrage when people hear exactly the same thing. Will the Taoiseach please reconsider his comments from yesterday?

Deputy Paul Murphy: He said it twice.

The Taoiseach: I am happy to rephrase if it is helpful. If I said “plenty” or “lots of”, I am happy to use the term “some”. I was specifically asked about cases of people in emergency accommodation for several years. I know some of those cases because I am trying to help those people. In some cases, people have been offered accommodation and have turned it down. There are people on the social housing list who have been offered accommodation and have turned it down. Sometimes they do it for very good reasons, and I acknowledge that, but to try to twist that and make out that somehow I am blaming people for the housing crisis is just fake. It is populism and misrepresentation and is beneath the Deputy.

Deputy Paul Murphy: The Taoiseach said it twice yesterday. He said it twice deliberately to get the headlines he got. He said it here and at a press conference. That is the truth of it.

It is a year since the Government received the report into defects in apartments, which revealed the shockingly widespread nature of serious defects, mostly fire defects, in the majority of apartments and duplexes constructed between 1991 and 2013 as a consequence of the regime of self-certification. At the start of this year, thankfully, the Government said we were going to have a 100% redress scheme with retrospection. However, there has not been any action. It has not done anything to help these people. In particular, there have been no moves on emergency funding.

The other day in Park West, there was almost a very serious fire. We know there are defects there. That building was highlighted in “Prime Time”. When someone threw a cigarette butt out of a balcony, it blew back in and landed on artificial grass, which went on fire. We need emergency action now. The 100,000 families simply cannot wait.

The Taoiseach: This is something we are working on, both in terms of funding in the short term for emergency works that need to be done in relation to fire safety and a wider scheme, which will require legislation and which we will put in place to help people who need defects in their apartments repaired. That will be done with retrospection.

Deputy Denis Naughten: Ireland has reached full employment according to the Central Statistics Office, CSO, but with only one in three people with a disability employed, we have the lowest employment rate in Europe according to the European Disability Forum. The Oireachtas and the Ceann Comhairle are leading the way by example to try to address this with the Oireachtas work learning, OWL, training programme in the Houses. One reasons for the low rate of employment among people with disabilities is the additional cost for employers associated with employing them. For example, I know one young constituent who has been refused two work placements due to insurance costs faced by the employer. The Joint Committee on Social Protection, Community and Rural Development and the Islands has recommended that the wage subsidy scheme payments for an employer to employ a person with a disability be increased to 70% of the minimum wage in order to help defray these costs. Will the Taoiseach support this recommendation?

Minister of State at the Department of Social Protection (Deputy Neale Richmond): The specific matter the Deputy raised is under consideration. We are also considering potential grant schemes for employers and retailers to ensure that their premises are more readily accessible for those with disabilities, not only to visit, shop or do business but, crucially, also to work there. There is quite a bit happening. The recommendation is under consideration.

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Deputy Mattie McGrath: I have been supplied with a lovely picture of the Taoiseach, the Ministers, Deputies Eamon Ryan, Foley and Coveney, and, I think, the CEO of Irish Water standing at Ardnacrusha. It is lovely and picturesque.

An Ceann Comhairle: Is the Deputy going to frame it?

Deputy Mattie McGrath: I will if I get the right answer. It could be used as a dartboard too, you know. I refer to the midlands region water supply and a project to pump 320 million gallons of water a day to Dublin before fixing the pipes here. The children's hospital is already a disaster. It is a hole in the ground, and a runaway train as regards costs. Last year, Ardnacrusha did not have enough water to produce electricity for the months of August and September. Did anyone in government think to ask the CEO of Irish Water whether what is proposed will have an impact? If we take that much water out of Lough Derg, there will not be enough to allow the ESB to generate power for days or maybe months. This will have a huge impact; not to mention the impact of putting in place a pipeline to Dublin. It is a mad, daft and silly project. Will the Government derail it before it destroys Ardnacrusha? The only purpose of the project is to put water into leaky pipes in Dublin? Fix the pipes. Leave us alone in Tipperary. Stop this madness.

The Taoiseach: I am not quite sure if that was a question. I think it was the CEO of ESB not Irish Water. I cannot see the photograph from here so I may be wrong.

Deputy Mattie McGrath: I will pass it over.

The Taoiseach: I will check up on that issue for sure.

Deputy Mattie McGrath: Is the Government going to stop the project?

Deputy Catherine Connolly: I am raising a specific Government policy, namely, the policy relating to protecting our waters within the six-nautical-mile zone for small fishermen and marine biodiversity. A fantastic policy was introduced in 2018. It was to become operational in 2019. Four years later, there is no sign of it. I know the whole history and the court cases involved. I have read the details relating to them. Four months after the final judgement, where is the policy? When will it become operational?

Minister for Agriculture, Food and the Marine (Deputy Charlie McConalogue): I know the Deputy knows the history of it well. There is a very strong Government commitment to protecting the zero-to-six-mile zone for inshore fishers in particular. A decision was taken and a policy was implemented by the previous Minister for Agriculture, Food and the Marine, Deputy Creed, who had a very strong commitment to this. Unfortunately -----

Deputy Catherine Connolly: The policy outcome.

Deputy Charlie McConalogue: The court made a decision on a technical matter -----

Deputy Catherine Connolly: I know.

Deputy Charlie McConalogue: ----- and that had to be revisited. The court handed down its decision four months ago. We are considering it now. I plan to bring clarity as to how we move forward. As outlined on numerous occasions, it is my objective-----

Deputy Catherine Connolly: When?

Deputy Charlie McConalogue: ----- to continue to protect that zero-to-six mile zone. I hope in the next few weeks to be able to bring clarity on how we go forward. If we do it, there will be a need to do the process all over again.

Deputy Cathal Crowe: I have a question for the Taoiseach and the Minister for Health. I have just left a meeting across the road in Buswells Hotel with representatives of the Irish Nurses and Midwives Organisation, INMO. Many Deputies have been over there meeting with them this afternoon. The INMO is suggesting legislation to underpin and secure staffing in hospitals. I said that sounds good but legislation takes a long time. It is cumbersome and involves red tape. Surely there are shorter term ways by which we can do this - perhaps even through the budget.

It was devastating during the Covid period to see so many doctors and nurses photographed on beaches in Melbourne. There must be ancillary ways, through dealing with the cost of living or providing some allowances, that we can make it more attractive for these nursing and medicine graduates to stay here in Ireland. Legislation might be positive but it takes a long time. I want to make a pitch on this, the second-last sitting day before we head into the budgetary cycle in the autumn, that we do something in the budget that might incentivise nurses and doctors to stay here in Ireland when they graduate. This has to be much more carrot and far less stick. Surely we can do something to make sure they stay here. Inroads are being made. We can see that. The Minister is doing a lot of good work, but we need to address matter in the context of the people involved.

Deputy Stephen Donnelly: A lot of progress has been made. We have worked closely with the INMO. This year we sanctioned over 870 staff to fulfil safe staffing in every hospital in the country. It has been suggested we legislate for those issues. I have taken advice from Irish and international experts on safe staffing and Ireland is now seen as one of the leading countries in the world on safe staffing. The advice I have is that we are not at a point where legislation would help because it is such a new process and we are still learning and evolving. We are in ongoing discussions with the INMO on this. As Bernard Gloster and I said at its conference earlier this year, it is not something we would rule out.

Some people claim that all our student nurses are leaving the country. That is an entirely false claim. I am not suggesting the Deputy is saying this but it is something one hears. Of course some graduates leave and go to Australia, Canada or wherever, as they should. I left here after a few years and I came home. However, the vast majority of graduates are taking jobs in the HSE. Ireland is not only blessed with one of the best, most professional, highly skilled and educated nursing workforces anywhere in the world now, but we now have the highest number of nurses *per capita* in the EU. We are going to keep working with the INMO to keep investing in the profession.

Deputy Alan Dillon: There are huge funding deficits in our disability services, especially in the voluntary sector, not just in Mayo but across the country as well. The Minister of State, Deputy Rabbitte, is doing good work to bridge the gap in this year's budget. Earlier this week, I spoke to the board of management of Western Care Association. The board outlined the association's ongoing challenges in the context of supporting those with disabilities. It is currently operating a deficit of over €8.8 million. That includes €3.1 million to maintain its existing level of service delivery, €2 million for additional capital investment in new vehicles, facilities and IT and €3.1 million for additional new business cases and funding for a workforce plan to mitigate high risk. That is not including the €2.7 million for HIQA registration for residential

services at 42 locations. Without organisations such as Western Care Association, other voluntary disability services, carers and families of those with all levels of disability will be lost. Will the Government prioritise funding for the delivery of the disability capacity review? Will it seek pay parity for those working in section 39 organisations?

The Taoiseach: I thank the Deputy for raising issues relating to Western Care Association. The HSE, in conjunction with the board, has in recent months commissioned a service-improvement programme. It will address all the HIQA recommendations which have been accepted and, indeed, welcomed. The Government is committed to providing services for people with disabilities which will empower them to live their lives, provide greater independence in accessing the services they choose and enhance their ability to tailor the supports required to meet their needs and plan their lives. Western Care Association provides services to over 700 children, young people and adults with learning disabilities in the catchment area of County Mayo. It receives funding from the HSE under section 39 of the Health Act. The organisation's service agreement is with the HSE, which has operational responsibility for oversight and delivery of services in accordance with that agreement.

Deputy Mairéad Farrell: On Friday, a man named Michael, who is 82 years of age, called to my office. He was in huge distress because he had received an electricity bill for €939. That is a staggering amount, and completely unaffordable. Michael lives alone in a one-bedroom flat and is absolutely terrified to put on the heat or the electricity. He told me he has not put the heat on in months because he is so worried. I contacted the provider on Michael's behalf. Its only suggestion was that he would pay in instalments. For a man of 82 years of age, that is completely unrealistic. He is already terrified of putting on heat or electricity and he sits alone at home with the lights off and no heating on. What am I meant to say to Michael? What is Michael supposed to do now?

The Taoiseach: I am very sorry to hear that that gentleman received such a big bill. There are a number of options. One is the one the Deputy mentioned, which is to pay the bill over a period by instalments. Another option is to contact the community welfare officer, who may be able to make an exceptional needs payment in that scenario.

Deputy Christopher O'Sullivan: I raise the issue of the lack of rural taxis. Every weekend, especially during the summer months, throughout west Cork, in towns such as Bandon, Clonakilty, Skibbereen, Bantry, Kinsale, etc., young people are out, have had a great night, have been to the restaurant, to the pub, and have been socialising. When it comes to home time, however, they are in limbo. They are stuck and they have nowhere to go because there is a complete lack of taxi services. This has been an ongoing issue for quite a while. If we do not rectify it, it will affect not just young people's ability to socialise and have a good time but also the pub trade, restaurants, etc., so we need to step in now and intervene. The Taoiseach's former party colleague and the former Minister of State, Jim Daly, who is from my constituency, had the excellent idea of ruxi, as he called it, a rural tax service whereby private individuals like Uber would be able to offer taxi services. Can we revisit that and finally sort out the issue of the lack of taxis in rural Ireland?

The Taoiseach: We are experiencing a lack of taxis not just in rural areas but in urban areas too, particularly at evening time. The matter is raised a lot. I am sure there is more we can do to encourage more people to get into the industry and to take up the business of becoming taxi drivers. I do not remember the exact detail of proposal of the former Minister, Mr. Daly, but I will look at it again and see if it may still have merit.

Deputy Ciarán Cannon: Galway County Council, on my request, recently carried out a traffic speed survey of cars entering a 60 km/h zone in Craughwell village, County Galway. They measured the speed of 45,000 vehicles over a week. Some 84% of those vehicles exceeded the speed limit. The average speed recorded was 88 km/h, with one car travelling at 159 km/h. Craughwell is not alone in experiencing an extraordinary pandemic, one might call it, of speed and carelessness on the part of motorists. The number of pedestrians dying in incidents on Irish roads doubled last year; we lost 155 people. So far this year we have lost 92. I ask the Taoiseach to engage directly with the Garda, the Road Safety Authority and the Minister for Transport to ensure we have far greater enforcement of our speed limits, that we work collectively and actively with local authorities in putting in place traffic-calming measures and that Transport Infrastructure Ireland, TII, rather than obstructing the development of traffic-calming measures, actively supports them.

The Taoiseach: I thank the Deputy for raising the really important issue of road safety. We need to remember that the roads belong to all of us, not just motorists but also cyclists and pedestrians. It is worrying to see the number of injuries and fatalities happening on our roads. I will certainly speak to the Minister of State, Deputy Chambers, the Minister, Deputy Ryan, and the Garda Commissioner about that.

Deputy Eoin Ó Broin: Members of the Not Our Fault - 100% Redress campaign are yet again outside this building calling on the Government to take action on the issue of defects. As the Taoiseach will know, it was more than two years ago that the Minister, Deputy O'Brien, announced the establishment of the working group on Celtic tiger-era building defects. It has been a year since that group's report was published and six months since the Minister told these homeowners, many with very serious fire safety and structural defects, that funding was allocated for this year for emergency fire safety and remediation works and that the legislation would be published this year. Will the Taoiseach tell us and those affected homeowners how much money was allocated for the emergency interim fire safety works? Will he tell us when in 2023 they will be able to apply for it? Does he know when the legislation underpinning the redress scheme will be published?

The Taoiseach: My understanding is that money has been allocated this year for emergency works where fire safety is an issue. I will have to double-check with the Minister, Deputy O'Brien, the amount and how it can be drawn down. Realistically, I expect that it will be next year before we will have legislation on the scheme, but if we can do that sooner, we certainly will. This is an issue the Government is seized of and concerned about. In my constituency, unfortunately, a very large number of people are affected by buildings with apartment defects. I have disclosed my interest as somebody who owns an apartment with a building defect. It is certainly something we are working on and we want to help. People are, through no fault of their own, living in dangerous buildings and then have apartments, duplexes and houses they cannot then sell on. They are therefore stuck, and we want to help.

Deputy Jackie Cahill: I want to raise the issue of Irish Water. First, when will we have a referendum on its ownership? Second, the transfer of water services staff from county councils to Irish Water is proving very unpopular, and I believe the level of services that will be given will disimprove significantly. As Oireachtas Members, we have a system to make representations to Irish Water, and this is working extremely poorly. From overbilling to leak allowances to incorrect banding rates being applied to accounts, when we contact Irish Water its customer service is increasingly non-existent. I have two cases at the moment in which discussions were ongoing with Irish Water to correct billing mistakes for two separate households, and in the

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middle of the negotiations, Irish Water wrote to those constituents threatening legal action if their accounts were not settled. Irish Water has to improve its customer service. The level of service we are getting from it is not good enough as regards representations.

Minister of State at the Department of Housing, Local Government and Heritage (Deputy Kieran O'Donnell): The decision on the timing of the referendum is one for Cabinet. The issues the Deputy raises in respect of Irish Water would cause us concern. We will take up those matters directly with Irish Water. We want it to provide a service that is efficient and timely for the public. If Deputy Cahill has specific instances, he might bring them to my attention and I will take them up directly with Irish Water.

Deputy Matt Shanahan: Yesterday, during Leaders' Questions, I put to the Taoiseach, as I have done before, data obtained from replies to parliamentary questions to demonstrate that the three successive Governments of which he was a part from 2016 to 2020 unfairly distributed public capital spending. Projects in Ministers' constituencies proceed while elsewhere they are stuck in the hell of public procurement. In his response to me yesterday regarding the south east, the Taoiseach name-checked some projects and intimated that I was wrong. To what percentage of the €12 billion in capital spending voted last year are the people of the south east entitled? What percentage, even a ballpark figure, does the Taoiseach think they probably got? The data I have show systemic long-term *per capita* underfunding in many areas, including acute healthcare, certainly higher education and almost every discretionary spending you care to analyse. As opposed to offering subjective anecdotes about equitable regional spending, I invite the Taoiseach to prove me wrong with verifiable data on this subject matter.

The Taoiseach: No part of the country is entitled to any particular amount of money. It depends on the projects and other factors. I will certainly look into the data. I do remember looking at some similar data in the past, but those data did not include projects of under €20 million or the national broadband plan, and it is not right to exclude those things because often it is the projects under €20 million that really add up: the schools, the sports capital and so on. The same thing applies to the national broadband plan. The Deputy might have new data, however, and I will certainly look at them.

Deputy Maurice Quinlivan: In May 2019, the people of Limerick voted on the issue of a democratically elected mayor. Four years later we have no sign of legislation, despite being promised on a number of occasions that we would see it. That election was supposed to take place in July 2021. Obviously, I understand that Covid delayed that, but four years later we do not see even the legislation or what will be done. The Bill was included in the priority legislation for drafting and publication document in autumn 2022, but like other dates, that has been missed. When I raised the issue in September, the Green Party leader told me that "it is important we get that choice to the Limerick people quickly and use that as an example that can inspire other cities". Unfortunately, again, we have not seen anything in that regard. When will we see the legislation? Obviously, we will not see it before the summer recess. We were promised we would. The Taoiseach himself told me over a year ago that he thought there was a problem with interdepartmental arguments going on. Is that still the case? When will we see the legislation and, more importantly, when will the people of Limerick vote?

Deputy Kieran O'Donnell: A memo for Government and the legislation is going for the Cabinet's consideration this week. It will have to consider both. The timing of the election is entirely a decision for the Cabinet.

1 o'clock

We are honouring our commitment to the people of Limerick. A plebiscite was held. The legislation and the amendment has gone to Cabinet this week.

Deputy Charles Flanagan: As we approach the summer recess, I wish to raise with the Taoiseach an issue concerning a former distinguished Member of this House, Mr. Alan Shatter. The Taoiseach will be aware of decisions of the Supreme Court and the Court of Appeal that stated categorically that Mr. Shatter was wronged and grievously so and was poorly treated in the context of his demise as a Minister and a Member of this House. This issue should be redressed and resolved. The discredited Guerin report is still an official record of the House. In the context of current matters, would the Taoiseach like to comment on how this redress might be put right?

The Taoiseach: In May 2014, a report of the Government-established non-statutory inquiry – the Guerin report – was published and was critical of Mr. Shatter’s conduct as Minister for Justice and Equality. The Government acknowledges that Alan Shatter’s conduct as Minister was subsequently vindicated by the O’Higgins commission in its report, which was published in May 2016. Moreover, in legal proceedings that culminated in a decision of the Supreme Court in February 2019, it was found that Mr. Shatter had not been afforded fair procedures in the course of the inquiry. Certainly, in my view, Mr. Shatter was not fairly treated by an organ of the State. I want to acknowledge that in the Chamber today.

Deputy Richard Boyd Barrett: Teo is 13 years of age. He is on the severe end of the autism spectrum and is in residential care. If he does not get a school place this September, it will be his third year out of school, which is shameful. He is being told there are no school places with the supports and resources that are necessary for him available and that the only option for him is home tuition. His parents want him in school and Teo himself wants to be in school, but he is being told there is no place for him. This is completely unacceptable. If he does not get a school place, it will impact this young man for a very long time. I have written to the Minister of State about this but have still not heard back. Something has to be done. There are many other Teos out there. This is not acceptable. His parents are distraught and I ask for intervention.

Minister of State at the Department of Education (Deputy Josepha Madigan): I thank the Deputy for his question. I am not sure when he wrote to me, but I will check with my office. It would be unacceptable if Teo did not have an appropriate placement in September. I am not sure if it is a special school or special class.

Deputy Richard Boyd Barrett: Probably a special school.

Deputy Josepha Madigan: We have 2,537 special classes and we will be opening 380 special classes this September. I assume that Teo is in touch and engaging with the local special educational needs organiser, SENO.

Deputy Richard Boyd Barrett: Yes.

Deputy Josepha Madigan: If the Deputy would like to bring the case to my attention, I will speak with the National Council for Special Education, NCSE, directly about obtaining an appropriate placement for Teo.

An Ceann Comhairle: We are out of time, but I will take the two remaining Deputies.

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Deputy Violet-Anne Wynne: I wish to raise with the Taoiseach the true reality of homelessness in this country. The Government's most recent homeless figures are a smokescreen, as they are not the reality. The official figures do not include rough sleepers, couch surfers and homeless people in hospitals, prisons or domestic violence refuges. People are asking why the Government would just forget about and leave out so many people. The Government only collects data on those who access emergency accommodation. I call on the Taoiseach to publish the true figure for the number of families and individuals who make contact with local authorities on the basis that they consider themselves to be homeless and the outcomes in each case.

Deputy Rose Conway-Walsh: This morning, I spoke to nurses about their pre-budget submission. Not only were safe staffing levels and the need for legislation raised as being necessary, but they told me of nurses being forced to live hours away from their places of work, being exhausted going home at night, barely existing while paying enormous rents, never having a hope of owning their own homes, and more and more emigrating to Australia. What is the Taoiseach's answer to these nurses?

The Taoiseach: Regarding the number of people who are in emergency accommodation, we do collect numbers on how many are in domestic violence refuges and so on. Those numbers are available. When it comes-----

Deputy Eoin Ó Broin: No, the Government does not. They are not collected.

The Taoiseach: I will stand corrected if we do not, but we certainly know the number of places available in the refuges. I do not know how we could collect numbers on how many people are couch surfing, for example, but it is the case-----

Deputy Violet-Anne Wynne: By presentations.

Deputy Richard Boyd Barrett: Councils know.

The Taoiseach: -----that the emergency accommodation figures are only people who are in State-provided emergency accommodation.

On nursing, what can we do? As the Deputy knows, we are increasing the number of nurses employed in the health service all the time. I think we have about 6,000 or 7,000 more nurses and midwives working in our public health service than we had three years ago when this Government came to office. We are improving pay levels, having an agreement on pay with nurses. I imagine we will have another one, which will result in further pay increases in the period ahead. Despite the fact that there are many parts of the health service where we do not have enough nurses, if we look at it overall, the number of practising nurses that we have per head in Ireland is among the highest in the western world.

Gnó na Dála - Business of Dáil

An Ceann Comhairle: Before moving to the next business, I draw the House's attention to the fact that sitting before me and clerking in the House for the last time today is Derek Dignam. Derek has been in the public service for 45 years and is due to retire during the course of the summer. His career has been a long and distinguished one. He joined us in the Oireachtas in 2001 and has worked on the Committee of Public Accounts, has been head of Members' services, went on secondment as our representative in Brussels for a number of years and returned

to take up the position of head of communications. Among the specific achievements we can point to during his years of dedicated service was his leadership of Vótáil 100, Dáil 100 and Seanad 100.

He moves on now to the next phase of his life and career. We wish him and his wife, Marie, very many years of health and happiness together. We thank him for being direct, honest, forceful and loyal in his service to these Houses.

Deputies: Hear, hear.

An Ceann Comhairle: I suspect I will be in trouble after this sitting.

Planning and Development (Amendment) Bill 2023: First Stage

Deputy Barry Cowen: I move:

That leave be given to introduce a Bill entitled an Act to amend the Planning and Development Act 2000; to provide An Bord Pleanála with powers, functions and duties in relation to pending applications and appeals of long duration; and to provide for related matters.

I thank the Ceann Comhairle for the opportunity to introduce this Private Members' Bill, which will speed up housing and infrastructure in the economy. The Bill will force An Bord Pleanála to give decisions within a fixed timeframe. The projects that will benefit from it include energy projects that have been waiting almost two years for a decision. In the residential sector, there are approximately 80 pending applications for strategic housing, most of which were submitted at Easter 2022.

While a larger and more important Government planning Bill is in the offing, it will take many more months, given its scale. My Bill is short and to the point and addresses the time delays that have affected so many key projects. The Bill provides An Bord Pleanála with powers, functions and duties in respect of pending applications and appeals of long duration. I hope that the Government and all parties that want this country to grow and develop will support it.

It is understood from a widely reported study by Mitchell McDermott that the quantum of strategic housing development, SHD, units caught in the board's backlog of cases now stands at approximately 28,700. For context, this equates to 96% of Ireland's housing output in 2022. In a recent High Court judgment issued by Mr. Justice David Holland in respect of a case of this nature, he noted: "surprisingly, the question has never been explicitly decided which development plan applies in deciding a planning application where the development plan has been replaced [or even varied in a relevant respect] while the planning permission application is pending". He also noted that "legislative assistance would be very welcome" should the problem arise in future, which going by the number of SHD applications still in the system, it may well do. The chair of An Bord Pleanála acknowledged recently that a number of pending applications and appeals are now considered aged. This gives rise to practical difficulties for the board, including where relevant considerations have changed since the application or appeal was first made. The Bill makes clear that the board remains under a duty to determine the application or appeal. Where an application or appeal has been pending for 12 months, whether accruing before or after the Bill, the board shall determine the application or appeal within 18 weeks. Where an application or appeal has been pending for a long duration the relevant con-

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siderations might have changed since the application or appeal was first made. The applicants for permission, many of which are housing related, should not be prejudiced by this. For this reason, the Bill prohibits the board from refusing permission solely for a reason connected with the relevant consideration that has changed without first inviting the applicant for permission to make submissions or observations on the relevant consideration.

The Bill makes clear that the board has the necessary powers to request information and invite submissions or observations from the parties and the public, as would be available on an ordinary appeal. These provisions will apply to pending applications for strategic housing development, strategic infrastructure and other applications made directly to the board. Capacity in An Bord Pleanála has been improved by my colleague the Minister, Deputy O'Brien, in recent times. It now needs to be held to account to deliver decisions in cases. For the citizens and the economy, it now needs to meet statutory objective timeframes for decisions for a large number of cases. The Bill will ensure this. The board should now invest the effort required to make decisions on some of the pending applications, including where a development plan has changed, rather than letting them fall, which would mean losing housing stock while the State is deeply in need of the same stock.

An Cathaoirleach Gníomhach (Deputy Verona Murphy): Is the Bill opposed?

Minister of State at the Department of the Taoiseach (Deputy Hildegarde Naughton): No.

Question put and agreed to.

An Cathaoirleach Gníomhach (Deputy Verona Murphy): Since this is a Private Members' Bill, Second Stage must, under Standing Orders, be taken in Private Members' time.

Deputy Barry Cowen: I move: "That the Bill be taken in Private Members' time."

Question put and agreed to.

Planning and Development (Fees for Certain Applications) Regulations 2023: Motion

Minister of State at the Department of Housing, Local Government and Heritage (Deputy Kieran O'Donnell): I move:

That Dáil Éireann approves the following Regulations in draft:

Planning and Development (Fees for Certain Applications) Regulations 2023,

a copy of which has been laid in draft form before Dáil Éireann on 30th June, 2023.

Deputy Eoin Ó Broin: On a point of order, the procedure for dealing with such motions is on foot of a motion from the Dáil. Most regulations are discussed at committee and only after that discussion at committee is a motion brought forward to the House to deal with the regulations either with or without debate. In this instance that process has not been properly followed. We only discussed the regulations at our committee yesterday with the Minister of State, Deputy O'Donnell. There was significant concern among opposition and government committee members about certain aspects of the first of the regulations. Nobody was opposing the spirit of the regulations but their duration and the possibility of them leading to very sub-

standard accommodation for people fleeing war in Ukraine and elsewhere. The motivation for the regulations being primarily for the commercial sector and not for the interests of possible residents left all of us very dissatisfied. In fairness to the Minister of State, Deputy O'Donnell, he was not in a position to answer some of the questions that were not pertinent to his portion of the discussion. Many of us asked for the motion to be amended so that we could have a proper debate. This has been denied. This is the wrong way for this to proceed. The committee wants to work with the Minister of State. He saw that yesterday with regard to the Government and Opposition. I am asking the Minister of State to reconsider and give us a 55-minute debate to get this matter correct.

Deputy Cian O'Callaghan: The usual practice on motions such as these is that they are not scheduled to be taken without debate until they have gone through the committee. We did not raise objections to this because this is the last sitting week of the term and in the past any time we have sought to have a 55-minute fixed debate after a motion goes to the committee the Government has always acceded to the request. This is unprecedented, certainly in my experience. We facilitate the Government and when we request a 55-minute debate after serious issues come up at the committee and that request is refused it is poor procedure and poor practice by the Government. Given that there are very serious concerns about this and we are trying to work with the Government to get them resolved, at the very least the Government should have agreed to the request for a 55-minute fixed debate. If this is the way the Government will proceed in future I certainly will not agree to any motion without a fixed debate. They will not be rushed through the committee if that is the way the Government will proceed.

An Cathaoirleach Gníomhach (Deputy Verona Murphy): It appears there are three motions and it is the third of these that there is an issue with.

Deputy Eoin Ó Broin: We understood that all three were being taken together and it is the-----

An Cathaoirleach Gníomhach (Deputy Verona Murphy): Is it possible to agree the first two motions and defer the third?

Deputy Kieran O'Donnell: No. I will move the first two motions and I will make a comment on the third motion.

An Cathaoirleach Gníomhach (Deputy Verona Murphy): Is that agreed? Agreed.

Question put and agreed to.

Planning and Development (Amendment) (No. XX) Regulations 2023:

Minister of State at the Department of Housing, Local Government and Heritage (Deputy Kieran O'Donnell): I move:

That Dáil Éireann approves the following Regulations in draft:

Planning and Development (Amendment) (No. XX) Regulations 2023,

a copy of which has been laid in draft form before Dáil Éireann on 23rd June, 2023.

Question put and agreed to.

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Planning and Development (Exempted Development) (No. 4) Regulations 2023:

Minister of State at the Department of Housing, Local Government and Heritage (Deputy Kieran O'Donnell): I move:

That Dáil Éireann approves the following Regulations in draft:

Planning and Development (Exempted Development) (No. 4) Regulations 2023,
a copy of which has been laid in draft form before Dáil Éireann on 30th June, 2023.

The Deputies who are members of the Oireachtas Joint Committee on Housing, Local Government and Heritage have already made comments. At the committee meeting a proposal was tabled by Deputy Ó Broin that there would be engagement between the Department of Housing, Local Government and Heritage and the Department of Children, Equality, Disability, Integration and Youth. We were very supportive of looking further at the motion. There is urgency about this and I will continue with the motion.

Deputy Eoin Ó Broin: The Minister of State's response misses the point, which is there should not be a motion on the Order Paper today that was tabled prior to the committee meeting. The procedure is that the committee discusses regulations and on foot of that discussion a motion is then sent from the committee to the Dáil, which originally sent the committee the regulations, with regard to the motion being taken with or without debate.

The Minister of State is absolutely correct that I proposed that we have engagement in September on the implementation of this but after the meeting I went back to check the Order Paper and realised that no debate was being provided today. We wrote and asked very reasonably for 55 minutes. This is not an issue on which we are in disagreement on the core principle. All members of the committee, including members of Fianna Fail, Fine Gael, the Social Democrats and Sinn Féin, want to address three key issues. We want to have a 55-minute debate. It could happen tomorrow. The Dáil will move ahead of schedule as it does every Thursday.

Deputy Richard Boyd Barrett: Yes.

Deputy Eoin Ó Broin: We could have 55 minutes tomorrow. Let us have a proper discussion and let us proceed in an appropriate manner.

An Cathaoirleach Gníomhach (Deputy Verona Murphy): Deputy Ó Broin has made his point. Does anyone else wish to speak?

Minister of State at the Department of the Taoiseach (Deputy Hildegard Naughton): The business was agreed last week and-----

An Cathaoirleach Gníomhach (Deputy Verona Murphy): I appreciate that and I will now put the question.

Question put and declared carried.

Dáil Éireann
Ceisteanna - Questions

Departmental Advertising

1. **Deputy Peadar Tóibín** asked the Taoiseach how much his Department has spent on public relations in each of the past ten years, and to date in 2023. [32080/23]

2. **Deputy Mick Barry** asked the Taoiseach the amount spent on advertising with RTÉ by his Department in each of the past ten years, and to date in 2023. [33643/23]

3. **Deputy Richard Boyd Barrett** asked the Taoiseach the amount spent on advertising with RTÉ by his Department in each of the past ten years, and to date in 2023. [34008/23]

4. **Deputy Paul Murphy** asked the Taoiseach the amount spent on advertising with RTÉ by his Department in each of the past ten years, and to date in 2023. [34010/23]

5. **Deputy Paul Murphy** asked the Taoiseach how much his Department has spent on public relations in each of the past ten years and to date in 2023. [34012/23]

The Taoiseach: I propose to take Questions Nos. 1 to 5, inclusive, together.

In the past ten years, the Department of the Taoiseach has incurred expenditure of €3.7 million on advertising with RTÉ. The bulk of this expenditure relates to Government Information Service, GIS, campaigns in 2020 and 2021. All expenditure is placed through a media buying company procured through an Office of Government Procurement framework. The role of the contracted media buying company is to ensure value for money and the most appropriate media is used to reach the maximum target groups. The current media buying company has confirmed it has never used barter accounts for any Government business.

As set out in the table, most of the advertising placed with RTÉ was in the period since 2020 for the dissemination of information related to Covid-19. Public information campaigns played a vital role in communicating the various strands of the pandemic, including the supports made available by Government.

	<i>RTÉ Advertising Expenditure</i>
<i>2013</i>	<i>Nil</i>
<i>2014</i>	<i>Nil</i>
<i>2015</i>	<i>Nil</i>
<i>2016</i>	<i>Nil</i>
<i>2017</i>	<i>Nil</i>
<i>2018</i>	<i>€86,486</i>
<i>2019</i>	<i>Nil</i>
<i>2020</i>	<i>€2,185,958</i>
<i>2021</i>	<i>€1,376,870</i>
<i>2022</i>	<i>€85,160</i>
<i>2023</i>	<i>Nil</i>

Advertising expenditure with RTÉ was nil for the years 2013 through 2017 and in 2019. In

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2018, there was a spend of just over €86,000, while in 2020 it was just over €2.1 million. In 2021, it was €1.3 million. The spend fell to €85,000 last year and there has been no advertising spending with RTÉ this year.

The Department had no expenditure on departmental public relations in the past ten years, with the exception of public relations and communications services for the data summit held in June 2017 at a cost of €30,750. The citizens' assemblies, which are staffed by the Department, have incurred expenditure of €275,293.40 since 2017 on public relations. Its remit includes raising public awareness of the assemblies' work and supporting communication and media outreach.

Deputy Richard Boyd Barrett: I do not have a problem with the Government spending money on genuine public service information with the national broadcaster. As an aside, there is a need, however, to address as a matter of urgency the more general issue of the impact of commercial and advertising on the controversies that have unfolded in RTÉ. It was notable, although not entirely credible, that Noel Kelly was, in essence, trying to excuse a lot of the goings-on over the pay stuff relating to the commercial relationship with RTÉ. That is a matter that has to be investigated and it links to the wider issue of the funding of RTÉ not being dependent on commercial and advertising, which can impact on its public service remit.

This is the question I really want to ask, however. The State rightly spent money on Covid information during that period. I put it to the Taoiseach that, as I have stated at several forums, the biggest issue facing the country is the housing and homelessness crisis and the options and so on, or the lack of options in many cases, that are available to people for the different manifestations of that crisis. There should be a dedicated one-stop-shop portal to make clear to people who are facing homelessness, for example, what is available in terms of affordable, cost rental and other supports for when people are in a difficult situation. That would be a useful form of public or Government information statements to highlight what assistance, schemes and supports are available to people who find themselves in emergency or difficult situations as a result of the housing crisis. Very often, such people are desperate and do not have a clue where to go to look for assistance when they are in a dire situation.

Deputy Paul Murphy: One of the things that emerged from the committee hearings yesterday was the central and important role of Renault as a key commercial sponsor and partner for RTÉ. If one adds in all the other car companies, as well as the other fossil fuel companies, be they airlines or fossil fuel companies directly, that advertise with RTÉ, it must make up a large proportion of the advertising on RTÉ and across the media generally. Does that not now pose a question on the need to take action, as was taken in respect of tobacco, and ban fossil fuel advertising? These companies are not advertising for the sake of our health. The consequence of their advertising, which works and gets people to use more of these products, is bad for health. Close to 9 million people every year die from air pollution linked to fossil fuels. That is more people than die from tobacco-related disease yearly. Most significant is the impact of this in the context of the future of the planet. In recent weeks, several records have been broken in terms of the hottest day on record. We are facing the symptoms of ecological collapse and can see them all around us. That is being driven by these fossil fuel companies. Is it not time to ban fossil fuel advertising? I and my colleagues are today submitting a Bill to the Bills Office to do precisely that. I invite the Taoiseach to think about it. I hope he will support the Bill when it comes up for debate.

Deputy Ruairí Ó Murchú: Obviously, we are asking questions on what his Department

is spending on advertising with RTÉ. There are wider questions for RTÉ but, on some level, that has been done to death, without getting hold of the answers we require in the context of providing the new trust that we hope to find. All present know the importance of public sector broadcasting, however. Are there plans to deal with the issue relating to certain processed foods and all the rest? A holistic approach is needed. The sugar tax and so on were introduced but this issue relates particularly to younger people and obesity. A cross-departmental and multi-agency approach is needed to come up with something that will work. The health of citizens is in question.

The Taoiseach: On the points raised by Deputy Boyd Barrett, we spend money on public information campaigns around housing and homelessness and are going to spend more on them. There are a lot of Government schemes available to help people with housing but people are not always aware of them. It will not be done through my Department but, rather, is being done through the Department of Housing, Planning and Local Government. There is information relating to the help-to-buy scheme, for example, to make people aware they can claim back three years of income tax to help them towards a deposit. There has been and will be advertising in around the first home scheme, which helps people to bridge the gap between the mortgage they can get and the property they want to buy, and around the local authority home loans to help people get a loan if they cannot get a mortgage from the bank. There is a public relations campaign planned around the Croí Cónaithe grants to encourage people to take up those grants to renovate old residential buildings and bring them back into use. Of course, there is the tenant *in situ* scheme, housing assistance payment and other options, as well as cost rental. The basic point that there are a lot of different schemes and options but people may not be aware of them as they might be is accepted. We want to send information on that.

Deputy Richard Boyd Barrett: Could that include people who do not tick those boxes but need help and a place to go? There are people who do not fit into these categories. I welcome the proposal but-----

The Taoiseach: I am sure we can. Certainly in my constituency service, we try to help people directly-----

Deputy Richard Boyd Barrett: So do I.

The Taoiseach: -----but where we cannot do so, we often advocate going to the local authority or a body such as Threshold. That can be very helpful to people in terms of giving them the advice they need. We can certainly take that into consideration.

As regards Renault, we do not have any plans to ban fossil fuel advertising. We will certainly consider any Private Members' legislation that comes before Cabinet. We always do so. At the moment, there are many people who do not have a choice other than to use fossil fuels because they have an oil burner or gas heating or cannot yet afford an electric vehicle. There are many people who do not have much choice other than to use fossil fuels. It could be argued that advertising at least gives them information on what options are available and what price offers might be available. It does not necessarily encourage them to use more fossil fuel but that is often the argument made for and against advertising bans, as the Deputy well knows. As regards car manufacturers, they produce electric vehicles as well. We are seeing a big take-off in the number of new electric vehicles being bought and that is very encouraging. I appreciate that electric vehicles are powered by electricity which is half produced by fossil fuels but, again, that is changing over time and I think we will reach the target of 80% renewables or bet-

ter by 2030.

I missed part of Deputy Ó Murchú's question.

Deputy Ruairí Ó Murchú: It relates to advertising, although that is only part of it. It is looking at how we advertise processed foods, and whatever else. A sugar tax was introduced and I know that will be reviewed but it is as part of the holistic nature of dealing with childhood obesity in particular. I was probably clearer when I said it the first time.

The Taoiseach: I do not know as much about this as I used to know when I was the Minister for Health. There are existing restrictions on the advertising of unhealthy foods, for the want of a better term. I acknowledge that not all processed foods are unhealthy, as the Deputy does, but there are rules around advertising at certain times and it being targeted to children. I am not up to date on what those rules are but I will certainly take it into consideration.

European Council

6. **Deputy Bernard J. Durkan** asked the Taoiseach if he will report on this attendance at the recent European Council meeting. [32445/23]

7. **Deputy Seán Haughey** asked the Taoiseach for a report on his attendance at the European Council on 29 and 30 June 2023. [33185/23]

8. **Deputy Mick Barry** asked the Taoiseach if he will report on his attendance at the recent European Council meeting. [33641/23]

9. **Deputy Neasa Hourigan** asked the Taoiseach if he will report on his recent attendance at the European Council meeting. [33682/23]

10. **Deputy Peadar Tóibín** asked the Taoiseach if he will report on this attendance at the recent European Council meeting. [33722/23]

11. **Deputy Ruairí Ó Murchú** asked the Taoiseach for a report on his attendance at the recent European Council meeting. [33968/23]

12. **Deputy Richard Boyd Barrett** asked the Taoiseach for a report on his attendance at the European Council on 29 and 30 June 2023. [34009/23]

13. **Deputy Paul Murphy** asked the Taoiseach for a report on his attendance at the European Council on 29 and 30 June 2023. [34011/23]

14. **Deputy Gino Kenny** asked the Taoiseach for a report on his attendance at the European Council on 29 and 30 June 2023. [34013/23]

15. **Deputy Bríd Smith** asked the Taoiseach for a report on his attendance at the European Council on 29 and 30 June 2023. [34014/23]

The Taoiseach: I propose to take Questions Nos. 6 to 15, inclusive, together.

I attended the meeting of the European Council on 29 and 30 June in Brussels and I will report to the House in detail on the meeting later this afternoon. We discussed Ukraine, economic issues, security and defence, migration, and external relations, including with China.

The President of Ukraine, Volodymyr Zelenskyy spoke via video conference, updating us on the situation on the ground, including following the destruction of the Nova Kakhovka dam. We reaffirmed our enduring solidarity with Ukraine, acknowledged Ukraine's commitment to EU accession, and discussed future security commitments to Ukraine recognising that they must be in full respect of security and defence policies of all member states, including Ireland. Leaders welcomed progress on the establishment of a tribunal to ensure Russian accountability; took stock of work exploring the use of immobilised Russian assets; welcomed the adoption of the 11th sanctions package; and reviewed efforts to further weaken Russia's war on Ukraine.

Leaders discussed the current economic situation, including economic security issues, and Europe's long-term competitiveness. We called for an independent report on the future development of the Single Market to be published by 2024. On migration, leaders were unified in their sorrow at the loss of life in the Mediterranean in June. We discussed the need to step up efforts to prevent irregular departures and loss of life, to strengthen borders, and in the fight against smugglers.

On security and defence, we considered progress on the strategic compass, and welcomed the decision to increase the ceiling of the European Peace Facility and to maintain the Union's ability to respond to crises and conflicts. Ahead of our meeting, we met with NATO Secretary General Jens Stoltenberg, and discussed EU-NATO co-operation.

We had a strategic discussion on relations with China. A stable relationship with China is important, including given the role it needs to play on global challenges such as climate change. At the same time, we need to consider dependencies in our supply chains in circumstances where they could pose unacceptable economic risks. We reiterated the EU's commitment to human rights and expressed concerns regarding Xinjiang, Tibet, and Hong Kong.

During our meeting, we also discussed the development of a comprehensive partnership package with Tunisia; reiterated our commitment to the EU perspective of the western Balkans; and condemned the recent violent incidents in the north of Kosovo and called for a de-escalation of the situation. We reaffirmed our commitment to finding a settlement to the situation in Cyprus and called a resumption of negotiations. We also discussed preparations for the EU-Community of Latin American and Caribbean States, the EU-CELAC summit, which I will attend in Brussels next week.

Deputy Seán Haughey: I thank the Taoiseach. A wide range of issues were obviously discussed at the European Council meeting, including the major global challenge of migration. As we know, an agreement was reached by the justice ministers on 8 June in respect of the central elements of the asylum and migration pact, using qualified majority voting. The aim of this agreement is to put in place a common procedure for the processing of applications for international protection, to establish mandatory border procedures, and to adopt a flexible solidarity mechanism. We are told that Hungary and Poland raised their opposition to the new plan at the European Council meeting, or certainly raised concerns about it. I ask the Taoiseach whether he thinks this new agreement regarding migration will work. Can he confirm that Ireland will continue to advocate for a humanitarian response to the ongoing and unfolding tragedies in the Mediterranean? Does he agree that central to any solution should be a crackdown on the criminal gangs involved in human trafficking? Finally, is it now not clear that we must substantially increase legal pathways for migrants trying to make a new life in the EU?

Deputy Ruairí Ó Murchú: I back what Deputy Haughey said in the sense that we need

to look at the whole issue of migration holistically. We all know that across Europe, but particularly here, of the huge gaps we have regarding employees so we need to rectify that across the board. I would be interested how the Taoiseach thinks the conversations went with NATO Secretary General Jens Stoltenberg regarding NATO co-operation, given this State's position of non-alignment and military neutrality. The Taoiseach mentioned what has happened in Kosovo. We know of the conversation regarding accession for the western Balkans and that they need to be provided with a route map, while people within that context have to be able to see right by the Copenhagen criteria. Were there talks of any plans about engagement? Was there any conversation on Cyprus, beyond reiterating that the situation of partition and occupation from the Cypriot point of view needs to be dealt with, as well as on how can we move it on?

Deputy Richard Boyd Barrett: Nuclear weapons are probably the most monstrous invention of humanity. Coming fairly close behind them are cluster munitions. As the Taoiseach knows, this country was the locale and one of the major promoters of the Convention on Cluster Munitions to ban them, with more than 100 countries signing up to it. Then this weekend we had the spectacle of US President Joe Biden talking about the “very difficult decision” to give Ukraine cluster munitions, which spread explosives over wide areas and leave things on the ground that explode. They are picked up by children and blow kids’ arms and legs off and so on. They are a disgusting vile weapon that this country has been part of calling for a ban on. They are, of course, used by Russia, disgustingly, but now it seems the United States and Ukraine think it is okay to use these disgusting, vile, immoral weapons.

The Taoiseach talked about the strategic compass. Where is the moral compass in the European Union to say this is absolutely outrageous that anybody would consider using these disgusting, horrific, barbaric weapons and that our so-called allies in the United States or in Ukraine would consider using these things? I hope the Taoiseach will speak out and say a little bit more than that he is concerned about the use of these weapons. They are vile and we should speak out in the loudest terms against their deployment by anybody, but particularly by people who we regularly talk about as being allies.

Deputy Paul Murphy: I want to raise the issue of international parental abduction and ask whether this topic came up at any of the meetings and discussions. This is a situation where one parent takes children out of the State, Ireland, but it could be any state, into another country and they are effectively kept there are not returned to their parent. Obviously, it is a horrendous situation for the parent and the family involved, the fact they are separated from the children. The Taoiseach might know of one case I am aware of currently. It involves a woman called Mandy who is the mother. She wrote to the Tánaiste and I have a copy of her email, stating:

I have not seen my children in over 400 days. I need further reassurance that the Irish Department of Foreign Affairs and the Irish Consulate in Cairo are serious regarding my Irish born sons’ wellbeing and their right to be home. I wake up to a nightmare every single day not knowing if my children are alive or well.

Her ex-husband has gone back to Egypt and is effectively refusing to allow the children to come back. I understand she is in touch with the consulate and the Department. My question is a general one about discussions on this subject at international level, because what is happening is not just happening in Ireland, but also about how we can ensure all possible assistance is being given to Mandy and her family.

The Taoiseach: On migration, the discussion we had at the June European Council was a

follow-on from the detailed conclusions agreed by the Council in February, and much progress has been made since then. We could not agree on conclusions at the most recent meeting in Brussels because of the objections of Poland and Hungary. Sometimes it is better to have no conclusions than a formula of wording to which everybody can agree but does not mean very much. Nonetheless, President Michel felt it was important for us to discuss the issue again.

Tragic events, including the recent shipwreck off the coast of Greece that resulted in the loss of many lives, continue to highlight the urgent need to deal with migration in a comprehensive and holistic manner. Ireland will continue to work with its EU partners to ensure humanitarian and international legal obligations are upheld. The protection of life and safety at sea remains paramount, irrespective of the circumstances that lead to people being in a situation of distress.

In the round, migration is a good thing for our country, but it does need to be properly managed. On 8 June and 9 June, justice and home affairs ministers reached a political agreement on the asylum procedure regulation and the asylum and migration management regulation, two important elements of the proposed pact on asylum and migration. Once adopted by the EU co-legislators, this will establish a common procedure for processing international protection requests, mandatory border procedures and a new flexible solidarity mechanism. In answer to Deputy Haughey's question, I do not believe it will work on its own but it can help.

It is clear we need a comprehensive approach that deals with all aspects of the challenge. That includes strengthening the EU's external borders, solidarity within the EU and working closely with countries of origin and transit. I certainly agree with Deputy Haughey that we need a zero-tolerance approach to those who engage in people smuggling and human trafficking. They put people in vessels that are often not seaworthy and do not care whether they reach the other side alive; they just want their money. We need to break up those rackets in any way we can. I will leave it at that.

I agree we need legal pathways to migration but I point out we have many legal pathways to migration in Ireland. Any citizen of the UK, EU or European Economic Area can come to Ireland to work, study and live. That amounts to nearly 500 million people. We have an effective work permit system and issue about 40,000 work permits every year to people with skills we need who want to come here. In addition, there are student visas, family visas and so on. Ireland is actually a very good example of a country that has many legal pathways to migration. I do not believe the asylum process or international protection system should be used by anyone other than people who need international protection because they are fleeing war or persecution. It should not be used as a means of economic migration.

With regard to Deputy Ó Murchú's question on Cyprus, there was a mention of the matter in the EU conclusions. The new President of Cyprus gave us an update on the situation. I had a chance to meet the Speaker of the Cypriot Assembly, who is effectively the Vice President. She visited Ireland recently and I met her in Brussels also. There is hope on the Greek Cypriot side that talks can resume again, but it is unfortunate that previous attempts to agree on unification have not been possible.

I understand cluster munitions are being used by both Ukraine and Russia in the war. That is absolutely wrong. Ireland as a country has been a leader on this issue. The Minister, Deputy Coveney, took a particular interest in the matter during his time as Minister for Foreign Affairs, and Ireland is one of the countries that has signed up to the convention banning cluster munitions. They are terrible weapons and they inflict an inordinate amount of harm on civilians.

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They can be left around for years and cause injuries similar to those caused by landmines. They are really awful weapons. We totally agree with the United States decision to provide cluster munitions to Ukraine. I have said that publicly already and want to put it on the record of the House. We will say this directly to the US authorities when the opportunity arises. Our colleagues in the UK and the European Union take the same view. I hope the war ends soon but what is certain is that there will be people injured by the weapons long after the war has ended, as we saw in Vietnam, Bosnia and other places. I have seen demining operations in Colombia. It is a profoundly wrong decision to provide those weapons.

International parental abduction has not been discussed at the European Council, at least not to my recollection and not recently, but I am aware of individual cases involving people who live in my constituency and others who have raised the issue with me. We all encounter such cases as politicians. I remember the stellar work of former MEP Mary Banotti, who took a particular interest in the issue. The Department of Foreign Affairs helps wherever it can. Sometimes it can be hard to help in a meaningful or practical way because laws can be very different in other countries, but the Department is available to help people in any way it can.

Constitutional Amendments

16. **Deputy Mary Lou McDonald** asked the Taoiseach if he will report on his plan for constitutional amendments. [32201/23]

17. **Deputy Cian O’Callaghan** asked the Taoiseach if he will report on his plan for constitutional amendments. [34035/23]

18. **Deputy Richard Boyd Barrett** asked the Taoiseach if he will report on his plan for constitutional amendments. [34015/23]

19. **Deputy Paul Murphy** asked the Taoiseach if he will report on his plan for constitutional amendments. [34018/23]

20. **Deputy Mick Barry** asked the Taoiseach if he will report on his plans for constitutional amendments. [34045/23]

The Taoiseach: I propose to take Questions Nos. 16 to 20, inclusive, together.

As I announced in March, the Government intends to hold a referendum in November this year on gender equality, as recommended by the Citizens’ Assembly on Gender Equality and the special Oireachtas Joint Committee on Gender Quality. The decision to hold one or more referendums on this issue is in line with the commitment in the programme for Government to respond to the recommendations of the Citizens’ Assembly on Gender Equality. An interdepartmental group, led by the Department of Children, Equality, Disability, Integration and Youth, was established in March and is working on the development of policy recommendations for consideration by the Government and wording for the proposed referendums. There are various other proposals for further constitutional reforms under consideration. However, no final decisions have been made as yet on the timing for the holding of other referendums in respect of them.

Some of these proposed reforms arise from the programme for Government, such as those on housing and extending the franchise in presidential elections to Irish citizens living outside

the State, while others, such as that on the EU agreement on the Unified Patent Court, arise from existing legal requirements. The establishment of the Electoral Commission will help to streamline the conduct of referendums and provide independent oversight.

Deputy Ruairí Ó Murchú: The current programme for Government commits to holding a referendum to extend the franchise in presidential elections to Irish citizens living outside the State. This was raised previously by me and others, and the Taoiseach stated the work is ongoing on presidential voting rights and that reports had been completed. Will he spell out exactly what work has been undertaken by the Government over the past three years on this matter? What are the reports?

I understand significant work is involved in preparing for the practicalities of voting rights, but as things stand and looking from the outside, it looks like no progress has been made in providing for the referendum itself. The Taoiseach has emphasised his support for extending rights to Irish citizens living outside the State. He was very much in favour of these rights during his first term as Taoiseach. On that basis, surely the 2019 Bill restored after the last election should have been moved on by now and the heads of the electoral (amendment) Bill should have been published.

What engagement has the Taoiseach or the Minister, Deputy O'Brien, had with the Electoral Commission on dealing with those in the North or the creation of an international electoral register for Irish citizens and passport holders abroad? What other logistical and practical preparations are under way? Does the Taoiseach still intend to hold a referendum concurrent with the next general election, as suggested earlier this year?

Deputy Cian O'Callaghan: A date needs to be set for the referendums on water and housing. The Government is running out of time.

In the context of a constitutional amendment on the rights of people with disabilities, I raise a specific issue relating to respite services in community healthcare organisation, CHO, 9, which covers north Dublin. Yesterday, I attended a meeting organised by the Minister of State, Deputy Rabbitte, on day services for school leavers in my constituency. One of the issues that came up at the meeting, which is raised with me all the time, concerns the level of respite services available on the northside of Dublin. As the Taoiseach knows, respite services are critical supports for people with disabilities and their families. They are absolutely vital. Data given to me by the HSE show the level of respite services in CHO 9 is approximately 25% less than in other CHO areas, including CHOs 6 and 7. A small increase in funding for respite services in CHO 9, covering Dublin's northside, would fix this. Will the Government provide the funding that is needed to ensure people with disabilities and their families on the northside of Dublin have access to the same level of respite services as are available in other areas?

Deputy Richard Boyd Barrett: I, too, want to press the Taoiseach on dates for the referendums on keeping water services and infrastructure in public ownership and on housing, both of which have been promised by the Government. The Government keeps echoing the mantra that housing is its biggest priority. The most severe social crisis facing the country, which it certainly is, is that hundreds of thousands of people, in one way or another, are impacted by this absolutely devastating housing crisis, whether that be by unaffordable house prices, mortgage interest hikes, the lack of public and affordable housing, the lack of rights for tenants or, worst of all, families, children and individuals being driven into and trapped in homelessness. Side by side with those issues, there are huge numbers of empty properties and extortionate rents are

being charged that ordinary people cannot afford.

Before the Taoiseach says it, we know a referendum will not change all of that. However, time and again, the Government has cited the Constitution and legal concerns when saying why it cannot do certain things, such as dealing with vacant properties, controlling rents and a number of actions people have proposed that could help to address the crisis. Those legal obstacles need to be removed by making things clear and putting the right to housing into the Constitution. Is the Taoiseach going to do that before there is a general election, as he promised?

The Taoiseach: Arising from the programme for Government, there are commitments to hold constitutional referendums on the following matters: extending the franchise of presidential elections to Irish citizens living in Northern Ireland and overseas; housing; and Article 41.2 of the Constitution, that is, the referendum on the role of women in the home and gender equality. Consideration is also being given to other possible referendums. In June 2022, the Government reaffirmed its commitment to participate in the unitary patent system and to hold the necessary constitutional referendum to enable Ireland to do so. We are considering holding that referendum concurrent with the local and European elections next year. Under the programme for Government, the issue of the environment, including water and its place in the Constitution, is to be referred to a relevant Oireachtas joint committee for consideration. An amendment to the Constitution to provide for non-religious declarations as an optional alternative may be considered in response to the UN Human Rights Committee recommendations. Other possible referendums for consideration include amendments to the permitted number of Cabinet Ministers under certain circumstances, such as maternity leave, and, in the longer term and in light of the rising population, reforming Article 16.2 to cap the number of Members of Dáil Éireann.

The programme for Government includes a commitment to hold a referendum on the extension of the franchise for presidential elections to Irish citizens living outside the State. This is something I have strongly supported and continue to do so. In light of that commitment, the Thirty-ninth Amendment of the Constitution (Presidential Elections) Bill 2019 was placed on the Dáil Order Paper by the Government in July 2020. The timing of the referendum is yet to be finalised. There is considerable complexity involved, both in registering people to vote in Northern Ireland and overseas and in organising elections in other jurisdictions. However, it is something we should do and we are minded to do it concurrent with the next presidential election in 2025.

Deputy O’Callaghan asked about funding of respite services. There has been a considerable increase in such funding in recent years, with new respite centres opened in almost all community healthcare areas. However, we are running into real difficulty in finding people to staff those centres, given we are now beyond full employment. I am not fully aware of the details of the specific service in north Dublin to which the Deputy referred. If he passes the details on to me, I will bring them to the attention of the Minister of State, Deputy Rabbitte, and we will see what can be done. Generally, the real struggle in providing respite services in the past year or so has been in finding staff, not finding the money to pay them.

Regarding the referendum on housing, we are awaiting a proposed wording from the Housing Commission. I understand the commission is still deliberating on that. When we have the wording, the next step is to consider it. As is always the case with the Constitution, we have to be careful what we put into it. Once something is in the Constitution, it is the courts, and ultimately the Supreme Court, that determine what it means, not those of us elected to serve in this House or in the Seanad. It is important to get the wording right. I agree with Deputy Boyd

Barrett that it will not in itself solve the housing crisis, but it could help if it tips the balance in favour of building more homes. For my part, any amendment to the Constitution on housing that does not make it easier to build more homes would not really be one worth supporting. There is no point in giving people the right to take legal action to get compensation if we are not providing a legal right that makes them more likely to get a house. I would like to see wording that actually makes it easier to build more homes in this country. An amendment on those lines would be very helpful.

In the past, the whole idea of property rights being a constitutional barrier to our doing what we want to do has been overstated. First, properties do not have rights; people who own property have rights. However, those rights have always been limited by the common good and they did not prevent us from bringing in things like zoning laws, compulsory purchase orders, property taxes, derelict site levies and rent pressure zones. All of those things have been done and they have not been struck down on constitutional grounds. The idea that the important property rights that exist in the Constitution prevent us from doing things has been overstated in the past.

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European Council Meeting: Statements, Questions and Answers

The Taoiseach: I attended a meeting of the European Council on 29 and 30 June in Brussels. The agenda covered Ukraine, economic issues, security and defence, migration and external relations. The Minister of State, Deputy Burke, will provide further detail on some of the external relations issues discussed, including work towards a new partnership with Tunisia, relations with Türkiye, the ongoing situation in Kosovo and relations between the EU and the African Union. I will deal with all other issues.

In advance of our meeting, members of the European Council held an exchange of views with the NATO Secretary General, Jens Stoltenberg, on EU-NATO co-operation and Euro-Atlantic security. The European Council was joined by video by the President of Ukraine, Volodymyr Zelenskyy. We discussed our ongoing political, military, humanitarian and financial assistance for Ukraine. The EU, including Ireland, has made security commitments to Ukraine through the European Peace Facility. We reaffirmed those commitments, while recognising the unique security and defence positions of member states, like Ireland, that are not NATO members.

Leaders strongly condemned the deliberate destruction of the dam at the Nova Kakhovka hydroelectric power plant.

2 o'clock

The attack has had devastating humanitarian, ecological, agricultural and economic repercussions. We also discussed the security risks to the Zaporizhzhia nuclear power plant. We are ready to assist Ukraine beyond what is already being provided through the European Union civil protection mechanism. We committed to continuing solidarity for Ukraine, including through an upcoming global peace summit. We recognised that a comprehensive, just and lasting peace in Ukraine must be based on full respect for its independence, sovereignty and territorial integrity within its internationally recognised borders. Leaders called for ongoing financial

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commitment to Ukraine, prioritising urgent infrastructure needs and broader reconstruction priorities. We also called for the accountability of perpetrators and welcomed the work that is under way in various forums to ensure Russia is held accountable for its crimes of aggression. We condemned Russia's attempts to weaponise food and jeopardise global food security. We called for the safe return of Ukrainian children removed to Russia and Belarus. We also once again condemned the role being played by Belarus and Iran in backing Russian aggression.

Leaders also committed to continuing to work closely with Ukraine as it continues on its path to EU accession. I strongly believe that Ukraine's place is in the European Union. We also reaffirmed our commitment to Moldova and the challenges it faces as a result of Russian aggression in Ukraine and recognised its commitment to EU accession. We noted the steps taken by Georgia on its European path.

We took stock of the progress being made on enhancing Europe's long-term competitiveness. The economic outlook is characterised by significant uncertainty about the impact of Russia's war against Ukraine. The most recent flash estimate from EUROSTAT expects euro area inflation in June to be at 5.5%, down from 6.1% in May. Industrial producer prices have also moderated significantly from the peak levels seen last September. Leaders are agreed on the importance of prioritising structural reforms to boost productivity, including by promoting competition and reviving investment. We are also agreed on the need to secure the green and digital transformations of our economies. We adopted conclusions on the Single Market, including a call for an independent high-level report on its future development to be presented during the Belgian Presidency of the Council in March 2024. This is a welcome initiative from the perspective of those, including Ireland, who want to see the full potential of the Single Market achieved. We want to see an open and ambitious approach to strengthening the Single Market as the bedrock of Europe's prosperity. This should include the shaping of global standards with like-minded partners. We also looked forward to agreement before the end of the current legislative cycle on the net-zero industry act and the critical raw materials act. The European Council also invited the European Commission to assess the effect of the US Inflation Reduction Act on investment and the effectiveness of measures taken in response to that Act by the European Union and its member states.

We discussed economic security issues and broadly welcomed the recent communication on a European economic security strategy. The four categories of economic risk it identifies are risks to supply chains, risks to critical infrastructure, risks to technology security and leakage, and the risk of economic coercion. Leaders are agreed that Europe's influence in the world, which is necessary to defend our interests and protect our core values, will depend largely on developing our economic strengths as an open and competitive market-based economy. At the same time, the evolving geopolitical situation may call for proportionate, precise and targeted responses to new security challenges. The Council's conclusions are consistent with aiming to preserve maximum levels of economic openness and dynamism, including through closer co-operation with trusted global partners that share our democratic values. We also discussed the integrated country-specific recommendations under the European semester 2023. These can help to co-ordinate the economic, employment and fiscal policies of member states. The European Council also invited finance ministers to take forward their work on the economic governance review with a view to concluding the legislative process in 2023.

We had initial discussions on the targeted revision of the EU budget that was recently proposed by the European Commission. The proposal aims to reinforce a limited number of priority areas for the period out to 2027. These include ensuring sustainable multi-annual financing

for Ukraine and the huge humanitarian, economic and budgetary consequences it is facing. New measures on external action and migration are also proposed along with a new platform to generate investments in strategically important technologies. It also includes provision for managing increased interest rates and administrative costs.

The European Council also called for the prompt finalisation of work on the artificial intelligence act. This is an area of increasing importance and focus. We must ensure we have an appropriate regulatory framework in place. However, we must not lose sight of the opportunity for Europe to become a prime location for innovation-friendly development of trustworthy AI technologies and applications. Our conclusions also reference the need to ensure sufficient production and availability of the most critical medicines and components and for further work to be done on this issue.

On security and defence, the European Council took stock of the progress on implementing our previous conclusions and on the strategic compass, including progress in the cybersecurity, hybrid, maritime and space areas. We called for work to be taken forward on proposals relating to joint procurement of military equipment and on increasing the capacity and resilience of Europe's defence sector. We welcomed the decision to increase the ceiling of the European Peace Facility and to maintain the Union's ability to respond to crises and conflicts. Ahead of the meeting, I joined nine other leaders in calling for a strengthening of the EU's civil protection mechanism to ensure we can better respond to natural and human-made disasters in a strategic, coherent and collective way. The Council acknowledged the challenges posed by cross-border crises and agreed on the importance of strengthening resilience.

The backdrop to our discussion on migration was the recent tragedy in the Mediterranean. The loss of so many lives at sea reinforces the need to deal with migration in a comprehensive and holistic manner. This requires a co-ordinated approach to prevent irregular departures and loss of life, to strengthen the European Union's external borders, to fight against smugglers, and to increase returns for those refused international protection. As this House will be aware, the situation continues to be difficult for many member states, especially those on the Mediterranean, with increased numbers of irregular migrants arriving at a time when we are also hosting large numbers fleeing war in Ukraine. The European Council received an update from the European Commission on the significant progress made in implementing the conclusions adopted at the special meeting of the European Council in February. Work has intensified with countries of origin and of transit to develop mutually beneficial partnerships. In June, justice and home affairs ministers reached political agreement on the asylum procedure regulation and the asylum and migration management regulation, two important elements of the proposed pact on asylum and migration. Once adopted by the EU co-legislators, this will establish a common procedure for processing international protection requests, mandatory border procedures and a new flexible solidarity mechanism. The European Council did not adopt conclusions on migration on this occasion due to concerns expressed by Poland and Hungary about the approach to the ongoing work on the pact on migration and asylum. However, President Charles Michel summed up our discussion in personal conclusions issued after the meeting. Finding shared ways to manage irregular migration remains a topic of concern to many, and I expect it will continue to feature on the agenda of future meetings.

Leaders continued our strategic discussion on relations with China, underlining our shared interest in a stable relationship and recognising China's important position as a trade and economic partner. We discussed the need for balance in our trade and economic relationship and in ensuring a level playing field. The EU will retain a consistent and united approach in its

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relations with China and will continue to work with China on important global challenges, such as the climate, biodiversity and food security challenges. We are clear about the EU's commitment to respect for human rights and fundamental freedoms and our concerns regarding forced labour and the treatment of human rights defenders and minorities. We remain concerned in particular about the situation in Xinjiang, Tibet and Hong Kong. We called on China to use its position as a permanent member of the UN Security Council to press Russia to cease its war of aggression.

Next week, I will travel to Brussels for the EU-Community of Latin American and Caribbean States summit. The summit will be the first of its kind in eight years. It will be a good opportunity to mark the strengthening of the partnership between our two regions.

Deputy Matt Carthy: At the outset, I apologise that I will have to leave the debate early to attend an engagement with the European Parliament.

It has been 17 months now since Vladimir Putin's Russia launched a brutal and criminal war on its neighbouring sovereign state, Ukraine. In doing so, Russia unleashed the largest land conflict and the greatest displacement of people in Europe in more than eight decades. Russia's attack on the Ukrainian people remains an abomination. Ireland remains on the side of the Ukrainian people. Our message remains that Russia must withdraw from Ukraine immediately. Russia must end this war and the bloodshed. I join the Taoiseach in his condemnation of the ongoing practice of the illegal removal and deportation of Ukrainian children to Russia and Belarus. Ireland, Europe and the global community have rightly stood against Russia's criminal invasion. We must continue to do so.

On Thursday, 29 June, the Taoiseach attended a working lunch alongside his European counterparts and the NATO Secretary General to discuss EU-NATO co-operation and Euro-Atlantic security. This discussion, he will know, took place at a time when there are ongoing concerns that the Government is actively undermining our neutrality and our independent foreign policy. Of course, the Russian invasion of Ukraine has changed the global context, but it does not change the fact that Ireland is best placed when we play a role in conflict resolution rather than conflict participation. One of the severe and rightful criticisms of Russia has been in respect of its use of one of the world's deadliest weapons, namely, cluster bombs. An historic treaty banning the use of cluster bombs was agreed in Dublin on 28 May 2008, when diplomats and officials from 109 countries gathered at a conference in Croke Park and agreed a treaty banning their use. Their continued use by Russia is unacceptable, and so too is the decision by the US Government to provide cluster bombs to Ukraine. I hope that the Taoiseach has taken the opportunity to raise that point with his NATO and EU colleagues.

Ireland must stand up for what is right, regardless of who is doing wrong. The Government must be categorical that Ireland will not facilitate the transfer of cluster bombs in any way whatsoever. Ireland must stand against military aggression everywhere it is to be found, because this is not the time for double standards.

We must also stand together against Israel's war on the Palestinian people, its apartheid regime and its occupation of Palestinian lands. The Israelis' ongoing brazen breaches of international law are further brutal expressions of destruction and division, and the concept that might is right, which has caused havoc for humanity. It is a principle and a concept that Ireland can never accept. In particular, the recent scenes from the refugee camp at Jenin in the occupied Palestinian territory, where an Israeli raid resulted in the deaths of more than ten innocent

Palestinians and forced thousands of others to flee their homes, points to an urgent and growing need for an international response to Israeli war crimes. Did the Taoiseach raise this matter at all at the European Council? If he did, what was the outcome? If not, why was that the case? Seriously, how could he not do so?

During the pre-Council statements, I sought clarity from the Government as to its current position on the EU-Mercosur trade deal, so perhaps the Taoiseach, or the Minister of State at the Department of Foreign Affairs, Deputy Peter Burke, will indicate in their closing remarks if they have finally told EU leaders that Ireland will reject the EU-Mercosur deal. The Brazilian meat industry intends to increase the cattle herd there by 6.5 million in order to meet its projected export demand. Earlier today, as has been stated, the European Parliament supported the nature restoration law. Sinn Féin supported the resolution after securing support for crucial amendments. We know that there will be important asks of farmers as society tries to tackle the twin challenges of climate change and biodiversity loss, and farmers in Ireland have shown that they will make big changes when they are supported in doing so, and once it is seen to be fair. There is nothing fair about a scenario where Irish and EU farmers are expected to adhere to the most robust environmental standards in the world, and rightly so, while the EU then signs up to a trade deal that will see the importation of hundreds of thousands of tonnes of meat products that do not meet those standards and the production of which is literally facilitated by the destruction of rainforests. I did not get clarification on this during the pre-Council statements. Perhaps the Minister of State would be so kind now as to give us a commitment regarding Ireland's position on that.

Deputy Ruairí Ó Murchú: The Taoiseach has spoken about the fact that there will be a greater level of information with regard to the conversations on Türkiye and Cyprus. He referred somewhat positively to his own engagements on that matter, but I hope we will get some further information. We are dealing with a changed set of geopolitical circumstances because of Russia, which has been the aggressor in chief. I do not think anyone has any doubt about an imperialist act that has led to the deaths of many people, including a huge number of civilians. We all know the issues that exist, whether it is the major environmental impact caused by the destruction of the Nova Kakhovka dam or the war crimes that have been perpetrated. I agree with the many others who spoke earlier about that matter. I welcome what the Taoiseach said in this regard.

A theatre of war is a terrible place, but cluster munitions do not add anything but death and destruction. Such munitions can cause death and destruction long after a war has finished. That obviously has to be put to the Americans, who have provided these munitions to the Ukrainians. We need to ensure that this matter is raised with our European allies and everyone else at every opportunity. This is not going to create a good set of circumstances for the people who live in Ukraine. As the Taoiseach stated, they will be living with the impact of the war for a considerable period.

We talk about the absolute necessity to appear to be in the right when it comes to questions of sovereignty and territorial integrity. Like Deputy Carthy, I will comment on Palestine. We know the war crimes that the Palestinian people are dealing with and the day-to-day system of apartheid to which they are subject. I have often heard from the Government, particularly from the Tánaiste, that now is not the time to discuss particular actions we would like to see happen, such as recognising Palestine or progressing the Control of Economic Activity (Occupied Territories) Bill 2018. The Government can definitely move with regard to Deputy John Brady's legislation that would make it illegal for the Ireland Strategic Investment Fund, ISIF, as a State

entity, to be involved in investing in companies that are involved in the occupied territories. We need to make sure that happens.

The Tánaiste has stated that he is seeking like-minded states interested in coming to some sort of agreement. I agree that this would have a greater impact, but I would like to know what conversations possibly happening at EU Council meetings - on the side or whatever - to bring that about. If it is not going to happen, we will need to make the right decision. We will be backed by the Irish people and by many more besides in the sense of our standing on the side of right. That is what needed to happen in the context of the apartheid regime that obtained in South Africa some years ago. The international dimension was a huge part of ending apartheid, so we need to see that happen.

I imagine that the Minister of State, Deputy Burke, will go into a greater level of detail on the wider issue of accession. I know we talk about making sure that a roadmap is provided with regard to the likes of Ukraine. We know Moldova and Georgia are, to a degree, somewhat grouped with Ukraine, but there is also the issue of the western Balkans. There are the particular issues that happened in Kosovo recently, and what engagements we have had from the point of view of bringing matters to a better place or offering people a roadmap in order that there will be a solution.

I accept that we need to do what we can in respect of migration. What we do needs to be comprehensive, particularly as we are talking about people who are fleeing absolute disaster. We are also talking about facilitating economic migrants.

I want to ask about structural reforms and how we hope to bring about strategic autonomy, while at the same time introducing the concept of justice. We should not bring about in Europe the idea of a controlled and contained scenario where we basically screw over the rest of the world. Doing so would not be useful.

Deputy Brendan Howlin: It was no surprise that the first topic of discussion at the EU Council meeting - as was the case at the previous meeting, it dominated proceedings - was the ongoing devastating assault on Ukraine by the Russian Federation. In particular, I refer to some of the events that have happened in recent times, including the destruction of the Kakhovka dam and the long-term implications of this, which have reached as far as Odessa. Ground has been contaminated, land mines have floated across civilian areas and very serious matters must be addressed in terms of even the potential of agricultural land in the area. Additionally, and probably even more concerning, is the vulnerability of the Zaporizhzhia nuclear power plant and its potential implications, not only for Ukraine, Russia and Belarus but for all of Europe and, indeed, the world should anything happen to this facility. The International Atomic Energy Agency, IAEA, has been sounding alarm bells in this regard. I do not know if there is anything further we as a world community can do, but the notion that an absolutely catastrophic incident could occur there is beyond imagination.

Holding the aggressors, in this case all those Russian entities and individuals that have caused this devastation, to account is extremely important. The International Centre for the Prosecution of the Crime of Aggression against Ukraine, ICPU, is about to begin its work and I hope that we as a nation will be fully co-operative and supportive of any finance or other requirements. We should do this to make it crystal clear that everybody in Russia with fingerprints on the devastation caused by that country's aggression in Ukraine will be, ultimately, be held to account at some stage, whenever it may be. The Council of Europe has established a

register of damage caused by the aggressor, which is the Russian Federation, against Ukraine. It is crucially important that we catalogue every instance of damage and hurt caused so there can be full accountability. This will be incredibly important for the future. The vulnerability of Moldova was also mentioned and we might come back to this topic in questioning. Moldova is not only politically vulnerable but economically vulnerable because of what is going on. I also wish to raise some other issues in the few minutes I have left.

The Council discussed the report of the Commission on the effects of the US Inflation Reduction Act, the so-called IRA Act, on member states. This is an issue I have repeatedly raised here. Perhaps the Minister of State might indicate whether we have had a domestic evaluation and assessment of the impact of this legislative measure in the US on investment here or its potential impact in future. I hope that he and his colleague in the Department of Enterprise, Trade and Employment will be carrying out such an assessment.

On China, the Council seems ambivalent and unclear. It has stated its multifaceted approach of simultaneously being a partner, a competitor and a systemic rival. Some of these terms sound mutually exclusive. What does it really mean to be a partner and a systemic rival? Does the EU as a whole, and I will be interested in teasing this aspect out with the Minister of State, have an agreed approach to China or is this actually a matter for each member state to chart its own course and determine its own relationship? Reading the Council's conclusions certainly leaves us confused. It was stated that the EU should seek to develop trade and economic partnership and yet, at the same time, reduce vulnerabilities and have further de-risking and diversification. There is an ambivalence here that needs to be clarified for us.

I also wish to raise the issue of migration. This is the quintessential issue. No agreed position has emerged from this Council meeting because it was vetoed by Poland and Hungary, or certainly not allowed to progress. Migration is the most important issue, other than the current war in Europe, for which we need a long-term solution. I hope we can have a debate here in the next session regarding our approach to this critical issue.

Deputy Seán Haughey: I draw attention to the European Movement Ireland poll for 2023 that was published last week. The poll shows that 88% of respondents in the Republic of Ireland believe we should remain in the EU. I would say this figure is one of the highest percentages across EU member states. Of interest as well was that only 9% of the respondents in the Republic of Ireland and 14% in Northern Ireland believed that Northern Ireland has been doing better since Brexit. In fact, 66% of respondents in Northern Ireland believed it has been doing worse. The Brexit chickens have come home to roost. We are still dealing with the fallout from the Brexit shambles, but the Windsor Framework has now been agreed, as we know, between the UK and the EU. The task now is to get on with its ongoing implementation.

Turning to Palestine, Israeli violence in the occupied Palestinian territory continues to escalate out of control. We recently witnessed the brutal Israeli raid on Jenin in the West Bank, where civilians were attacked and critical infrastructure destroyed. Israeli demolitions, settlement expulsions and forced transfers in the occupied Palestinian territory are unrelenting. All this activity is clearly a violation of international law and means that a two-state solution no longer seems viable. By any legal definition, Israel is an apartheid state. This has come to be accepted by many organisations. It took a long time for the international community to accept that South Africa was an apartheid state. We must ensure that it will not take as long for this reality to be accepted in the case of Israel.

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What about the EU in all of this? What is it doing? I am a strong believer in the EU but it does not cover itself in glory when it comes to Israel. It seems that the Commission and several member states do not want to confront these realities. This is why it is welcome that Ireland is at the forefront in trying to build a consensus among member states to change the direction of the EU regarding the Israeli-Palestinian situation. I urge the Taoiseach to continue the work he has undertaken in this regard

As we know, the European Commission has brought forward the concept of de-risking when it comes to China. It seems, however, that many of the member states have not quite decided what their relationship with China should be. The Tánaiste clearly set out Ireland's position on China in a speech he made last May. My view is that concerns about China would be alleviated and its international reputation enhanced if it were to be genuinely proactive in trying to bring an end to the war in Ukraine by using its considerable influence with Putin to seek a negotiated settlement to the conflict.

I also wish to ask about Ireland's investor immigration programme. This was introduced as a job creation measure in 2012, but was brought to an abrupt end in February of this year by the Minister for Justice. The Minister at the time, Deputy Harris, said that a review of the suitability of the programme was needed. We need to know more about this. A report on the scheme by EY was published in May of last year. We know that a large number of applications under the scheme came from China. In fact, there were 1,275 Chinese applications in 2022. Were the major reasons for the suspension of this scheme the concern about the scale of Chinese investment in this country and the influence this could have? In summary concerning China, the EU has a multifaceted policy response and is deemed to be simultaneously a partner, a competitor and a systemic rival, make what we will of this. I note that Deputy Howlin also commented on this aspect.

UN Secretary General António Guterres warned in the past week that climate change is out of control. He spoke about a catastrophic situation. This month saw the world experience the hottest week on record. On Thursday, 6 July, the global air temperature was 17.23°C. We are now talking about climate breakdown and substantial biodiversity loss. There is the odd snippet of hope, however. The efforts of Brazilian President Luiz Inácio Lula da Silva to stop the relentless deforestation of the Amazon in co-operation with neighbouring countries are welcome.

I also want put on record my support for the EU nature restoration regulation, which was considered by the European Parliament earlier. Each member state will have discretion on how to achieve the targets set out and whether or not measures will be obligatory or voluntary. In addition, any rewetting targets that may apply to private landowners will be voluntary and incentivised. The Union has its European Green Deal and we have our Climate Action Plan 2023. We need to get on with implementing these measures and stop accommodating those who vigorously object to even the smallest proposed changes. In short, fossil fuels must be totally phased out despite all that will be involved in doing that.

The European Council meeting considered EU defence guarantees for Ukraine. I welcome the fact that the position of militarily neutral countries like Ireland, Austria, Malta and Cyprus was recognised in the final communiqué. It should be stated that this in no way diminishes our strong solidarity and support for Ukraine following Russia's unjustified and brutal invasion and I believe that this is universally accepted.

I discuss at length the challenges the EU faces with regards to migration during the pre-

European Council statements. EU justice ministers reached an agreement last month, using qualified majority voting, on the asylum procedures regulation and the asylum and migration management regulation. Ireland is rightly opting into these proposals. As expected, Hungary and Poland objected at the European Council meeting to the proposed conclusions on migration. There is no doubt that these issues will continue to dominate the EU's agenda for many years to come.

Spain now holds the Presidency of the EU. Spanish Prime Minister Pedro Sánchez, when launching his country's Presidency, spoke about how Europe needs more allies than it has now and he specifically mentioned the need to improve relations with the countries which make up the Community of Latin American and Caribbean States. That is in all of our interests given the current geopolitical situation. I hope also that when the EU-Mercosur trade agreement is finally implemented, it will deal effectively with the ongoing deforestation of the Amazon.

O energy, the EU, of course, has competence in respect of energy matters and the Russian invasion of Ukraine resulted in prices skyrocketing across the energy sector. The EU responded to this last year and brought forth Council Regulation (EU) 2022/1854, which provides for a mandatory solidarity contribution from crude, petroleum, natural gas, coal and refining companies in order to assist householders and businesses. The legislation arising from this regulation is going through the Oireachtas. I look forward to receiving details as to how this money will be spent in due course for the benefit of hard-pressed householders and companies.

Deputy Thomas Gould: There is a real opportunity at European Council meetings to learn from Europe and to use these learnings to assist us in resolving issues at home. One such issue is the funding to drug and alcohol task forces. The Minister of State may be aware that task forces were in the Dáil last week, including our own task force in Cork. They are operating at a €3 million deficit when compared with 2010. This is a barrier to them taking proactive, localised community responses to addiction. All across Europe, the importance of community addiction approaches are recognised. If the Minister of State was to speak to our European counterparts, they would be shocked to hear how the Government is treating this sector. They would also be shocked to hear that in budget 2023, the Government only allocated one tenth of the funding that Sinn Féin proposed should be allocated to support addiction services. Ireland has one of the highest rates of death by drug overdose in Europe. That is a scandal and a shame on the Government in the context of its policies. I call on the Minister of State and on the Government to step in and support task forces and to look at what is happening right across Europe. If we are going to be serious about tackling drugs, we need to be on the ground and working with task forces and with people who are at the coalface. I ask the Minister of State to look at that and to finally give these task forces the support they so desperately need.

Deputy Chris Andrews: I thank the Minister of State for being present to listen to us as we critique the recent EU Council meeting. Some two weeks ago here in this Chamber we heard in pre-EU Council meeting statements from several Deputies condemning the brutal actions of apartheid Israel and the murderous rampage it is waging on the Palestinian people. We asked that this condemnation be echoed at the Council meeting. Deputies spoke of the need for Ireland to assert its voice as one for peace on the Council and for Ireland to stand against the EU sprint towards mass militarisation. When we look at the post-meeting report, all we see is a commitment to further militarisation. There is not a single mention of addressing the brutal escalation of violence by apartheid Israel. In fact, the only mention of Israel is in the context of how to strengthen EU-Israel relations. It is clear from this why Ursula von der Leyen is highly tipped to take over as head of NATO. This is a reward for her clear commitment to ramping

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up the militarisation of the EU, for her helping to create an even bigger market for the military-industrial complex to profit from and for her ensuring that the EU will not stand in the way of arming rogue terror states like apartheid Israel. By the sounds of it, Ireland will also get its kickback for nodding politely as the EU heads down this destructive road. It appears that senior officials, elected representatives and Ministers are updating their CVs. That may explain why there is a push against neutrality. It might also explain why there is no resistance to the terror that Israel inflicts on Palestine day by day.

Deputy Gary Gannon: At least 300 people who were travelling on migrant boats from Senegal to Spain's Canary Islands have disappeared. The boats they travelled on have been missing for 15 days since they left Senegal to try to reach Spain. Nobody embarks on these deadly journeys out of choice. These families face extreme poverty, deprivation, extremes of heat and weather and persecution. Each migrant's story is their own. In news reports, their lives may be reduced to just numbers on a page but they are much more than that. They are human beings with their hopes and dreams and are trying to escape broken systems in search of better ones only to be left to perish at sea. The Atlantic migration route, one of the deadliest in the world, is typically used by migrants from sub-Saharan Africa. According to data from the UN's International Organization for Migration, at least 559 people, including 22 children, died in 2022 while attempting to reach the Canary Islands.

Members of the European Parliament will vote on Thursday on a motion calling for a new EU-wide search and rescue mission in the Mediterranean. In light of the most recent tragedy and all of those which have come before in the Mediterranean, it is apparent that we are too late in that endeavour. We are too late to save lives which could have been saved, such as when the boat carrying 750 migrants capsized off the coast of Greece last month in one of the deadliest migration tragedies to ever happen in the Mediterranean. The slow and unco-ordinated response of EU states left no chance for survival and those states must be held to account. More than 5,000 deaths have been recorded on European migration routes since 2021 and 29,000 have died in the past ten years on these routes. The missing migrants project records show that many of the deaths on migratory routes to destination countries across Europe could have been prevented with prompt and effective assistance to migrants in distress. The actions of some EU governments recently have been beyond negligent if not nefarious when it comes to the migrants and refugees, all of whom are simply people.

In my pre-European Council statement, I recounted that in 2019 an EU resolution would have compelled states to step up search and rescue operations relating to migrants in small boats in the Mediterranean but it was heartlessly voted down. All four Fine Gael MEPs voted against the resolution on that occasion; that resolution lost by two votes. This was a conscious decision to disregard the lives of those fleeing famine, war extremes of weather and persecution in search of a better life, in search of safety. Culpability should be recognised for this lack of humanity in terms of how that Parliament took decisions. This Thursday there is a chance to step up to our ethical duties and call for new EU-wide search and rescue mission in the Mediterranean. The EU cannot fail thousands of migrants and I hope this motion will be widely supported in coming days.

Reports of survivors relayed to the International Organization for Migration indicate that since 2021 at least 252 people died during alleged forced explosions by European authorities, also known as pushbacks. Addressing these pushbacks is included in Thursday's motion which is a very welcome addition. The European People's Party, EPP, which Fine Gael co-founded is part of the coalition that put forward this motion which needs as much support as possible. We

should not forget that the EPP is one of the main reasons the 2019 search and rescue motions were voted down. Actions have consequences it is important to learn from mistakes. I only hope that Thursday will mark the vast change of approach required to prevent avoidable deaths of those who not only seek a better life, but seek to survive the one they have. I can think of no greater endeavour on the part of the European Parliament or the representatives we send there.

Deputy Cathal Crowe: Much of the discussion at the European Council last week was dominated again by the ongoing war between Russia and Ukraine, which is very much a one-sided war of course. I am glad that the collective position, certainly of this House, is that Russia is the aggressor and Ukraine is the victim.

I note that last week there was an exchange of prisoners of war. In this instance I believe the Turkish Government brokered an exchange of 45 Russian soldiers for 45 Ukrainian soldiers. Why is nobody in European or global politics talking about the 16,226 Ukrainian children who have been kidnapped and taken over the border? So far in the 18 months since this war began, only 300 of them have been realised back to their parents. I have no problem with prisoner of war exchanges involving soldiers who were taken in the battlefield, captured and brought to prisoner camps. I have no problem with those types of exchanges happening. Indeed, we want to see everyone in that awful situation return home to their loved ones unscathed and certainly that needs to continue. However, it has totally dropped off the agenda, certainly in European Union. It gets condemnation and little statements are made by European leaders when they attend these summits and Council meetings, but very little else happens.

It should be absolutely at the top of our agenda as a neutral country and a non-NATO country with considerable influence both in the United Nations and European Union that these Ukrainian children, who have been disgustingly, unlawfully kidnapped and brought over the border to Russia, should be returned to their families. Based on last week's figure, if 16,226 children have been kidnapped illegally and brought over the border and only 300 returned, it leaves about 15,900 children away from their parents and being kept against their will on the Russian side of border. Ireland needs to take a position on this and we need to use our diplomatic channels, both in the European Union and with the United Nations to push this.

I also wish to raise the issue of horse welfare. The European Convention for the Protection of Animals kept for Farming Purposes is a key piece of European law and all countries are signed up to it. It sets out how we, as a member state, should have our animal welfare laws constructed here. We have pretty robust animal welfare legislation here in Ireland. We also have pretty good legislation controlling horse welfare. I have been on a bit of a crusade in the Dáil in recent weeks and I will not give up when we come back in the autumn.

The problem is that how we enforce horse welfare in Ireland is very lax. I cited an example in my constituency recently. A beautiful two-year-old mare was tethered to a signpost going into a shopping estate. She stayed there for two or three weeks. She had no water and very little to graze. Her whole ribcage is showing. The law is robust and no one comes and takes that horse away. In Ireland - I do not know how it operates in other European countries - there are various delineations as to who is responsible. If it is on public land, it is the local authority and if it is on a farm, it is the Department of Agriculture, Food and the Marine. An Garda Síochána is somewhere in the middle of that with an enforcement capacity. We could find ourselves in breach of the European Convention which we have been signed up to for many years.

Nobody in this country has a cultural entitlement to unconditionally own a horse come

hell or high water. That is how many people see it. Their attitude is, “Sure, we can put a rope around the horse’s neck, tie it up wherever we want and let it graze the proverbial long acre.” That should not be tolerated anymore. Maybe it was fine in the 1940s and 1950s, but it certainly is not now. When I was growing up, I would have loved to have a pony or a horse but my family did not have land and so we did not have one. We did not knock down the front door and put a horse in the sitting room. That can be seen around Ireland. It is comical but it does happen. We did not tie it up to a lamppost. Many people here are not fit to own or mind a horse and are in total contravention of that European convention and in total contravention of Irish law but people seem to turn a blind eye to it.

I am an organic farmer in County Clare. In this day and age, we need to declare and disclose everything in this Chamber. If I did not feed or water my animals, someone would come up the driveway to my farm. There would be officials from the Department of Agriculture, Food and Marine and there would be gardaí. I would rightly be in trouble, but some people seem to get away with it. All we want to see is equal enforcement. We will end up in trouble with that European convention because we agreed to it. There is a signature from an Irish Minister and the Irish flag is on the parchment.

In terms of practical day-to-day enforcement, thousands of horses in Ireland are not chipped and not looked after. Some people feel they have a God-given right to own them and treat them whatever they want. Anyone owning a horse should either own the land on which it grazes, lease the land or pay for a livery. No one has a God-given right to tie a horse to a pole and leave it there for all damnation.

Deputy Mark Ward: Two weeks ago, during the pre-European Council statements, six Opposition Deputies raised the situation in Palestine and in his closing remarks, the Minister of State did not mention Palestine once. He completely ignored six Opposition Deputies. Will he do the same today in his closing remarks? Will he just stick to the script?

I just listened to Deputy Haughey. The Government is talking out of both sides of its mouth when it comes to Palestine. We hear really strong words with absolutely no action. The international community and particularly the European Union need to act in a responsible way about Israeli aggression and oppression and must defend the rights of the Palestinian people. Ireland must lead the way. The Government must now move to recognise the state of Palestine formally. My colleague, Deputy Carthy, raised this last week during Leaders’ Questions with the Tánaiste. He responded by saying that there is a strong argument to join forces with other European partners and collectively recognise the state of Palestine. I want to ask about the strong collective voice the Tánaiste was talking about last week.

I went through the reports of the European Council’s conclusions. I did not see one mention of recognising the state of Palestine. How will Ireland join forces with other European countries and recognise the state of Palestine if it is not even being discussed? Dialogue is key in this. Ireland is absolutely failing every time we go to the European Council by ignoring Opposition Deputies. There have been some strong words from Government party Members but no action. This needs to be put on the table immediately. At the next European Council, they need to have that conversation and see where it goes.

Deputy Martin Kenny: The recent EU discussions focused primarily on Ukraine, as well as on other conflicts. That is to be expected and understood but, as my colleague said, there was no mention of the plight of the Palestinian people. It annoys many people in this country

and around the globe that there are two conflicts, one of which gets attention while the other is completely ignored. Ireland has a responsibility to do something about that. We should make sure that happens.

The European Labour Authority looks at labour shortages and labour supply throughout the European Union. We are very aware of that in Ireland. I was looking it up and it mentions a range of occupations where there are shortages across the European Union. They are talking about healthcare, software, construction, engineering and crafts. We know about all of that in Ireland. We often discuss pensions in here. There are about 600,000 pensioners in Ireland and we say we need four workers for every pensioner, which is about 2.5 million workers and we have approximately that. In 25 years' time we expect to have more than 1 million pensioners. To keep the same ratio, we will need 4 million workers. They will not come from Ireland and will certainly not come from Europe, yet the European Union has the mentality of blocking anyone coming from anywhere outside of Europe. There needs to be a rethink of that. We need to recognise we will need workers in our country and they will have to come from outside of the European Union. We need strategies to deal with that. People fleeing conflict and war is a political problem that needs to be addressed but people fleeing poverty also needs to be addressed and is a political issue. We need to recognise we have a responsibility, as humanitarians and as a European Union which is supposed to be about humanitarianism, to ensure we deliver for everyone in the globe and are part of the bigger picture. Ireland needs people to come here to provide employment and look after those million pensioners we will have in 25 years' time.

Deputy Richard Boyd Barrett: If you read the statement from the Taoiseach about the issues discussed at the European Council, you might on the face of it say they are reasonable, even admirable, things to be saying, in terms of the justifiable criticism of what Russia has done and is doing in Ukraine and the murder, brutality, kidnapping of children and generally criminal nature of the intervention by Russia's rotten authoritarian regime. You might briefly think, to use the phrase the Taoiseach kept using, we are standing up in Europe for our core values and democratic values against the horror of the authoritarian warmongering regime of Putin.

But then, literally in the second paragraph of the speech, reference is made to a new arrangement with Tunisia, where the Saied regime is essentially establishing itself as a dictatorship, putting down the popular revolution that was part of the Arab Spring and was fighting for democracy. The Saied regime, with whom we are doing this deal, is a brutal authoritarian regime which has locked up all the opposition. I met with the son of their Ceann Comhairle, the speaker of the house in the Tunisian Parliament, who is in his 80s and has been jailed. This is a man with a long record of writing about human rights and an intellectual widely renowned for fighting for civil and human rights. He, along with all the opposition in Tunisia, is imprisoned by a dictatorship essentially modelling itself on the Al Sisi regime, which was the counter-revolutionary regime that put down the Egyptian revolution and with which we are also co-operating. Where stand the core principles and democratic values when the Government says, on the one hand, it is against authoritarianism and brutal regimes and, on the other hand, does deals with authoritarian, brutal regimes that are crushing democracy when it suits European strategic interests?

Then there is Palestine, the most egregious example of these shocking double standards. Putin does illegal annexation, war crimes, crimes against humanity, brutal warmongering and indiscriminate killing. We condemn it. Israel does exactly the same thing, week-in, week-out, month-in, month-out, year-in, year-out for decades. What do we do about it? Nothing. In fact, we do worse than nothing; we give Israel favoured trade status within the European Union. We

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continue to buy their weapons into the European Union and sell them weapons to kill Palestinian people. Where stand the core values?

We have an extreme far-right regime in Israel that is saying it has no intention of giving a just settlement or doing any kind of deal with the Palestinians. It is out to wipe out the Palestinians, steal their land and destroy their lives. We tolerate it because certain of our so-called allies are allies of Israel. The United States backed them to the hilt. Biden backs them to the hilt. Germany backs them to the hilt. The United Kingdom backed them to the hilt. What do we say about that? Zilch.

Join the dots in all of this. If we are collaborating with authoritarian, brutal, undemocratic regimes around the world, is it any wonder the people from those countries flee to Europe, trying desperately to find somewhere better to live? We put up the blockers on them, characterise them as a threat and allow them to drown in the Mediterranean. If we stopped doing deals with brutal regimes that treat their people like dirt and imprison their elected representatives, maybe so many people would not feel the need. At the moment, it is even more irrational because we have desperate labour shortages in every area of Irish society and we have people who would be more than willing to work to help us build the houses we need and work in health services, care professions and almost every area.

As an example of this, I was talking to the Postgraduate Workers Organisation this morning, who were giving a briefing. Many of our PhD researchers are from non-EEA countries. They are paid a pittance and not given the proper permits to allow them to work or assert their rights as workers, even though they contribute significantly to Irish society. That is one example where we are not showing a commitment to people who could valuably contribute and are valuably contributing to our society.

Deputy Mairéad Farrell: Julian Assange is on the verge of being deported and his more than 100-page long appeal detailing the sheer atrocity of his incarceration was not upheld. The response to it was just three pages long. It looks like he will be deported to the US. I shudder to think what awaits Mr. Assange. This is arguably the most significant journalist in the history of journalism. He exposed many war crimes and wrong doings and revealed more confidential documentation than anybody else. His work allowed many media organisations to piggyback on this and win major awards in the process. It made the careers of some of them. Most of these organisations and journalists have been conspicuously silent; when they have spoken, it has been meek and mealy-mouthed. We know why he was jailed and had to seek refuge in the Ecuadorian Embassy. This was lawfare, a weaponisation of the legal system against someone who revealed inconvenient truths. In this day and age, we need truth tellers like Julian Assange.

Recently we lost Daniel Ellsberg, who revealed the Pentagon Papers. He is often recognised as one of the original whistleblowers. He frequently held up Julian's work. He recognised that WikiLeaks and its type of journalism allowed a safe space for the release of public interest documentation that was confidential in nature. Julian will likely never live with his wife again, with his parents or with his siblings, and his children will miss out on precious years with their father. How can we talk about a free media when the world's leading journalist is confined to a cell?

Deputy Martin Browne: I ask how the European Council intends to respond to the agreement involving the US providing cluster ammunitions to Ukraine. I need not remind the House that the convention on cluster ammunitions was adopted in Dublin in 2008 and the treaty ap-

plies to more than 100 states. I note that this news emerged well after the Council meeting but one of the messages that came out of last month's meeting was a welcome for the establishment of the Council of Europe's register of damage caused by the aggression of the Russian Federation against Ukraine.

3 o'clock

How does this square with the possibility of added dangers being strewn across the land should unexploded cluster munitions become an added factor in any post-war landscape?

The upcoming EU-Community of Latin American and Caribbean States, CELAC, summit will bring together EU leaders and leaders from that region. What efforts, if any, were made to express our resistance to the conclusion of the Mercosur trade deal? We must be aware of the efforts being made by Brazilian industry to expand cattle numbers to meet demand, something that would have a damaging effect on our own ability to compete.

I note the apparent failure to mention Palestine and the ongoing campaign of repression being perpetrated against the people of Palestine by the Israeli Government in the conclusions. It is only fair to point out the lack of urgency on this is apparent in its omission in the agenda and that continuing to treat the matter in this way enables the continuation of the Israeli Government's aggression as we have seen most recently. We need to recognise the state of Palestine and that needs to be done now. A response from the Minister of State on this would be appreciated.

Deputy Cathal Berry: I welcome the opportunity to comment on the most recent meeting a fortnight ago. It is only right that Russia's illegal war in Ukraine dominated proceedings and the agenda. That is completely appropriate and to be expected. I welcome the EU's ongoing condemnation of the unnecessary conflict and the statement that the war would end tomorrow if the Russian Federation would withdraw and invoke a unilateral ceasefire. I welcome the EU's condemnation on the mass forced deportation of civilians to Belarus and Russia. The deportation of children is particularly concerning. I welcome its condemnation of the destruction of the dam on the Dnipro river. Not only was it a massive humanitarian and ecological catastrophe but it also put at risk the cooling system of the Zaporizhzhia nuclear power plant.

I endorse the increase in the European peace facility funding and welcome that the EU military training mission is ongoing. I commend our own Defence Force personnel who were in Cyprus some months ago to train Ukrainian troops how to de-mine and those who went to Germany last week to train Ukrainian troops on tactical combat casualty care.

I welcome the part about accountability. When dealing with authoritarian states, the internal checks and balances that would be in a democratic country do not exist so it is important that there are external checks and balances. I welcome the EU support for the International Criminal Tribunal in The Hague and the register that has been established in relation to the destruction of Ukrainian property so that appropriate reparations can be repaid after the conflict.

More broadly, regionally, I am concerned about the Black Sea grain initiative. It is up for renewal next week and there is no guarantee it will be rolled over. I welcome Türkiye's statement that even if Russia does withdraw from the deal, which is hugely important for food security, that at least Türkiye has undertaken to conduct security operations and to escort the ships through the sea lanes through the Black Sea and on to Istanbul. That is a good thing.

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I note NATO's recent addition of Finland and its likely addition of Sweden in the not-too-distant future. NATO can do whatever it wants, it is not of great relevance to us, but it underscores to me the complete strategic failure of Putin's initiative in the last 18 months. Not only has there been massive tactical defeat on the battlefield but he has been completely outperformed, outfoxed and outmanoeuvred tactically too.

On the read-out from the EU Council report, I do not know whether it was discussed at the table but there does not seem to have been concern expressed on the internal instability in Russia. We should at least have a contingency plan in place to deal with a very large nuclear arms state which has had a number of upheavals even in the last decades. The EU, and Ireland, should have plans in place to deal with any downstream consequences.

Finally, I am glad to see China featured on the agenda. Ireland's policy and that of the EU are quite aligned that China is a partner, a competitor and a rival. I share the EU's concerns about tensions in the Taiwan Strait. I think we are right to oppose any unilateral change in the *status quo* by force or coercion. That is completely appropriate but I wish to raise two particular issues. Ireland did have a trade office in Taipei under the EU umbrella up to 2012. I understand it was wound down for financial cost reasons. That was ten years ago and I do not think the same excuse holds. I would favour Ireland re-opening the office that was there. About 15 EU countries are represented in the same building there and I do not see why Ireland is not represented. It is entirely consistent with our one-China policy as well. We have multiple trade consulates and embassies in Canada, in different states there, for instance as well as in different states in the USA and Australia. I do not see why we cannot have two offices in China, one in Beijing and one in Taipei. We have done so in the past and I presume the same principle was observed and applied a couple of decades ago when we opened it up.

Taiwan is trying to secure observer status to the World Health Organization. Ireland should support that. Taiwan was instrumental in providing PPE to Ireland when we needed it most at the height of the pandemic and asked for nothing in return. It has a lot to offer the WHO and it is something Ireland should support. Those are two issues Ireland should consider, namely reopening the trade office that we had in Taipei until 2012 and also supporting observer status for Taiwan in the WHO.

The most recent EU Council meeting was a qualified success. There was some moderate progress and I look forward to the next EU Council meeting later in the summer.

Deputy Michael Collins: It was reported at the weekend that the cost to the Irish taxpayer of taking unlimited numbers of Ukrainian refugees alone will be over €5.5 billion just to get us to the middle of 2024. To make matters worse the Government will pay €1.5 million of taxpayers money to the EU for its failure to accommodate asylum seekers with 350 international protection applicants without accommodation. This is because the Government failed to set limits on the number of migrants this country can realistically accommodate. The Government failed to renegotiate a realistic plan and instead signed up to the EU voluntary solidarity mechanism which means no limits exist on the numbers of migrants that come here. Under the Government, Ireland has a wide-open door when it comes to migration. Recently, EU justice ministers voted to introduce mandatory relocation of migrants and countries which are unwilling to host them are being required to pay a fee of €20,000 for each migrant. Hungary and Poland opposed the agreement. Why would the Irish Minister for Justice vote in favour of this proposal when Ireland simply does not have housing capacity to meet the requirements? This means we must pay €20,000 for every migrant we cannot take in. This is ludicrous and an attack on every Irish

person. We understand this was also discussed at the European Council summit in Brussels on Thursday and Friday, 29 and 30 June with only Poland and Hungary having argued that any EU system on migration relocation should be voluntary. They said they will refuse to pay the fines. Of course it should be voluntary. Why would an Irish Government expose tax payers to tens of millions in fines?

I am also disappointed that we are not talking about fisheries. The Irish fisheries sector has taken such a hammering down the years compared with our European counterparts which have done pretty well in negotiations. When we talk about European meetings in future, I ask that fisheries come top of the agenda and not down the bottom of the agenda under the mat or under the carpet. When the Government is in there, the Ministers need to be talking and to come back with a package that will allow fishermen to survive and not with a decommissioning package.

Deputy Mattie McGrath: I am glad to be able to speak on this. I am sorry I was not here for the earlier speakers. I do not know what goes on at these meetings. I am not very happy with what goes on. We seem to be passive and dumb, just nodding at everything we are told to do by the EU, whether it is farming or the fishing industry, which have been wiped out over the decades. The Minister of State, Deputy Burke, is relatively new in the Department, and goodness knows we miss him out of his previous position - I do anyway. Now he is Minister of State in this job out there. I hope he will not be out there just to make up the space. Why do Poland and Hungary have to be the outliers, looking for justice and fairness? We all know there is a war going on, but our involvement in that war is getting heavier and heavier and deeper and deeper, and we see now the cluster bombs being put there. Why are we sleepwalking into a deal whereby, if we are unable to, and “unable” is the word, because although the Irish people have shown how willing and able they are to take in people and we did so voluntarily in the spirit of the meitheal, our Government now says just keep sending them in, and from the Taoiseach to the Tánaiste and the Tánaiste to the Taoiseach, both gentlemen at different times have talked about up to 200,000, even though we simply cannot look after them, they are being mistreated, sleeping in tents in different places, and being moved from here to there and so on, we could now be made pay severe fines without any recourse to justice because we signed up to this. The Ministers involved should be ashamed of themselves. They are supposed to represent the Republic of Ireland, our people and our democracy. Where is the democracy?

I have called for a referendum on this issue but, of course, that has fallen on deaf ears. There is a kind of unwritten rule here that we cannot talk about this. Hear no evil, speak no evil, see no evil. We cannot even mention it in this Chamber. We have to get real and look after our people here and, certainly, to the best of our ability, genuine refugees who come here. I have called for a cap of 30,000. I do see lately, and I must acknowledge this, a tightening up of the issue of people coming in with no passports from various non-war-torn parts of the world. That was a racket. I raised it in the House two years ago. There were 3,150 in the first three months of 2021. That has been tightened up, which I welcome, but it cannot be eased off again. We cannot be just the soft fall guys taking people from peaceful countries where there is no war at all going on coming in with no paperwork and arriving in Dublin Airport. They should be on the same plane back or we should fine the airlines or do something to try to control that.

I am very disappointed by what goes on at European level. We had the vote today on the nature restoration law. We had political parties here posturing and their groups in Europe posturing as to what they were going to do, yet all our Fine Gael MEPs, I understand, voted for that. They say one thing to the people on the ground and do a different thing in Brussels. They will be found out very soon.

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Deputy Thomas Pringle: I am thankful for the opportunity to contribute to the statements on the European Council meeting which took place between 29 and 30 June. It was disappointing to see that these meetings were once again dominated by Ukraine, with the biggest crisis facing our planet and our very existence receiving only a fraction of the attention, labelled under “other items”.

It is also disappointing to see that the European Council has welcomed the decision to increase further the financial ceiling of the deceptively named European Peace Facility by €3.5 billion. When commenting on the previous European Council meeting in April, I voiced my concerns about and opposition to the funding that this so-called peace facility provides. At that time it had aimed to provide 1 million rounds of artillery ammunition within the next 12 months, as well as missiles. Now we are looking to increase that funding to deliver even more ammunition. How can we justify doing this in the name of peace? How can we demonise those advocating for peace talks and a ceasefire while at the same time supporting the provision of artillery through a so-called peace facility? Fuelling war is not proactive; it is counterproductive. We should be nurturing peace, not feeding warfare.

Ireland has not only allowed this to happen but we have also allowed our long-standing policy of neutrality to be completely undermined by the undemocratic public forum that was recently held. That forum did not represent an open debate on international security policy, as the Minister, Deputy Micheál Martin, stated it would. Each topic was completely dominated by a selected panel of speakers rather than the views of the audience. As well as that, the panels were completely biased. It was clear the majority of panellists were opposed to our current policy of neutrality and that there was a complete lack of voices from those involved in humanitarian work or peacebuilding, despite our island’s unique expertise on peacebuilding. There was also no fact-checking of any misinformation presented by the panellists. It is for those reasons that I believe any recommendations that emerge from the forum are completely illegitimate.

I strongly encourage everyone to watch the Afri peace documentary “A Force For Good? Reflections On Irish Neutrality”, which addresses the importance of our neutrality, as well as the implications of NATO and militarism. What strikes me most is that the public forum and the recent European Council meetings are completely dominated by talks of security and defence, yet each has failed to mention that the greatest threat to our collective security is the climate and biodiversity crisis we face. That is the most pressing issue of our lifetime, and not only are we failing to prioritise it, we are actually failing to recognise it at all.

We are also failing to recognise the damage that conflict causes to the environment. Conflict contributes massively to climate breakdown and biodiversity loss. Wars drive emissions and biodiversity loss. It is not just our policy on neutrality that we should be considering here. Our involvement in armed conflict will contribute very negatively to the environment as well. It is very clear that compromising our neutrality will do far more harm than good to us and to the world and society as a whole.

On that note I welcome the fact that MEPs voted to pass the nature restoration law a few hours ago. We are in a dire situation, facing a huge biodiversity crisis. That law is needed to address the dramatic loss of species, which is a severe threat to our food security. Again, I see that the European Council meetings referred to the threat Russia poses to food security, yet there was no mention of the biodiversity crisis, which is a far bigger threat all round. I am glad the nature restoration law has been passed by the European Parliament. However, I acknowledge that it is much weaker than it was when it was first proposed, which is disappointing. We can

thank Fine Gael amendments for that. I echo Luke ‘Ming’ Flanagan’s calls to ensure a publicly funded nature restoration fund to ensure a just transition and proper implementation of the law. Because the law itself is flexible, what is really important now is that the Irish Government ensures fair, just and proper implementation. I will keep an eye on how it goes about that.

Another extremely important issue that seems to have been completely left out of the European Council meetings is the recent drownings of migrant boats in European waters. I purposely say “left out” because there is no way that could have been simply overlooked or forgotten, given the fact that the week before the meetings occurred, hundreds died off the coast of Greece after European authorities were made aware of an overcrowded and unseaworthy vessel and decided not to launch a rescue operation. The European Council’s silence on this issue is deafening and intentional, making it even worse. It follows the recent trend of the EU moving policy and divesting funding away from humanitarian search and rescue and towards surveillance and detention of migrants.

Those are the issues on which the Council meetings should have focused. We need to stop allowing these meetings to be dominated by military and defence over our climate and human rights obligations. Unfortunately, however, with this Government, Ireland will have no voice to add in that regard because it will continue with the obsequious ways we are going about our business, pretending we want to keep our neutrality intact while actually it wants to get on the war bandwagon with the rest of Europe. That is a sad reflection on Fianna Fáil, Fine Gael and the Green Party.

An Ceann Comhairle: Now we have 20 minutes for questions and answers. We will follow the party rota.

Deputy Ruairí Ó Murchú: I would like an update on what the Taoiseach spoke about as regards Türkiye and Cyprus and what sorts of engagements we are talking about as regards possibly bringing something that has been obviously an absolute imposition on the Cypriot people but has not moved for a considerable time.

I brought up the fact the Tánaiste has said he is looking for a consensus among like-minded states on actions as regards Palestine and holding Israel to account. Obviously, we would all like to see that but I would like to see what engagement there has been from the point of view of delivering that solution. If that does not happen, we might have to do the right thing and go it alone from the point of view of, as I said, calling this out for what it is and standing properly by the Palestinian people.

What engagement has there been on the western Balkans, specifically the particular issues arising in Kosovo, Bosnia and the Republika Srpska at the moment, as we try to offer to those people a route map or roadway to accession to the European Union? The Taoiseach spoke about structural reforms and productivity. Like everything else, they are encompassed in the green and digital transformation. How do we deliver that necessary strategic autonomy without making Europe into what many previously tried to make it into, namely, an almost protectionist empire, which would not benefit other parts of the world that need to develop and alongside which we need to work?

Deputy Brendan Howlin: I wish to return to the issue of the impact of the Inflation Reduction Act, IRA, on the EU and, more specifically, Ireland. I raised this during our discussions before the Council meeting. Has the Minister of State had an opportunity to reflect on the

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matter? Is there any domestic evaluation of the Act's impact and the effectiveness of the countermeasures, as it were, being deployed by the EU to ensure we do not lose the significant new investment in new technologies that the Act is designed to attract into the US?

I am seeking clarity on the issue of China. I am confused reading the conclusions of the Council meeting. There seems to be the notion that we are both partners and adversaries. Is there a cohesive common position within the EU on our approach to China or is it a matter for each member state to map its own course?

The most important issue of all is that of migration. The previous Council meeting did not agree a conclusion because such a conclusion was not allowed by Hungary and Poland. Where does the Minister of State see matters in that respect? We could not do it in this session, but perhaps it would be useful for us to have a debate on European migration strategy early in the new session.

Deputy Richard Boyd Barrett: I would like the Minister of State to respond to my comments on the shocking double standard of rightly condemning the authoritarian, brutal, murderous and warmongering activities of Putin in Ukraine on the one hand and, on the other, collaborating and having arrangements with regimes that do exactly the same thing. I would like the Minister of State to elaborate on the question of Tunisia, which is mentioned in this document. A number of times, I have raised in the House the fact that the Saied regime, which is effectively a dictatorship, has locked up the entire opposition. The Ceann Comhairle might be interested to know that I met the son of Rached Ghannouchi, the Speaker of the Assembly in Tunisia. He is in his 80s and has been imprisoned by the Saied regime along with almost all of the opposition. It was a democratic assembly that arose from a popular democratic movement in Tunisia that was part of the Arab Spring. The Saied dictatorship has just locked up democratically elected representatives, yet we are now doing a deal with it. I find that incredible. How can the EU be taken seriously when it denounces authoritarianism but makes a self-interested strategic arrangement with such a regime? Have we called for the release of Rached Ghannouchi and the members of the opposition in the Tunisian Parliament as a condition of a further arrangement with the Tunisian regime?

I met the UN Human Rights Council commission that was dealing with Israel and Palestine. It asked to meet me – I believe it said the same thing to the Government – to say that it was shocked by how different legal standards were being applied to what Putin was doing in Ukraine and what Israel was doing in the Palestinian territories. It believes there is no legal consistency in the international community's approach to two situations where the same crimes are being committed. There are different attitudes to those crimes because they are being committed by Russia in one instance and an ally of the United States and the West in the other. Please respond to these points. These are important issues and, if we do not address them, our credibility will be zilch.

Deputy Mattie McGrath: How did we end up with an agreement under which we have to pay €20,000 per refugee that we are unable to take despite teams trying with the best will in the world to work out a resolution and people offering their homes? How come we did not raise concerns about this wanton waste of money? Why are we being penalised without having any avenue to attempt to negotiate it or understand it? Are we just passive and nodding our heads at everything the EU wants us to do?

How are we so involved in the Ukraine war – we are involved in every way bar fighting

– when we have ignored conflicts across the world? Thanks to the good offices of the Ceann Comhairle, Deputies Grealish, others and I have raised the persecution of Christians in all parts of the world a number of times. We are silent on it, yet we are nakedly involved in the Ukraine war. Other than going out there and fighting, we want to do everything to support Ukraine. We are blinkered. We ignore what happens in Israel and Palestine, but there are enough people talking about that. I want to talk about the other parts of the world where massive atrocities are happening and Christians are being persecuted day in, day out. Do they matter at all? Is it the colour of their skin that is the problem? Why are we ignoring those conflicts but involving ourselves overwhelmingly in this one?

Deputy Thomas Pringle: Does the Government believe that the title “European Peace Facility” is appropriate, given it is used to buy arms for Ukraine? Will Ireland take a position on the appropriateness of this title?

Has Frontex been discussed at any European Council meetings? Has Ireland taken a position on the abuse it is carrying out every day in respect of migrants, including their drowning in the Mediterranean?

An Ceann Comhairle: As there are no further Deputies offering, the Minister of State has 16 minutes to wrap up and answer questions.

Minister of State at the Department of the Taoiseach (Deputy Peter Burke): I might read my contribution first and then try to attack some of the questions.

Deputy Brendan Howlin: I hope the Minister of State will not attack them.

Deputy Mattie McGrath: Is the Minister of State in war mode?

Deputy Peter Burke: No. I thank the Deputies for their statements and questions. I will address the issues that were discussed at the June European Council meeting. Two decades on from the Thessaloniki summit declaration, EU leaders reaffirmed their commitment to the western Balkans and stressed their need to spur reform across the region and accelerate merit-based EU accession. Regional stability, underpinned by improved neighbourly relations, is critical to that prospect. In that context, leaders condemned recent violence in northern Kosovo and called on parties to de-escalate tensions and re-engage with the Belgrade-Pristina dialogue. The EU’s special representative, Mr. Miroslav Lajčák, addressed the Joint Committee on European Union Affairs two weeks ago. As he outlined, the municipal elections held in northern Kosovo in April may have been legal but, with a turnout of under 4%, they were not legitimate. As such, leaders agreed on the need for early elections for all four municipalities. Beyond that, it is imperative the governments in Belgrade and Pristina recommit to the agreement on normalisation that was reached in North Macedonia in March. As the European Council underlined, this must include the establishment of an association or community of Serb-majority municipalities. I made these points last month when I visited Serbia and addressed the Prespa forum in North Macedonia.

As a beneficiary ourselves half a century ago, Ireland has always been among the strongest supporters of EU enlargement, but if the policy is to be credible, it must be fair and merit-based. To ensure the countries are prepared for the rigours of EU membership and to protect the integrity of the enlarged Union, candidate countries must reform their institutions and meet EU standards. Delivering such reform is difficult, but the rewards are real. As Mr. Lajčák observed, Russia’s brutal invasion has seen enlargement return to the top of the European political

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agenda. This presents an opportunity for the western Balkans, if they are prepared to take it. Across the EU, it is in our interests to do what we can to aid them in that effort.

Alongside the rest of the EU, Ireland is in favour of finding a comprehensive settlement to the situation in Cyprus in accordance with the relevant EU resolutions. We are strongly supportive of the efforts to facilitate the resumption of negotiations and we welcome the European Council's conclusions, which highlight the EU's readiness to support that process. The European Council's request for a report from the High Representative and the European Commission on the state of play of EU-Türkiye relations is also a positive step. A new EU-Tunisia partnership package covers five key pillars in co-operation between the EU and Tunisia. The package will support the resumption of political dialogue between the EU and Tunisia and the €900 million in support to the Tunisian economy will facilitate economic development, investment and trade in green technology, migration and people-to-people contact.

The Government is also committed to multilateralism and greater engagement with countries in Africa, as set out in the Government Africa strategy. The European Council's support for the reinforced presence of the African Union in international fora, including the G20, is very welcome.

I will now turn to some of the questions that have been asked. Deputy Ó Murchú asked about Cyprus and I responded to this in my closing remarks. I met the ambassador of Cyprus today who is finishing her term here. We affirmed our support for a UN-based solution. We are working through this and we have been a very strong supporter at the European summits.

A number of Deputies quite rightly raised the issue of Israel and Palestine. The Tánaiste issued a very strong statement earlier this month on the condemnation of illegal settlements and the violence perpetrated by Israel on Palestine. The response to it was very strong.

The issue of the western Balkans and the roadmap was raised and I touched on this in my speech. We are working with six countries in the western Balkans to try to assist their accession to the EU. President von der Leyen made a significant contribution in Bratislava recently. We have to see the flesh on the bones of the terms she set out with regard to potential staged membership for some of these countries so that we do not lose them. There is also the eastern trio of Ukraine, Moldova and Georgia. These are also progressing. The Commission will give an update in September on each of them with regard to conditionality and how they are progressing.

With regard to the Inflation Reduction Act, on 30 June at the European Council meeting the European Commission undertook to do an impact assessment on this in conjunction with EU member states. The Department of Enterprise, Trade and Employment is working on this. I will try to get an updated note on how it is progressing. In all our discourse over the period we have been very strong on not distorting the Single Market, ensuring we do not enter into a subsidies race and that there is an evidence-based approach to any decision taken. There is a significant risk, as has been pointed out, for countries with bigger economies to absorb the bigger industrial bases. This is a risk to Ireland. We are keeping a very close eye on this.

With regard to China, the human rights issues are significant. The Tánaiste made a significant contribution on our policy on China quite recently and covered in detail his concerns, which were well reported at the time. Europe is trying to derisk in terms of its reliance on China. This is a big part of our strategy. Legislation such as the critical raw materials act is coming forward to try to get to grips with the green transition so we are not reliant on a country

of its scale and only it, arguably, for some of these components, leaving ourselves very vulnerable in keeping apace with the technology.

I have referenced Tunisia in my speech. I hear the concerns raised by Deputy Boyd Barrett and I will relay them back. It can be difficult to get a balance in trying to have bilateral agreements to improve other countries and improve their environmental standards, green technology and issues with regard to migration, which are significant on that side of Europe. I will raise Deputy Boyd Barrett's concerns, which are very troubling.

Deputies Mattie McGrath and Howlin raised issues of migration. The President gave a summation on the conclusions of the EU summit that were not reached. The two countries in question are not as accepting of the qualified majority process and want to bring it into the unanimity sphere at the European Council. The decision was taken already for the asylum and migration management regulation and the procedural regulation. Work must continue on both of these. I do not think we have yet made a Cabinet decision that we will be part of it but I understand the Government is positively looking at it. The key tenets of it are, in the first instance, ensuring our procedure is to adjudicate quickly on safe countries. The 12-week period is contained in the procedure regulation. There is also the burden-sharing aspect of it, which was referenced by Deputy McGrath.

Caps or limits with regard to Ukraine were mentioned. We have to be very careful that we do not breach the European Convention on Human Rights. We are a very outward-looking country and we can all be very proud of this. If we look back at where we have come from, 50 years ago almost 5% of our population was born abroad and now the figure is one in every five. This shows how outward-looking a country we are. We are all the better for this diversity of the country.

Communities are doing great and heroic work in rising up to the challenge to assist and provide all the services for Ukrainian citizens who find themselves in this awful position. We have to be effusive in our support for Ukraine to maintain the international rules-based order against aggression, particularly for children, as referenced in the debate. I was struck by the number of children who have been abducted and taken into Russia. It is like a major reset. It was very distressing to hear first-hand testimony of it when I was at the UN.

With regard to Deputy Pringle and the European Peace Facility, Ireland takes forward a key component of this in neutrality. I have mentioned how I was struck by what happened to my Austrian colleague when she was in Ukraine. A missile hit a building adjacent to where she was. When first responders and firefighters arrived to try to save people and quench the flames, they were wearing Austrian uniforms. This shows what her country is doing through that facility in a neutral capacity. It really brought it home. Ireland can be very proud of what it is doing in terms of bringing spare parts for the grid and public infrastructure that have been damaged. We have heard about the parts for the dam and key supports that ordinary citizens need.

Deputy Thomas Pringle: Frontex.

Deputy Peter Burke: We are not part of Frontex. That is an external border.

Deputy Thomas Pringle: It is part of the EU.

Deputy Peter Burke: It is part of the European Union, but each country has its own agreement with Frontex and it is with regard to external borders. I am not aware of funding we are

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providing to it but I will check that point.

Cuireadh an Dáil ar fionraí ar 3.39 p.m. agus cuireadh tús leis arís ar 4.39 p.m.

Sitting suspended at 3.39 p.m. and resumed at 4.39 p.m.

Criminal Justice (Miscellaneous Provisions) Bill 2022: From the Seanad

An Leas-Cheann Comhairle: I dtús báire, there is a request from the Minister to make corrections of a typographical nature to the Bill.

Minister for Justice (Deputy Helen McEntee): In respect of Seanad amendments Nos. 8, 18 and 33, and pursuant to Standing Order 196, I request the Leas-Cheann Comhairle to direct the Clerk to make a number of corrections of a typographical nature to the Bill.

Seanad amendment No. 8 inserts subsections (5), (6) and (7) into section 23 of the Bill. However, consequential renumbering of the existing subsections (5) to (12) has not been reflected and is required.

Two punctuation errors have been identified in Seanad amendments Nos. 18 and 33.

In Seanad amendment No. 18 in subsection (1B) being inserted by section 51, at the end of paragraph (g), “[comma] and” should be replaced by a full stop.

In Seanad amendment No. 33, at the end of the inserted paragraph 13A of the Schedule, the comma should be replaced by a full stop.

Also in Seanad amendment No. 18, text is inserted referring to “subsection (3)(b)” of section 46 of the Criminal Justice (Mutual Assistance) Act 2008. There should be no reference to paragraph (b) here and the reference should be to “subsection (3)” only.

I respectfully request that the Clerk be directed to carry out these corrections. I can furnish colleagues with copies of the changes I have just requested.

An Leas-Cheann Comhairle: Is that agreed? Agreed.

The Dáil went into Committee to consider amendments from the Seanad.

An Leas-Cheann Comhairle: Seanad amendments Nos. 1, 6, 18 and 32 are related and may be discussed together.

Seanad amendment No. 1:

Title: In page 5, line 12, to delete “to provide” and substitute the following:

“to provide for assistance between the State and the European Public Prosecutor’s Office, and for that purpose and other purposes to amend the Criminal Justice (Mutual Assistance) Act 2008 and the Criminal Justice (Joint Investigation Teams) Act 2004; to provide”.

Deputy Helen McEntee: Amendments Nos. 1, 6, 18 and 32 provide a mechanism for Ireland’s co-operation with the European Public Prosecutor’s Office, EPPO. It is an independent

EU body with responsibility for investigating and prosecuting crimes against the financial interests of the EU and participating member states. It commenced its operations in 2021.

While Ireland has not opted in to date, we have been clear that we fully support and wish to co-operate with EPPO. Legal difficulties arise in using existing international mutual legal assistance agreements as a basis for EPPO co-operation. Ireland has argued for the creation of an EU legal instrument to facilitate this but, in the absence of such an instrument, the Office of the Attorney General has advised changes to domestic legislation are required to allow requests for co-operation to be made directly by EPPO on a unilateral basis. These amendments, in essence, give effect to those changes.

The approach taken is to amend the Criminal Justice (Mutual Assistance) Act 2008. A new Part 7B is being inserted. This makes general provision for co-operation with EPPO and then specifies, section by section, the modifications that will apply when dealing with EPPO requests. While specific technical provision is required for EPPO in respect of particular categories of requests, broadly such requests will be treated in the same way as if made by the relevant national authorities of member states.

Seanad amendment agreed to.

An Leas-Cheann Comhairle: Seanad amendments Nos. 2 and 37 are related and may be discussed together.

Seanad amendment No. 2:

Title: In page 5, lines 15 and 16, to delete “and the Criminal Justice (Forensic Evidence and DNA Database System) Act 2014”.

Deputy Helen McEntee: These amendments provide for a change in the composition of the DNA database system oversight committee. The provision being repealed provided for a member of the committee to be appointed by the Data Protection Commission, DPC, which has raised concerns in respect of this provision and its compatibility with the requirements of the DPC to be completely independent in the performance of its tasks and exercise of its power. The repeal of section 1(5) will address this concern. In its place, provision is being made for the Minister, in appointing ordinary members, to have regard to the need for data protection expertise within the committee.

Seanad amendment agreed to.

An Leas-Cheann Comhairle: Seanad amendments Nos. 3, 21 and 22 are related and may be discussed together.

Seanad amendment No. 3:

Title: In page 5, line 17, after “1992,” to insert “the Criminal Justice Act 1993, the Criminal Procedure Act 1993,”.

Deputy Helen McEntee: These amendments address an issue identified in a 2018 case where it was found that the Court of Appeal cannot impose a sentence of imprisonment on an adult who had been initially sentenced as a child to children’s detention. Amendment No. 21 provides that the sentence in such cases will not preclude a sentence which could have been imposed at the court of trial if the person had reached the age of 18 at that time. This will allow

for a sentence of imprisonment to be imposed at appeal stage.

By exception, where the appeal is by a person as an adult against an initial sentence for treason or murder as a child, the mandatory life sentence for such offences will not apply at appeal stage. Instead, the Court of Appeal may impose such sentence as it considers appropriate. This is justified, given the general principle that a mandatory life sentence for treason or murder does not apply to a child. The amendment will apply to any outstanding appeals that have yet to be heard and any appeals that have been heard but where final judgment has not been given.

Amendment No. 22 is similar in effect to amendment No. 22 but deals with appeals by the Director of Public Prosecutions, DPP, against the leniency of an initial sentence. A similar exception is provided in respect of an initial sentence on conviction for treason or murder and the same transition provisions are also provided.

Amendment No. 3 is a consequential change to the Long Title.

In essence, we are closing a gap in law as exposed by a court judgment. The DPP also asked us to consider the matter and close the gap.

Seanad amendment agreed to.

An Leas-Cheann Comhairle: Seanad amendments Nos. 4, 7, 11, 12, 14, 19, 24 to 28 inclusive, 30, 31, 35, 36, 38 and 40, are related and will be discussed together.

Seanad amendment No. 4:

TITLE: In page 5, line 18, after “1997,” to insert “the Criminal Justice (Theft and Fraud Offences) Act 2001,”.

Deputy Helen McEntee: These are a number of technical and typographical amendments. They are grouped together for consideration, as the Leas-Cheann Comhairle outlined. Amendment No. 7 reflects the change in name of what is now the Department of Public Expenditure, National Development Plan Delivery and Reform. Amendment No. 11 is a transitional provision to ensure that medical evidence certificates signed prior to the changes made to section 25 of the 1997 Act coming into effect will remain valid and will not be affected.

Amendments Nos. 12 and 14 correct typographical errors which were identified in section 28. Amendment No. 26 addresses a minor drafting issue in the Criminal Justice (Theft and Fraud Offences) Act 2001 to clarify that in the relevant section both a fine and imprisonment may be imposed. Amendment No. 28 addresses a minor cross-referencing issue in the Garda Síochána Act 2005 arising from a subsequent amendment. A further set of amendments provide for consequential changes to a number of other enactments arising from the new non-fatal strangulation offences.

Sections 3A and 4A are being inserted into the Non-Fatal Offences Against the Person Act 1997. The effect of these amendments is to extend existing provisions which are currently applicable to the existing section 3, assault causing harm, and section 4, causing serious harm, offences, so that they will now also cover section 3A and-or section 4A offences, which is non-fatal strangulation.

Seanad amendment agreed to.

An Leas-Cheann Comhairle: Seanad amendments Nos. 5 and 33 are related and will be discussed together.

Seanad amendment No. 5:

TITLE: In page 5, line 18, after “2006,” to insert the following:

“the Broadcasting Act 2009, the Communications (Retention of Data) Act 2011, the Criminal Justice (Forensic Evidence and DNA Database System) Act 2014,”.

Deputy Helen McEntee: Amendment No. 33 provides for consequential amendments to the Broadcasting and Other Media Regulation Acts 2009 and 2022 arising from the new offences introduced under this Act. It follows the pattern in those Acts of scheduling matters that might be subject to regulation of online media and covers the new offences provided in this Bill related to stalking, harassment and non-fatal strangulation. It also covers the new anonymity provisions in relation to the harassment and stalking offences, and indeed the breaches of civil orders. The effect of this provision will be to allow the Online Safety Commissioner, working under Coimisiún na Meán, to develop online safety codes which require certain online platforms to minimise, at a systemic level, the availability of online content by which a person commits any of the offences that are covered. These codes may also set out standards that an online platform must follow in relation to user complaints relating to this type of conduct.

Seanad amendment agreed to.

Seanad amendment No. 6:

Section 1: In page 5, between lines 26 and 27, to insert the following:

“(3) The Criminal Justice (Mutual Assistance) Acts 2008 and 2015 and Part 6 may be cited together as the Criminal Justice (Mutual Assistance) Acts 2008 to 2023.”

Seanad amendment agreed to.

Seanad amendment No. 7:

Section 2: In page 6, line 5, to delete “Expenditure and Reform” and substitute “Expenditure, National Development Plan Delivery and Reform”.

Seanad amendment agreed to.

An Leas-Cheann Comhairle: Seanad amendments Nos. 8 to 10 inclusive, 13, and 15 to 17 inclusive, are related and will be discussed together.

Seanad amendment No. 8:

Section 23: In page 17, between lines 37 and 38, to insert the following:

“(5) An order under subsection (4) shall be in writing.

(6) A copy of an order under subsection (4) shall be given to—

(a) the person against whom the order is made (‘the subject of the order’),

(b) the other person, referred to in subsection (4),

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(c) the member of the Garda Síochána in charge of the Garda Síochána station for the area in which the person referred to in paragraph (b) resides, and

(d) if the subject of the order is sentenced to a period of imprisonment, the person for the time being in charge of the place where the subject of the order is, or is to be, imprisoned.

(7) The validity of an order under subsection (4) shall not be affected by non-compliance with subsection (6).”.

Deputy Helen McEntee: These amendments provide for further enhancements to the stalking and harassment measures in the Bill. Amendment Nos. 8 and 10 complement the provisions around non-contact orders which may be imposed as a result of a conviction for stalking and harassment offences. They will ensure that such orders are properly notified and provided in writing to the relevant parties, including the alleged victim and local gardaí. This facilitates the enforcement of the order and, of course, a potential prosecution for breach.

Amendment No. 9 provides for restrictions on the publication of the identity of alleged victims of harassment and stalking offences under section 10 of the 1997 Act. It provides that it is an offence to publish or broadcast information, photographs, depictions or representations of physical likeness which would likely lead to identification of the alleged victim. Harassment and stalking offences tend to involve a serious invasion of a person’s privacy, and there is a high risk that publication of the victim’s identity may subject the victim to further distress as well as secondary or repeat victimisation.

Amendment No. 17 introduces a similar provision for cases involving the breach of a section 28 civil order. It places restrictions on the publication of the identity of both the complainant and the defendant in such cases. This mirrors the provision in place in relation to breaches of orders under the Domestic Violence Act 2018.

Amendments Nos. 13, 15 and 16 provide for the making of civil restraining orders under section 28 on an urgent basis. They allow for a short-term order to be made *ex parte*, that is, without notice to the respondent, where there are reasonable grounds to believe that there is an immediate risk to the safety and welfare of the applicant. An order made *ex parte* will be valid for up to eight days. This allows protection to be put in place immediately while placing the respondent on notice. Orders will also be available where an application is made on notice but is not immediately determined. This allows the court to make a temporary order pending the determination of the application.

If we take all of these together, these orders will ensure that urgent relief is available where it is needed as victims may be provided with an immediate order safeguarding them from any ongoing behaviour as they await a final determination of their section 28 application. These provisions on the restriction of identification will also be an important safeguard for victims in these types of cases. The restrictions provided may be waived by the alleged victim, or may be disappplied by the court where it feels it is appropriate.

Deputy Brendan Howlin: I welcome these amendments. If the Minister recalls, they were something she promised in regard to the passage of the harassment Bill. In terms of a procedure, if there was an inclination for a victim to waiver anonymity, how would that be? Would they apply to the court to do that? Would the court make the decision on that? In terms of access to the court, is there any fast track or how would that apply to somebody who is under

enormous pressure in an immediate sense? How would they get access to ensure they could get such a restraining order to be given by the court as quickly as possible?

Deputy Peadar Tóibín: Ms Sharon Loughran is a paediatric nurse who lives in Newry. She works with children from both sides of the community in terms of the work she does. This morning she woke up at 3 a.m. to see her car in an inferno and the side of her house melting as a result of a 12th July sectarian attack on her because she is a woman from the nationalist community who is involved in political activism and is trying to save her local hospital. I wanted to put it on the record of the Dáil because we have a very short period of time left.

An Leas-Cheann Comhairle: Does this relate to the amendments, Deputy?

Deputy Peadar Tóibín: I will stop in two seconds but this is a horrendous act and it is important the political establishment allows for no tolerance in relation to these acts. I thank the Leas-Cheann Comhairle for her indulgence.

An Leas-Cheann Comhairle: It took me a little while, so that was my indulgence.

Deputy Helen McEntee: I was listening and just want to clarify a point. The victim can obviously waive their right to anonymity and that then applies to the person in question that there is not a restriction on naming who they are. Also if the victim is going directly to the judge-----

Deputy Brendan Howlin: Is it the decision of the person or do they have to indicate their willingness to waive anonymity to a court to make the decision?

Deputy Helen McEntee: As is the case generally, it is that they make their views known to the judge and the judge then makes that decision and allows that to apply. The person can obviously make that decision and it is not for the judge to apply that.

In terms of access to the court, if it is required on a quick basis, there is the *ex parte* approach that An Garda Síochána can apply on their behalf and make sure that this happens as quickly as possible and that there is no delay. As for the eight days, we obviously have to give the other person the opportunity to come back and to give their side and to explain whether they believe it should be extended or not but there is that provision there to allow for it to be done *ex parte*.

Deputy Brendan Howlin: I thank the Minister.

Deputy Helen McEntee: Again, I acknowledge this issue was raised when we were processing Coco's Law. I appreciate it takes time but I am absolutely confident this will enhance that Bill.

Deputy Brendan Howlin: We finally got there.

Deputy Helen McEntee: We got there, as is generally the case but it is a welcome addition for anybody who is in this situation.

Seanad amendment agreed to.

Seanad amendment No. 9:

Section 24: In page 18, between lines 26 and 27, to insert the following:

“Prohibition on publication or broadcast of certain material

24. The Act of 1997 is amended by the insertion of the following section after section 10:

“10A. (1) Subject to this section, a person (other than the alleged victim) who, where a person is charged with an offence under section 10, publishes or broadcasts identifying material shall be guilty of an offence.

(2) Subsection (1) shall not apply where the alleged victim consents in court to being identified.

(3) The court in which proceedings for the offence are brought may, where satisfied that it is in the interests of justice to do so, direct that such information, photograph, depiction or other representation to which subsection (1) applies as the court may specify may be published or broadcast in such manner, and subject to such conditions, as may be specified in the direction.

(4) Before giving a direction under subsection (3), the court shall take into account—

(a) the views of the alleged victim, and

(b) the nature or circumstances of the case, and in particular the effect of the publication or broadcast concerned on the alleged victim.

(5) A direction given under subsection (3) shall be in writing.

(6) A person who contravenes the terms of a direction given under subsection (3) shall be guilty of an offence.

(7) A person who is guilty of an offence under subsection (1) or (6) is liable—

(a) on summary conviction to a class B fine or to imprisonment for a term not exceeding 12 months, or both, or

(b) on conviction on indictment to a fine or to imprisonment for a term not exceeding three years, or both.

(8) It shall be a defence for a person who is charged with an offence under subsection (1) or (6) to prove that at the time of the alleged offence the person was not aware, and neither suspected nor had reason to suspect—

(a) in the case of an offence under subsection (1), that the information, photograph, depiction or other representation published or broadcast was identifying information, or

(b) in the case of an offence under subsection (6), that the information, photograph, depiction or other representation was published or broadcast in contravention of the terms of a direction given under

subsection (3).

(9) This section is without prejudice to any other enactment or rule of law that operates to prohibit the publication or broadcast of identifying material.

(10) In this section—

‘alleged victim’, in relation to an offence under section 10, means the alleged victim of that offence;

‘broadcast’ has the same meaning as it has in the Broadcasting and Other Media Regulation Acts 2009 and 2022;

‘identifying material’, in relation to an offence under section 10, means—

(a) information, or

(b) a photograph, depiction or other representation of the physical likeness of the alleged victim, that is likely to enable the identification of the alleged victim; ‘publish’ means publish, other than by way of broadcast, to the public or a portion of the public.”.

Seanad amendment agreed to.

Seanad amendment No. 10:

Section 24: In page 18, line 31, to delete “section,” and substitute “section (other than subsections (5) to (7)),”.

Seanad amendment agreed to.

Seanad amendment No. 11:

Section 25: In page 19, between lines 16 and 17, to insert the following:

“(2) The validity of a certificate to which section 25 of the Act of 1997 applies that was signed by a registered medical practitioner before the coming into operation of subsection (1) shall not be affected by such coming into operation.”.

Seanad amendment agreed to.

Seanad amendment No. 12:

Section 27: In page 20, line 9, to delete “a”.

Seanad amendment agreed to.

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Seanad amendment No. 13:

Section 27: In page 20, line 13, to delete “An application” and substitute “Subject to *subsection (7)*, an application”. Seanad amendment agreed to.

Seanad amendment No. 14:

Section 27: In page 20, line 23, to delete “the applicant, or where relevant, a person” and substitute “the applicant or, where relevant, a person”.

Seanad amendment agreed to.

Seanad amendment No. 15:

Section 27: In page 20, line 33, to delete “An order” and substitute “Subject to subsections (9) and (13), an order”.

Seanad amendment agreed to.

Seanad amendment No. 16:

Section 27: In page 20, between lines 34 and 35, to insert the following:

“(7) An application under *subsection (1)* may be made *ex parte*, where grounded on an affidavit or information sworn by the applicant.

(8) An order under this section may be made on an application to which *subsection (7)* applies where the court, having regard to the particular circumstances of the case, is of the opinion that there are reasonable grounds for believing that there is an immediate risk to the safety and welfare of the applicant.

(9) An order under this section that is made under *subsection (8)* shall have effect for a period of 8 days from the day on which it is made, or such shorter period as may be specified in the order.

(10) Where an order under this section is made under *subsection (8)*—

(a) a note of evidence given by the applicant shall be prepared forthwith—

(i) by the judge,

(ii) by the applicant or by the applicant’s solicitor and approved by the judge,
or

(iii) as otherwise directed by the judge, and

(b) a copy of the order, the affidavit or information sworn under *subsection (7)* and the note of evidence shall be served on the respondent as soon as practicable.

(11) The court, on making an order under this section under *subsection (8)*, shall cause a copy of the order to be given or sent, as soon as practicable—

(a) to the applicant, and

(b) to such of the persons referred to in *paragraphs (d), (e) and (f) of section 34(1)* as the court considers appropriate.

(12) The court, on an application under *subsection (1)* that is made on notice to the respondent, or between the making of that application and its determination, may, pending the determination of the application, make an order under this section (in this Part referred to as an “interim order”) where it is of the opinion that it is necessary and proportionate to do so for the purpose of protecting the safety and welfare of the applicant.

(13) An interim order shall cease to have effect on the determination by the court of the application under *subsection (1)*.

(14) The court, on making an interim order, shall cause a copy of the interim order to be given or sent, as soon as practicable—

(a) to the applicant,

(b) to the respondent, and

(c) to such of the persons referred to in *paragraphs (d), (e) and (f) of section 34(1)* as the court considers appropriate.

(15) The validity of an order under this section that is made under *subsection (8)*, or an interim order, shall not be affected by non-compliance with *subsection (11) or (14)*, as the case may be.

(16) *Sections 29 and 34 shall not apply to an order under this section that is made under subsection (8) or to an interim order."*

Seanad amendment agreed to.

Seanad amendment No. 17:

Section 45: In page 26, between lines 28 and 29, to insert the following:

"Prohibition on publication or broadcast of certain material relating to offence under section 43

45. (1) Subject to this section, where a person is charged with an offence under *section 43*, a person (other than the relevant person) who publishes or broadcasts identifying material commits an offence.

(2) *Subsection (1)* shall not apply where the relevant person consents in court to being identified or to the person charged with the offence being identified, or both.

(3) The court in which proceedings for the offence are brought may, where satisfied that it is in the interests of justice to do so, direct that such information, photograph, depiction or other representation to which *subsection (1)* applies as the court may specify may be published or broadcast in such manner, and subject to such conditions, as may be specified in the direction.

(4) Before giving a direction under *subsection (3)*, the court shall take into account—

(a) the views of the relevant person, and

(b) the nature or circumstances of the case, and in particular the effect of the publication or broadcast concerned on the relevant person.

(5) A direction given under *subsection (3)* shall be in writing.

(6) A person who contravenes the terms of a direction given under *subsection (3)* commits an offence.

(7) A person who commits an offence under *subsection (1) or (6)* is liable—

(a) on summary conviction to a class B fine or to imprisonment for a term not exceeding 12 months, or both, or

(b) on conviction on indictment to a fine or to imprisonment for a term not ex-

ceeding three years, or both.

(8) It shall be a defence for a person who is charged with an offence under *subsection (1)* or *(6)* to prove that at the time of the alleged offence the person was not aware, and neither suspected nor had reason to suspect—

(a) in the case of an offence under *subsection (1)*, that the information, photograph,

depiction or other representation published or broadcast was identifying material, or

(b) in the case of an offence under *subsection (6)*, that the information, photograph, depiction or other representation was published or broadcast in contravention of the terms of a direction given under *subsection (3)*.

(9) This section is without prejudice to any other enactment or rule of law that operates to prohibit the publication or broadcast of identifying material.

(10) In this section—

“broadcast” has the same meaning as it has in the Broadcasting and Other Media Regulation Acts 2009 and 2022;

“identifying material”, in relation to an offence under *section 43*, means—

(a) information, or

(b) a photograph, depiction or other representation of the physical likeness of the relevant person or of the person charged with the offence,

that is likely to enable the identification of the relevant person or of the person charged with the offence;

“publish” means publish, other than by way of broadcast, to the public or a portion of the public;

“relevant person”, in relation to an offence under *section 43*, means the applicant for whose benefit the order concerned was made.”.

Seanad amendment agreed to.

Seanad amendment No. 18:

In page 26, after line 32, to insert the following:

“PART 6

AMENDMENT OF CRIMINAL JUSTICE (MUTUAL ASSISTANCE) ACT 2008

Definition (*Part 6*)

46. In this Part, “Act of 2008” means the Criminal Justice (Mutual Assistance) Act 2008.

Amendment of section 2(1) of Act of 2008

47. Section 2(1) of the Act of 2008 is amended by the insertion of the following definitions:

“ ‘EPPO’ means the European Public Prosecutor’s Office established under Article 3 of Council Regulation (EU) 2017/1939 of 12 October 2017 implementing enhanced cooperation on the establishment of the European Public Prosecutor’s Office (‘the EPPO’), as amended by

Commission Delegated Regulation (EU) 2020/2153 of 14 October 2020;

‘EPPO request’ means a request for assistance that is made by EPPO

in accordance with section 6 (as applied by section 94K) and the Part 7B Regulations (if any) and includes a request that is deemed under section 94F(3) to have been so made;

‘Part 7B Regulations’ has the meaning assigned to it by section 109(1B);

‘relevant EPPO member state’ means a member state of the European Union—

(a) that participates in enhanced cooperation on the establishment of EPPO in accordance with Article 86(1) of the Treaty on the Functioning of the European Union or by virtue of a decision adopted in accordance with Article 331(1) of that Treaty, and

(b) where EPPO is conducting a criminal investigation or criminal proceedings that are the subject of an EPPO request;”.

Application for purposes of Part 7B

48. The Act of 2008 is amended by the insertion of the following section after section 2:

“Application for purposes of Part 7B

2A. This Act shall, subject to Part 7B and with all other necessary modifications, apply to the provision of assistance referred to in section 94F(1) as it applies to the provision of mutual assistance between the State and a designated state.”.

Amendment of section 53 of Act of 2008

49. Section 53 of the Act of 2008 is amended—

(a) in subsection (7)(b), by the substitution of “subsections (8) and (9)” for “subsection (8)”, and

(b) by the insertion of the following subsection after subsection (8):

“(9) Where property recovered by the execution of a confiscation cooperation order transmitted by or on behalf of a court in a designated state, other than a member state or the United Kingdom, is a sum of money or the proceeds of a sale under subsection (7)(b), the Court, on application by the Central Authority and in

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accordance with the relevant international instrument, may—

(a) order the money or the proceeds of sale to be transferred to the designated state, or

(b) order part of the money or the proceeds of sale to be transferred to the designated state and the remaining balance shall be paid into or disposed of for the benefit of the Exchequer in such manner as the Minister for Finance may direct.”.

Assistance in criminal matters between State and EPPO

50. The Act of 2008 is amended by the insertion of the following Part after Part 7A:

“PART 7B

ASSISTANCE IN CRIMINAL MATTERS BETWEEN STATE AND EPPO

CHAPTER 1

General

Application of Part

94F. (1) This Part shall apply to the provision of assistance in criminal matters between the State and EPPO.

(2) This Part shall apply to EPPO requests whether made before, on or after the coming into operation of *section 50 of the Criminal Justice (Miscellaneous Provisions) Act 2023*.

(3) Where, before the coming into operation of *section 50 of the Criminal Justice (Miscellaneous Provisions) Act 2023*, EPPO has sought assistance from the State, the seeking of such assistance shall, for the purposes of this Part, be deemed—

(a) to be an EPPO request,

(b) to have been made in accordance with this Act, and

(c) subject to subsection (4), to have been received by the State on the coming into operation of that section.

(4) Where assistance referred to in subsection (3) involves—

(a) the notification of the Minister as referred to in subsection (1)(d) of section 27, subsection (2) of that section shall apply as if ‘and at the latest within a period specified in subsection (7),’ was deleted, and

(b) an external freezing order, section 35(3) shall apply as if ‘and, whenever practicable, within 24 hours of receipt of the order and a duly completed certificate’ was deleted.

Cooperation with EPPO

94G. (1) The State shall cooperate with EPPO in respect of EPPO requests.

(2) An EPPO request and a request to EPPO by the State may be made under this Act, notwithstanding that such requests are not made in accordance with the provisions of an international instrument.

(3) Where the State has received a request in accordance with a relevant international instrument from a member state that is a relevant EPPO member state, the Minister may, notwithstanding the purposes permitted by the relevant international instrument, permit the evidence and information obtained in the State in compliance with the request, to be shared by the member state with EPPO.

(4) Where the State has received a request referred to in subsection (3), assistance shall not be refused solely on the ground that evidence or information regarding the request is to be provided by the State to EPPO.

Modification of references for purposes of Part (general)

94H. For the purposes of this Part a reference in this Act—

(a) to a member state shall, subject to paragraph (b), unless the context otherwise requires, be construed as a reference to a relevant EPPO member state,

(b) to a request from a member state shall be construed as a reference to an EPPO request,

(c) to an assurance by a requesting authority shall, subject to section 94AG and paragraph (c) of section 94AQ, be construed as a reference to an assurance by—

(i) EPPO, or

(ii) the relevant EPPO member state in which EPPO is conducting a criminal investigation or criminal proceedings that are the subject of an EPPO request,

(d) to an order, an interception order, a warrant or a document being issued, or made, by EPPO shall be construed as including a reference to an order, an interception order, a warrant or a document, as the case may be, being issued, or made, by the relevant EPPO member state on the request of EPPO, and

(e) to the law of the designated state shall—

(i) in section 15(2)(c)(iv), be construed as a reference to the law of the relevant EPPO member state,

(ii) in section 17(3)(a), be construed as a reference to the law of the relevant EPPO member state, and

(iii) in section 66(5), be construed as a reference to the law of the relevant EPPO member state.

Modification of Part 1 for purposes of Part

Application of section 2 for purposes of Part

94I. For the purposes of this Part, section 2(1) shall apply subject to the following and any other necessary modifications:

(a) in the definition of ‘criminal conduct’, paragraph (b) shall be construed as if the following paragraph were substituted for that paragraph:

‘(b) which occurs in a state (other than the State) and would, if it occurred in the State, constitute an offence;’,

(b) in the definition of ‘criminal investigation’, paragraph (a) shall be construed as if the following paragraph were substituted for that paragraph:

‘(a) means an investigation conducted by EPPO, and’,

(c) the definition of ‘criminal proceedings’ shall apply as if paragraph (d) was deleted,

(d) in the definition of ‘offence’—

(i) paragraph (a) shall be construed as if the following paragraph were substituted for that paragraph:

‘(a) means an offence in respect of which an EPPO request may be made,’,

and

(ii) in paragraph (b), as if ‘if or to the extent that the relevant international instrument or the law of the designated state concerned provides for mutual assistance in respect of such an offence,’ was deleted,

and

(e) in the definition of ‘requesting authority’—

(i) paragraph (a) shall be construed as if the following paragraph were substituted for that paragraph:

‘(a) EPPO, or’,

and

(ii) in paragraph (b), the reference to any other authority in that state shall be construed as a reference to any person.

Application of section 3 for purposes of Part

94J. For the purposes of this Part, section 3 shall apply subject to the following and any other necessary modifications—

(a) as if paragraph (c) of subsection (1) was deleted, and

(b) a reference in subsection (1) to specified in the relevant international instrument shall be construed as a reference to specified in or under this Act.

Application of section 6 for purposes of Part

94K. For the purposes of this Part, section 6 shall be construed as if the following section were substituted for that section:

‘6. (1) Subject to the provisions of this Act concerning particular requests and such matters as may be provided for in Part 7B Regulations (if any), an EPPO request shall—

(a) be addressed to the Central Authority,

(b) be in writing or in any form capable of producing a written record under conditions allowing its authenticity to be established, and

(c) if not in the Irish, or English, language, be accompanied by a translation into either of those languages.

(2) The Minister may—

(a) accept an EPPO request and any supporting or related documents as evidence of the matters mentioned in them unless he or she has information to the contrary,

(b) seek such additional information from EPPO as may be necessary to enable a decision to be taken on an EPPO request, and

(c) accept a request from EPPO and treat the request as an EPPO request notwithstanding that the request is expressed as a request made in accordance with a relevant international instrument.

(3) Action on an EPPO request may be postponed by the Minister if the action would prejudice criminal proceedings or a criminal investigation.

(4) Before refusing an EPPO request or postponing action on it, the Minister shall, where appropriate and having consulted EPPO, consider whether the request may be granted partially or subject to such conditions as he or she considers necessary.

(5) Reasons shall be given for any such refusal or postponement.

(6) The Minister shall inform EPPO of any circumstances that make it impossible to comply with an EPPO request or are likely to significantly delay compliance.’.

Application of section 7 for purposes of Part

94L. For the purposes of this Part, section 7 shall apply subject to the modification (and any other necessary modifications) that a reference in that section to the designated state concerned or the designated state shall be construed as a reference to EPPO.

Application of section 8 for purposes of Part

94M. For the purposes of this Part, section 8 shall apply subject to the modification that the reference in subsection (2) to the function of co-operating, in accordance with the relevant international instrument, with corresponding persons or bodies in designated states shall be construed as including a reference to co-operating with EPPO as referred to in section 94G(1).

Application of section 9 for purposes of Part

94N. For the purposes of this Part, section 9 shall apply subject to the following and any other necessary modifications—

(a) a reference to—

(i) a competent authority, and

(ii) a competent authority in a designated state, shall be construed as a reference to EPPO,

(b) in subsection (1), as if ‘in accordance with the relevant international instrument and’ was deleted,

(c) as if subsections (3) and (5) were deleted, and

(d) in subsection (4), as if the ‘pursuant to the relevant international instrument’ was deleted.

CHAPTER 3

Modification of Part 2 for purposes of Part

Application of section 14 for purposes of Part

94O. For the purposes of this Part, section 14 shall apply subject to the following and any other necessary modifications—

(a) in subsection (1), the reference to a competent authority in that state shall be construed as a reference to EPPO,

(b) in subsection (2), the reference to a competent authority in a designated state shall be construed as a reference to EPPO,

(c) in subsection (4), a reference—

(i) to the competent authority shall be construed as a reference to EPPO, and

(ii) to the relevant international instrument shall be construed as a reference to EPPO,

and

(d) in subsection (5), the reference to—

(i) the competent authority, and

- (ii) the authority, shall be construed as a reference to EPPO.

Application of section 17 for purposes of Part

94P. For the purposes of this Part, section 17 shall apply (subject to the modification in section 94H(e)(ii) and any other necessary modifications) as if subsection (3) (c) was deleted.

Application of section 20 for purposes of Part

94Q. For the purposes of this Part, section 20 shall apply subject to the modification (and any other necessary modifications) that the reference in subsection (2) to the competent authority in the designated state concerned shall be construed as a reference to EPPO.

CHAPTER 4

Modification of Part 3 for purposes of Part

Application of section 24 for purposes of Part

94R. For the purposes of this Part, section 24 shall apply subject to the following and any other necessary modifications—

- (a) in subsection (1)—

- (i) in paragraph (b), the reference to issued in the member state shall be construed as a reference to issued by EPPO, and

- (ii) in paragraph (c), a reference to a competent authority in a member state shall be construed as a reference to EPPO,

- (b) in subsection (1)(d)(i), the reference to the competent authority in the former member state shall be construed as a reference to EPPO, and

- (c) in subsection (2)—

- (i) as if paragraph (a) was deleted, and

- (ii) in paragraph (g), as if ‘pursuant to Article 20(2)(a) of the 2000 Convention’ was deleted.

Application of section 25 for purposes of Part

94S. For the purposes of this Part, section 25 shall apply subject to the following and any other necessary modifications—

- (a) in subsection (2)(b)(ii), the reference to the member state shall be construed as a reference to EPPO,

- (b) in subsection (3)(a), the reference to the requesting state shall be construed as a reference to the relevant EPPO member state,

- (c) in subsection (6), a reference to a competent authority in the member state

shall be construed as a reference to EPPO, and

(d) as if the following subsection were substituted for subsection (7):

‘(7) In considering a request for a transcript of a recording to which this section applies, the Minister shall have regard to all the circumstances of the particular case, and may make the granting of such a request subject to any condition to which authorisation of the interception may be subject.’.

Application of section 27 for purposes of Part

94T. For the purposes of this Part, section 27 shall apply subject to the following and any other necessary modifications—

(a) a reference to—

(i) a competent authority, and

(ii) a competent authority in a member state, shall be construed as a reference to EPPO, and

(b) in subsection (1), as if the following paragraph were substituted for paragraph (d):

‘(d) EPPO notifies the Minister accordingly.’.

Application of section 28 for purposes of Part

94U. For the purposes of this Part, section 28 shall apply subject to the modification (and any other necessary modifications) that the reference in subsection (3)(b) to issued in the member state shall be construed as a reference to issued by EPPO.

CHAPTER 5

Modification of Part 4 for purposes of Part

Modification of reference to competent authority

94V. For the purposes of this Part, a reference in Part 4 to—

(a) a competent authority in a designated state shall be construed as if ‘in a designated state’ was deleted, and

(b) a competent judicial authority in the designated state, shall be construed as a reference to EPPO.

Application of section 31 for purposes of Part

94W. For the purposes of this Part, section 31 shall apply subject to the following and any other necessary modifications:

(a) as if the following were substituted for the definition of ‘competent authority’:

‘ ‘competent authority’ means EPPO;’,

(b) in the definition of ‘external freezing order’, as if the following paragraph were substituted for paragraph (a):

‘(a) taken provisionally by EPPO in criminal proceedings to prevent the destruction, transformation, moving, transfer, disposal or use of specified property in the State that could be subject to confiscation or be evidence in those proceedings, and’,

and

(c) as if the following were substituted for the definition of ‘issuing state’:

‘ ‘issuing state’ means EPPO;’.

Application of section 34 for purposes of Part

94X. For the purposes of this Part, section 34 shall apply subject to the following and any other necessary modifications:

(a) subsection (1) shall be construed as if the following were substituted for that subsection:

‘(1) A request from EPPO for the enforcement of an external freezing order shall be accompanied by—

(a) a duly certified copy of the order, and

(b) a statement of the grounds for the making of the order.’,

(b) as if subsection (2) was deleted,

(c) subsection (3) shall apply as if the reference therein to subsection (2) was deleted,

(d) in subsection (4), the reference to an issuing judicial authority shall be construed as a reference to EPPO, and

(e) in subsection (5), the reference to—

(i) the issuing judicial authority, and

(ii) that judicial authority,

shall be construed as a reference to EPPO.

Application of section 35 for purposes of Part

94Y. For the purposes of this Part, section 35 shall apply subject to the following and any other necessary modifications:

(a) in subsection (2), as if ‘and, in the case of a designated state (other than a member state), shall be made with the consent of the Minister’ was deleted,

(b) in subsection (3), the reference to a member state shall be construed as reference to EPPO,

(c) as if subsection (6) was deleted, and

(d) in subsection (7)(c), the reference to the issuing judicial authority shall be construed as a reference to EPPO.

Application of section 42 for purposes of Part

94Z. For the purposes of this Part, section 42(2) shall apply subject to the following and any other necessary modifications:

(a) as if ‘subject to any provision to the contrary in the relevant international instrument,’ was deleted, and

(b) the reference to the designated state concerned shall be construed as a reference to EPPO.

Application of section 45 for purposes of Part

94AA. For the purposes of this Part, section 45(5) shall apply subject to the modification (and any other modifications) that the reference to the issuing judicial authority shall be construed as a reference to EPPO.

Application of section 46 for purposes of Part

94AB. For the purposes of this Part, section 46 shall apply subject to the following and any other necessary modifications:

(a) in subsection (1)—

(i) as if paragraphs (a) and (b) were deleted, and

(ii) in paragraph (d), as if ‘in a certificate’ was deleted,

(b) as if subsection (2) was deleted, and

(c) in subsection (3)(b)—

(i) the reference to—

(I) the issuing judicial authority concerned, and

(II) the judicial authority, shall be construed as a reference to EPPO,
and

(ii) in subparagraph (i), as if ‘in the certificate’ was deleted.

Application of section 47 for purposes of Part

94AC. For the purposes of this Part, section 47(4) shall apply subject to the modification (and any other modifications) that the reference to the issuing judicial authority shall be construed as a reference to EPPO.

CHAPTER 6

Modification of Part 5 for purposes of Part

Application of section 62 for purposes of Part

94AD. For the purposes of this Part, section 62 shall apply subject to the following and any other necessary modifications—

(a) the definition of ‘appropriate authority’ shall be construed as including the following paragraph after paragraph (a):

‘(ab) EPPO, or’, and

(b) subsection (6) shall be construed as if ‘permitted by the relevant international instrument or’ was deleted.

Application of section 63 for purposes of Part

94AE. For the purposes of this Part, section 63(3) shall apply as if (and with any other necessary modifications) ‘permitted by the relevant international instrument or’ was deleted.

Application of section 64 for purposes of Part

94AF. For the purposes of this Part, section 64(3) shall apply subject to the modification (and any other necessary modifications) that the reference to a court in the state concerned shall be construed as a reference to a court in the relevant EPPO member state.

Application of section 66 for purposes of Part

94AG. For the purposes of this Part, section 66(5) shall apply subject to the modification (and any other necessary modifications) that the reference to an assurance by a requesting authority shall be construed as a reference to an assurance by the relevant EPPO member state in which EPPO is conducting a criminal investigation or criminal proceedings that are the subject of an EPPO request.

Application of section 67 for purposes of Part

94AH. For the purposes of this Part, section 67 shall apply as if subsection (10) was deleted and subject to any other necessary modifications.

Application of section 70 for purposes of Part

94AI. For the purposes of this Part, section 70 shall apply subject to the following and any other necessary modifications—

(a) in subsection (3), the reference to the requesting state shall be construed as a reference to the relevant EPPO member state, and

(b) in subsection (6), the reference to a judge of the designated state shall be construed as a reference to a judge of the relevant EPPO member state.

Application of section 73 for purposes of Part

94AJ. For the purposes of this Part, section 73 shall apply subject to the following and any other necessary modifications—

(a) the definition of ‘appropriate authority’ shall be construed as including the following paragraph after paragraph (a):

‘(ab) EPPO, or’,

(b) in subsection (1), as if ‘, in accordance with the relevant international instrument,’ was deleted, and

(c) in subsection (6), as if ‘permitted by the relevant international instrument or’ was deleted.

Application of section 74 for purposes of Part

94AK. For the purposes of this Part, section 74 shall apply subject to the following and any other necessary modifications—

(a) as if subsection (3) was deleted, and

(b) in subsection (5)(a), as if ‘permitted by the relevant international instrument or’ was deleted.

Application of section 75 for purposes of Part

94AL. For the purposes of this Part, section 75 shall apply subject to the following and any other necessary modifications—

(a) as if subsection (3) was deleted,

(b) in subsection (4), a reference to that state shall be construed as a reference to the relevant EPPO member state, and

(c) in subsection (6)(a), as if ‘permitted by the relevant international instrument or’ was deleted.

Application of section 78 for purposes of Part

94AM. For the purposes of this Part, section 78 shall apply subject to the following (and any other necessary) modification, as if the following paragraph were substituted for paragraph (e) of subsection (1):

‘(e) in the case of an EPPO request for the DNA profile of a person who is suspected of having committed the offence concerned whose DNA profile is not in the possession of the Garda Síochána—

(i) a warrant or order issued by EPPO or by an appropriate authority in the relevant EPPO member state on the request of EPPO requiring a person to have identification evidence, other than fingerprints, palm prints or photographs, taken from him or her for the purposes of a criminal investigation, or criminal proceedings, in that member state, or

(ii) a statement issued by EPPO or by an appropriate authority in the relevant EPPO member state on the request of EPPO confirming that the requirements for the taking of a DNA sample from the person under the law of the relevant EPPO member state would be complied with if the person were

in that state.’.

Application of section 79 for purposes of Part

94AN. For the purposes of this Part, section 79 shall apply subject to the modification (and any other necessary modifications) that the reference in subsection (10) to the requesting state shall be construed as a reference to the relevant EPPO member state.

Application of section 79A for purposes of Part

94AO. For the purposes of this Part, section 79A shall apply subject to the following (and any other necessary) modification, as if the following were substituted for paragraph (a) of subsection (1):

‘(a) is an EPPO request, and’.

Application of section 79C for purposes of Part

94AP. For the purposes of this Part, section 79C shall apply subject to the following and any other necessary modifications:

(a) a reference to a request made pursuant to Article 7 of 2008 Council Decision or that Article insofar as it is applied by Article 1 of the 2009 Agreement with Iceland and Norway designated state shall be construed as a reference to an EPPO request,

(b) in subsection (2), as if paragraph (d) was deleted, and

(c) as if subsection (8) was deleted.

CHAPTER 7

Modification of Part 6 for purposes of Part

Application of section 82 for purposes of Part

94AQ. For the purposes of this Part, section 82 shall apply subject to the following and any other necessary modifications—

(a) in subsection (1)(b), the reference to a prosecuting authority shall be construed as including a reference to EPPO,

(b) a reference to issuing authority shall be construed as a reference to EPPO,

(c) in subsections (8) and (9), the reference to that state shall be construed as a reference to the relevant EPPO member state,

(d) in subsection (10)(a), the reference to judicial authorities shall be construed as including EPPO, and

(e) in subsection (11)(b), the reference to law of the state where it was issued shall be construed as a reference to the law of the relevant EPPO member state.

Application of section 83 for purposes of Part

94AR. For the purposes of this Part, section 83 shall apply subject to the modification (and any other necessary modifications) that a reference in subsection (1) to—

- (a) the appropriate authority in the designated state, and
- (b) that authority, shall be construed as a reference to EPPO.

Application of section 88 for purposes of Part

94AS. For the purposes of this Part, section 88 shall apply subject to the following and any other necessary modifications—

- (a) in the definition of ‘competent authority in a designated state’, the reference to a person or body in that state appearing to the Competent Authority in the State to have the function of receiving or making the request shall be construed as reference to EPPO, and
- (b) in the definition of ‘controlled delivery’, as if ‘in accordance with the relevant international instrument’ was deleted.

CHAPTER 8

Modification of Part 8 for purposes of Part

Application of section 97 for purposes of Part

94AT. For the purposes of this Part, section 97 shall apply subject to the following and any other necessary modifications, the reference in subsection (1) to—

- (a) the designated state concerned, and
- (b) a representative of the authority concerned in that state, shall be construed as a reference to EPPO.

Application of section 99 for purposes of Part

94AU. For the purposes of this Part, section 99 shall apply subject to the modification (and any other necessary modifications) that the reference to in accordance with the relevant international instrument shall be construed as a reference to with the consent of EPPO.

Application of section 102 for purposes of Part

94AV. For the purposes of this Part, section 102 shall apply subject to the following and any other necessary modifications—

- (a) in subsection (1)(a)(ii), the reference to made or issued by a court, tribunal or authority in a designated state shall be construed as including a reference to made or issued by EPPO,
- (b) in subsection (4), the reference to certified by or on behalf of the court, tribunal or authority issuing it shall be construed as including a reference to certi-

fied by or on behalf of EPPO,

(c) in subsection (5)—

(i) in paragraph (a), the reference to given by or on behalf of a court, tribunal or authority in a designated state shall be construed as including a reference to given by or on behalf of EPPO,

(ii) as if paragraph (b) was deleted, and

(iii) the reference to such a certificate or seal shall be construed as a reference to such certificate,

and

(d) as if subsection (6) was deleted.

Application of section 103 for purposes of Part

94AW. For the purposes of this Part, section 103 shall apply subject to the following and any other necessary modifications—

(a) the reference to a competent authority in that state shall be construed as a reference to EPPO,

(b) in subsection (1)—

(i) as if ‘in accordance with the relevant international instrument’ was deleted, and

(ii) as if ‘within the meaning of that instrument’ was deleted,

and

(c) in subsection (3), as if ‘having had regard to the provisions of the relevant international instrument’ was deleted.

Application of section 104 for purposes of Part

94AX. For the purposes of this Part, section 104 shall apply (subject to any other necessary modifications) as if ‘, and shall if so required by the relevant international instrument,’ in subsection (1) was deleted.”.

Amendment of section 109 of Act of 2008

51. Section 109 of the Act of 2008 is amended by the insertion of the following subsections after subsection (1A):

“(1B) Without prejudice to section 94K, the generality of subsection (1) and subject to the provisions of this Act concerning particular requests, regulations (in this Act referred to as the ‘Part 7B Regulations’) may be made by the Minister for the purposes of Part 7B and in particular such regulations may make provision for—

(a) the limitations, restrictions or conditions applicable to EPPO requests,

(b) the form of EPPO requests and the information such requests are to provide,

(c) the action that may be taken where the information provided is not sufficient to enable the request to be dealt with,

(d) without prejudice to section 3, the grounds for refusal of EPPO requests,

(e) the requirements relating to the protection, disclosure, use or transmission of information or evidence received under EPPO requests,

(f) the formalities and procedures in dealing with EPPO requests, and

(g) the transmission and mode of transmission of EPPO requests, including, transmission via the International Criminal Police Organisation (Interpol) in urgent cases, and

(1C) Regulations under subsection (1B) may be made by the Minister for the purposes of requests by the State to EPPO and paragraphs (a) to (g) of subsection (1B) shall apply *mutatis mutandis* to such requests.”.

Amendment of Criminal Justice (Joint Investigation Teams) Act 2004

52. The Criminal Justice (Joint Investigation Teams) Act 2004 is amended—

(a) in section 1—

(i) in subsection (1), by the insertion of the following definition:

“ ‘EPPO’ means the European Public Prosecutor’s Office established under Article 3 of Council Regulation (EU) 2017/1939 of 12 October 2017 implementing enhanced cooperation on the establishment of the European Public Prosecutor’s Office, as amended by Commission Delegated Regulation (EU) 2020/2153 of 14 October 2020;”,

and

(ii) by the insertion of the following subsection after subsection (1):

“(1A) This Act shall apply and has effect, subject to the following and any other necessary modifications—

(a) as if a reference to a competent authority included a reference to EPPO, and

(b) as if a reference to another Member State or other such States included a reference to a relevant EPPO member state (within the meaning of the Criminal Justice (Mutual Assistance) Act 2008).”,

and

(b) in section 9(1)—

(i) in paragraph (c), by the substitution of “European Communities,” for “Eu-

ropean Communities, or”,

(ii) in paragraph (d), by the substitution of “Act 2008, or” for “Act 2008,”,
and

(iii) by the insertion of the following paragraph after paragraph (d):

“(e) one or more officers designated by EPPO.”.”.

Seanad amendment agreed to.

Seanad amendment No. 19:

Section 50: In page 29, after line 35, to insert the following:

“Amendment of Schedule to Criminal Law (Jurisdiction) Act 1976

Seanad amendment agreed to.

Seanad amendment No. 20:

Section 50: In page 30, between lines 2 and 3, to insert the following:

“Amendment of Criminal Evidence Act 1992

51. The Criminal Evidence Act 1992 is amended—

(a) in section 12(1), in the definition of “relevant offence”—

(i) by the insertion of the following paragraph after paragraph (b): “(ba) an offence under section 10 (amended by *section 23* of the *Criminal Justice (Miscellaneous Provisions) Act 2023*) of the Non-Fatal Offences against the Person Act 1997;”,

(ii) by the insertion of the following paragraph after paragraph (da):

“(db) an offence under *section 43(1)* of the *Criminal Justice (Miscellaneous Provisions) Act 2023*;”, and

(iii) in paragraph (e), by the substitution of “(ba), (c), (d), (da) or (db)” for “(c), (d) or (da)”,

and

(b) in section 14C—

(i) in subsection (2)—

(I) in paragraph (a), by the substitution of “relevant offence” for “sexual offence”, and

(II) by the substitution of the following paragraph for paragraph (b):

“(b) a victim of the relevant offence who has attained the age of 18 years is to give evidence,”, and (ii) by the insertion of the follow-

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ing subsection after subsection (2): “(2A) The court, in performing its functions under subsection (2), shall have regard to the need to protect the victim from secondary and repeat victimisation, intimidation or retaliation, taking into account— (a) the nature and circumstances of the case, and (b) the personal characteristics of the victim.”.”.

Deputy Helen McEntee: Provision was made in section 14C(2) of the Criminal Evidence Act 1992 that where a person is accused of a sexual offence and the alleged adult victim is to give evidence, the court may direct that the accused may not personally cross-examine the witness unless the court is of the opinion that the interests of justice require it.

This amendment essentially broadens the scope of this protection to cover “relevant offences” within the meaning of the 1992 Act, which includes offences involving violence or the threat of violence, coercive control, forced marriage and certain other offences. It will also include the new stalking and harassment offences and breaches of civil orders under section 28 of this Bill.

Extending the scope of this provision will help safeguard more victims from intimidation, retaliation and re-victimisation in a courtroom setting. I am hopeful that providing this protection will encourage more victims to come forward.

Seanad amendment agreed to.

Seanad amendment No. 21:

Section 51: In page 30, between lines 15 and 16, to insert the following:

“Amendment of section 2 of Criminal Justice Act 1993

51. (1) Section 2 of the Criminal Justice Act 1993 is amended by the insertion of the following subsections after subsection (4):

“(5) Where the convicted person in relation to whom an application under this section is made is a person who was under the age of 18 years when the sentence was imposed on him by the sentencing court concerned and he has attained the age of 18 years on or before the date on which the application is determined by the Court, the reference in subsection (3)(a) to a sentence which could have been imposed on him by the sentencing court concerned shall be construed as a reference to a sentence which could have been imposed on him by the sentencing court concerned had he attained that age at the time when the sentence was so imposed.

(6) Where subsection (5) applies and the application under this section is in respect of a sentence imposed on a person convicted of treason or murder before the person has attained the age of 18 years, the Court may, notwithstanding section 2 of the Criminal Justice Act 1990, impose such sentence as it considers appropriate.”.

(2) The amendments of section 2 of the Criminal Justice Act 1993 effected by *subsection (1)* shall apply in respect of an application under that section that—

- (a) is brought on or after the date of the coming into operation of this section, or
- (b) has been brought before the date of the coming into operation of this section

where final judgment has not been given before that date.”.

Seanad amendment agreed to.

Seanad amendment No. 22:

Section 51: In page 30, between lines 15 and 16, to insert the following:

“Amendment of section 3 of Criminal Procedure Act 1993

52. (1) Section 3 of the Criminal Procedure Act 1993 is amended by the insertion of the following subsections after subsection (8):

“(9) For the purposes of subsection (1)(d), where the appellant is a person who—

(a) was under the age of 18 years when he was convicted and sentenced at the trial, and

(b) has attained the age of 18 years on or before the date on which the appeal is determined by the Court, the sentence that may be imposed on the person by the Court pursuant to subparagraph (ii) of subsection (1)(d) for some other offence and in substitution for the sentence imposed at the trial shall not be deemed to be a sentence of greater severity by reason only of the fact that the sentence could not have been imposed on the person at the trial given that the person was under the age of 18 years at the time of sentencing.

(10) For the purposes of subsection (2), where the convicted person in relation to whom an appeal against sentence is brought is a person who was under the age of 18 years when the sentence was imposed on them by the court of trial and the person has attained the age of 18 years on or before the date on which the appeal is determined by the Court, the reference in that subsection to a sentence or order which could have been imposed on the convicted person for the offence at the court of trial shall be construed as a reference to a sentence or order which could have been imposed on the convicted person for the offence at the court of trial had he attained that age at the time when the sentence or order was so imposed.

(11) Where subsection (10) applies and the appeal against sentence is in respect of a sentence imposed on a person convicted of treason or murder before the person has attained the age of 18 years, the Court may, notwithstanding section 2 of the Criminal Justice Act 1990, impose such sentence or order as it considers appropriate.”.

(2) The amendments of section 3 of the Criminal Procedure Act 1993 effected by *subsection (1)* shall apply in respect of—

(a) an appeal under subsection (1) of that section against conviction of an offence, and

(b) an appeal under subsection (2) of that section against sentence for an offence—

where the appeal—

(i) is brought on or after the date of the coming into operation of this section, or

(ii) has been brought before the date of the coming into operation of this section where final judgment has not been given before that date.”.

Seanad amendment agreed to.

Seanad amendment No. 23:

Section 51: In page 31, between lines 12 and 13, to insert the following:

“(b) in section 19(2)(b), by the substitution of “12 years” for “7 years”,.”.

Deputy Helen McEntee: This amendment increases the maximum penalty for assault on gardaí and other peace officers from seven years to 12 years. We are all conscious of the dedication and commitment of our front-line workers and the risks they take in the course of their duties. Any police force, but an unarmed force in particular, depends on absolute respect for the safety of its officers.

We cannot accept any violence at any level. While such incidents are rare, there has, sadly, been an increase in them, and we as legislators must send a clear message that any such attacks are deplorable and will be dealt with robustly. I am under no illusions that legislation alone can be a solution to this problem, but a strong deterrent should be in place to reinforce the safety of those who put themselves in harm’s way to protect the public, and to demonstrate our solidarity with them.

The penalty for section 3 assault causing harm is being increased from five years to ten years under this Bill. The increase to 12 years in the penalty of assault on a peace officer under section 19 will maintain the existing relationship between the section 19 penalty and the section 3 penalty, reflecting the particular importance of protecting police and other front-line workers from aggression and violence in their roles.

I am conscious good arguments may be made that other categories of peace officers should be covered by this provision. However, I emphasise that the section 19 offence complements the already comprehensive provisions in place in respect of assault and that the increased ten-year maximum penalty for assault causing harm will in itself constitute an important protection and deterrent against violence for all members of our society. Members of the Garda Síochána, in particular, face unique challenges, and this section reflects that. I acknowledge the work of Senator Gallagher, the Minister of State, Deputy Richmond, and the former Minister for Justice, Deputy Harris, in bringing forward this amendment.

Deputy Brendan Howlin: Nobody in the House would not be very concerned by the increase in violence aimed at members of An Garda Síochána that we can see on social media all the time. I am referring in particular to what new, young gardaí have to face. It is not always physical abuse. Some of the verbal abuse and harassment they endure is very worrying. I do not want to suggest a knee-jerk reaction. Increasing the penalties is not something anyone in the House would object to. Where there is a serious assault causing real harm, there has to be a significant penalty for it. There must be a different strategy to support young, new members of an Garda Síochána who face incredible intimidation on the streets, some of which we have seen

on social media. I am interested in hearing the views of the Minister on this matter.

Deputy Helen McEntee: The Deputy is right that this is not a panacea. This will not deal with or respond to all incidents. We need to try to support the Garda. Going back to our conversation last night, it is about making sure the Garda has the necessary resources, numbers and technology, particularly making sure gardaí have body-worn cameras. It has been shown in other jurisdictions where they have been introduced that they benefit the police when they arrive on the scene of an incident or crime in obtaining the first pieces of evidence or information and in protecting them. If people know they are being recorded, it modifies their behaviour. As the Deputy has just mentioned, we often see incidents put up on social media. The perpetrators put up what they want to show. What is important is that gardaí have the evidence and ability to record their version of events. People will be aware of the technology of the Garda and will know it has it. It will be able to go back 15 seconds to record an incident that might have happened to get the full picture to so as to protect gardaí. In other jurisdictions, people's behaviour has been modified because of this. This in itself will not change certain people's behaviour. That is where we hope the rest of the work under way, particularly with regard to younger people, will be effective. There has been a change in attitude towards An Garda Síochána. The level of respect has perhaps declined. I will not say there was fear but people respected a garda walking past them or a garda who issued a direction or questioned them. This is not always the case now. It is about engaging with younger people and making sure we invest in our youth justice strategy and divergent programme. It is about making sure we have gardaí on the beat in our communities and engaging with people so they become known to them and are part of the community. There are many ways in which we can address this. Body-worn cameras are really important in addressing what the Deputy mentioned, namely assaults and attacks on gardaí. The next Bill we will debate will progress this, and I hope we will have body cameras on gardaí as quickly as possible.

Seanad amendment agreed to.

Seanad amendment No. 24:

Section 52: In page 31, between lines 14 and 15, to insert the following:

“Amendment of First Schedule to Extradition (Amendment) Act 1994

52. The First Schedule to the Extradition (Amendment) Act 1994 is amended in paragraph 6 by—

(a) the insertion of the following subparagraph after subparagraph (a):

“(aa) section 3A (non-fatal strangulation or non-fatal suffocation);”,

and

(b) the insertion of the following subparagraph after subparagraph (b):

“(ba) section 4A (non-fatal strangulation or non-fatal suffocation causing serious harm);”.

Seanad amendment agreed to.

Seanad amendment No. 25:

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Section 54: In page 32, between lines 15 and 16, to insert the following:

“Amendment of Second Schedule to Criminal Justice (Safety of United Nations Workers) Act 2000

54. The Second Schedule to the Criminal Justice (Safety of United Nations Workers) Act 2000 is amended in paragraph 4 of Part I by—

(a) the insertion of the following subparagraph after subparagraph (b):

“(ba) section 3A (non-fatal strangulation or non-fatal suffocation);”,

and

(b) the insertion of the following subparagraph after subparagraph (c):

“(ca) section 4A (non-fatal strangulation or non-fatal suffocation causing serious harm);”.’”.

Seanad amendment agreed to.

Seanad amendment No. 26:

Section 54: In page 32, between lines 15 and 16, to insert the following:

“Amendment of Criminal Justice (Theft and Fraud Offences) Act 2001

55. Section 36 of the Criminal Justice (Theft and Fraud Offences): Act 2001 is amended by the substitution of the following subsection for subsection (3):

“(3) A person guilty of an offence under this section is liable on conviction on indictment to a fine or imprisonment for a term not exceeding—

(a) in the case of an offence under subsection (1), 10 years, or

(b) in the case of an offence under subsection (2), five years, or both.”.”.

Seanad amendment agreed to.

Seanad amendment No. 27:

Section 55: In page 32, between lines 22 and 23, to insert the following:

“Amendment of Criminal Justice (Terrorist Offences) Act 2005

55. The Criminal Justice (Terrorist Offences) Act 2005 is amended—

(a) in Part 1 of Schedule 2, in paragraph 2, by—

(i) the insertion of the following subparagraph after subparagraph (a):

“(aa) section 3A (non-fatal strangulation or non-fatal suffocation);”,

and

(ii) the insertion of the following subparagraph after subparagraph (b):

“(ba) section 4A (non-fatal strangulation or non-fatal suffocation causing serious harm);”,

and

(b) in Part 1 of Schedule 6, in paragraph 2, by—

(i) the insertion of the following subparagraph after subparagraph (b):

“(ba) section 3A (non-fatal strangulation or non-fatal suffocation);”,

and

(ii) the insertion of the following subparagraph after subparagraph (c):

“(ca) section 4A (non-fatal strangulation or non-fatal suffocation causing serious harm);”.’”.

Seanad amendment agreed to.

Seanad amendment No. 28:

Section 55: In page 32, between lines 22 and 23, to insert the following:

“Amendment of Garda Síochána Act 2005

56. Section 122(5)(b)(ii) of the Garda Síochána Act 2005 is amended by the substitution of “section 51(2)(d)” for “section 51(2)(b)”.

Seanad amendment agreed to.

Seanad amendment No. 29:

Section 55: In page 32, to delete lines 23 to 33 and substitute the following:

“Amendment of Schedule 1 to Criminal Law (Insanity) Act 2006

55. Schedule 1 to the Criminal Law (Insanity) Act 2006 is amended—

(a) in paragraph 1, by the substitution of “appoint. The Minister may also appoint a deputy chairperson to the Review Board, where the Minister, after undertaking such consultation, considers it to be appropriate.” for “appoint.”,

(b) in paragraph 2, by the substitution of “chairperson and, where applicable, the deputy chairperson” for “chairperson”,

(c) in paragraph 7, by the substitution of “chairperson and, where applicable, the deputy chairperson (other than a chairperson or deputy chairperson who is a serving judge)” for “chairperson other than a chairperson who is a serving judge”, and

(d) by the insertion of the following paragraph after paragraph 8:

“8A. In the event that the chairperson is temporarily unable to perform his or her functions as chairperson due to absence or incapacity—

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(a) where a deputy chairperson has been appointed, the deputy chairperson shall act as chairperson for the duration of the period of absence or incapacity, or

(b) where a deputy chairperson has not been appointed or the deputy chairperson is temporarily unable to act as chairperson due to absence or incapacity, the Minister may appoint—

(i) a member of the Review Board, or

(ii) any other person,

possessing the qualifications referred to in paragraph 2 of this Schedule, to act as chairperson during the period during which the chairperson is unable to so act.”.”.

Deputy Helen McEntee: The Mental Health Review Board, MHRB, is a quasi-judicial body responsible for the review of the detention of patients in the Central Mental Hospital. Currently, paragraph 1 of Schedule 1 of the Criminal Law (Insanity) Act 2006 outlines the requirements of the membership of the board. There must be a chairperson and such number of ordinary members as determined by the Minister in consultation with the Minister for Health. As it stands, the chairperson must have ten years’ experience as a practising barrister or practising solicitor or be a judge or former judge. Should the chairperson be incapacitated or unavailable, there is, at present, no means to provide for a substitute. This presents a risk given the strict time limits applicable to such reviews.

This amendment will establish a deputy chairperson role for the board with the same qualification requirements as the chair and will require the deputy chair to act as chair where the chair is not present. This will ensure that the reviews due to take place will still be possible even if the chairperson is unavailable. Should it arise that both the chair and deputy chair are unavailable, which could happen, the Minister may appoint a suitably qualified individual to act temporarily. An amendment to Schedule 1 to the Criminal Law (Insanity) Act 2006 is already in the Bill to this effect.

Seanad amendment agreed to.

Seanad amendment No. 30:

Section 56: In page 32, to delete lines 34 and 35, and in page 33, to delete lines 1 to 5 and substitute the following new section:

“Amendment of Criminal Justice Act 2006

56. The Criminal Justice Act 2006 is amended—

(a) in section 16, by the insertion of the following subsection after subsection (6):

“(7) A reference in subsection (1) to a person being sent forward for trial shall, in relation to proceedings before a Special Criminal Court, include, where appropriate, a reference to such a person being charged before that court.”,

and

(b) in paragraph 2 of Schedule 3, by the insertion of the following after “section 3 (assault causing harm)”:

“section 3A (non-fatal strangulation or non-fatal suffocation)”.

Seanad amendment agreed to.

Seanad amendment No. 31:

Section 58: In page 33, between lines 7 and 8, to insert the following:

“Amendment of Schedule 2 to Criminal Justice Act 2007

58. Schedule 2 to the Criminal Justice Act 2007 is amended in paragraph 2 by the insertion of the following subparagraph after subparagraph (a):

“(aa) section 4A (non-fatal strangulation or non-fatal suffocation causing serious harm);”.

Seanad amendment agreed to.

Seanad amendment No. 32:

Section 58: In page 33, to delete lines 8 to 24.

Seanad amendment agreed to.

Seanad amendment No. 33:

Section 59: In page 33, between lines 24 and 25, to insert the following:

“Amendment of Schedule 3 to Broadcasting Act 2009

59. Schedule 3 to the Broadcasting Act 2009 is amended—

(a) by the insertion of the following paragraph after paragraph 11:

“11A. Online content by which a person without lawful excuse, intentionally or recklessly, causes another to believe on reasonable grounds that he or she is likely immediately to be subjected to suffocation or strangulation, contrary to section 3A(1) (b) of the Non-Fatal Offences against the Person Act 1997.”,

(b) by the substitution of the following paragraph for paragraph 13:

““13. Online content by which a person harasses another contrary to section 10(1), stalks another contrary to section 10(2), or breaches an order made under section 10(4), of the Non-Fatal Offences against the Person Act 1997.”,

(c) by the insertion of the following paragraph after paragraph 13:

“13A. Online content by which a person publishes or broadcasts identifying material contrary to section 10A of the Non-Fatal Offences against the Person Act 1997,”,

and

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(d) by the insertion of the following after paragraph 42:

“Criminal Justice (Miscellaneous Provisions) Act 2023

43. Online content by which a person breaches an order made under *section 27* of the *Criminal Justice (Miscellaneous Provisions) Act 2023*.

44. Online content by which a person publishes or broadcasts identifying material contrary to *section 45* of the *Criminal Justice (Miscellaneous Provisions) Act 2023*.”.

Seanad amendment agreed to.

An Leas-Cheann Comhairle: Seanad amendments Nos. 34 and 39 are related and may be discussed together.

Seanad amendment No. 34:

Section 59: In page 33, between lines 24 and 25, to insert the following:

“Amendment of Communications (Retention of Data) Act 2011

60. The Communications (Retention of Data) Act 2011 is amended—

(a) in section 1(1), in paragraph (d) of the definition of “superior officer”, by the substitution of “Commission” for “Authority” in each place where it occurs,

(b) in section 3A(8), by the substitution of “Schedule 2” for “Schedule 2 data” in each place where it occurs,

(c) in section 4(1), by the substitution of “retains or preserves” for “retains”,

(d) in section 6—

(i) in subsection (3)(a), by the substitution of “officer” for “member”, and

(ii) in subsection (4)(a), by the substitution of “officer” for “member”,

(e) in section 6B—

(i) in subsection (9), by the substitution of “Subject to subsection (15), a superior officer” for “A superior officer”,

(ii) in subsection (10)—

(I) in paragraph (a), by the substitution of “*ex parte*,” for “*ex parte*, and”,

(II) in paragraph (b), by the substitution of “issued, and” for “issued.”, and

(III) by the insertion of the following paragraph after paragraph (b):

“(c) be heard otherwise than in public.”,

and

(iii) in subsection(15)(b), by the substitution of “subsection (9)” for “subsec-

tion (10)”,

(f) in section 6D—

(i) in subsection (11), by the substitution of “Subject to subsection (17), a superior officer” for “A superior officer”, and

(ii) in subsection (12)—

(I) in paragraph (a), by the substitution of “*ex parte*,” for “*ex parte*, and”,

(II) in paragraph (b), by the substitution of “issued, and” for “issued.”, and

(III) by the insertion of the following paragraph after paragraph (b):

“(c) be heard otherwise than in public.”,

(g) in section 6E(5), by the substitution of “section and section 6F,” for “section,”,

(h) in section 6F(1)—

(i) by the substitution of “Commission” for “Authority”, and

(ii) by the substitution of “disclose to the member or officer concerned Schedule 2 data, internet source data or cell site location data, as the case may be” for “disclose to the member Schedule 2 data or, as the case may be, internet source data”,

(i) in section 7A(7), by the substitution of “officer” for “member”,

(j) in section 7B—

(i) in subsection (5)(b)—

(I) by the substitution, in subparagraph (i), of “unavailable, or” for “unavailable,”,

(II) by the substitution, in subparagraph (ii), of “impeded.” for “impeded, or”, and

(III) by the deletion of subparagraph (iii),

(ii) in subsection (15), by the substitution of “subsection (21)” for “subsection (18)”, and

(iii) in subsection (16)—

(I) by the substitution of “subsection (15)” for “subsection (21)”,

(II) in paragraph (a), by the substitution of “*ex parte*,” for “*ex parte*, and”,

(III) in paragraph (b), by the substitution of “made, and” for “made.”, and

(IV) by the insertion of the following paragraph after paragraph (b):

“(c) be heard otherwise than in public.”,

(k) in section 7D—

(i) in subsection (5)(b)—

(I) by the substitution, in subparagraph (i), of “unavailable, or” for “unavailable,”

(II) by the substitution, in subparagraph (ii), of “impeded.” for “impeded, or”, and

(III) by the deletion of subparagraph (iii),

and

(ii) in subsection (16)—

(I) in paragraph (a), by the substitution of “*ex parte*,” for “*ex parte*, and”,

(II) in paragraph (b), by the substitution of “made, and” for “made.”, and

(III) by the insertion of the following paragraph after paragraph (b):

“(c) be heard otherwise than in public.”,

(l) in section 9—

(i) in subsection (1), by the substitution of “7C or 7D” for “7C(1) or 7D(1)”,

(ii) in subsection (2), by the substitution of “7C or 7D” for “7C(2) or 7D(2)”,

(iii) in subsection (3), by the substitution of “7C or 7D” for “7C(6) or 7D(6)”,

(iv) in subsection (3A), by the substitution of “7C or 7D” for “7C(7) or 7D(7)”,

and

(v) in subsection (5)(c), by the substitution of “date on which the disclosure requirement was made” for “disclosure requirement”,

(m) in section 10(10), by the substitution of “the requirement” for “the request”,

(n) in section 12—

(i) in subsection (2)(b), by the substitution of “requirement” for “request”,

(ii) in subsection (3), by the substitution of “the requirement” for “the request”,

and

(iii) in subsection (4), by the substitution of “disclosure requirements” for “disclosure requests”,

(o) in section 12A(1), by the substitution of “section” for “sections”,

(p) in section 12F(2), by the substitution of the following paragraph for paragraph (c):

“(c) the procedures for making a requirement under section 6 or 6F and for making an application under section 6A, 6B, 6C, 6D, 6E, 7A, 7B, 7C or 7D.”,

(q) in section 12G(3)—

(i) by the substitution of the following paragraph for paragraph (b):

“(b) an authorisation issued under section 6B,”

and

(ii) by the substitution of the following paragraph for paragraph (d):

“(d) a temporary production order made under section 7D(3).”,

(r) in section 12I—

(i) by the substitution of “Commission” for “Authority”, and

(ii) by the deletion of “6E(1).”,

and

(s) in section 12J(2), by the substitution of “section” for “sections”.

Deputy Helen McEntee: These amendments correct certain drafting and cross-referencing issues in the Communications (Retention of Data) Act 2011 arising from the amending Act in this area, which was passed last year. I draw attention in particular to the amendments to subsections 77(e), (f), (j) and (k) of the Bill relating to applications to a judge. Under the 2011 Act, as amended, applications for data must be approved by a judge. Applications are made on an *ex parte* basis, with the relevant agency present, such as An Garda Síochána. They must also be heard in private. This prevents a risk of any person disposing of evidence or otherwise frustrating any evidence.

There are four other sections of the Act that permit a superior officer to sign off an application for data in urgent cases. This would apply if there were immediate risks of data being destroyed or a risk to life, national security or a criminal investigation. The superior officer must apply to a judge within 72 hours of affirmation of an urgent order. The judge reviews the cases and assesses whether the order should have been made. This safeguard is a requirement of the rulings of the Court of Justice of the European Union. The Act currently provides that an application to a judge for affirmation of an urgent order must be made on an *ex parte* basis but it does not state that the application must be heard in private. The amendments confirm that these applications must be heard in private. They will prevent any risk to the operation of these sensitive data applications and will ensure there are consistent rules throughout the Act for applications to a judge.

Seanad amendment agreed to.

Seanad amendment No. 35:

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Section 59: In page 33, between lines 24 and 25, to insert the following:

“Amendment of Schedule to Criminal Procedure Act 2010

61. The Schedule to the Criminal Procedure Act 2010 is amended in paragraph 10 by the insertion of the following subparagraph after subparagraph (a):

“(aa) section 4A (non-fatal strangulation or non-fatal suffocation causing serious harm);”.’”.

Seanad amendment agreed to.

Seanad amendment No. 36:

Section 60: In page 33, between lines 27 and 28, to insert the following:

“Amendment of Criminal Justice (Withholding of Information on Offences against Children and Vulnerable Persons) Act 2012

60. The Criminal Justice (Withholding of Information on Offences against Children and Vulnerable Persons) Act 2012 is amended—

(a) in Schedule 1, in paragraph 18, by—

(i) the insertion of the following subparagraph after subparagraph (a):

“(aa) section 3A (non-fatal strangulation or non-fatal suffocation),”,

and

(ii) the insertion of the following subparagraph after subparagraph (b):

“(ba) section 4A (non-fatal strangulation or non-fatal suffocation causing serious harm),”,

and

(b) in Schedule 2, by the substitution of the following paragraph for paragraph 11:

“11. An offence under any of the following provisions of the Non-Fatal Offences against the Person Act 1997—

(a) section 3 (assault causing harm),

(b) section 3A (non-fatal strangulation or non-fatal suffocation).’”.

Seanad amendment agreed to.

Seanad amendment No. 37:

Section 60: In page 33, between lines 27 and 28, to insert the following:

“Amendment of Schedule 1 to Criminal Justice (Forensic Evidence and DNA Database System) Act 2014

61. Schedule 1 to the Criminal Justice (Forensic Evidence and DNA Database System) Act 2014 is amended—

(a) by the repeal of paragraph 1(5),

(b) in paragraph 1(7), by the substitution of “human rights, data protection” for “human rights”, and

(c) in paragraph 2(6), by the deletion of “and the person nominated for appointment by the Data Protection Commissioner”.

Seanad amendment agreed to.

Seanad amendment No. 38:

Section 62: In page 34, between lines 9 and 10, to insert the following:

“Amendment of section 1 of Criminal Law (Extraterritorial Jurisdiction) Act 2019

62. Section 1 of the Criminal Law (Extraterritorial Jurisdiction) Act 2019 is amended, in paragraph (a) of the definition of “relevant offence”, by—

(a) the insertion of “3A,” after “3,” and

(b) the insertion of “4A,” after “4.”.

Seanad amendment agreed to.

Seanad amendment No. 39:

New section: In page 34, after line 12, to insert the following:

“Provision relating to insertion of sections 6A to 6F of Communications (Retention of Data) Act 2011

63. It is hereby confirmed that, notwithstanding section 6 of the Communications (Retention of Data) (Amendment) Act 2022 (“Act of 2022”), sections 6A to 6F contained in section 6 of the Act of 2022 were, on the date on which section 6 of the Act of 2022 came into operation, inserted into the Communications (Retention of Data) Act 2011 after section 6 of that Act.”.

Seanad amendment agreed to.

Seanad amendment No. 40:

New section: In page 34, after line 12, to insert the following:

“Amendment of Schedule 2 to European Union (Passenger Name Record Data) Regulations 2018

64. Schedule 2 to the European Union (Passenger Name Record Data) Regulations 2018 (S.I. No. 177 of 2018) is amended in paragraph 12 by—

(a) the insertion of “3A,” after “3,” and

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(b) the insertion of “4A,” after “4,”.”.

Seanad amendment agreed to.

Seanad amendments reported.

An Leas-Cheann Comhairle: A message will be sent to Seanad Éireann acquainting it that Dáil Éireann has agreed to all the amendments made by Seanad Éireann to the Criminal Justice (Miscellaneous Provisions) Bill 2022.

Garda Síochána (Recording Devices) Bill 2022: Report and Final Stages

An Leas-Cheann Comhairle: Amendments Nos. 1 to 4, inclusive, are related and may be discussed together.

Deputy Thomas Pringle: I move amendment No. 1:

In page 14, to delete lines 9 to 41, and in page 15, to delete lines 1 to 12.

This amendment calls for the deletion of provisions relating to focused monitoring by a member of Garda personnel relating to arrestable offences and matters relating to the security of the State. I am seeking the deletion of the whole section.

This is warranted because, as I read the section, it lays out that An Garda Síochána can make use of this section off its own bat and that this monitoring can continue on. While the section does provide that it must be signed off by an officer at the rank of superintendent or above, I do not believe this allows for sufficient checks and balances or enough oversight of what is happening. For that reason, this is a very worrying situation. A situation could arise where An Garda Síochána continues to sign off on monitoring and it goes on forever without ever being scrutinised. In theory, that could happen and, if it can happen in theory, it is likely actually to happen. Even if a member of An Garda Síochána was particular enough to say that should not happen, from my reading of the section, one of these orders could be in place before lapsing for a day and another being signed off on and put in place without any scrutiny at all. There could be monitoring of a vehicle suspected of having been involved in a crime for an entire year, bar four days. That is very dangerous and very wrong. It is something we should remove from the Bill.

Minister for Justice(Deputy Helen McEntee): Am I taking amendments Nos. 1 to 4, inclusive, together? They are related.

Deputy Thomas Pringle: I am sorry. I forgot about that.

Deputy Helen McEntee: They are all connected and one is consequential on the other so I will address them together, if that is okay. Essentially, this section allows An Garda Síochána to undertake focused monitoring, particularly through the use of automatic number plate recognition, ANPR. For example, if An Garda Síochána felt a particular person with a particular car needed to be monitored, it could get permission to be alerted if that car passed an ANPR monitor. Under the section, permission or approval would have to be sought from an officer at the rank of superintendent and this monitoring could be carried out for a maximum of three

months. Evidence would obviously have to be provided as to why the monitoring was required.

The Deputy's first amendment proposes the removal of the entire section so as to disallow this kind of focused monitoring. The second amends the length of time monitoring can be carried out for. This second amendment would obviously fall if the section was removed. The third and fourth amendments refer to how this period can be extended. As I have said, approval must be sought at the level of superintendent within An Garda Síochána but any extension beyond three months would require the approval of a District Court judge. It is not the case that An Garda Síochána could decide to extend this monitoring for any length of time. If it goes beyond three months, it would have to go to a District Court judge. After those three months, if a further extension is required, it would again have to go to a District Court judge.

The Deputy's amendment suggests that if, after a number of iterations, another extension is sought, it would have to go to the Circuit Court. It is generally agreed that going to a District Court judge constitutes a level of oversight that is in line with what is being requested here. Again, this is to allow gardaí to be able to do their job. I believe there is relevant oversight. The section does say that approval "shall not exceed a duration of 3 months". It is generally the intention of An Garda Síochána for such monitoring only to be needed for a matter of weeks or months. If it exceeds that, the matter must go to a District Court judge. It is really important that An Garda Síochána has this type of technology available to it to assist gardaí in doing their everyday job.

An Leas-Cheann Comhairle: To clarify, we are discussing amendments Nos. 1 to 4, inclusive, together. I should have clarified that.

Deputy Thomas Pringle: I am sorry; that was my mistake. I will speak to the other three. On what the Minister has said with regard to oversight, the section actually says:

A member of Garda personnel may utilise ANPR data to monitor the movements of a particular vehicle (in this section and section 18 referred to as "focussed monitoring") only if that utilisation—

(a) has been approved under this section by a member of the Garda Síochána not below the rank of superintendent following receipt of an application which shall be made by the member of Garda personnel, or

(b) has been authorised by a judge of the District Court

It does not say "and has been authorised by a judge of the District Court". Perhaps I am wrong but my reading of that is that An Garda can do this off its own bat. That is okay. If this amendment was accepted, the next amendment would amend the next section, section 18, to remove the mention of section 17. On amendment No. 4, I believe there should be some oversight of the judges as well.

It is not that anybody is saying that gardaí should not be able to do their job or that they should not do this job. What I am saying is that gardaí can do this job but there should be proper oversight and proper protections. Gardaí have to be conscious of the need to protect everybody's rights. While those subject to monitoring may be deemed criminals, it does not mean that they have fewer rights than any other person living in Ireland. Gardaí have to be conscious of the right of individuals within the country while they are doing their job. Having proper oversight is just par for the course in that job. That is what it should always be about. I do not

believe that a member of An Garda Síochána getting authorisation for this kind of monitoring from his or her boss constitutes oversight. That does not work. With the best will in the world, this is also for the protection of gardaí in doing their job. It would mean that they would not be called into question in the future for having done this. This does not work and that is the reason I put forward these amendments. It is very important.

Amendment No. 4 just provides that there should be oversight within the Judiciary. If one judge signs off on this, that is fair enough, but, after a certain period of time, an extra judge should get involved to provide oversight. I do not believe this is that onerous. Obviously, An Garda Síochána may think it is but I do not. We should look at it as providing protection for all citizens within the legislation.

Deputy Pa Daly: The introduction of an element of formality to these extra powers being given to An Garda Síochána is welcome. On amendments Nos. 3 and 4, I agree that, if there have been two authorisations, notwithstanding that they have received approval from a superintendent and a District Court judge, in order to concentrate minds as to how serious these powers are, it would be more prudent if approval from a Circuit Court judge was required. It is an acceptable check or balance in the system. I support amendment No. 4.

Deputy Helen McEntee: To clarify, section 17(1) includes a section 17(1)(a) and a section 17(1)(b), the latter of which reads “has been authorised by a judge of the District Court under *section 18*.” Section 18 states: “If an approval under section 17 has been granted and a member of the Garda Síochána not below the rank of superintendent believes that focussed monitoring of the vehicle concerned for more than 3 months [...] is justified” the matter will go to the District Court. For up to three months, approval may be granted by an officer at the level of superintendent or above. Evidence has to be provided to allow for this to happen. Where the matter goes to a judge, a member of An Garda Síochána would have to provide information on oath and swear before a judge. Obviously, this is not something gardaí will do lightly or without the correct facts and information. I fully agree with the Deputy that gardaí are there to treat all people equally but it is also their job to keep us safe. This gives them the ability to deal with criminals, those who would break our law. I believe it is important that An Garda Síochána has the right tools and technology. That is what this Bill is about. It is about providing the technology, with the right level of oversight, to allow An Garda Síochána to do its job and to convict criminals engaged in various different forms of crime. This section applies to arrestable offences, that is, offences attracting a penalty of imprisonment of five years or more. We are not talking about petty theft or antisocial behaviour but about very serious offences. It is not going to be applied in absolutely every circumstance. It is a very necessary part of this legislation and that is why I cannot accept these amendments.

Deputy Thomas Pringle: Perhaps the Minister could clarify a point. Section 17(1)(b) says that this type of monitoring may be authorised by a member of Garda personnel of a suitable rank or through the process under section 18. Is that “or” in the wrong place? To my mind, that means that, if a garda wants to get one of these orders, he or she only needs to meet the first criteria.

Deputy Brendan Howlin: That is the case for the first three months.

Deputy Thomas Pringle: It says “or”.

Deputy Helen McEntee: Section 17 relates to utilising ANPR. That is why it says “or”

before referring to section 18. I assure the Deputy that this “or” applies only up to three months. Anything beyond three months must go to the District Court.

Deputy Pa Daly: On what the Minister said there about petty thefts, a theft offence, if it is on indictment, carries a penalty of up to five years, so it is possible that could be included in it, and all the more reason that if we are going into a six-month time period of a continuous assessment of it, it would be prudent to go to a Circuit Court judge-----

Deputy Helen McEntee: That is, perhaps, not the example to use, but any arrestable offence, yes.

Deputy Pa Daly: -----so they can weigh it up and take everything into account. There is definitely more scrutiny imposed in the Circuit Court than there would be in any other courts.

Deputy Brendan Howlin: I would not be in favour of removing the section. The powers are required, and there would be circumstances, where there are mobile gangs and so on, where these powers would be very useful. On Deputy Pringle’s point about longevity and that it is ongoing for a recurring three-month period, there is the notion that, and my colleague from Sinn Féin, Deputy Pa Daly, has much more experience of the courts than me, as a practitioner, I hasten to add, the seriousness would be underscored to An Garda Síochána by going to the Circuit Court. Would the Minister be open to that?

Deputy Helen McEntee: I will speak on the oversight, because obviously what the Deputy is trying to suggest is there would be oversight of the District Court judge by the Circuit Court judge in this instance.

Deputy Brendan Howlin: No, but you would have to go to a separate court.

Deputy Helen McEntee: What I can say is that, each year, a High Court judge will have to report to the Taoiseach on the operation of a number of sections, but in particular where we have this focused monitoring. That judge would have to look at how this has been applied and where it has been approved. Certainly, if there is anything that arises where it potentially has been abused or not applied in the right way, that is something the High Court judge would have to report on. There is that level of oversight there in the fact this has to be reported on every year, so the High Court judge looks at this. Again, we have to see how this would operate, but the intention is that this would be used in circumstances less than three months, but obviously we have to build in where there may be exceptional circumstances or where this may be required for longer periods. However, I think there is that level of scrutiny with the High Court report at the end of the year.

Amendment put and declared lost.

Amendments Nos. 2 and 3 not moved.

Deputy Thomas Pringle: I move amendment No. 4:

In page 16, between lines 21 and 22, to insert the following:

“(11) After the serving of 2 authorisations under this section the third and subsequent authorisations shall be granted by a judge of the Circuit Court.”.

Amendment put:

<i>The Dáil divided: Tá, 52; Níl, 80; Staon, 0.</i>		
<i>Tá</i>	<i>Níl</i>	<i>Staon</i>
<i>Andrews, Chris.</i>	<i>Berry, Cathal.</i>	
<i>Barry, Mick.</i>	<i>Brophy, Colm.</i>	
<i>Boyd Barrett, Richard.</i>	<i>Browne, James.</i>	
<i>Brady, John.</i>	<i>Bruton, Richard.</i>	
<i>Browne, Martin.</i>	<i>Burke, Colm.</i>	
<i>Buckley, Pat.</i>	<i>Burke, Peter.</i>	
<i>Cairns, Holly.</i>	<i>Butler, Mary.</i>	
<i>Carthy, Matt.</i>	<i>Byrne, Thomas.</i>	
<i>Clarke, Sorca.</i>	<i>Cahill, Jackie.</i>	
<i>Collins, Joan.</i>	<i>Calleary, Dara.</i>	
<i>Conway-Walsh, Rose.</i>	<i>Canney, Seán.</i>	
<i>Cronin, Réada.</i>	<i>Cannon, Ciarán.</i>	
<i>Crowe, Seán.</i>	<i>Carroll MacNeill, Jennifer.</i>	
<i>Daly, Pa.</i>	<i>Chambers, Jack.</i>	
<i>Doherty, Pearse.</i>	<i>Collins, Niall.</i>	
<i>Donnelly, Paul.</i>	<i>Costello, Patrick.</i>	
<i>Ellis, Dessie.</i>	<i>Coveney, Simon.</i>	
<i>Farrell, Mairéad.</i>	<i>Cowen, Barry.</i>	
<i>Funchion, Kathleen.</i>	<i>Creed, Michael.</i>	
<i>Gould, Thomas.</i>	<i>Crowe, Cathal.</i>	
<i>Guirke, Johnny.</i>	<i>Devlin, Cormac.</i>	
<i>Healy-Rae, Danny.</i>	<i>Dillon, Alan.</i>	
<i>Howlin, Brendan.</i>	<i>Donnelly, Stephen.</i>	
<i>Kenny, Gino.</i>	<i>Donohoe, Paschal.</i>	
<i>Kerrane, Claire.</i>	<i>Duffy, Francis Noel.</i>	
<i>Mac Lochlainn, Pádraig.</i>	<i>Durkan, Bernard J.</i>	
<i>McGrath, Mattie.</i>	<i>English, Damien.</i>	
<i>Mitchell, Denise.</i>	<i>Farrell, Alan.</i>	
<i>Munster, Imelda.</i>	<i>Feighan, Frankie.</i>	
<i>Murphy, Catherine.</i>	<i>Fitzpatrick, Peter.</i>	
<i>Murphy, Paul.</i>	<i>Flaherty, Joe.</i>	
<i>Mythen, Johnny.</i>	<i>Flanagan, Charles.</i>	
<i>Nash, Ged.</i>	<i>Fleming, Sean.</i>	
<i>Nolan, Carol.</i>	<i>Foley, Norma.</i>	
<i>O'Callaghan, Cian.</i>	<i>Griffin, Brendan.</i>	
<i>O'Reilly, Louise.</i>	<i>Harris, Simon.</i>	
<i>Ó Broin, Eoin.</i>	<i>Haughey, Seán.</i>	
<i>Ó Laoghaire, Donnchadh.</i>	<i>Heydon, Martin.</i>	
<i>Ó Murchú, Ruairí.</i>	<i>Higgins, Emer.</i>	
<i>Ó Snodaigh, Aengus.</i>	<i>Humphreys, Heather.</i>	
<i>Pringle, Thomas.</i>	<i>Kehoe, Paul.</i>	

<i>Quinlivan, Maurice.</i>	<i>Lahart, John.</i>	
<i>Ryan, Patricia.</i>	<i>Lawless, James.</i>	
<i>Sherlock, Sean.</i>	<i>Leddin, Brian.</i>	
<i>Shortall, Róisín.</i>	<i>MacSharry, Marc.</i>	
<i>Smith, Duncan.</i>	<i>Madigan, Josepha.</i>	
<i>Stanley, Brian.</i>	<i>Martin, Catherine.</i>	
<i>Tóibín, Peadar.</i>	<i>Martin, Micheál.</i>	
<i>Tully, Pauline.</i>	<i>Matthews, Steven.</i>	
<i>Ward, Mark.</i>	<i>McAuliffe, Paul.</i>	
<i>Whitmore, Jennifer.</i>	<i>McConalogue, Charlie.</i>	
<i>Wynne, Violet-Anne.</i>	<i>McEntee, Helen.</i>	
	<i>McGrath, Michael.</i>	
	<i>McGuinness, John.</i>	
	<i>McHugh, Joe.</i>	
	<i>Moynihan, Aindrias.</i>	
	<i>Moynihan, Michael.</i>	
	<i>Murnane O'Connor, Jennifer.</i>	
	<i>Murphy, Verona.</i>	
	<i>Naughton, Hildegard.</i>	
	<i>Noonan, Malcolm.</i>	
	<i>O'Brien, Darragh.</i>	
	<i>O'Brien, Joe.</i>	
	<i>O'Callaghan, Jim.</i>	
	<i>O'Connor, James.</i>	
	<i>O'Dowd, Fergus.</i>	
	<i>O'Gorman, Roderic.</i>	
	<i>O'Sullivan, Christopher.</i>	
	<i>O'Sullivan, Pádraig.</i>	
	<i>Ó Cathasaigh, Marc.</i>	
	<i>Ó Cuív, Éamon.</i>	
	<i>Phelan, John Paul.</i>	
	<i>Rabbitte, Anne.</i>	
	<i>Richmond, Neale.</i>	
	<i>Ryan, Eamon.</i>	
	<i>Smith, Brendan.</i>	
	<i>Smyth, Niamh.</i>	
	<i>Smyth, Ossian.</i>	
	<i>Stanton, David.</i>	
	<i>Troy, Robert.</i>	

Tellers: Tá, Deputies Thomas Pringle and Joan Collins; Níl, Deputies Hildegard Naughton

and Cormac Devlin.

Amendment declared lost.

Deputy Thomas Pringle: I move amendment No. 5:

In page 33, between lines 5 and 6, to insert the following:

“(d) shall cause a public consultation and public information campaign to be carried out,”.

This amendment relates to the provisions within the Act with regard to who has to be consulted in the legislation which has been put forward. This is to ensure that there is a public consultation on the amendments. We had a great deal of discussion on Committee Stage with regard to this provision and the Minister says that she has outlined a number of people who have to be consulted with respect to changes that are made:

- (i) the Minister;
- (ii) the Policing Authority;
- (iii) the Garda Síochána Ombudsman Commission; (iv) the Garda Síochána Inspectorate;
- (v) the Data Protection Commission;
- (vi) the Irish Human Rights and Equality Commission,
- (c) may, where appropriate, consult with the Local Government Management Agency

And so forth, but it forgets to mention that the public should also be consulted with regard to it. That is vitally important. I know that the Minister made the point on Committee Stage that it was implied that notice would be given but I do not believe that that is sufficient. There should be a requirement there to ensure that there is an active public consultation period in this regard. It might perhaps be that there may not be much interest in this or that many members of the public may not want to be consulted in this regard, but we should at the very least have the provision that they are consulted and that that is put into legislation.

It was also said on Committee Stage that it does not need to be specifically in the legislation but the Minister will remember when she appeared before the committee that she informed it that she was putting forward three or four amendments on Seanad Stage of the Bill, which were inferred in the Bill, but which she wanted to have explicitly stated in the Bill. I fail to see why they could be explicitly stated for the public and yet the public consultation should not be so stated in the Bill. For that reason, this amendment should be taken and that is why it is put forward.

Deputy Mark Ward: It is very important that we include public consultation in this from the beginning and make a requirement which serves several purposes. It first ensures that people know what the rules are and that they know the law. This is a chance for the people to understand how An Garda operates and for them to feed into consultation. I accept that the Bill states:

- (i) the Minister;

- (ii) the Policing Authority;
- (iii) the Garda Síochána Ombudsman Commission; (iv) the Garda Síochána Inspectorate;
- (v) the Data Protection Commission;
- (vi) the Irish Human Rights and Equality Commission,

The Bill, however, needs to be explicit when it comes to the general public. The second part of the amendment is in respect of a public information campaign. The Bill states that: “a draft code of practice is published on the website of an Garda Síochána to allow a person a period that he or she shall specify to make written representations in relation to the draft code.” That is all well and good but without a public awareness campaign, the general public may not know that they have to go to the website in order to make this consultation. This is why we are calling for a public information campaign.

We have seen this before in previous legislation where a public awareness campaign can very much work. I will mention one which went through the Committee on Children, Disability, Equality and Integration, which I was a member of last year, on the Assisted Decision-Making (Capacity) Act. The reason I mention that today is that I spoke to a constituent who rang me today who was benefiting from this legislation but the only reason he knew about it was because of the public information campaign, which was the information campaign on the radio and on television. The message got out to the general public. I believe that it is very important to get as much information out there to the general public as we can so that they can be included in this process.

Deputy Helen McEntee: I will address Deputy Pringle initially as he outlined where the Bill said that the Commissioner shall consult. He then outlined all of the various different bodies and he, perhaps, conveniently stopped then by saying “and so forth” because section (d) states:

(d) shall ensure that the draft code of practice is published on the website of the Garda Síochána in order to allow persons a period that he or she shall specify to
make written representations in relation to the draft code,

This particular section (d) is specifically to ensure that it is not just for the authority, the Ombudsman, the inspectorate, or the Irish Human Rights and Equality Commission, but that any other person has an opportunity to make their views known, particularly where a code of conduct has been set out. Obviously, this is something that is very new, with the introduction of body-worn cameras. The code of conduct is a very important oversight mechanism in understanding how this technology is going to be deployed and used. This is to ensure that there is that accountability and transparency which is completely right and appropriate. This section (d) clearly states that a person, and this can apply to any person, will have an opportunity to make a written representation and that is essentially a public consultation.

To be clear about this, because I am aware that there were different discussions at the Cabinet, this obviously refers to this particular section which is focused on the code of practice. There was a wider discussion around an awareness raising campaign on the legislation itself and the introduction of body-worn cameras. This is obviously going to happen and I will give

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a commitment that this is something that will happen once the Bill is enacted. Is it the intention that this information campaign would solely focus on the draft code of practice, or are we talking in a much wider space because that is the discussion which took place on Committee Stage?

I am very happy to look at it on an either/or basis and to look at what generally happens in other legislation and I do know and Deputy Howlin will be well aware of Coco's law, which was passed almost three years ago, where it was not expressly stated but there was a clear commitment from the Government, working with other agencies, to ensure that there was a campaign highlighting the Bill and its benefits and ensuring that it targeted those who we were very much trying to target and, in particular, younger people. There was a success rate because of that. The number of people engaging with the hotline and with the amount of prosecutions then going to An Garda Síochána has greatly benefited because of the consultation. I fully agree with all of the Deputies. I believe that public consultations are appropriate but I do not believe it is necessary to include that in every single piece of legislation and it is something I am happy to discuss further with the Deputies to see perhaps how we can ensure that it certainly happens.

Deputy Brendan Howlin: It would not do any harm to include it.

Deputy Helen McEntee: I suppose because we are talking about a public consultation and public information campaign, I generally believe that the public consultation piece is already addressing this Bill. It very clearly set out in section (d) that this applies to all persons. Perhaps this Bill probably still has a way to go and I can discuss further with the Deputies how can we can ensure that there is public awareness raising campaign once this Bill is enacted.

Deputy Thomas Pringle: I have no fault to find with the Minister and I take her at her word when she says that there will be an awareness campaign but I also believe that it should be in legislation. It should be in the legislation that there is a requirement that the public will be consulted in this regard. I rapidly went through the Bill and I did not stop deliberately before section (d), or anything like that, but yes section (d) does say that there should be consultation and that it will be allowed on the Garda Síochána website. But, then again, that implies a certain amount of knowledge because one has to know in order to go to the Garda Síochána website to actually get the information in this regard. People may have an interest in this, and they will be looking at the Garda Síochána website but there are also people who may not. I do not believe there is any harm in having a public consultation in respect of legislation. It is no big secret what we are doing here, there is no problem with it, and we should be making people aware and let people know that stuff is happening so that they can inform themselves. This would lead to the wider distribution of knowledge in regard to the actual legislation also as to what is included in it. I do not believe it would be any problem at all.

Deputy Mark Ward: The Minister herself has said that this legislation is very new. It is new for An Garda, for the public and for ourselves in here. As much awareness as we can get out there - I take the Minister's word on it - and an awareness campaign would be very beneficial for the general public. As Deputy Howlin said, what is the harm in having an information campaign within the legislation.

6 o'clock

Deputy Brendan Howlin: The Minister referenced Coco's Law and the outreach subsequent to its introduction. She is right that it was not put into the legislation. She gave a commitment which she honoured in full. It has been extraordinary the number of contacts I have had

even since, including invitations to be involved in seminars and online discussions with young people on it. That is really valuable. As I understand it, the difficulty the Minister has with the amendment is that it covers a public consultation and information campaign because she believes that the public consultation is already captured. What harm is it to take a belt-and-braces approach? If it is already captured, it will be made more explicit in order that it is understood that this is what will happen. It would improve the Bill to accept that and have the outreach to which I refer for people. It would allow people the opportunity to understand the implications of legislation like this. As with any new law in the criminal justice area, the Garda Síochána, requires a period between the enactment of the legislation and the Minister's formal order to commence the legislation in order that gardaí can become familiarised with it. Similarly, there could be a public outreach on legislation we pass so that the people are also familiar with it.

An Ceann Comhairle: The Minister has been in three times already. Does anyone else have anything to add? The Minister might respond if she wishes, even if we are bending the rules a little bit.

Deputy Helen McEntee: I appreciate what the Deputies are saying. The public consultation is captured in this. When we are talking about codes of practice, we are talking about the technicalities of implementing a new procedure, and the development and roll-out of body-worn cameras. Any person who has an interest in this will be following the development of this legislation. Once this is enacted, the next steps will be for the Garda Commissioner to work through the codes of practice to put this online so there will be an opportunity for people to have their say. As I have said, I am very happy to engage further with colleagues on how we roll out this information and how we ensure that the contents of this legislation are known to everybody. I will endeavour to engage with colleagues on this prior to the Bill going back to the Seanad.

Amendment put:

<i>The Dáil divided: Tá, 49; Níl, 73; Staon, 0.</i>		
<i>Tá</i>	<i>Níl</i>	<i>Staon</i>
<i>Andrews, Chris.</i>	<i>Berry, Cathal.</i>	
<i>Barry, Mick.</i>	<i>Brophy, Colm.</i>	
<i>Boyd Barrett, Richard.</i>	<i>Browne, James.</i>	
<i>Brady, John.</i>	<i>Bruton, Richard.</i>	
<i>Browne, Martin.</i>	<i>Burke, Colm.</i>	
<i>Buckley, Pat.</i>	<i>Burke, Peter.</i>	
<i>Carthy, Matt.</i>	<i>Butler, Mary.</i>	
<i>Clarke, Sorca.</i>	<i>Byrne, Thomas.</i>	
<i>Collins, Joan.</i>	<i>Cahill, Jackie.</i>	
<i>Collins, Michael.</i>	<i>Calleary, Dara.</i>	
<i>Connolly, Catherine.</i>	<i>Cannon, Ciarán.</i>	
<i>Cronin, Réada.</i>	<i>Carroll MacNeill, Jennifer.</i>	
<i>Crowe, Seán.</i>	<i>Chambers, Jack.</i>	
<i>Daly, Pa.</i>	<i>Collins, Niall.</i>	
<i>Donnelly, Paul.</i>	<i>Costello, Patrick.</i>	
<i>Ellis, Dessie.</i>	<i>Coveney, Simon.</i>	
<i>Farrell, Mairéad.</i>	<i>Creed, Michael.</i>	

<i>Funchion, Kathleen.</i>	<i>Crowe, Cathal.</i>	
<i>Gould, Thomas.</i>	<i>Devlin, Cormac.</i>	
<i>Guirke, Johnny.</i>	<i>Dillon, Alan.</i>	
<i>Harkin, Marian.</i>	<i>Donnelly, Stephen.</i>	
<i>Healy-Rae, Danny.</i>	<i>Duffy, Francis Noel.</i>	
<i>Howlin, Brendan.</i>	<i>Durkan, Bernard J.</i>	
<i>Kerrane, Claire.</i>	<i>English, Damien.</i>	
<i>Mac Lochlainn, Pádraig.</i>	<i>Farrell, Alan.</i>	
<i>Mitchell, Denise.</i>	<i>Feighan, Frankie.</i>	
<i>Munster, Imelda.</i>	<i>Fitzpatrick, Peter.</i>	
<i>Murphy, Catherine.</i>	<i>Flaherty, Joe.</i>	
<i>Murphy, Paul.</i>	<i>Flanagan, Charles.</i>	
<i>Mythen, Johnny.</i>	<i>Fleming, Sean.</i>	
<i>Nolan, Carol.</i>	<i>Foley, Norma.</i>	
<i>O'Callaghan, Cian.</i>	<i>Griffin, Brendan.</i>	
<i>O'Reilly, Louise.</i>	<i>Harris, Simon.</i>	
<i>Ó Broin, Eoin.</i>	<i>Haughey, Seán.</i>	
<i>Ó Laoghaire, Donnchadh.</i>	<i>Heydon, Martin.</i>	
<i>Ó Murchú, Ruairí.</i>	<i>Higgins, Emer.</i>	
<i>Ó Snodaigh, Aengus.</i>	<i>Humphreys, Heather.</i>	
<i>Pringle, Thomas.</i>	<i>Kehoe, Paul.</i>	
<i>Quinlivan, Maurice.</i>	<i>Lahart, John.</i>	
<i>Ryan, Patricia.</i>	<i>Lawless, James.</i>	
<i>Sherlock, Sean.</i>	<i>Madigan, Josepha.</i>	
<i>Shortall, Róisín.</i>	<i>Martin, Catherine.</i>	
<i>Smith, Duncan.</i>	<i>Martin, Micheál.</i>	
<i>Stanley, Brian.</i>	<i>Matthews, Steven.</i>	
<i>Tóibín, Peadar.</i>	<i>McAuliffe, Paul.</i>	
<i>Tully, Pauline.</i>	<i>McConalogue, Charlie.</i>	
<i>Ward, Mark.</i>	<i>McEntee, Helen.</i>	
<i>Whitmore, Jennifer.</i>	<i>McGuinness, John.</i>	
<i>Wynne, Violet-Anne.</i>	<i>McHugh, Joe.</i>	
	<i>Moynihan, Michael.</i>	
	<i>Murnane O'Connor, Jennifer.</i>	
	<i>Murphy, Verona.</i>	
	<i>Naughton, Hildegard.</i>	
	<i>Noonan, Malcolm.</i>	
	<i>O'Brien, Darragh.</i>	
	<i>O'Brien, Joe.</i>	
	<i>O'Callaghan, Jim.</i>	
	<i>O'Connor, James.</i>	
	<i>O'Dowd, Fergus.</i>	

	<i>O’Gorman, Roderic.</i>	
	<i>O’Sullivan, Christopher.</i>	
	<i>O’Sullivan, Pádraig.</i>	
	<i>Ó Cathasaigh, Marc.</i>	
	<i>Ó Cuív, Éamon.</i>	
	<i>Phelan, John Paul.</i>	
	<i>Rabbitte, Anne.</i>	
	<i>Richmond, Neale.</i>	
	<i>Ryan, Eamon.</i>	
	<i>Smith, Brendan.</i>	
	<i>Smyth, Niamh.</i>	
	<i>Smyth, Ossian.</i>	
	<i>Stanton, David.</i>	
	<i>Troy, Robert.</i>	

Tellers: Tá, Deputies Thomas Pringle and Joan Collins; Níl, Deputies Hildegarde Naughton and Cormac Devlin.

Amendment declared lost.

Bill received for final consideration and passed.

Gnó na Dála - Business of Dáil

Minister of State at the Department of the Taoiseach (Deputy Hildegarde Naughton):

It is proposed, notwithstanding the Order of the Dáil of yesterday, that the proceedings on Report and Final Stages of the Policing, Security and Community Safety Bill 2023 shall, if not previously concluded, stand adjourned after two hours and 30 minutes.

An Ceann Comhairle: Thank you. That is an addition of an-----

Deputy Joan Collins: Ceann Comhairle, can I ask why?

An Ceann Comhairle: That is an additional hour.

Deputy Joan Collins: Can I ask why, though? That does not normally happen. They normally try to guillotine it.

An Ceann Comhairle: If we do not want it, of course we can always say no.

Deputy Hildegarde Naughton: It is to allow Deputies extra speaking time to debate the Bill.

Deputy Brendan Howlin: It is not, because the Bill is to adjourn; it is not to conclude after 90 minutes.

Deputy John Paul Phelan: That is what she said.

Deputy Damien English: There is no guillotine.

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Deputy Brendan Howlin: That is what I am saying. We get as far as we can in 90 minutes.

The Tánaiste: There is no problem, like.

Deputy Hildegarde Naughton: We are offering extra speaking time on the Bill and the debate will be adjourned. We are offering Deputies extra speaking time.

Deputy Brendan Howlin: I am aware of that.

(Interruptions).

An Ceann Comhairle: Can we not have a free-for-all, please? The Government is offering additional time, which is, I would have thought, welcome.

(Interruptions).

Minister for Housing, Local Government and Heritage Deputy Darragh O'Brien: Like last Thursday morning. Housing questions and Opposition Deputies never showed up.

An Ceann Comhairle: Surely the Opposition is not objecting to extra time.

(Interruptions).

An Ceann Comhairle: Deputies do not mind staying around for an extra hour.

Question put and agreed to.

Policing, Security and Community Safety Bill 2023: Report and Final Stages

An Ceann Comhairle: Amendments Nos. 1, 3 to 5, inclusive, 7, 11, 13, 26 to 33, inclusive, 51 to 56, inclusive, 59, 63, 64, and 78 to 82, inclusive, are related and will be discussed together.

Minister for Justice (Deputy Helen McEntee): I move amendment No .1:

In page 17, lines 8 and 9, to delete “or, in the English language, the Board of An Garda Síochána”.

I will speak on amendment No.1 and all other ministerial amendments in this grouping. I also note amendment No. 11 from Deputies Daly and Ó Snodaigh is included in this grouping.

These amendments provide for the naming of bodies established by the Bill in the Irish language only and any other necessary consequential amendments. As Deputies will be aware, on Committee Stage, the then Minister, Deputy Harris, indicated he would consider the naming of the bodies to be established by the Bill in light of the Official Languages (Amendment) Act of 2021. While not yet commenced, section 5 of the Act provides that bodies established on and after commencement will be named in the Irish language only. Notwithstanding that the section has not been commenced, I propose to provide for the naming of the bodies in the Irish language only. This is in line with the 2021 Act and will help increase the role and visibility of the Irish language in public life. Deputies will note that the Office of the Police Ombudsman in Irish is not included in these amendments. That is because I am considering the name of this body more generally. It is something I will return to in the Seanad.

The effect of amendment No. 11 will be twofold. First, the titles of all bodies established under the Act will be in the Irish language only. As outlined before, I support that. Second, the titles of all officers established by this Act along with the ranks of members of An Garda Síochána would also be in Irish. That is not something I am supporting. It goes beyond the obligations contained in the Official Languages (Amendment) Act that all logos are in Irish or Irish and English. The Act is the correct authority to follow here and I do not propose to go beyond that. Such titles for Garda ranks exist in the Irish language, are used by members at their own discretion and I do not think it is necessary to set this on a statutory footing. Therefore, I will not support the amendment. I will, however, support the naming of all the different independent bodies.

Deputy Aengus Ó Snodaigh: Gabhaim buíochas leis an Aire. Cuirim fáilte roimh an gcinneadh atá glactha maidir le hainmniú na n-eagras difriúil faoin Acht seo. I welcome the decision by the Minister to adopt the proposals I have put forward in amendments to try to ensure that the titles of public bodies under the legislation would be in Irish only. That is reflected in the Minister's amendments. I acknowledge what she has said with the exception of An tOmbudsman Póilíneachta and that she will look at that title in future after the body is fully established.

Níl a fhios agam cén fáth nár glacadh leis an leasú atá agam féin, Uimh. 11, a bhaineann le teidil na ndaoine difriúla atá ag obair sa Gharda, sáirsintí agus an Coimisinéir féin ina measc. Of course members of An Garda Síochána can call themselves whatever they want and acknowledge the rank that different officers hold on a one-to-one basis, but in official documents the titles should reflect the spirit of the Official Languages Act. We should start the practice of ensuring that happens. It is a pity that the Minister does not intend to accept the amendment. I say to her "Well done" on the others.

Amendment agreed to.

An Ceann Comhairle: Amendments Nos. 2, 6, 14, 35 and 44 are related and will be discussed together.

Deputy Helen McEntee: I move amendment No. 2:

In page 17, line 16, to delete "body" and substitute "group".

Amendment No. 2 is a technical amendment to amend the Long Title to refer to an grúpa stiúrtha náisiúnta um shábháilteacht pobail or the national community safety steering group as a group rather than a body which is the term used in the legislation.

Amendment No. 6 is a technical amendment to amend the Long Title to correct an incorrect capitalisation of "oifig" in oifig an Scrúdaitheora Neamhspleách um Reachtaíocht Slándála.

Amendment No. 14 relates to section 16. Section 16(3) currently lists a number of matters in which persons recommend for appointment as members of the new Garda board is required to have sufficient expertise and experience. These are: the functions of An Garda Síochána; organisational governance, management or public administration; and financial matters. The current wording could be construed as meaning that a person cannot be recommended for appointment unless they have expertise in all these matters. That is not the intention. The proposed amendment replaces the word "with" with the term "with one or more of" which addresses this issue.

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Amendment No. 35 is a technical in nature. Its purpose is to amend an incorrect reference to the authority in lowercase.

Amendment No. 44 relates to section 194 which requires the Police Ombudsman to determine the admissibility of complaints received directly by the Police Ombudsman or referred by An Garda Síochána. The amendment is to subsection (7), which confirms that complaints regarding members of Garda personnel who are no longer members, who have retired or who have resigned from An Garda Síochána are not automatically inadmissible. The definition of members of Garda personnel captures both sworn members and members of Garda staff. This amendment replaces the current reference to “a member” with “such a member” clarifying that the member referred to is a member of Garda personnel and not a reference to an actual member of An Garda Síochána which does not include members of Garda staff.

Amendment agreed to.

Deputy Helen McEntee: I move amendment No. 3:

In page 17, line 17, to delete “or, in the English language, the National Community Safety Steering Group”.

Amendment agreed to.

Deputy Helen McEntee: I move amendment No. 4:

In page 17, lines 19 and 20, to delete “or, in the English language, the National Office for Community Safety”.

Amendment agreed to.

Deputy Helen McEntee: I move amendment No. 5:

In page 17, lines 22 and 23, to delete “or, in the English language, the Policing and Community Safety Authority”.

Amendment agreed to.

Deputy Helen McEntee: I move amendment No. 6:

In page 17, line 31, to delete “*Oifig*” and substitute “*oifig*”.

Amendment agreed to.

Deputy Helen McEntee: I move amendment No. 7:

In page 17, lines 31 and 32, to delete “or, in the English language, the office of Independent Examiner of Security Legislation”.

Amendment agreed to.

An Ceann Comhairle: Nos. 8 and 23 are related and will be discussed together.

Deputy Helen McEntee: I move amendment No. 8:

In page 22, between lines 3 and 4, to insert the following:

“(3) A reference in this Act—

(a) to the policing priorities shall, where the context admits, be construed as including a reference to the priorities relating to policing services determined by the Policing Authority (within the meaning of Part 4) under section 20 of the Act of 2005 that were in operation immediately before the repeal of that section by section 5, until such time as the Authority determines policing priorities,

(b) to the security priorities shall, where the context admits, be construed as including a reference to the priorities relating to security services determined by the Minister under section 20A of the Act of 2005 that were in operation immediately before the repeal of that section by section 5, until such time as the Minister determines security priorities, (c) to the strategic plan as laid under section 64(1) shall, where the context admits, be construed as including a reference to the strategy statement prepared under section 21 of the Act of 2005 that was in operation immediately before the repeal of that section by section 5, until such time as the strategic plan is so laid,

(d) to the annual service plan as laid under section 65(12) or 66(10) shall, where the context admits, be construed as including a reference to the policing plan prepared under section 22 of the Act of 2005 that was in operation immediately before the repeal of that section by section 5, until such time as the annual service plan is so laid, (e) to the capital plan as laid under section 69(1) shall, where the context admits, be construed as including a reference to such plan for capital expenditure for An Garda Síochána that was in operation immediately before the coming into operation of that section, until such time as the capital plan is so laid, and

(f) to a code of ethics issued by the Authority under section 78 shall, where the context admits, be construed as including a reference to the code established by the Policing Authority (within the meaning of Part 4) under section 17 of the Act of 2005 in so far as the latter was operative immediately before the repeal of that section by section 5 until such time as a code of ethics is so issued.”.

Amendment No. 8 is technical in nature. Its purpose is to bridge the gap between the Government’s obligations under the Garda Síochána Act 2005 and those in the Bill. The Bill will fully repeal the Garda Síochána Act 2005. It will provide for the preparation of policing priorities, security priorities and a strategic plan, a capital plan, an annual service plan and a code of ethics for An Garda Síochána. However, there will be a period following the repeal of the 2005 Act and before the preparation of such priorities and plans under the Bill when the existing documents made under the 2005 Act will need to remain in force. The amendment ensures that prior to such preparation references in the Bill to priorities and plans are understood to include their equivalents under the 2005 Act.

The grouping also includes a consequential amendment, No. 23, to delete subsection 9 of section 78 given that it is now provided for under this particular new subsection.

Amendment agreed to.

Deputy Brendan Howlin: I move amendment No. 9:

In page 22, after line 38, to insert the following:

“(5) Nothing in this section—

(a) confers on a member of garda personnel a power that he or she does not otherwise have by virtue of another enactment or at common law,

(b) authorises a member of garda personnel to exercise a power conferred by law for a purpose that is not so authorised.”.

I understand that this was debated on Committee Stage. I am here in place of Deputy Ó Ríordáin, who cannot be here for family reasons. This section sets out a definition of what security services are. The amendment is concerned with the difference between a function and a power. Deputy Ó Ríordáin went through this on Committee Stage. An Garda Síochána at a core has a policing function and a security function but individual members are vested by law with a range of specific powers which they exercise and discharge of a specific function. In relation to the Road Traffic Act, gardaí have particular powers to stop vehicles in order to take breath tests and so on. That is understood. The powers are exercised for the purposes spelled out in the particular statute or statutes, as in the example I gave of the Road Traffic Acts. What does it mean to say An Garda Síochána has a function, for example, identifying a security issue such as foreign capabilities? What powers does a garda have when exercising a security function? I want to make it clear that a garda acting in a security capacity does not have the powers conferred under other statutes to do things that would be understood to be necessary in the criminal court to do normal policing under criminal Acts. I hope I am making myself reasonably clear. As this matter was highlighted by previously by Deputy Ó Ríordáin, the Minister will understand the import of the amendment.

Deputy Helen McEntee: This is a complex matter. Section 3 defines security services. The amendment provides that nothing in section 3 would authorise a member of An Garda to exercise a power conferred by law for a purpose that is not so authorised. An Garda Síochána only has powers that are provided for in any number of Acts or in common law. That does not change because of this section, which simply defines security services. There is a slight amendment to the definition whereby we include “Acts contrary to the economic well-being of the State where such Acts have an impact on national security”. Again, that does not impact the powers of An Garda Síochána. That is provided for in separate legislation. If there is - and this is in the Bill - a question over whether or not a power is a relevant power for An Garda Síochána, particularly when it relates to security services or security issues, a separate item of the legislation will allow for the office of the independent examiner to identify whether or not it is a role or a matter for An Garda Síochána and to present that then to the Minister, who then decides. There is a function here whereby if there is a question over whether or not a power that is conferred in separate Acts - as I said, not in this section but in police powers and other Acts - is or should be a security matter - for example, if a garda is being questioned by the authority or in a public arena and says, “I cannot provide you with that information for security reasons” - it will then be open to the office of the examiner to decide whether or not that is the case and to make a case to the Minister, and the Minister then decides. This section does not allow for any new power or change in powers related to security services or security matters. It is simply a definition, as I said, which provides an expansion in a certain way, but the expansion as regards economic well-being does not confer any additional power. It is for that reason that I do not think the amendment is necessary. It is clear that this is part of separate legislation where the powers are conferred on gardaí.

Deputy Brendan Howlin: That is very helpful for my understanding of this. What we are trying to make clear is that vesting the Garda with a function does not mean that the powers of, say, surveillance or interception conferred in other enactments automatically become available to the member of An Garda Síochána in the performance of this particular function. For crystal clarity, there is security legislation and there are powers, for example, to deal with sabotage and so on available to An Garda Síochána specifically for that purpose, but as regards operating in the security space, under this legislation, under this definition in this section, no additional powers are being conferred on gardaí unless they are specifically available in another enactment. Is that what the Minister is telling me?

Deputy Helen McEntee: Yes, that is absolutely the case. It is open to the office of the independent examiner to review legislation, to review how it has been applied-----

Deputy Brendan Howlin: Yes, and to recommend changes.

Deputy Helen McEntee: -----and to recommend changes where necessary, but the Bill absolutely does not make the changes that I think it was thought it makes. That is why the amendment has been put forward, but I am satisfied that it is not required.

Deputy Brendan Howlin: I am happy.

Amendment, by leave, withdrawn.

Deputy Brendan Howlin: I move amendment No. 10:

In page 23, to delete line 6 and substitute the following:

“(i) independently, impartially and in accordance with law,”.

I understand there was some debate on Committee Stage between the then Minister, Deputy Harris, and Deputy Ó Ríordáin on this. It seems to me that it is self-evident that these words would be required. My understanding is that the Minister’s answer at the time was that they are already implicit, but why not for the avoidance of doubt - we had this on a different issue - insert them into the Bill in order that we can be crystal clear, in line with policing principles, that gardaí would act “independently, impartially and in accordance with law”?

Deputy Helen McEntee: It is interesting that we have discussed this a number of times tonight. During the debate on Coco’s Law, I remember having a similar discussion-----

Deputy Brendan Howlin: Yes.

Deputy Helen McEntee: -----about a particular piece and why it was not included in the legislation.

When it comes to ensuring that all public bodies carry out their legal obligations in accordance with the law, this principle is so paramount that I think it goes without saying. In addition, if it is to be included in this legislation, the question is raised - if it is not included in all other legislation - as to whether that then implies that it does not apply in those instances. It is a constitutional principle that these bodies and members of An Garda Síochána must carry out their work in compliance with the law. That must be a given without it being expressly stated. I will have the pleasure in, I think, two weeks’ time of attending an attestation in Templemore at which individual members will themselves state this when being attested. There is a new

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provision here under section 4(e) that “every member ... is required to act professionally, ethically, with integrity and in a manner that protects and vindicates human rights”. These are progressive and inclusive changes which will shape and support the work of An Garda Síochána and are in addition to words that are stated by newer members, who say they will uphold and ensure that all their work will be essentially in accordance with law. Members individually state that when they join An Garda Síochána. It is a constitutional principle. All public bodies are required to carry out their legal obligations in accordance with the law, and I do not think it is necessary to put it in this Bill.

Deputy Brendan Howlin: As the Minister rightly stated, we have rehearsed this previously. The position is that something that is self-evident does not need to be stated and that if it is stated, it needs to be replicated everywhere. I am not sure I agree with that. In a Bill as fundamentally important as this, to state that members will act “independently, impartially and in accordance with law” is obviously a clearly understood principle, but it should be a stated principle. Even if it is part of the attestation made by gardaí when they graduate from Garda college, that is not a legal requirement, I presume. To break it is not a legal matter. This would be a matter of law, so anybody reading it would understand that it is there. I will not labour the matter any further, but I think it would improve the Bill to have such fundamental issues crystalised and set out in clear legislation.

Amendment, by leave, withdrawn.

Deputy Pa Daly: I move amendment No. 11:

In page 23, between lines 25 and 26, to insert the following:

“Language

7. Following the commencement of this Act, all titles of bodies or officers of those bodies established in this Act, including ranks of members of An Garda Síochána, shall, for official purposes, be referred to in the Irish language only.”.

Amendment put and declared lost.

An Cathaoirleach Gníomhach (Deputy Aengus Ó Snodaigh): Tá leasú Uimh. 12 as ord due to a potential charge on the revenue.

Amendment No. 12 not moved.

Deputy Helen McEntee: I move amendment No. 13:

In page 26, lines 16 and 17, to delete “or, in the English language, as the Board of An Garda Síochána”.

Amendment agreed to.

Deputy Helen McEntee: I move amendment No. 14:

In page 28, line 39, to delete “with” and substitute “with one or more of”.

Amendment agreed to.

Deputy Brendan Howlin: I move amendment No. 15:

In page 42, between lines 15 and 16, to insert the following:

“(3) Where a person fails or refuses to comply with, or disobeys, a summons to attend or other direction under *subsection (1)*, the High Court may, on application by the appointed judge concerned and on notice to the person—

(a) order the person to comply with the direction or, in the case of a summons, to attend before the appointed judge, and

(b) make such other order (if any) as it considers necessary and just to enable the direction to have full effect or, in the case of a summons, to ensure the attendance before the appointed judge.

(4) A person who—

(a) on being summoned to attend before an appointed judge for the purpose of an inquiry under *section 31(3)(a)*, fails to attend,

(b) in attendance as a witness for such a purpose—

(i) refuses to take an oath lawfully required by the appointed judge to be taken,

(ii) refuses to produce any document in his or her power or control lawfully required by the appointed judge to be produced by him or her,

(iii) refuses to answer any question to which the appointed judge may lawfully require an answer, or

(iv) does anything which, if the appointed judge were a judge of the High Court hearing an action, would be contempt of that court,

is guilty of an offence and is liable on summary conviction to a class C fine or to imprisonment for a term not exceeding 6 months, or both.”.

This pertains to inquiries under section 31(3)(a), which, in essence, relates to the removal of a Garda Commissioner. It is an inquiry that would be chaired by a High Court judge. The amendment we table here is to provide for a procedure where a person refuses to co-operate with such an inquiry under this section. The then Minister’s presentation, as I understood it, was that because the person conducting the inquiry is a judge of the High Court, he or she will have ample powers to deal with non-co-operation, including powers to commit for a contempt of court.

I am advised - I am not a lawyer, but I am surrounded by them - that a judge has the power to commit for a contempt of court where the judge is sitting in a court of law. A judge cannot exercise such powers when he or she is not sitting in a court of law, for example, when chairing a tribunal of inquiry or sitting in any other capacity. There is nothing in section 32 to suggest that an inquiry under this section is a judicial proceeding. I do not expect the Minister believes it is a judicial proceeding carried out by and in a court of law. In that case, my advice is that the judge conducting such an inquiry will not have the contempt of court powers and, should a witness not co-operate by presenting himself or herself or producing documents, there would be no remedial powers available to the chairperson, who happens to be a High Court judge, to

deal with such non-compliance. It is to remedy this that we are replicating sections already in the Bill in respect of other circumstances. I ask the Minister to address this issue. How does she envisage that the chairperson of an inquiry under section 31(3)(a) will deal with non-cooperation without having the powers of contempt that she believes are available to a judge sitting in that capacity?

Deputy Helen McEntee: The Deputy has outlined the position that the then Minister gave on Committee Stage. The position has not changed. My understanding is that, under the relevant provision, an appointed judge may conduct the inquiry in the manner he or she believes is proper and will have the powers, rights and privileges vested in a judge of the High Court. It is expressly stated that the judge will be a judge of a superior court, meaning the High Court, the Court of Appeal or higher. The Attorney General has advised that he believes that the powers are appropriate in this context and there is no need for the express powers outlined in this amendment, as they are already available to the judge appointed in this instance.

Deputy Brendan Howlin: I have rechecked this point because the then Minister, Deputy Harris, made that argument on Committee Stage to my colleague. I am empathically advised that because someone is a High Court judge does not mean that he or she has contempt of court powers unless he or she is sitting as a judge in a court with a court registrar in front of him or her. If the judge is sitting in a tribunal of inquiry or at Doherty & Nesbitt, he or she does not have compellability powers. That is the clear advice I have been given, but the Minister is implying that, simply because the person happens to be a judge, those powers are available to him or her in whatever function he or she is performing. Is that the Minister's contention? It is not what I understand to be the case.

Deputy Helen McEntee: This is the advice that has been given to me. An appointed judge may conduct the inquiry in the manner he or she feels is proper and he or she will have those powers. Obviously, this Bill has to go through a number of Stages, so I will commit to triple-checking. Following the discussion on Committee Stage, the advice given to me by the Attorney General is that the judge will have those powers, but I will explore this matter and ensure that it is the case.

Deputy Brendan Howlin: I thank the Minister. For clarity, I take it that she does not envisage that such an inquiry would be a judicial inquiry, in other words, like a court in and of itself. It would change my perception if the Minister was saying that it would be a legal proceeding as a court and the judge was sitting as a judge in a court when determining these matters.

Deputy Helen McEntee: No, that is not what I am suggesting.

Deputy Brendan Howlin: If the judge is not sitting as a judge and does not have a court registrar in front of him or her, my clear advice is that the judge does not have compellability powers. However, the Minister can check that and revert to us.

Deputy Helen McEntee: I will.

An Cathaoirleach Gníomhach (Deputy Aengus Ó Snodaigh): How stands the amendment?

Deputy Brendan Howlin: On the basis that the Minister will recheck the matter, I will withdraw the amendment.

Amendment, by leave, withdrawn.

An Cathaoirleach Gníomhach (Deputy Aengus Ó Snodaigh): Tá leasuithe Uimh. 16 agus 17 as ord.

Amendments Nos. 16 and 17 not moved.

Deputy Michael McNamara: I move amendment No. 18:

In page 44, to delete lines 31 and 32.

This relates to the requirement on the Garda Commissioner to provide information to the Minister. I respectfully suggest that it tightens up the information that is to be provided to the Minister by the Commissioner. It needs to be tightened up because it is open to abuse, and I say that because it has been abused in the past. I have not been a Deputy for long and I am sure that someone like Deputy Howlin could point to many more abuses than I can, but I recall one of the Minister's predecessors, Mr. Alan Shatter. He was actually one of the more reforming justice Ministers, and he should be acknowledged and heralded for that. It is not unfair to him or to Mr. Mick Wallace, then a Deputy and now an MEP, to suggest that they did not have the cosiest relationship in the world. They were on prime time television – I believe they were on “Prime Time” itself – one night and Mr. Wallace was criticising Government policy, as is the want of the Opposition, when Mr. Shatter said that Mr. Wallace had been stopped at the Five Lamps in Dublin. The Minister may know where the Five Lamps are. They are on the way to Croke Park. It is a while since either Clare or Meath were in an All-Ireland final, but both of us live in hope-----

Deputy Maurice Quinlivan: Hear, hear.

Deputy Michael McNamara: -----as I am sure do Deputy Howlin and-----

Deputy Helen McEntee: The Meath ladies have.

Deputy Michael McNamara: Indeed, and we hope that the Clare ladies will be in an All-Ireland final too. Mr. Shatter was able to say that Mr. Wallace had committed, I believe, a road traffic offence at the Five Lamps and was pulled over. This was information he had gleaned from the then Garda Commissioner.

Equally worrying, or even more worrying in some respects, the House may recall that, in the lifetime of this Dáil and during Deputy McEntee's tenure as Minister for Justice, the then Vice President of the European Commission attended a golf dinner of the Oireachtas Golf Society, as it was called, in Clifden. There was terrible consternation. A couple of journalists basically told the world they were Bob Woodward and Carl Bernstein for their efforts in unearthing the seating plan. All hell broke loose and the hysteria we are now seeing around RTÉ was in the ether. Nothing less than Mr. Phil Hogan's head was going to satisfy the masses.

I do not always agree with the Minister for Transport, Deputy Eamon Ryan, but one of the few things I would agree with him on was how he desisted from calling for Mr. Hogan's head. However, the leader of the party of which the Minister, Deputy McEntee, is a member, who was Tánaiste at the time, did call for his head. Fianna Fáil taoisigh are generally fair-minded, but the Tánaiste, who held the exalted position of Head of Government as Taoiseach at the time, called for Mr. Hogan's head because we needed heads and heads were the only thing that would satiate the masses. We wanted Mr. Hogan's head on a pole somewhere.

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It then transpired that he had been apprehended for a road traffic offence. I do not mean to denigrate road traffic offences, as they can be very serious and every offence is, by definition, serious, but his offence was one of driving with a mobile phone in his hand. It was a serious offence, but one that did not threaten the security of the State. He was not apprehended with a bag of Kalashnikovs in his boot. It was with a mobile phone to his ear. There was no suggestion that he was going to overthrow the authority of the State or summon the people to him at Clifden golf course to overthrow the State and once and for all create a new state, be it the “State of Phil” or whatever. He was making a phone call. It was wrong and I am not condoning it.

I am not in the Cabinet, but I understand that this information made its way to the Minister, Deputy McEntee, and the Cabinet. Of course, it greatly assisted the Taoiseach and the Tánaiste in solving their problem. They were bolstered by this information of an alleged offence that a Vice President of the Commission had carried out of driving with a mobile phone to his ear. This was dynamite. It was almost up there with the arms trial back in the day in terms of the amount of attention it attracted. Ursula von der Leyen, the President of the Commission, was written to. I say very squarely that this was an abuse of information. Abuses of information should not happen. The Minister has never explained how it happened. It needs to be explained. If it happens once it can happen twice. If it happens twice it can happen a lot of times. It has happened twice in my very brief period in here. I do not know how many abuses of such information there have been during my career. By the way, for the avoidance of any doubt, I am not suggesting that Deputy Howlin ever abused information that he obtained but it is open to abuse.

Deputy Brendan Howlin: I am glad to hear it.

Deputy Michael McNamara: The Deputy has been here a long time and I am sure he has seen a lot of abuse.

I did not think information should be provided willy-nilly. There is information that should be provided, and that is set out clearly. What the amendment does is remove any other matters that in the Commissioner’s opinion should be brought to the Minister’s attention. I asked the stand-in Minister for Justice whether he thought the infidelities of a Minister’s spouse or partner should be brought to the Minister’s attention if it came to the Commissioner’s attention. There was a time in Ireland that it would not have made the media but it would now, and it certainly would in Britain. We have seen ministerial careers end for something like this. I do not think they should end, and I do not think it is anybody’s business, but they do end. Is this information the Garda Commissioner should pass on? I am not suggesting that any Cabinet Minister or anybody’s spouse or partner is being unfaithful. I am saying this is the kind of information that could be passed on because it is so broad that it is open to abuse and it has been abused.

Deputy Brendan Howlin: Follow that.

Deputy Helen McEntee: What we are trying to legislate for here are potential unforeseen circumstances. We are trying not to be prescriptive in what the Commissioner may or may not deem as being necessary or relevant, and in what the Commissioner might feel is important to relate to the Minister of the day. This is the case with a lot of legislation, where we try not to be prescriptive because we do not know the scenarios or situations that may arise which are not covered. As Minister I do not want a situation to arise, particularly an emergency, where the Commissioner then has to refer to a set of rules to try to identify whether something fits to a par-

ticular section, subsection or category whereby he or she is allowed to engage with the Minister.

A lot of trust is placed in the Garda Commissioner in the legislation. It is important that we trust the person who is at the head of our policing service. I also believe there are a lot of checks and balances and oversight in the Bill. The Commissioner might say there is too much in terms of the role and the way in which the Commissioner must engage with the board and the authority. There will be an individual responsible for dealing with security. There will be the new GSOC, whatever title it will have. There will be a great deal of oversight in making sure the Commissioner carries out their functions to the best of their ability.

There is also professional discretion that must apply. We must not constrain what the Commissioner may or may not say if they feel it is appropriate and something the Minister must be made aware of. There were a lot of insinuations and assertions in what Deputy McNamara has suggested. I suggest that bad case do not make good law. We need to make sure the Commissioner's hands are not tied if they feel there is a matter of security or importance that must be brought to the Minister's attention. I do not think that by setting these parameters we could predict that they would cover all possible scenarios.

An Cathaoirleach Gníomhach (Deputy Aengus Ó Snodaigh): I remind Members when dealing with matters such as this to be careful of the rules of the House regarding defamation.

Deputy Michael McNamara: I thank the Cathaoirleach Gníomhach. There was no insinuation. There was a direct accusation that the Commissioner told the Minister that Phil Hogan had a mobile phone to his ear, that she brought it to Cabinet and that it helped to end his career at the European Commission. If there is oversight that would prevent it happening in future then show me where it is and I will be happy to consider withdrawing the amendment. That is an abuse. That is political policing. It is policing in a manner that advances the political agenda of the Government of the day and not the security of the State or the security of its citizens.

The prosecution of anybody who is apprehended with a mobile phone to their ear would advance security but that was not what this was about. As I understand it, there was not even a prosecution. That is not what this was about. This was about political policing. Political policing is very dangerous. The possibility of political policing is even more dangerous, especially if it is to be legislated for. If there is something that precludes this happening again then show me where it is. If it is removed, as I propose, the Commissioner can still tell the policing authority in the case of an emergency and it can tell the Minister straight away but there is a filter. It is to stop the Commissioner telling the Minister of the day useful tittle-tattle. If there is nothing to prevent this, and it happened recently and happened before that, it will continue to happen if we legislate for it. I have a problem with that. I want the Minister to tell me what prevents this from happening, other than that we should trust the people who are exactly the same characters. It is the same Minister for Justice, namely, Deputy McEntee. It is the same Garda Commissioner, namely, Drew Harris. Should we trust them now when we could not trust them before?

Deputy Helen McEntee: I wholeheartedly reject any assertions or suggestions Deputy McNamara has made about this matter. I have clearly outlined why I will not be accepting the amendment. It is important that we do not tie the hands of the Commissioner if he or she feels it is important to bring forward information that is relevant to the Minister.

Deputy Michael McNamara: The Minister brought that information to Cabinet and it came from the Commissioner. Regardless of that, we know that it happened before and we

know that it can happen again.

Amendment put:

<i>The Dáil divided: Tá, 55; Níl, 80; Staon, 0.</i>		
<i>Tá</i>	<i>Níl</i>	<i>Staon</i>
<i>Andrews, Chris.</i>	<i>Brophy, Colm.</i>	
<i>Barry, Mick.</i>	<i>Browne, James.</i>	
<i>Berry, Cathal.</i>	<i>Bruton, Richard.</i>	
<i>Boyd Barrett, Richard.</i>	<i>Burke, Colm.</i>	
<i>Brady, John.</i>	<i>Burke, Peter.</i>	
<i>Browne, Martin.</i>	<i>Butler, Mary.</i>	
<i>Buckley, Pat.</i>	<i>Byrne, Thomas.</i>	
<i>Canney, Seán.</i>	<i>Cahill, Jackie.</i>	
<i>Carthy, Matt.</i>	<i>Calleary, Dara.</i>	
<i>Clarke, Sorca.</i>	<i>Cannon, Ciarán.</i>	
<i>Collins, Joan.</i>	<i>Carroll MacNeill, Jennifer.</i>	
<i>Collins, Michael.</i>	<i>Chambers, Jack.</i>	
<i>Conway-Walsh, Rose.</i>	<i>Collins, Niall.</i>	
<i>Cronin, Réada.</i>	<i>Costello, Patrick.</i>	
<i>Crowe, Seán.</i>	<i>Coveney, Simon.</i>	
<i>Daly, Pa.</i>	<i>Cowen, Barry.</i>	
<i>Doherty, Pearse.</i>	<i>Creed, Michael.</i>	
<i>Donnelly, Paul.</i>	<i>Crowe, Cathal.</i>	
<i>Ellis, Dessie.</i>	<i>Devlin, Cormac.</i>	
<i>Farrell, Mairéad.</i>	<i>Dillon, Alan.</i>	
<i>Fitzpatrick, Peter.</i>	<i>Donnelly, Stephen.</i>	
<i>Funchion, Kathleen.</i>	<i>Donohoe, Paschal.</i>	
<i>Gannon, Gary.</i>	<i>Duffy, Francis Noel.</i>	
<i>Gould, Thomas.</i>	<i>Durkan, Bernard J.</i>	
<i>Guirke, Johnny.</i>	<i>English, Damien.</i>	
<i>Harkin, Marian.</i>	<i>Farrell, Alan.</i>	
<i>Healy-Rae, Danny.</i>	<i>Feighan, Frankie.</i>	
<i>Kenny, Gino.</i>	<i>Flaherty, Joe.</i>	
<i>Kerrane, Claire.</i>	<i>Flanagan, Charles.</i>	
<i>Mac Lochlainn, Pádraig.</i>	<i>Fleming, Sean.</i>	
<i>McGrath, Mattie.</i>	<i>Foley, Norma.</i>	
<i>McNamara, Michael.</i>	<i>Griffin, Brendan.</i>	
<i>Mitchell, Denise.</i>	<i>Harris, Simon.</i>	
<i>Munster, Imelda.</i>	<i>Haughey, Seán.</i>	
<i>Murphy, Catherine.</i>	<i>Heydon, Martin.</i>	
<i>Murphy, Paul.</i>	<i>Higgins, Emer.</i>	
<i>Murphy, Verona.</i>	<i>Howlin, Brendan.</i>	
<i>Mythen, Johnny.</i>	<i>Humphreys, Heather.</i>	

<i>Naughten, Denis.</i>	<i>Kehoe, Paul.</i>	
<i>Nolan, Carol.</i>	<i>Lahart, John.</i>	
<i>O'Callaghan, Cian.</i>	<i>Lawless, James.</i>	
<i>O'Reilly, Louise.</i>	<i>Leddin, Brian.</i>	
<i>Ó Broin, Eoin.</i>	<i>Madigan, Josepha.</i>	
<i>Ó Laoghaire, Donnchadh.</i>	<i>Martin, Catherine.</i>	
<i>Ó Murchú, Ruairí.</i>	<i>Martin, Micheál.</i>	
<i>Ó Snodaigh, Aengus.</i>	<i>Matthews, Steven.</i>	
<i>Pringle, Thomas.</i>	<i>McAuliffe, Paul.</i>	
<i>Quinlivan, Maurice.</i>	<i>McConalogue, Charlie.</i>	
<i>Ryan, Patricia.</i>	<i>McEntee, Helen.</i>	
<i>Shortall, Róisín.</i>	<i>McGrath, Michael.</i>	
<i>Stanley, Brian.</i>	<i>McGuinness, John.</i>	
<i>Tully, Pauline.</i>	<i>McHugh, Joe.</i>	
<i>Ward, Mark.</i>	<i>Moynihan, Aindrias.</i>	
<i>Whitmore, Jennifer.</i>	<i>Moynihan, Michael.</i>	
<i>Wynne, Violet-Anne.</i>	<i>Murnane O'Connor, Jennifer.</i>	
	<i>Nash, Ged.</i>	
	<i>Naughton, Hildegard.</i>	
	<i>Noonan, Malcolm.</i>	
	<i>O'Brien, Darragh.</i>	
	<i>O'Brien, Joe.</i>	
	<i>O'Callaghan, Jim.</i>	
	<i>O'Connor, James.</i>	
	<i>O'Donnell, Kieran.</i>	
	<i>O'Dowd, Fergus.</i>	
	<i>O'Gorman, Roderic.</i>	
	<i>O'Sullivan, Christopher.</i>	
	<i>O'Sullivan, Pádraig.</i>	
	<i>Ó Cathasaigh, Marc.</i>	
	<i>Ó Cuív, Éamon.</i>	
	<i>Phelan, John Paul.</i>	
	<i>Rabbitte, Anne.</i>	
	<i>Richmond, Neale.</i>	
	<i>Ryan, Eamon.</i>	
	<i>Sherlock, Sean.</i>	
	<i>Smith, Brendan.</i>	
	<i>Smith, Duncan.</i>	
	<i>Smyth, Niamh.</i>	
	<i>Smyth, Ossian.</i>	
	<i>Stanton, David.</i>	
	<i>Troy, Robert.</i>	

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Tellers: Tá, Deputies Michael McNamara and Marian Harkin; Níl, Deputies Hildegarde Naughton and Cormac Devlin.

Amendment declared lost.

An Cathaoirleach Gníomhach (Deputy Aengus Ó Snodaigh): Amendment Nos. 19 and 20 are related and may be discussed together.

Deputy Michael McNamara: I move Amendment No. 19:

In page 55, to delete lines 4 to 14.

The Minister will essentially merge An Garda Síochána with what up to now has been considered to be the civilian members of An Garda Síochána and I have no problem with that whatsoever. I have no problem with the majority of the proposals in the Bill but I have a problem with is that it can be done compulsorily, that the Minister can make an order and “every member of the civilian staff of An Garda Síochána, who is a civil servant of the Government, immediately become the coming in to operation of this section and who is designated by order of the Minister for the purposes of this section shall, on being so designated become a member of garda staff”. It is the fact that it is not voluntary.

I completely support what the Minister is doing in setting up this broader Garda staff but as we speak, there are a number of people who are civil servants and they joined the Irish Civil Service and that brings with it considerable disadvantages, arguably around pay, and on the right to run for election. Those disadvantages are not going to be resolved by joining An Garda Síochána. What they do have is their mobility within the Civil Service. They are civil servants and, for example, a number of Departments are based in Ennis that they can apply for, as there are in Wexford, Limerick, Kerry, Dublin and all other parts of the country. They can apply and move from one branch of the Civil Service to another. This will essentially take them out of that and will mean that the Minister, by order, can determine where they will be moved. That is unfair. It is a little bit like those who signed up to be water workers for the county council and were to be county council employees but then Irish Water was established and they were to be moved across. The Minister with responsibility for Housing, Local government has said that it is agreed that nobody will have to move. In this instance, it allows the Minister to determine that people have to move and that is my problem. When I raised this issue on Committee Stage, I was told there had been significant consultation with the unions that represent these workers and that there would be further significant consultation with them. Where does that stand now? What consultation has taken place with the trade unions since Committee Stage? What succour can the Minister provide in respect of my concerns about people being involuntarily moved out of the Civil Service in to the civilian staff of An Garda Síochána? To be absolutely clear, I do not have a problem with what the Minister is trying to do, but rather the degree of compulsion that is provided for in the Bill.

Deputy Helen McEntee: I thank the Deputy and it is good that he obviously agrees with the overall ambition that An Garda Síochána should be treated as a single organisation and as a single workforce. There has been engagement. On 18 May, the then Minister met with Fórsa, on 29 May, the deputy secretary of my Department met with the Association of Higher Civil and Public Servants, and I intend to meet Fórsa and continue that engagement over the summer and into the new term. I will clarify, not just for the Deputy but for members of civilian staff, that it is not the case that come the beginning of January when the Bill is enacted and

comes into play that their terms will change and that they will move to this new position. It is absolutely not the case. There will be no moving to commence this particular Part until there is agreement with the unions as to what that looks like. That has not been decided and that will only be decided with the full agreement of the unions and the civilian staff and it is my intention that I do not progress that without their support. There are a lot of potential options such as a run-in timeline, grandfathering and various other ways in which we can look at this. There is obviously the possibility that newer members who join would join on the new terms. That is something that still has to be worked through. There has been confusion that come January when this is enacted, this would automatically come into play and that I would automatically sign this. That will not be the case. I will not sign anything until there is agreement with the staff. There are still a number of options that can be worked through and that engagement and conversation is happening. We will need to continue that before the Bill is enacted. I stress that there are a lot of benefits to a potential new contract and the Garda being treated as a single organisation, particularly for civilian staff because Parts of the Bill intend that many more duties will be taken on by the civilian staff to free up front-line gardaí. This is to ensure we have the numbers we need in the community and in the various specialist roles. There will be an opportunity for newer members and potentially those who may wish to take this on or not. However it is decided, there would be a lot more mobility even within the Garda and many benefits. There would be many positive aspects because those directly recruited into An Garda Síochána would be receiving training in policing areas where they had not received training before. I do not believe it is the case that current members of the Garda do not see themselves as part of a single workforce, but providing a new, clear platform and mechanism would allow for the specific training in question and more opportunities, including promotional opportunities. This is absolutely not a done deal. There is a lot more engagement to happen, and the Deputy has my commitment on that.

Deputy Michael McNamara: I am grateful for the Minister's clarification. If the Minister's position on the approval of each of the unions is as she has indicated, I will be happy to withdraw the amendment.

Deputy Pa Daly: We have met the unions on this. They have major concerns. I am encouraged by what the Minister is saying about the ongoing negotiations. The civil servants working in the Prison Service may have some of the same concerns. That should be taken into account if there is a difficulty in this regard. That could be another problem coming down the tracks.

Deputy Helen McEntee: I suppose that is for another discussion.

Amendment, by leave, withdrawn.

Deputy Michael McNamara: I move amendment No. 20:

In page 55, lines 15 and 16, to delete "pursuant to an order under *subsection (5)*".

Amendment, by leave, withdrawn.

Deputy Pa Daly: I move amendment No. 21:

In page 58, to delete lines 22 to 25 and substitute the following:

"(2) Before determining policing priorities, the Authority shall consult any such persons as the Authority considers appropriate."

This is just making the point that we would like the authority to have more power and not to be beholden to the Commissioner entirely.

Deputy Helen McEntee: My understanding of the amendment is that it would remove an obligation placed on the authority to consult the Commissioner specifically and the national office for community safety before determining policing priorities. This consultation is an essential requirement. Even if it were not set out in law, it would happen. Not stating expressly that there must be consultation with the Commissioner would go against the spirit of this legislation. If it is the Deputy's intention to expand the existing provision, perhaps there is a way in which we can consider "the Commissioner and other relevant bodies". The amendment would remove the expressly stated requirement to deal directly with the Commissioner. It is important to stress this requirement. Perhaps we could explore what exactly the amendment implies further.

Deputy Maurice Quinlivan: Deputy Daly has referred to the amendment. While it is short, its wording is important to ensure as much consultation as possible in determining the policing priorities of the authority.

I want to comment on the Bill in a more general sense. In March, I spoke about this Bill and said its importance cannot be overstated. This remains the case. In the main, the amendments are minor but necessary alterations to the text of the Bill. The Bill creates a modern framework for policing and will modernise our police force, An Garda Síochána. Policing is about serving the people, and the work starts in the community and with people in the community knowing their local gardaí, feeling comfortable approaching them and supporting them. Unfortunately, in recent years we have seen a falling off in the number of gardaí assigned to community policing roles, and this can unwittingly create a barrier between gardaí and local communities.

It is my sincere hope that the changes introduced in this Bill will see a renewed focus on community policing. Limerick communities need community gardaí. Without them at the heart of a community, trust can be lost. When a community sees gardaí in its area only when they are making arrests, it can result in a them-versus-us situation. Division can be avoided.

In 2008, there were 92 community gardaí in Limerick city. As of July 2020, there were 31. This void allows the few nefarious characters to thrive in Limerick. We saw this in several communities. At one stage, there was a 24-7 drug supermarket on a busy residential street. This went on for about three years. The presence of community gardaí often gives reassurance to older members of a community. Importantly, they serve as role models for younger people.

The other element of this policing plan for which I have great hopes relates to the importance that seems to be attached to the idea of community safety and the prevention of harm, particularly to vulnerable individuals. Including a specific objective in this regard is most welcome. In my dealings with the gardaí in Limerick, I found that the rank-and-file members practise this objective every day. I have found them to be kind and caring when faced with people who are suffering, especially those struggling with mental health challenges. Often, the problem arises not with the gardaí dealing with the vulnerable person but at the next step. Particularly where there are mental health challenges, gardaí have nowhere to bring people to. Policing is not just the responsibility of gardaí but of all the Departments of the State and the wider community. This principle should create a more holistic approach to policing in this State.

The Bill is much needed and is welcome. Despite the myriad of challenges they face, gardaí continue to do good. They operate without all the resources they need. If you live on the north

side of Limerick and have reason to call the gardaí, you will be waiting for some time for them to call out. It is not because they do not care but because they must prioritise given Limerick's resources. On Limerick city's north side, there is often only one patrol car available. It is a huge area. It includes the whole north side of Limerick city, two regeneration areas, large areas of Corbally and the area extending as far as Ardnacrusha. This is an impossible situation to leave local gardaí in. People are frustrated over the lack of a response or the variations in responses when they contact the Garda. This affects all communities, whether they are middle class or working class. How can gardaí respond when they do not exist or when there is simply nobody available?

Stations in Limerick, Cork and Waterford are recording five-year peaks in reported crimes and Garda numbers are down. The Garda Representative Association has warned that recruitment targets have already been missed this year.

In the Limerick city area, basically the Garda stations at Henry Street and Roxboro, there were 511 gardaí in 2011. In May of this year, with an increased population, we have 59 gardaí fewer, or 452 in the same two stations. While I welcome this Bill, we must see the objectives set out in the policing plan matched by the Government in terms of recruitment and the delivery of resources that the Garda deems necessary.

Deputy Helen McEntee: Given that my initial point has been clarified, my understanding of this amendment is that it would remove the need for the authority to consult the Garda Commissioner and the national office. Section 61(2) requires the authority to consult the Garda Commissioner, the national office and such other persons as the authority considers appropriate. I am not sure why we would remove the need to consult the Garda Commissioner. It is an absolute must and goes to the very heart of what we are discussing. It is an essential requirement in determining any of the policing priorities to have the Garda Commissioner playing a key role. The Bill allows the authority to consider any other persons it considers appropriate.

Deputy Pa Daly: It states the authority shall consult any such persons as the authority considers appropriate. It does not exclude the Garda Commissioner at all. It is just that we do not feel it should be necessary to name anyone specifically, because such a person would be covered by the wording "any such persons as the Authority considers appropriate".

Amendment put and declared lost.

Deputy Pa Daly: I move amendment No. 22:

In page 66, to delete lines 12 and 13 and substitute "it for the period to which an annual service plan relates, so inform the Board, the Authority and the Minister."

When the Commissioner feels he will exceed his resources for the year, he is obliged to tell only the Minister and the board. The amendment will add an additional obligation, to tell the authority. The idea is to strengthen the powers of the authority.

Deputy Helen McEntee: One of the fundamental changes in this Bill is to separate the oversight and governance of the organisation. At present, the Policing Authority is responsible for oversight but, as we know, it is also involved in governance. In appointing people to senior ranks, the intention is not to have a crossover whereby they would be responsible for oversight while also involved in governance. That is why we will have a new internal board, the role of which will be governance. The role of the Policing Authority, in its merged form, will be that

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of oversight. What is proposed in the amendment works contrary to the fundamental principle of the legislation in that we are separating governance and oversight of the organisation. There should be clear lines of responsibility between the different actors in the policing area. That is essential and it is a core part of what we are doing overall in the Bill.

Amendment put and declared lost.

Deputy Helen McEntee: I move amendment No. 23:

In page 75, to delete lines 32 to 34.

Amendment put and declared carried.

An Cathaoirleach Gníomhach (Deputy Aengus Ó Snodaigh): Amendments Nos. 24 and 43 are related and may be discussed together.

Deputy Helen McEntee: I move amendment No. 24:

In page 88, line 33, to delete “for malicious injuries received” and substitute “for injuries inflicted as a result of a malicious incident within the meaning of that Act”.

Amendment No. 24 relates to section 95 of the Bill, which provides for the secondment of members of An Garda Síochána to the Police Service of Northern Ireland. It restates, in large part, section 54 of the Garda Síochána Act 2005. This provision is to account for recent amendments made to section 54 of the 2005 Act by the Garda Síochána (Compensation) Act 2022.

Amendment No. 43 relates to section 177 of the Bill, which provides for the police ombudsman to enter into arrangements with An Garda Síochána, other police services or other bodies for the temporary engagement of persons with the office of the police ombudsman for the purpose of providing special assistance. It restates, in large part, section 74 of the Garda Síochána Act 2005. This provision is to account for a recent amendment made to section 74 of the 2005 Act by the Garda Síochána (Compensation) Act 2022. Amendments Nos. 24 and 43 are technical in nature.

Amendment agreed to.

An Cathaoirleach Gníomhach (Deputy Aengus Ó Snodaigh): Tá leasú Uimh. 25 in ainm an Teachta McNamara. Níl sé anseo; mar sin ní féidir an leasú a bogadh.

Amendment No. 25 not moved.

Deputy Helen McEntee: I move amendment No. 26:

In page 93, line 37, to delete “for Community Safety”.

Amendment agreed to.

Deputy Helen McEntee: I move amendment No. 27:

In page 97, lines 11 and 12, to delete “or, in the English language, the National Community Safety Steering Group”.

Amendment agreed to.

Deputy Helen McEntee: I move amendment No. 28:

In page 99, line 15, to delete “for Community Safety”.

Amendment agreed to.

Deputy Helen McEntee: I move amendment No. 29:

In page 99, lines 16 and 17, to delete “for Community Safety”.

Amendment agreed to.

Deputy Helen McEntee: I move amendment No. 30:

In page 99, lines 18 and 19, to delete “or, in the English language, the National Office for Community Safety”.

Amendment agreed to.

Deputy Helen McEntee: I move amendment No. 31:

In page 100, lines 8 and 9, to delete “for Community Safety”.

Amendment agreed to.

Deputy Helen McEntee: I move amendment No. 32:

In page 100, lines 10 and 11, to delete “for Community Safety”.

Amendment agreed to.

Deputy Helen McEntee: I move amendment No. 33:

In page 108, lines 10 and 11, to delete “or, in the English language, the Policing and Community Safety Authority”.

Amendment agreed to.

Deputy Pa Daly: I move amendment No. 34:

In page 109, to delete line 17 and substitute the following:

“(d) to carry out, at its own initiative or at the request of the Minister, inspections in relation to any particular aspects of the operation and administration of An Garda Síochána relating to policing services (including in relation to adherence to human rights standards and cooperation with other public service bodies to enhance community safety) and make recommendations to the Garda Commissioner or the Minister, as the case may be, for any action that the Authority considers desirable;”.

This amendment relates to inspections. The proposal is that the authority would be able to carry out, at its own initiative or at the request of the Minister, inspections in regard to any particular aspects of the operation and administration of An Garda Síochána relating to policing services. The general scheme of the Bill referred to a power to carry out such inspections, with specific reference to human rights standards and co-operation with other public service bodies to enhance community safety. That provision should be reintroduced. There is provision in the

Bill for inspections but it should specifically include adherence to human rights standards. This was recommended by representatives of some of the bodies who contributed to pre-legislative scrutiny in order to strengthen the inspection role of the authority. In our submission to the Commission on the Future of Policing in Ireland, we opposed the abolition of the Garda Inspectorate. This amendment attempts to give it more powers once it is folded in under the authority.

Deputy Helen McEntee: As the Deputy outlined, this section of the Bill concerns functions and powers of the Policing Authority. His amendment seeks to expand its function in the carrying out of inspections. I confirm that the authority may carry out inspections either on its own initiative or at the request of the Minister. The amendment is unnecessary. Section 122 already provides for the general function of the new authority to carry out inspections. Along with that, sections 142, 148 and 149 provide further detail on the carrying out of inspections by the authority, either by its own volition or at the request of the Minister. These sections also cover the submission of recommendations, as proposed in the Deputy's amendment.

Section 142(1) provides for such inspections as long as they are in furtherance of the authority's objective, which is to oversee and assess the performance by An Garda Síochána of its functions relating to policing services under section 122. This function of An Garda Síochána includes the protection and vindication of the human rights of each individual and the prevention of harm to individuals, as provided for in section 9. The proposal in this amendment is already covered by several existing provisions. Therefore, I do not propose to support it. I am happy to engage further with the Deputy to clarify that all elements are covered in the Bill.

Amendment put and declared lost.

Deputy Helen McEntee: I move amendment No. 35:

In page 112, line 15, to delete "authority" and substitute "Authority".

Amendment agreed to.

An Cathaoirleach Gníomhach (Deputy Aengus Ó Snodaigh): Amendments Nos. 36 to 38, inclusive, 40, 42 and 77 are related and may be discussed together.

Deputy Helen McEntee: I move amendment No. 36:

In page 121, between lines 9 and 10, to insert the following:

"Application of Freedom of Information Act 2014 to Authority

135. (1) Notwithstanding section 6(12) of the Freedom of Information Act 2014, the obligations under that Act shall apply to the Authority on and from the establishment day of the Authority.

(2) Notwithstanding section 2(1) of the Freedom of Information Act 2014, the "effective date" in the case of the Authority shall, for the purposes of that Act, be 21 April 2008."

These are technical amendments to provisions concerning the Freedom of Information Act 2014. Amendment No. 36 relates to the new policing and community safety authority. It proposes to insert a new section to clarify aspects of the 2014 Act and their application to the new authority. Under section 6(12) of the 2014 Act, the obligations under the Act would only apply

to the new authority on and from a date that could be up to six months after its establishment. The proposed new subsection ensures those obligations will apply to the new authority from the date of its establishment. This ensures there will be no gap between the application of the obligations of the Policing Authority and the Garda Inspectorate and those of the new authority.

The proposed new subsection (2) confirms that the effective date for the new authority for the purposes of the Freedom of Information Act 2014 is 21 April 2008. The effective date is the date from when the Act first applies to the new authority. The date of 21 April 2008 has been chosen as an appropriate effective date as it captures the effective date of both the Garda Inspectorate and the Policing Authority. The records of both the Policing Authority and the Garda Inspectorate are to be transferred to the new authority under sections 158 and 164 of the Bill. This ensures the new authority can fulfil any obligations of the Policing Authority and Garda Inspectorate under the 2014 Act with regard to those records.

Amendments Nos. 38 and 42 are technical amendments that provide for transitional provisions relating to the application of the Freedom of Information Act 2014 to any transferred records of the Policing Authority and the Garda Inspectorate. The effect of amendment No. 38 is that any actions or applications commenced by the Policing Authority will be completed by the new authority upon dissolution of the former. This will ensure compatibility with the Freedom of Information Act 2014. Similarly, the effect of amendment No. 42 is that any actions or applications commenced by the current Garda Síochána Inspectorate will be completed by the new authority upon the former's dissolution. This will also be in line with the Freedom of Information Act 2014. Amendments Nos. 37 and 40 are consequential amendments arising from the insertion of the new section on transitional provisions in respect of the transfer of the records of the Policing Authority and the Garda Síochána Inspectorate.

Amendment No. 77 amends the amendment to Schedule 1 to the Freedom of Information Act 2014. An Garda Síochána is a partially excluded public body under freedom of information legislation. This means that freedom of information requests in respect of An Garda Síochána may only relate to human resources, finance or procurement. The effect of the amendment is to extend the range of records to which such requests to An Garda Síochána may relate to include the records transferred to An Garda Síochána from the Policing Authority.

Amendment agreed to.

Deputy Helen McEntee: I move amendment No. 37:

In page 136, line 18, to delete “shall” and substitute “shall, subject to *section 159(2)**”.

Amendment agreed to.

Deputy Helen McEntee: I move amendment No. 38:

In page 139, to delete lines 7 to 22 and substitute the following:

“Transitional provisions relating to Policing Authority

159. (1) Where, before the establishment day of the Authority, the Policing Authority has commenced any action under the Freedom of Information Act 2014 and all matters relating to the action have not been completed before that day, the action shall be deemed to have been commenced, and may be completed—

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(a) other than where *paragraph (b) or (c)* applies, by the Authority,

(b) in the case of records transferred to the Minister under *paragraph (a), (b) or (c) of section 158(2)*, by the Minister, and

(c) in the case of records transferred to An Garda Síochána under *paragraph (d), (e), (f), (g) or (h) of section 158(2)*, by An Garda Síochána.

(2) Where, before the establishment day of the Authority, an application under section 10 of the Freedom of Information Act 2014 in relation to an act of the Policing Authority has been made and all matters relating to the application have not been completed before that day, the application shall, notwithstanding *section 153*, be completed as if the Policing Authority had not been dissolved.”.

Amendment agreed to.

Deputy Helen McEntee: I move amendment No. 39:

In page 140, to delete lines 5 to 17 and substitute the following:

“**160.** (1) The Authority shall cause to be prepared any outstanding appropriation accounts of the Policing Authority.”.

As the Deputy will be aware, the Bill provides for the dissolution of the current Policing Authority and the establishment of a new policing and community safety authority. Section 160 provides for the preparation of the final accounts and annual report of the current Policing Authority. As currently drafted, this section is incompatible with the Comptroller and Auditor General Acts. It is proposed to amend section 160(1) to refer to any outstanding appropriation accounts rather than final accounts because, as a Vote-holding body, only appropriation accounts may be prepared in respect of the Policing Authority. It is also proposed to delete sections 160(2) and 160(3) which, as currently drafted, set out timelines for the preparation of the accounts and possible time periods to be covered by the accounts. These matters are set out in the Comptroller and Auditor General Acts. In addition, as currently drafted, provision is made for the Minister for Public Expenditure, National Development Plan Delivery and Reform to lay the accounts prepared under this section but, under the Comptroller and Auditor General Acts, appropriation accounts are laid before the Houses of the Oireachtas by the Comptroller and Auditor General. The proposed amendments would address all of these issues.

Amendment put and declared carried.

Deputy Helen McEntee: I move amendment No. 40:

In page 140, line 33, to delete “shall” and substitute “shall, subject to *section 165(2)**”.

Amendment agreed to.

Deputy Helen McEntee: I move amendment No. 41:

In page 140, between lines 34 and 35, to insert the following:

“**Transfer of member of Garda Síochána Inspectorate**

162. (1) The Minister may, before the establishment day of the Authority, designate

a person who immediately before that day stands appointed under section 115 of the Act of 2005 as a member of the Garda Síochána Inspectorate to be appointed as—

- (a) a member of the staff of the Authority, and
- (b) an inspector of policing services.

(2) Where, immediately before the establishment day of the Authority, a person stands designated under *subsection (1)*, the person shall, on and from that day, stand appointed as a member of the staff of the Authority and an inspector of policing services for a period not exceeding 2 years.

(3) Subject to this section, a person who stands appointed under *subsection (2)* shall not, on the establishment day of the Authority, be subject to less beneficial terms and conditions of service or remuneration than the terms and conditions of service or remuneration to which he or she was subject immediately before that day.

(4) The terms and conditions to which a person is subject on his or her becoming a member of the staff of the Authority in accordance with *subsection (1)* shall be deemed to have been determined by the Authority in accordance with *section 131*.”

This amendment will enable the Minister for Justice to designate one or more of the current members of the Garda Síochána Inspectorate as members of the staff of the authority and inspectors of policing services for a period not exceeding two years. This new section will ensure that the authority has the expertise and experience at its disposal to undertake its inspection functions effectively from its establishment date. Of course, in practical terms, this would require the consent of the officeholders concerned.

Amendment agreed to.

Deputy Helen McEntee: I move amendment No. 42:

In page 142, to delete lines 14 to 24 and substitute the following:

“Transitional provisions relating to Garda Síochána Inspectorate

165. (1) Where, before the establishment day of the Authority, the Garda Síochána Inspectorate has commenced any action under the Freedom of Information Act 2014 and all matters relating to the action have not been completed before that day, the action shall be deemed to have been commenced, and may be completed—

- (a) other than where paragraph (b) applies, by the Authority, and
- (b) in the case of records transferred to the Minister under section 164(2), the Minister.

(2) Where, before the establishment day of the Authority, an application under section 10 of the Freedom of Information Act 2014 in relation to an act of the Garda Síochána Inspectorate has been made and all matters relating to the application have not been completed before that day, the application shall, notwithstanding section 161, be completed as if the Garda Síochána Inspectorate had not been dissolved.”

Amendment agreed to.

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Deputy Helen McEntee: I move amendment No. 43:

In page 152, line 31, to delete “for malicious injuries received” and substitute “for injuries inflicted as a result of a malicious incident within the meaning of that Act”.

Amendment agreed to.

Deputy Helen McEntee: I move amendment No. 44:

In page 169, line 9, to delete “a member” and substitute “such a member”.

Amendment agreed to.

Deputy Pa Daly: I move amendment No. 45:

In page 173, lines 27 and 28, to delete “, having consulted with the Garda Commissioner”.

The legislation as currently drafted provides that “The Police Ombudsman shall, on receipt of a notification [...] having consulted with the Garda Commissioner [...] decide to take any one or more of” a number of listed actions. This seems to impose an obligation to consult with the Commissioner. Based on what we heard in the committee, the organisation has not requested a requirement to consult with the Commissioner before deciding what do about an incident of concern. We propose to delete the part that says the ombudsman must consult with the Garda Commissioner.

Deputy Helen McEntee: At the heart of this is a desire to ensure strong co-operation and co-ordination between An Garda Síochána and the new equivalent of GSOC, whatever title is conferred on it. The purpose of this consultation is to ensure that this new incident of concern process is operable and efficient. Section 204 provides that, having notified the police ombudsman of an incident of concern, the Garda Commissioner may still take lawful actions to prevent the commission of offences or breaches of professional standards of behaviour. This includes commencing or continuing a criminal investigation. This obviously prevents any delay while waiting for the ombudsman’s decision as to what action should be taken next and avoids the risk of being unable to deal with a criminal matter in line with best practice. Where there is potential for a live investigation to be compromised, there needs to be clear and defined communication. That again goes back to what I said at the outset. There needs to be co-operation, co-ordination and communication between the Commissioner and the ombudsman.

I am advised that the current workload of GSOC predominantly comprises retrospective complaints. The introduction of incidents of concern will expand that workload to potentially include matters that require immediate investigation or that are already the subject of a live Garda investigation. In that regard, it is important that the police ombudsman and the Garda Commissioner develop effective processes to ensure that these concerns are addressed and dealt with consistently, effectively and efficiently. In that regard, protocols will be put in place to support these processes but, in light of the intention of the provision, this is necessary.

Regarding the broader process, I see no benefit in removing something that encourages and requires good communication between the two organisations. In this instance, it is the Commissioner who sees something wrong, perhaps a governance issue or another matter of concern, and who then raises it with the ombudsman. It is the Commissioner making the observation in the first instance. I see no harm or difficulty in ensuring that there is continuous engagement

to ensure there is no duplication and to ensure that the two bodies are working with each other, rather than in parallel, in that regard.

Deputy Pa Daly: Obviously, we do not want to prevent the police ombudsman having a consultation with the Garda Commissioner if he or she wishes to do so but, in order to preserve the office's independence, we do not feel there should be any such obligation. From my reading of it, it seems there is an obligation. That is why we will be pressing the amendment.

Amendment put and declared lost.

Deputy Pa Daly: I move amendment No. 46:

In page 192, line 4, to delete "18 months" and substitute "24 months".

The amendment speaks for itself. It extends the period to 24 months.

Deputy Helen McEntee: Again, I am happy to engage further with the Deputy but, in this regard, the timeframe has already been extended from 12 to 18 months. That happened only seven years ago. Prior to setting out the timelines here, we engaged with An Garda Síochána, with GSOC and with the Director of Public Prosecutions, all of which have said they do not have any issue with the 18 months and none of which requested that it be extended any further.

Deputy Pa Daly: Given what the Minister has said about engaging further, and we will engage further with GSOC ourselves, I will withdraw the amendment.

Amendment, by leave, withdrawn.

Deputy Helen McEntee: I move amendment No. 47:

In page 194, to delete lines 21 to 23.

Section 220 provides a right of review for complainants who are dissatisfied with the determination of the police ombudsman that a complaint is inadmissible or that an investigation be discontinued. Section 220(8) currently provides the police ombudsman with the power to review a decision made under Part 6 and to take any appropriate action to reconsider a decision found to be incorrect. My Department has engaged with GSOC and with the Attorney General's office on this particular subsection. As drafted, it could possibly be open to misinterpretation or used as an avenue for a broader right of review than was originally intended. It is therefore proposed to delete section 220(8) in its entirety. To be clear, deletion of this subsection in no way limits or detracts from the police ombudsman's ability to undertake such a review or to take action to address incorrect decisions.

Such a power is administrative in nature. It does not require reinforcement in statute. My officials have consulted the current Garda Síochána Ombudsman Commission, which agrees with this view and the proposed approach here.

Amendment agreed to.

An Cathaoirleach Gníomhach (Deputy Aengus Ó Snodaigh): Amendments Nos. 48 to 50, inclusive, are related and will be discussed together.

Deputy Helen McEntee: I move amendment No. 48:

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In page 194, line 33, to delete “the Police Ombudsman” and substitute “the Office of the Police Ombudsman”.

Section 221 provides for a judge-led inquiry into the conduct of the police ombudsman, the deputy police ombudsman, and the officers of the police ombudsman, and-or the policies, practices and procedures of the police ombudsman on a single occasion, or generally, with regard to the investigation under Part 6. Amendment No. 48 proposes to delete the reference to the police ombudsman in section 221(1)(b), and replace it with a reference to the office of the police ombudsman. This creates a necessary distinction between an inquiry into the conduct of the officeholder, which is captured under section 221(1)(a), and the policies, practices or procedures of the office of the police ombudsman itself, which is intended to be captured under section 221(1)(b).

Amendments Nos. 49 and 50 relate to the report prepared by the appointed judge following the completion of this inquiry. On completing the inquiry, the appointed judge is required to submit a report of his or her findings on any recommendations to the Minister for Justice. The Minister is required to forward a copy of this report to the police ombudsman for any action the police ombudsman considers appropriate. However, under paragraph (a) of subsection (1), the conduct of the ombudsman may be the subject of an inquiry. The purpose of amendment 50 is to insert a new subsection, which has the effect of removing the obligation on the Minister to forward the report to the police ombudsman, obviously in circumstances where the police ombudsman is actually the subject of the inquiry. Instead, the Minister may use his or her discretion as to whether such a referral would be appropriate, depending on the content of the report. Amendment No. 49 is, therefore, a consequential requirement relating to the previous amendment, and it inserts a necessary cross-reference to the proposed new subsection.

Amendment agreed to.

Deputy Helen McEntee: I move amendment No. 49:

In page 196, line 1, to delete “The Minister” and substitute “Subject to *subsection (10)*, the Minister”.

Amendment agreed to.

Deputy Helen McEntee: I move amendment No. 50:

In page 196, between lines 3 and 4, to insert the following:

“(10) Where a report submitted to the Minister under *subsection (8)* concerns an inquiry into the conduct of the Police Ombudsman, *subsection (9)* shall apply subject to the modification that the reference in that subsection to the Minister shall forward shall be construed as a reference to the Minister may forward.”.

Amendment agreed to.

Deputy Helen McEntee: I move amendment No. 51:

In page 199, line 12, to delete “of the Independent Examiner”.

Amendment agreed to.

Deputy Helen McEntee: I move amendment No. 52:

In page 201, line 5, to delete “of the Independent Examiner”.

Amendment agreed to.

Deputy Helen McEntee: I move amendment No. 53:

In page 201, lines 7 and 8, to delete “of the Independent Examiner”.

Amendment agreed to.

Deputy Helen McEntee: I move amendment No. 54:

In page 201, lines 9 and 10, to delete “or, in the English language, as the office of the Independent Examiner of Security Legislation”.

Amendment agreed to.

Deputy Helen McEntee: I move amendment No. 55:

In page 201, lines 21 and 22, to delete “of the Independent Examiner”.

Amendment agreed to.

Deputy Helen McEntee: I move amendment No. 56:

In page 201, lines 23 and 24, to delete “of the Independent Examiner”.

An Cathaoirleach Gníomhach (Deputy Aengus Ó Snodaigh): Amendments Nos. 57, 58 and 76 are related and will be discussed together.

Deputy Helen McEntee: I move amendment No. 57:

In page 214, between lines 10 and 11, to insert the following:

“(l) *section 256;*”.

These amendments relate to section 45 of the Freedom of Information Act 2014. Currently, under section 45(10), the Information Commissioner is excluded from accessing information, documents or things, or An Garda Síochána stations designated by regulations made under section 126 of the Garda Síochána Act 2005, as relating to the security of the State. Amendment No. 57 inserts a new section in the Bill, which will be similar to section 126 of the 2005 Act. It would enable the Minister for Justice to prescribe certain information, documents or things, as relating to the security of the State, and to designate Garda premises in which such information or documents are held.

Amendment No. 58 provides that any regulations made using this regulation power must be approved by Government. Amendment No. 76 amends section 45(10) of the Freedom of Information Act 2014 in order to refer to this new regulation-making power, rather than section 126 of the Garda Síochána Act 2005.

Amendment agreed to.

Deputy Helen McEntee: I move amendment No. 58:

In page 223, between lines 15 and 16, to insert the following:

“Regulations relating to matters concerning security of State

256. The Minister may, having consulted with the Garda Commissioner, for the purposes of section 45(10) of the Freedom of Information Act 2014, make regulations prescribing—

(a) information, documents or things, or classes of information, documents or things relating to the security of the State, and

(b) Garda Síochána premises in which information, documents or things, or classes of information, documents or things, relating to the security of the State are held.”.

Amendment agreed to.

Deputy Helen McEntee: I move amendment No. 59:

In page 231, to delete lines 18 and 19 and substitute the following:

“ “111. An tÚdarás Póilíneachta agus Sábháilteachta Pobail

112. oifig an Scrúdaitheora Neamhspleáchum Reachtaíocht Slándála”.”.

Amendment agreed to.

An Cathaoirleach Gníomhach (Deputy Aengus Ó Snodaigh): Amendments Nos. 60, 66 to 70, inclusive, and 83 are related and will be discussed together.

Deputy Helen McEntee: I move amendment No. 60:

In page 232, lines 12 to 15, to delete all words from and including “and,” in line 12, down to and including “otherwise” in line 15.

These proposed amendments amend the interpretation of “member of garda staff” in amendments being made to other Acts of the Oireachtas. The purpose of these technical amendments is to ensure consistency between, on the one hand, the meaning of “member of garda staff” in section 2 and the cross-references to that term in amendments to other enactments contained in Part 10. The meaning assigned to “member of garda staff” is persons appointed by the Commissioner as Garda staff following the coming into operation of the Bill and current civilian staff following their designation as Garda staff by order of the Minister for Justice.

As Deputies will be aware, there is a statutory obligation to engage with Garda staff trade unions as associations prior to the making of any such order. The construction provisions applied to the term ensure that before making the order, “member of garda staff” is understood to include the current civilian staff.

Deputy Pa Daly: This is an ask, I think, from the unions and it bears well regarding the engagements relating to another section related to Garda staff and perhaps also to Prison Service staff, which I flagged earlier and which may very well become an issue. I support the amendment.

Amendment agreed to.

Deputy Helen McEntee: I move amendment No. 61:

In page 232, to delete line 19 and substitute the following:

“ “Office of the Police Ombudsman

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An tÚdarás Póilíneachta agus Sábháilteachta Pobail”.”.

Following engagement between my Department and the National Archives of Ireland, it is proposed that all existing bodies under the aegis of the Department, including all new bodies being established by this Bill, should be explicitly listed as being bound by the National Archives Act 1986. The proposed amendment extends the National Archives Act to include all of the new bodies set up under the Bill. In line with amendments in grouping No. 1, the names of the bodies are provided for in the Irish language, with the exception of the office of the police ombudsman because, as I have mentioned previously, the name of this body is still subject to consideration more generally. I will return to this matter when the Bill returns to the Seanad.

Amendment agreed to.

An Cathaoirleach Gníomhach (Deputy Aengus Ó Snodaigh): Amendments Nos. 62, 65 and 84 to 86, inclusive, are related and will be discussed together.

Deputy Helen McEntee: I move amendment No. 62:

In page 233, between lines 2 and 3, to insert the following:

“Amendment of Second Schedule to Electoral Act 1992

267. The Second Schedule to the Electoral Act 1992 is amended—

(a) in Part V, in Rule 29—

(i) in paragraph (5)(a), by the substitution of “a member of garda staff” for “a member of the civilian staff of the Garda Síochána”, and

(ii) by the substitution of the following paragraph for paragraph (9):

“(9) In paragraph (5), ‘member of garda staff’ has the same meaning as it has in the *Policing, Security and Community Safety Act 2023*.”,

and

(b) in Part VII, in Rule 38—

(i) in paragraph (5)(a), by the substitution of “a member of garda staff” for “a member of the civilian staff of the Garda Síochána”, and

(ii) by the substitution of the following paragraph for paragraph (9):

“(9) In paragraph (5), ‘member of garda staff’ has the same meaning as it has in the *Policing, Security and Community Safety Act 2023*.”.”.

Amendment No. 62 inserts a new section in the Bill to amend the Second Schedule to the Electoral Act 1992. The purpose of the amending provision is to amend Parts V and VII of the

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Second Schedule to the Electoral Act 1992 to replace references to members of the civilian staff of An Garda Síochána with references to “members of garda staff” and to replace the associated defined terms.

Amendment No. 65 inserts a new section in the Bill to amend the Disability Act 2005. The purpose of the amending provision is to replace references to members defined by way of the Garda Síochána Act 2005 with reference to this Bill.

Amendments Nos. 84 and 85 are also technical in nature. They are required to account for the delayed commencement of another piece of legislation, the Garda Síochána (Functions and Operational Areas) Act 2022. Although that Act was enacted in May 2022, commencement of certain provisions has not yet taken place. These proposed amendments are required to ensure that cross-references in both Bills are aligned correctly, regardless of which piece of legislation is commenced first.

Amendment No. 86 amends sections 2, 12 and 34 of the Garda Síochána (Compensation) Act 2022 to align with relevant provisions in the Bill. The proposed amendment updates the definitions in section 2 to align with the Bill. It substitutes a reference to civilian staff with a reference to “garda staff”. In sections 12 and 34, the amendment replaces cross-references to the Garda Síochána Act 2005 with cross-references to the Bill.

Amendment agreed to.

Deputy Helen McEntee: I move amendment No. 63:

In page 233, lines 5 and 6, to delete “the Policing and Community Safety Authority” and substitute “An tÚdarás Póilíneachta agus Sábháilteachta Pobail”.

Amendment agreed to.

Deputy Helen McEntee: I move amendment No. 64:

In page 235, to delete line 23 and substitute the following:

“ “201. An tÚdarás Póilíneachta agus Sábháilteachta Pobail”. ”.

Amendment agreed to.

Deputy Helen McEntee: I move amendment No. 65:

In page 235, after line 33, to insert the following:

“Amendment of section 46 of Disability Act 2005

272. Section 46(3) of the Disability Act 2005 is amended by the substitution of “members of An Garda Síochána within the meaning of the *Policing, Security and Community Safety Act 2023*” for “members, within the meaning of section 3(1) of the Garda Síochána Act 2005, of the Garda Síochána”. ”.

Amendment agreed to.

Deputy Helen McEntee: I move amendment No. 66:

In page 239, line 3, to delete “paragraphs” and substitute “paragraph”.

Amendment agreed to.

Deputy Helen McEntee: I move amendment No. 67:

In page 239, line 4, to delete “garda staff of An Garda Síochána” and substitute “garda staff (within the meaning of the *Act of 2023*)”.

Amendment agreed to.

Deputy Helen McEntee: I move amendment No. 68:

In page 239, line 5, to delete “Defence Forces,” and substitute “Defence Forces, or”,.”.

Amendment agreed to.

Deputy Helen McEntee: I move amendment No. 69:

In page 239, to delete lines 6 to 9.

Amendment agreed to.

8 o'clock

Deputy Helen McEntee: I move amendment No. 70:

In page 240, lines 20 to 23, to delete all words from and including “and,” in line 20, down to and including “Síochána”, where it firstly occurs, in line 23.

Amendment agreed to.

Deputy Helen McEntee: I move amendment No. 71:

In page 240, lines 34 to 39, to delete all words from and including “includes—” in line 34, down to and including line 39 and substitute “includes a member of garda staff;”,.”.

Amendment agreed to.

Deputy Helen McEntee: I move amendment No. 72:

In page 241, line 2, to delete “has the same meaning as it has in” and substitute “shall be construed in accordance with”.

Amendment agreed to.

Deputy Helen McEntee: I move amendment No. 73:

In page 243, to delete lines 9 and 10 and substitute the following:

“(a) in section 2(1)—”.

Amendment agreed to.

Deputy Helen McEntee: I move amendment No. 74:

In page 243, lines 13 and 14, to delete “has the same meaning as it has in” and substitute “shall be construed in accordance with”.

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Amendment agreed to.

Deputy Helen McEntee: I move amendment No. 75:

In page 243, to delete lines 16 to 23.

Amendment agreed to.

Deputy Helen McEntee: I move amendment No. 76:

In page 246, between lines 20 and 21, to insert the following:

“(c) in section 45, by the substitution of the following subsection for subsection (10):

“(10) Subsection (2) shall not apply to—

(a) information, documents or things, or classes thereof prescribed by regulations under *paragraph (a) of section 256 of the Policing, Security and Community Safety Act 2023*, or

(b) Garda Síochána premises prescribed by regulations under *paragraph (b) of that section*,

except to the extent specified in a direction of the Minister for Justice.”.

Amendment agreed to.

Deputy Helen McEntee: I move amendment No. 77:

In page 246, between lines 24 and 25, to insert the following:

“(ii) in paragraph (n), by the substitution of “or procurement matters, or records transferred to the Garda Síochána under *section 158(2) of the Policing, Security and Community Safety Act 2023*” for “or procurement matters”.

Amendment agreed to.

Deputy Helen McEntee: I move amendment No. 78:

In page 246, line 26, to delete “the Policing and Community Safety Authority” and substitute “An tÚdarás Póilíneachta agus Sábháilteachta Pobail”.

Amendment agreed to.

Deputy Helen McEntee: I move amendment No. 79:

In page 246, to delete lines 33 to 37, and in page 247, to delete line 1, and substitute the following:

“(iv) in paragraph (an), by the substitution of “functions;” for “functions.”, and

(v) by the insertion of the following paragraphs after paragraph (an):

“(ao) Bord an Gharda Síochána, other than insofar as it relates to administrative records relating to human resources, finance or procurement matters;

(ap) the Independent Examiner of Security Legislation in the”.

Amendment agreed to.

Deputy Helen McEntee: I move amendment No. 80:

In page 247, to delete lines 16 to 18 and substitute the following:

““(p) An tÚdarás Póilíneachta agus Sábháilteachta Pobail,
(q) oifig an Scrúdaitheora Neamhspleách um Reachtaíocht Slándála.””.

Amendment agreed to.

Deputy Helen McEntee: I move amendment No. 81:

In page 249, line 24, to delete “the Policing and Community Safety Authority” and substitute “An tÚdarás Póilíneachta agus Sábháilteachta Pobail”.

Amendment agreed to.

Deputy Helen McEntee: I move amendment No. 82:

In page 249, to delete line 32 and substitute the following:

““(o) An tÚdarás Póilíneachta agus Sábháilteachta Pobail;””.

Amendment agreed to.

Deputy Helen McEntee: I move amendment No. 83:

In page 250, lines 10 to 13, to delete all words from and including “and,” in line 10, down to and including “specified” in line 13.

Amendment agreed to.

Deputy Helen McEntee: I move amendment No. 84:

In page 250, to delete lines 20 and 21 and substitute the following:

“(II) “pursuant to *subsection (1) or (4) of section 28* of that Act” for “pursuant to an authorisation under section 32 of that Act”,”.

Amendment agreed to.

Deputy Helen McEntee: I move amendment No. 85:

In page 250, to delete lines 27 to 35 and substitute the following:

“(I) in paragraph (a), by the substitution of “*section 33(1)(c)(i) of the Act of 2023*” for “section 33(1) of the Act of 2005”, and

(II) in paragraph (b), by the substitution of “*section 33(1)(c)(i) of the Act of 2023*” for “section 33(1) of the Act of 2005”,”.

Amendment agreed to.

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Deputy Helen McEntee: I move amendment No. 86:

In page 251, after line 12, to insert the following:

“Amendment of Garda Síochána (Compensation) Act 2022

293. The Garda Síochána (Compensation) Act 2022 is amended—

(a) in section 2—

(i) in the definition of “Garda Commissioner”, by the substitution of—

(I) “*section 26 of the Act of 2023*” for “section 9 of the Act of 2005”, and

(II) “pursuant to *section 28* of that Act” for “pursuant to an authorisation under section 32 of that Act”,

(ii) by the substitution of the following definition for the definition of “member”:

“ ‘member’ means—

(a) a member of An Garda Síochána within the meaning of the *Act of 2023*, and

(b) a trainee within the meaning of the *Act of 2023*;”, and

(iii) by the insertion of the following definitions:

“ ‘*Act of 2023*’ means the *Policing, Security and Community Safety Act 2023*;

‘member of garda staff’ has the same meaning as it has in the *Act of 2023*;”,

(b) in section 12, by the substitution of “garda staff” for “the civilian staff of the Garda Síochána” in both places where it occurs, and

(c) in section 34—

(i) by the substitution of “*section 39 of the Act of 2023*” for “section 31 of the Act of 2005” in both places where it occurs,

(ii) without prejudice to *paragraph (i)*, in subsection (1), by the substitution of “*Act of 2023*” for “Act of 2005” in both places where it occurs, and

(iii) in subsection (2), by the substitution of “garda staff” for “the civilian staff of the Garda Síochána”.”.

Amendment agreed to.

Deputy Michael McNamara: I move amendment No. 87:

In page 252, after line 14, to insert the following:

“

6.	<i>No. 19 of 1990</i>	<i>Industrial Relations Act 1990</i>	<i>Section 23(1D) and the Sixth Schedule.</i>
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“.

This amendment was discussed on Committee Stage. As I alluded to earlier, I was previously a Member of this House from 2011 to 2016. During that time, the European Committee of Social Rights considered a complaint from the European Confederation of Police, EuroCOP, to which the Association of Garda Sergeants and Inspectors, AGSI, is affiliated. It was held that the prohibition on the right to strike of members of An Garda Síochána in Ireland was unlawful and contrary to the European Social Charter. A Bill was brought before the House on Second Stage at that time which was unsuccessful. There was some discussion of the situation thereafter in the last Dáil and the situation was amended somewhat so that gardaí would have a right or some right - this was kind of an Irish solution to an Irish problem - to engage in collective bargaining. Nevertheless, the legal prohibition on the right to strike remained.

There are two places where this is contained. One, which I had proposed to remove in the context of section 25, is the proscription on the right of a person to withhold his or her services, in the context where gardaí will be proscribed from doing so by this proposed law, if it passes and is not amended in the Seanad. The second thing concerns the consequences because people can be sued for the consequences of a strike but for the Industrial Relations Act 1990. The proposed section which I have included in this amendment specifically removes members of An Garda Síochána from this provision.

I do not think anybody thinks members of An Garda Síochána are going to strike willy-nilly or, arguably, going to strike at all. John Horgan, who is a former chair of the Labour Court - he is a constituent of mine, but that is very much a secondary matter - and a man with a very distinguished career in industrial relations in the private and public sectors, was commissioned to write a report on this matter. My understanding is that he recommended that this issue be negotiated in such a way as would allow gardaí to give up the right to strike, as police officers do in many other countries, in return for certain terms and conditions. This would be their wont or right to do so. At the moment, though, they do not have this bargaining power. Ultimately, the right to strike is the basis upon which people negotiate collectively, because while it is all well and good to admit people into collective bargaining processes, what are they going to be bargaining with if they have to provide their labour? They will not be bargaining with very much at the end of the day. It will be a very one-sided discussion.

I raised this issue with the Minister's very able substitute, the Minister, Deputy Harris, in respect of this unlawfulness. I pointed out at the time that it would be a sort of a sad irony if legislation entitled the Policing, Security and Community Safety Bill 2023 was in itself to be contrary to international law and our international legal commitments. The decision of the European Committee of Social Rights stands. It may not be binding as a matter of domestic law, but neither is the International Covenant on Civil and Political Rights, ICCPR, the Universal Declaration of Human Rights or any of these matters. These are, however, laws and they are binding on the State, but people cannot get onto the Four Courts and sue on the back of them. This does not mean, however, that they are not laws and can, therefore, be flagrantly disregarded, most of all by a Minister for Justice. I say this because ours is a State which takes the rule of law seriously, takes international law seriously and regularly criticises other countries, and rightly so, for breaches in this regard. It is usually, I suppose, of course, the Department

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of Foreign Affairs rather than the Department of Justice making the criticisms, but this is the law because those who have been appointed to determine the lawfulness or otherwise of this measure have made their determination that Ireland has been found to be in breach of its legal commitments this regard. These are legal commitments which were freely entered into.

I explained the situation to the Minister, Deputy Harris, when he held this portfolio, and he said it would be extraordinary if a Bill being brought forward by the Department of Justice was contrary to law. He expected that we would go into this matter in further detail. I look forward to hearing this detail now and to hearing what we are going to do to bring Ireland into compliance with its international legal commitments, as we introduce a Bill to ensure An Garda Síochána complies with its constitutional and domestic legal duties. The least we can expect is that the State will also comply with its legal duties towards those members of An Garda Síochána who are unlawfully deprived of the right to strike as it stands at the moment.

Deputy Helen McEntee: To restate some comments made on Committee Stage, as acknowledged by the Deputy, the Industrial Relations (Amendment) Act 2019 gave members of An Garda Síochána full access, for the first time, to the State's industrial relations mechanisms, including the Workplace Relations Commission, WRC, and the Labour Court. As a result, Garda representative associations are in a position to represent their members in national pay talks. This puts them on a par with trade unions in this sense. I accept that certain aspects of the Industrial Relations (Amendment) Act 2019, including protections which apply to registered trade unions that engage in legitimate trade union actions, were not applied to the Garda associations. This was in recognition of the fact that gardaí are not simply "workers" in an everyday sense of the word. They have extensive powers which allow them to protect the peace and, particularly in this context, our security and the security of the State. This is a difference between ourselves and many other jurisdictions. Our police service is responsible not just for policing but also for the security of this State. It has been decided, therefore, that it would not be appropriate to provide all the protections contained in the Industrial Relations Act 1990 to workers who perform such a role, as there is simply greater risk involved in comparison to the roles of more everyday workers. It should again be noted that significant improvements in the arrangements for dealing with human resource issues were made in the 2019 Act. Any revisiting of these issues would be much broader than the scope of this Bill. With that in mind, I am not going to accept this amendment. I am not in a position to support it.

Deputy Michael McNamara: The Minister said it would not be appropriate. It is an extraordinary proposition for a Minister for Justice to say that it would not be appropriate for Ireland to adhere to its international legal commitments. It is an extraordinary proposition that any Minister of any government of this State would say that it is inappropriate or not appropriate for Ireland to adhere to the international legal order and to the rule of law. I say this because the rule of law is contingent upon states adhering to their commitments, whether they agree with them or not. We have had this type of politics play out in the US where a duly-elected executive determined that it does not like international law and it is a bit messy, so it would be inappropriate for it to adhere to it. We have had that type of politics quite recently in the United Kingdom, our nearest neighbour. It is very unlike the UK. It was a brief departure, one hopes, from their otherwise steadfast commitment to the rule of law, at least publicly.

I refer to what has happened in Northern Ireland but, we, of course, Ireland, were able to bring the United Kingdom of Great Britain and Northern Ireland to the European Court of Human Rights because of our commitment to institutions such as this. Now the Minister is turning around and is saying that when she does not like the answer that it would be inappropriate. I

cannot think of anything more inappropriate from the Minister for Justice.

Deputy Helen McEntee: There are exceptions in the charter, as the Deputy will be aware, which relate to public interest and to security matters. As I have outlined, we are in a position where members of An Garda Síochána are not just responsible for policing but also for security matters and that is why we have taken this decision. This will always be under review, and we will continue to engage with the Council of Europe, but there are clearly exceptions here that are part of the charter and that is where there is a public interest or issues relating to security. That is the decision we have taken and those are the reasons upon which we have made those decisions.

Deputy Michael McNamara: There will always be exceptions that states will cling to to justify breaches of international law, just as our near neighbour clings to exceptions, or sought to do so. This is the first time that I am aware of that Ireland has spoken about exceptions. The other is a case that did not arise as recently, which is with regard to not having to justify the DPP's election to send a case to the Special Criminal Court. That is not something that concerns us right now because it is not germane to this Bill whereas this is.

On that basis I have no alternative but to press the amendment if the Minister's position is that we can throw out the line that there are exceptions when it does not suit us, and when we are found to be in breach of international law. It is a very disappointing position for the Government to adopt and a very worrisome one for the State to adopt given that Ireland has been to the forefront of advancing human rights.

Indeed, when it is human rights that the Minister likes, she seems to be quite prepared to stand behind them even if the basis in international law is very meagre, weak and feeble. If it is human rights that we like, we are happy to advance them but that is not how human rights work. They work in respect of rights we do not like but that we have to acknowledge, respect and deal with, as well as with people with whom we do not necessarily agree. It is not those rights that we like in respect of people we like because that is an easy thing to do. It is the opposite that is the case; it is the rights that we do not wish to protect, to adhere to or to enshrine that we nonetheless have no choice in accepting because that is what the rule of law is about. We do not enter into commitments that we are not willing to adhere to. This State entered into that commitment, a case was taken and the State lost. On that basis, I press the amendment.

Amendment put and declared lost.

Bill, as amended, received for final consideration.

Question put: "That the Bill do now pass."

<i>The Dáil divided: Tá, 85; Níl, 50; Staon, 0.</i>		
<i>Tá</i>	<i>Níl</i>	<i>Staon</i>
<i>Bacik, Ivana.</i>	<i>Andrews, Chris.</i>	
<i>Berry, Cathal.</i>	<i>Barry, Mick.</i>	
<i>Brophy, Colm.</i>	<i>Boyd Barrett, Richard.</i>	
<i>Browne, James.</i>	<i>Brady, John.</i>	
<i>Bruton, Richard.</i>	<i>Browne, Martin.</i>	
<i>Burke, Colm.</i>	<i>Buckley, Pat.</i>	

<i>Burke, Peter.</i>	<i>Carthy, Matt.</i>	
<i>Butler, Mary.</i>	<i>Clarke, Sorca.</i>	
<i>Byrne, Thomas.</i>	<i>Collins, Joan.</i>	
<i>Cahill, Jackie.</i>	<i>Collins, Michael.</i>	
<i>Calleary, Dara.</i>	<i>Conway-Walsh, Rose.</i>	
<i>Canney, Seán.</i>	<i>Cronin, Réada.</i>	
<i>Cannon, Ciarán.</i>	<i>Crowe, Seán.</i>	
<i>Carey, Joe.</i>	<i>Daly, Pa.</i>	
<i>Carroll MacNeill, Jennifer.</i>	<i>Doherty, Pearse.</i>	
<i>Chambers, Jack.</i>	<i>Donnelly, Paul.</i>	
<i>Collins, Niall.</i>	<i>Ellis, Dessie.</i>	
<i>Costello, Patrick.</i>	<i>Farrell, Mairéad.</i>	
<i>Coveney, Simon.</i>	<i>Funchion, Kathleen.</i>	
<i>Cowen, Barry.</i>	<i>Gannon, Gary.</i>	
<i>Crowe, Cathal.</i>	<i>Gould, Thomas.</i>	
<i>Devlin, Cormac.</i>	<i>Guirke, Johnny.</i>	
<i>Dillon, Alan.</i>	<i>Harkin, Marian.</i>	
<i>Donnelly, Stephen.</i>	<i>Kenny, Gino.</i>	
<i>Duffy, Francis Noel.</i>	<i>Kerrane, Claire.</i>	
<i>Durkan, Bernard J.</i>	<i>Mac Lochlainn, Pádraig.</i>	
<i>English, Damien.</i>	<i>McGrath, Mattie.</i>	
<i>Farrell, Alan.</i>	<i>McNamara, Michael.</i>	
<i>Feighan, Frankie.</i>	<i>Mitchell, Denise.</i>	
<i>Fitzpatrick, Peter.</i>	<i>Munster, Imelda.</i>	
<i>Flaherty, Joe.</i>	<i>Murphy, Catherine.</i>	
<i>Flanagan, Charles.</i>	<i>Murphy, Paul.</i>	
<i>Fleming, Sean.</i>	<i>Mythen, Johnny.</i>	
<i>Foley, Norma.</i>	<i>Nolan, Carol.</i>	
<i>Griffin, Brendan.</i>	<i>O'Callaghan, Cian.</i>	
<i>Harris, Simon.</i>	<i>O'Reilly, Louise.</i>	
<i>Haughey, Seán.</i>	<i>Ó Broin, Eoin.</i>	
<i>Heydon, Martin.</i>	<i>Ó Laoghaire, Donnchadh.</i>	
<i>Higgins, Emer.</i>	<i>Ó Murchú, Ruairí.</i>	
<i>Howlin, Brendan.</i>	<i>Ó Snodaigh, Aengus.</i>	
<i>Humphreys, Heather.</i>	<i>Pringle, Thomas.</i>	
<i>Kehoe, Paul.</i>	<i>Quinlivan, Maurice.</i>	
<i>Lahart, John.</i>	<i>Ryan, Patricia.</i>	
<i>Lawless, James.</i>	<i>Shortall, Róisín.</i>	
<i>Leddin, Brian.</i>	<i>Stanley, Brian.</i>	
<i>Madigan, Josepha.</i>	<i>Tóibín, Peadar.</i>	
<i>Martin, Catherine.</i>	<i>Tully, Pauline.</i>	
<i>Martin, Micheál.</i>	<i>Ward, Mark.</i>	
<i>Matthews, Steven.</i>	<i>Whitmore, Jennifer.</i>	

<i>McAuliffe, Paul.</i>	<i>Wynne, Violet-Anne.</i>	
<i>McConalogue, Charlie.</i>		
<i>McEntee, Helen.</i>		
<i>McGrath, Michael.</i>		
<i>McGuinness, John.</i>		
<i>McHugh, Joe.</i>		
<i>Moynihan, Aindrias.</i>		
<i>Moynihan, Michael.</i>		
<i>Murnane O'Connor, Jennifer.</i>		
<i>Murphy, Verona.</i>		
<i>Nash, Ged.</i>		
<i>Naughten, Denis.</i>		
<i>Naughton, Hildegarde.</i>		
<i>Noonan, Malcolm.</i>		
<i>O'Brien, Darragh.</i>		
<i>O'Brien, Joe.</i>		
<i>O'Callaghan, Jim.</i>		
<i>O'Connor, James.</i>		
<i>O'Donnell, Kieran.</i>		
<i>O'Dowd, Fergus.</i>		
<i>O'Gorman, Roderic.</i>		
<i>O'Sullivan, Christopher.</i>		
<i>O'Sullivan, Pádraig.</i>		
<i>Ó Cathasaigh, Marc.</i>		
<i>Ó Cuív, Éamon.</i>		
<i>Phelan, John Paul.</i>		
<i>Rabbitte, Anne.</i>		
<i>Richmond, Neale.</i>		
<i>Ryan, Eamon.</i>		
<i>Sherlock, Sean.</i>		
<i>Smith, Brendan.</i>		
<i>Smith, Duncan.</i>		
<i>Smyth, Niamh.</i>		
<i>Smyth, Ossian.</i>		
<i>Stanton, David.</i>		
<i>Troy, Robert.</i>		

Tellers: Tá, Deputies Hildegarde Naughton and Cormac Devlin; Níl, Deputies Pádraig Mac Lochlainn and Denise Mitchell.

Question declared carried.

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European Defence Agency Projects: Motion (Resumed)

The following motion was moved by the Minister of State at the Department of Foreign Affairs, Deputy Peter Burke, on Thursday, 6 June 2023:

That Dáil Éireann approves Ireland's participation in four European Defence Agency Projects:

- i) Category B Collaborative Procurement of Chemical Biological Radiological and Nuclear (CBRN) Equipment,
- ii) Category B Collaborative Procurement of Soldier Equipment,
- iii) Category B Collaborative Procurement of Ammunition, and
- iv) Category A Military Computer Emergency Response Team Operational Network (MICNET), pursuant to section 2 of the Defence (Miscellaneous Provisions) Act 2009.

Debate resumed on amendment No. 1:

To delete all words after "That" and substitute the following:

"in advance of Dáil Éireann considering Ireland's participation in four European Defence Agency Projects:

- i) Category B Collaborative Procurement of Chemical Biological Radiological and Nuclear (CBRN) Equipment,
- ii) Category B Collaborative Procurement of Soldier Equipment,
- iii) Category B Collaborative Procurement of Ammunition, and
- iv) Category A Military Computer Emergency Response Team Operational Network (MICNET),

pursuant to section 2 of the Defence (Miscellaneous Provisions) Act 2009, the matter be referred to the Joint Committee on Foreign Affairs and Defence for detailed scrutiny."

(Deputy Matt Carthy)

An Leas-Cheann Comhairle: I must now deal with a deferred division relating to amendment No. 1, in the name of Deputy Carthy, to the motion regarding proposed approval by Dáil Éireann of Ireland's participation in four European Defence Agency projects. Last Thursday, on the question, "That the amendment to the motion be made", a division was claimed. In accordance with Standing Order 80(2), that division must be taken now.

Amendment put:

<i>The Dáil divided: Tá, 61; Níl, 75; Staon, 0.</i>		
<i>Tá</i>	<i>Níl</i>	<i>Staon</i>
<i>Andrews, Chris.</i>	<i>Brophy, Colm.</i>	
<i>Bacik, Ivana.</i>	<i>Browne, James.</i>	

<i>Barry, Mick.</i>	<i>Bruton, Richard.</i>	
<i>Berry, Cathal.</i>	<i>Burke, Colm.</i>	
<i>Boyd Barrett, Richard.</i>	<i>Burke, Peter.</i>	
<i>Brady, John.</i>	<i>Butler, Mary.</i>	
<i>Browne, Martin.</i>	<i>Byrne, Thomas.</i>	
<i>Buckley, Pat.</i>	<i>Cahill, Jackie.</i>	
<i>Canney, Seán.</i>	<i>Calleary, Dara.</i>	
<i>Carthy, Matt.</i>	<i>Cannon, Ciarán.</i>	
<i>Clarke, Sorca.</i>	<i>Carroll MacNeill, Jennifer.</i>	
<i>Collins, Joan.</i>	<i>Chambers, Jack.</i>	
<i>Collins, Michael.</i>	<i>Collins, Niall.</i>	
<i>Conway-Walsh, Rose.</i>	<i>Costello, Patrick.</i>	
<i>Cronin, Réada.</i>	<i>Coveney, Simon.</i>	
<i>Crowe, Seán.</i>	<i>Cowen, Barry.</i>	
<i>Cullinane, David.</i>	<i>Creed, Michael.</i>	
<i>Daly, Pa.</i>	<i>Crowe, Cathal.</i>	
<i>Doherty, Pearse.</i>	<i>Devlin, Cormac.</i>	
<i>Donnelly, Paul.</i>	<i>Dillon, Alan.</i>	
<i>Ellis, Dessie.</i>	<i>Donnelly, Stephen.</i>	
<i>Farrell, Mairéad.</i>	<i>Duffy, Francis Noel.</i>	
<i>Fitzpatrick, Peter.</i>	<i>Durkan, Bernard J.</i>	
<i>Funchion, Kathleen.</i>	<i>English, Damien.</i>	
<i>Gannon, Gary.</i>	<i>Farrell, Alan.</i>	
<i>Gould, Thomas.</i>	<i>Feighan, Frankie.</i>	
<i>Guirke, Johnny.</i>	<i>Flaherty, Joe.</i>	
<i>Harkin, Marian.</i>	<i>Flanagan, Charles.</i>	
<i>Howlin, Brendan.</i>	<i>Fleming, Sean.</i>	
<i>Kenny, Gino.</i>	<i>Foley, Norma.</i>	
<i>Kerrane, Claire.</i>	<i>Griffin, Brendan.</i>	
<i>Mac Lochlainn, Pádraig.</i>	<i>Harris, Simon.</i>	
<i>McGrath, Mattie.</i>	<i>Haughey, Seán.</i>	
<i>McNamara, Michael.</i>	<i>Heydon, Martin.</i>	
<i>Mitchell, Denise.</i>	<i>Higgins, Emer.</i>	
<i>Munster, Imelda.</i>	<i>Humphreys, Heather.</i>	
<i>Murphy, Catherine.</i>	<i>Kehoe, Paul.</i>	
<i>Murphy, Paul.</i>	<i>Lahart, John.</i>	
<i>Murphy, Verona.</i>	<i>Lawless, James.</i>	
<i>Mythen, Johnny.</i>	<i>Leddin, Brian.</i>	
<i>Nash, Ged.</i>	<i>Madigan, Josepha.</i>	
<i>Naughten, Denis.</i>	<i>Martin, Catherine.</i>	
<i>Nolan, Carol.</i>	<i>Martin, Micheál.</i>	
<i>O'Callaghan, Cian.</i>	<i>Matthews, Steven.</i>	
<i>O'Reilly, Louise.</i>	<i>McAuliffe, Paul.</i>	

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<i>Ó Broin, Eoin.</i>	<i>McConalogue, Charlie.</i>	
<i>Ó Laoghaire, Donnchadh.</i>	<i>McEntee, Helen.</i>	
<i>Ó Murchú, Ruairí.</i>	<i>McGrath, Michael.</i>	
<i>Ó Snodaigh, Aengus.</i>	<i>McGuinness, John.</i>	
<i>Pringle, Thomas.</i>	<i>McHugh, Joe.</i>	
<i>Quinlivan, Maurice.</i>	<i>Moynihan, Aindrias.</i>	
<i>Ryan, Patricia.</i>	<i>Moynihan, Michael.</i>	
<i>Sherlock, Sean.</i>	<i>Murnane O'Connor, Jennifer.</i>	
<i>Shortall, Róisín.</i>	<i>Naughton, Hildegard.</i>	
<i>Smith, Duncan.</i>	<i>Noonan, Malcolm.</i>	
<i>Stanley, Brian.</i>	<i>O'Brien, Darragh.</i>	
<i>Tóibín, Peadar.</i>	<i>O'Brien, Joe.</i>	
<i>Tully, Pauline.</i>	<i>O'Callaghan, Jim.</i>	
<i>Ward, Mark.</i>	<i>O'Connor, James.</i>	
<i>Whitmore, Jennifer.</i>	<i>O'Donnell, Kieran.</i>	
<i>Wynne, Violet-Anne.</i>	<i>O'Dowd, Fergus.</i>	
	<i>O'Gorman, Roderic.</i>	
	<i>O'Sullivan, Christopher.</i>	
	<i>O'Sullivan, Pádraig.</i>	
	<i>Ó Cathasaigh, Marc.</i>	
	<i>Ó Cuív, Éamon.</i>	
	<i>Phelan, John Paul.</i>	
	<i>Rabbin, Anne.</i>	
	<i>Richmond, Neale.</i>	
	<i>Ryan, Eamon.</i>	
	<i>Smith, Brendan.</i>	
	<i>Smyth, Niamh.</i>	
	<i>Smyth, Ossian.</i>	
	<i>Stanton, David.</i>	
	<i>Troy, Robert.</i>	

Tellers: Tá, Deputies Pádraig Mac Lochlainn and Denise Mitchell; Níl, Deputies Hildegard Naughton and Cormac Devlin.

Amendment declared lost.

Question put:

<i>The Dáil divided: Tá, 80; Níl, 56; Staon, 0.</i>		
<i>Tá</i>	<i>Níl</i>	<i>Staon</i>
<i>Berry, Cathal.</i>	<i>Andrews, Chris.</i>	
<i>Brophy, Colm.</i>	<i>Bacik, Ivana.</i>	
<i>Browne, James.</i>	<i>Barry, Mick.</i>	
<i>Bruton, Richard.</i>	<i>Boyd Barrett, Richard.</i>	

<i>Burke, Colm.</i>	<i>Brady, John.</i>	
<i>Burke, Peter.</i>	<i>Browne, Martin.</i>	
<i>Butler, Mary.</i>	<i>Buckley, Pat.</i>	
<i>Byrne, Thomas.</i>	<i>Carthy, Matt.</i>	
<i>Cahill, Jackie.</i>	<i>Clarke, Sorca.</i>	
<i>Calleary, Dara.</i>	<i>Collins, Joan.</i>	
<i>Canney, Seán.</i>	<i>Collins, Michael.</i>	
<i>Cannon, Ciarán.</i>	<i>Conway-Walsh, Rose.</i>	
<i>Carroll MacNeill, Jennifer.</i>	<i>Cronin, Réada.</i>	
<i>Chambers, Jack.</i>	<i>Crowe, Seán.</i>	
<i>Collins, Niall.</i>	<i>Cullinane, David.</i>	
<i>Costello, Patrick.</i>	<i>Daly, Pa.</i>	
<i>Coveney, Simon.</i>	<i>Doherty, Pearse.</i>	
<i>Cowen, Barry.</i>	<i>Donnelly, Paul.</i>	
<i>Creed, Michael.</i>	<i>Ellis, Dessie.</i>	
<i>Crowe, Cathal.</i>	<i>Farrell, Mairéad.</i>	
<i>Devlin, Cormac.</i>	<i>Funchion, Kathleen.</i>	
<i>Dillon, Alan.</i>	<i>Gannon, Gary.</i>	
<i>Donnelly, Stephen.</i>	<i>Gould, Thomas.</i>	
<i>Duffy, Francis Noel.</i>	<i>Guirke, Johnny.</i>	
<i>Durkan, Bernard J.</i>	<i>Harkin, Marian.</i>	
<i>English, Damien.</i>	<i>Howlin, Brendan.</i>	
<i>Farrell, Alan.</i>	<i>Kenny, Gino.</i>	
<i>Feighan, Frankie.</i>	<i>Kerrane, Claire.</i>	
<i>Fitzpatrick, Peter.</i>	<i>Mac Lochlainn, Pádraig.</i>	
<i>Flaherty, Joe.</i>	<i>McGrath, Mattie.</i>	
<i>Flanagan, Charles.</i>	<i>McNamara, Michael.</i>	
<i>Fleming, Sean.</i>	<i>Mitchell, Denise.</i>	
<i>Foley, Norma.</i>	<i>Munster, Imelda.</i>	
<i>Griffin, Brendan.</i>	<i>Murphy, Catherine.</i>	
<i>Harris, Simon.</i>	<i>Murphy, Paul.</i>	
<i>Haughey, Seán.</i>	<i>Mythen, Johnny.</i>	
<i>Heydon, Martin.</i>	<i>Nash, Ged.</i>	
<i>Higgins, Emer.</i>	<i>Nolan, Carol.</i>	
<i>Humphreys, Heather.</i>	<i>O'Callaghan, Cian.</i>	
<i>Kehoe, Paul.</i>	<i>O'Reilly, Louise.</i>	
<i>Lahart, John.</i>	<i>Ó Broin, Eoin.</i>	
<i>Lawless, James.</i>	<i>Ó Laoghaire, Donnchadh.</i>	
<i>Leddin, Brian.</i>	<i>Ó Murchú, Ruairí.</i>	
<i>Madigan, Josepha.</i>	<i>Ó Snodaigh, Aengus.</i>	
<i>Martin, Catherine.</i>	<i>Pringle, Thomas.</i>	
<i>Martin, Micheál.</i>	<i>Quinlivan, Maurice.</i>	
<i>Matthews, Steven.</i>	<i>Ryan, Patricia.</i>	

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<i>McAuliffe, Paul.</i>	<i>Sherlock, Sean.</i>	
<i>McConalogue, Charlie.</i>	<i>Shortall, Róisín.</i>	
<i>McEntee, Helen.</i>	<i>Smith, Duncan.</i>	
<i>McGrath, Michael.</i>	<i>Stanley, Brian.</i>	
<i>McGuinness, John.</i>	<i>Tóibín, Peadar.</i>	
<i>McHugh, Joe.</i>	<i>Tully, Pauline.</i>	
<i>Moynihan, Aindrias.</i>	<i>Ward, Mark.</i>	
<i>Moynihan, Michael.</i>	<i>Whitmore, Jennifer.</i>	
<i>Murnane O'Connor, Jennifer.</i>	<i>Wynne, Violet-Anne.</i>	
<i>Murphy, Verona.</i>		
<i>Naughten, Denis.</i>		
<i>Naughton, Hildegarde.</i>		
<i>Noonan, Malcolm.</i>		
<i>O'Brien, Darragh.</i>		
<i>O'Brien, Joe.</i>		
<i>O'Callaghan, Jim.</i>		
<i>O'Connor, James.</i>		
<i>O'Donnell, Kieran.</i>		
<i>O'Dowd, Fergus.</i>		
<i>O'Gorman, Roderic.</i>		
<i>O'Sullivan, Christopher.</i>		
<i>O'Sullivan, Pádraig.</i>		
<i>Ó Cathasaigh, Marc.</i>		
<i>Ó Cuív, Éamon.</i>		
<i>Phelan, John Paul.</i>		
<i>Rabbitte, Anne.</i>		
<i>Richmond, Neale.</i>		
<i>Ryan, Eamon.</i>		
<i>Smith, Brendan.</i>		
<i>Smyth, Niamh.</i>		
<i>Smyth, Ossian.</i>		
<i>Stanton, David.</i>		
<i>Troy, Robert.</i>		

Tellers: Tá, Deputies Hildegarde Naughton and Cormac Devlin; Níl, Deputies Pádraig Mac Lochlainn and Denise Mitchell.

Question declared carried.

Housing and Homelessness: Motion (Resumed) [Private Members]

The following motion was moved by Deputy Matt Carthy on 11 July 2023:

That Dáil Éireann:

notes that:

— Fine Gael have now been in Government for 12 years, propped up by Fianna Fáil for the past seven years, and Darragh O’Brien TD has been the Minister for Housing, Local Government and Heritage for three years; and

— during this time the housing crisis has deepened, and is the biggest threat to Ireland’s economic and societal well-being;

further notes with extreme concern that:

— adult homelessness has increased by 44 per cent and child homelessness has increased by 39 per cent since this Government was formed, meaning last month the total number of people in Department of Housing, Local Government and Heritage-funded emergency accommodation was 12,441, including 3,699 children;

— rents are up 23 per cent since this Government was formed, and average rents across the State are now €1,507, with new rents in Dublin at €2,063, while thousands of renters have received eviction notices; and

— according to the latest Residential Tenancies Board Q4 2022 Rent Index Report, there was a 7.6 per cent increase in new rents across the State in 2022, and 13 counties have experienced double digit rent increases;

acknowledges that the housing emergency is inhibiting the capacity of businesses to expand, limiting potential investment in respect of new jobs and more importantly adding to the recruitment and retention crisis and delivery of key public services across the State;

condemns that:

— the Government have missed their social and affordable housing targets for three years;

— the Department of Housing, Local Government and Heritage has underspent its social and affordable capital budget by €1 billion; and

— the Department of Housing, Local Government and Heritage capital budget for 2023 is behind profile by 28 per cent as of June;

resolves that Fine Gael and Fianna Fáil cannot solve the housing crisis that they have created, and only a change of Government which prioritises the delivery of public housing can fix the housing emergency; and

calls for:

— a three-year ban on rent increases, and the creation of a refundable tax credit to put a month’s rent back in every private renter’s pocket; and

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- an emergency response to stem the rise in homelessness, including:
 - a temporary reintroduction of the ban on no fault evictions;
 - an expansion of the tenant-in-situ scheme for social and cost rental tenants;
 - the use of emergency planning and procurement powers combined with new building technologies; and
 - vacant homes to provide an additional stream of public housing to reduce the number of people in emergency accommodation.

Debate resumed on amendment No. 1:

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

“notes that:

- the Government is taking the challenges in the rental sector and the increase in the number of people accessing homeless supports in recent months very seriously and, through the implementation of Housing for All: A New Housing Plan for Ireland, the Government is actively addressing this;

- a substantial increase in the supply of new homes is the key route to solving Ireland’s housing crisis; and

- the Government’s Housing for All: A New Housing Plan for Ireland outlines the Government’s plans to increase affordability and housing supply by targeting the delivery of, on average, 33,000 new homes per annum out to 2030; and

acknowledges that:

- Housing for All: A New Housing Plan for Ireland is working and supply is increasing substantially, with almost 30,000 homes built in 2022, some 5,000 more than target, and almost 31,000 homes built in the year to end-March 2023, the first time since 2009 that rolling 12-month completions surpassed 30,000;

- there are very positive signs that the uplift in new home delivery will be sustained in 2023 and coming years, with a record 6,700 homes completed in Q1 2023, a record 13,000 homes commencing construction between January and May this year, and Q1 2023 planning permissions up 38 per cent year-on-year and the highest since Q4 2021;

- the continued commitment to unparalleled levels of funding, with a record €4.5 billion in State housing investment in 2023, will ensure that the substantial uplift in supply in 2022 can be maintained and exceeded, with 9,100 direct build social homes and 5,500 affordable homes to be delivered;

- social and affordable housing supply is increasing, with 10,263 social homes delivered in 2022, representing an 11.9 per cent increase on 2021 figures when 9,169 social homes were provided; and this represents the highest annual output of social homes in decades and the highest level of delivery of new-build housing since 1975;

— from a standing start 1,757 affordable homes were delivered in 2022, the first full year of affordable housing delivery in a generation, and affordable housing supply at scale will be achieved through a mix of new or extended initiatives, including the First Home scheme, local authority-provided affordable purchase schemes, the Help to Buy initiative and the expanded Local Authority Home Loan, and by delivery partners from local authorities, Affordable Housing Bodies and the Land Development Agency, taken together, the suite of affordable measures will make home ownership achievable for tens of thousands of individuals and families;

— a strong pipeline of social and affordable housing is now in place, with over 19,000 new-build social homes in the pipeline and over 2,500 more local authority affordable homes already approved for funding;

— the expanded use of the Tenant In-Situ Scheme and the establishment of the Cost Rental Tenant-in-Situ Scheme, developed on an administrative basis to address the immediate circumstances of the ending of the ‘winter emergency period’ on 31st March, 2023, will help prevent homelessness;

— the recent introduction of a time-limited temporary waiver of development contributions and Uisce Éireann water and wastewater connection charges in respect of residential development, which will have to be completed by the end of 2025, will help to address construction cost viability issues and incentivise the activation of a pipeline of new commencements to further assist in meeting our ambitious housing delivery targets;

— the numerous initiatives to address vacancy, including changes to the Vacant Property Refurbishment Grant and the new €150 million fund to specifically address long-term vacancy and dereliction now available under the Urban Regeneration Development Fund, will revitalise towns and cities while also providing additional homes;

— the Government is tackling supply and affordability issues in the rental market by delivering Cost Rental housing at scale with hundreds now tenanted, and 1,345 local authority cost rental units, across seven projects, have been approved for funding of almost €196 million;

— regulatory controls on short-term-lets will be strengthened, with a ban on the advertising of non-principal private residences in Rent Pressure Zones (RPZs) for short-term letting purposes, where the necessary planning permission is not in place;

— tenancy protections have been enhanced, with rent increase caps in RPZs, restricted deposit amounts, extended notice periods, and tenancies of unlimited duration introduced by this Government; and crucially the period from the date of receipt of a ‘no fault’ Notice of Termination for a tenant to submit a dispute to the Residential Tenancies Board for resolution has also been increased from 28 days to 90 days;

— the Department of Housing, Local Government and Heritage has commenced a comprehensive review of the private rental sector to take account of the significant regulatory changes over the past several years; and this review will be essential in properly planning future policy for the residential rented sector, including implementing measures to support both landlords and tenants; and

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— Housing for All (September 2021) and Housing for All Action Plan Update (November 2022) includes a comprehensive suite of measures and actions to fundamentally reform the housing system in Ireland, while these include, securing pathways out of homelessness for individuals, families and children, accelerating delivery through the adoption of Modern Methods of Construction, overhauling planning legislation, and addressing vacancy by bringing empty housing stock and other premises into the residential stock, underpinned by a new Vacant Homes Action Plan 2023-2026.”.

(Minister for Housing, Local Government and Heritage)

An Leas-Cheann Comhairle: I must now deal with the deferred division relating to the ministerial amendment to the motion regarding housing and homelessness. Yesterday, on the question, “That the amendment to the motion be made”, a division was claimed, and in accordance with Standing Order 80(2), that division must be taken now.

Amendment put:

<i>The Dáil divided: Tá, 76; Níl, 60; Staon, 0.</i>		
<i>Tá</i>	<i>Níl</i>	<i>Staon</i>
<i>Brophy, Colm.</i>	<i>Andrews, Chris.</i>	
<i>Browne, James.</i>	<i>Bacik, Ivana.</i>	
<i>Bruton, Richard.</i>	<i>Barry, Mick.</i>	
<i>Burke, Colm.</i>	<i>Berry, Cathal.</i>	
<i>Burke, Peter.</i>	<i>Boyd Barrett, Richard.</i>	
<i>Butler, Mary.</i>	<i>Brady, John.</i>	
<i>Byrne, Thomas.</i>	<i>Browne, Martin.</i>	
<i>Cahill, Jackie.</i>	<i>Buckley, Pat.</i>	
<i>Calleary, Dara.</i>	<i>Canney, Seán.</i>	
<i>Cannon, Ciarán.</i>	<i>Carthy, Matt.</i>	
<i>Carroll MacNeill, Jennifer.</i>	<i>Clarke, Sorca.</i>	
<i>Chambers, Jack.</i>	<i>Collins, Joan.</i>	
<i>Collins, Niall.</i>	<i>Collins, Michael.</i>	
<i>Costello, Patrick.</i>	<i>Conway-Walsh, Rose.</i>	
<i>Coveney, Simon.</i>	<i>Cronin, Réada.</i>	
<i>Cowen, Barry.</i>	<i>Crowe, Seán.</i>	
<i>Creed, Michael.</i>	<i>Cullinane, David.</i>	
<i>Crowe, Cathal.</i>	<i>Daly, Pa.</i>	
<i>Devlin, Cormac.</i>	<i>Doherty, Pearse.</i>	
<i>Dillon, Alan.</i>	<i>Donnelly, Paul.</i>	
<i>Donnelly, Stephen.</i>	<i>Ellis, Dessie.</i>	
<i>Duffy, Francis Noel.</i>	<i>Farrell, Mairéad.</i>	
<i>Durkan, Bernard J.</i>	<i>Fitzpatrick, Peter.</i>	
<i>English, Damien.</i>	<i>Funchion, Kathleen.</i>	
<i>Farrell, Alan.</i>	<i>Gannon, Gary.</i>	
<i>Feighan, Frankie.</i>	<i>Gould, Thomas.</i>	

<i>Flaherty, Joe.</i>	<i>Guirke, Johnny.</i>	
<i>Flanagan, Charles.</i>	<i>Harkin, Marian.</i>	
<i>Fleming, Sean.</i>	<i>Howlin, Brendan.</i>	
<i>Foley, Norma.</i>	<i>Kenny, Gino.</i>	
<i>Griffin, Brendan.</i>	<i>Kerrane, Claire.</i>	
<i>Harris, Simon.</i>	<i>Mac Lochlainn, Pádraig.</i>	
<i>Haughey, Seán.</i>	<i>McGrath, Mattie.</i>	
<i>Heydon, Martin.</i>	<i>Mitchell, Denise.</i>	
<i>Higgins, Emer.</i>	<i>Munster, Imelda.</i>	
<i>Humphreys, Heather.</i>	<i>Murphy, Catherine.</i>	
<i>Kehoe, Paul.</i>	<i>Murphy, Paul.</i>	
<i>Lahart, John.</i>	<i>Murphy, Verona.</i>	
<i>Lawless, James.</i>	<i>Mythen, Johnny.</i>	
<i>Leddin, Brian.</i>	<i>Nash, Ged.</i>	
<i>Madigan, Josepha.</i>	<i>Naughten, Denis.</i>	
<i>Martin, Catherine.</i>	<i>Nolan, Carol.</i>	
<i>Martin, Micheál.</i>	<i>O'Callaghan, Cian.</i>	
<i>Matthews, Steven.</i>	<i>O'Reilly, Louise.</i>	
<i>McAuliffe, Paul.</i>	<i>Ó Broin, Eoin.</i>	
<i>McConalogue, Charlie.</i>	<i>Ó Laoghaire, Donnchadh.</i>	
<i>McEntee, Helen.</i>	<i>Ó Murchú, Ruairí.</i>	
<i>McGrath, Michael.</i>	<i>Ó Snodaigh, Aengus.</i>	
<i>McGuinness, John.</i>	<i>Pringle, Thomas.</i>	
<i>McHugh, Joe.</i>	<i>Quinlivan, Maurice.</i>	
<i>McNamara, Michael.</i>	<i>Ryan, Patricia.</i>	
<i>Moynihan, Aindrias.</i>	<i>Sherlock, Sean.</i>	
<i>Moynihan, Michael.</i>	<i>Shortall, Róisín.</i>	
<i>Murnane O'Connor, Jennifer.</i>	<i>Smith, Duncan.</i>	
<i>Naughton, Hildegard.</i>	<i>Stanley, Brian.</i>	
<i>Noonan, Malcolm.</i>	<i>Tóibín, Peadar.</i>	
<i>O'Brien, Darragh.</i>	<i>Tully, Pauline.</i>	
<i>O'Brien, Joe.</i>	<i>Ward, Mark.</i>	
<i>O'Callaghan, Jim.</i>	<i>Whitmore, Jennifer.</i>	
<i>O'Connor, James.</i>	<i>Wynne, Violet-Anne.</i>	
<i>O'Donnell, Kieran.</i>		
<i>O'Dowd, Fergus.</i>		
<i>O'Gorman, Roderic.</i>		
<i>O'Sullivan, Christopher.</i>		
<i>O'Sullivan, Pádraig.</i>		
<i>Ó Cathasaigh, Marc.</i>		
<i>Ó Cuív, Éamon.</i>		
<i>Phelan, John Paul.</i>		

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<i>Rabbitte, Anne.</i>		
<i>Richmond, Neale.</i>		
<i>Ryan, Eamon.</i>		
<i>Smith, Brendan.</i>		
<i>Smyth, Niamh.</i>		
<i>Smyth, Ossian.</i>		
<i>Stanton, David.</i>		
<i>Troy, Robert.</i>		

Tellers: Tá, Deputies Hildegard Naughton and Cormac Devlin; Níl, Deputies Pádraig Mac Lochlainn and Denise Mitchell.

Amendment declared carried.

Question put: “That the motion, as amended, be agreed to.”

<i>The Dáil divided: Tá, 76; Níl, 60; Staon, 0.</i>		
<i>Tá</i>	<i>Níl</i>	<i>Staon</i>
<i>Brophy, Colm.</i>	<i>Andrews, Chris.</i>	
<i>Browne, James.</i>	<i>Bacik, Ivana.</i>	
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<i>Burke, Peter.</i>	<i>Boyd Barrett, Richard.</i>	
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<i>Calleary, Dara.</i>	<i>Canney, Seán.</i>	
<i>Cannon, Ciarán.</i>	<i>Carthy, Matt.</i>	
<i>Carroll MacNeill, Jennifer.</i>	<i>Clarke, Sorca.</i>	
<i>Chambers, Jack.</i>	<i>Collins, Joan.</i>	
<i>Collins, Niall.</i>	<i>Collins, Michael.</i>	
<i>Costello, Patrick.</i>	<i>Conway-Walsh, Rose.</i>	
<i>Coveney, Simon.</i>	<i>Cronin, Réada.</i>	
<i>Cowen, Barry.</i>	<i>Crowe, Seán.</i>	
<i>Creed, Michael.</i>	<i>Cullinane, David.</i>	
<i>Crowe, Cathal.</i>	<i>Daly, Pa.</i>	
<i>Devlin, Cormac.</i>	<i>Doherty, Pearse.</i>	
<i>Dillon, Alan.</i>	<i>Donnelly, Paul.</i>	
<i>Donnelly, Stephen.</i>	<i>Ellis, Dessie.</i>	
<i>Duffy, Francis Noel.</i>	<i>Farrell, Mairéad.</i>	
<i>Durkan, Bernard J.</i>	<i>Fitzpatrick, Peter.</i>	
<i>English, Damien.</i>	<i>Funchion, Kathleen.</i>	
<i>Farrell, Alan.</i>	<i>Gannon, Gary.</i>	

<i>Feighan, Frankie.</i>	<i>Gould, Thomas.</i>	
<i>Flaherty, Joe.</i>	<i>Guirke, Johnny.</i>	
<i>Flanagan, Charles.</i>	<i>Harkin, Marian.</i>	
<i>Fleming, Sean.</i>	<i>Howlin, Brendan.</i>	
<i>Foley, Norma.</i>	<i>Kenny, Gino.</i>	
<i>Griffin, Brendan.</i>	<i>Kerrane, Claire.</i>	
<i>Harris, Simon.</i>	<i>Mac Lochlainn, Pádraig.</i>	
<i>Haughey, Seán.</i>	<i>McGrath, Mattie.</i>	
<i>Heydon, Martin.</i>	<i>Mitchell, Denise.</i>	
<i>Higgins, Emer.</i>	<i>Munster, Imelda.</i>	
<i>Humphreys, Heather.</i>	<i>Murphy, Catherine.</i>	
<i>Kehoe, Paul.</i>	<i>Murphy, Paul.</i>	
<i>Lahart, John.</i>	<i>Murphy, Verona.</i>	
<i>Lawless, James.</i>	<i>Mythen, Johnny.</i>	
<i>Leddin, Brian.</i>	<i>Nash, Ged.</i>	
<i>Madigan, Josepha.</i>	<i>Naughten, Denis.</i>	
<i>Martin, Catherine.</i>	<i>Nolan, Carol.</i>	
<i>Martin, Micheál.</i>	<i>O'Callaghan, Cian.</i>	
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<i>McGrath, Michael.</i>	<i>Ó Snodaigh, Aengus.</i>	
<i>McGuinness, John.</i>	<i>Pringle, Thomas.</i>	
<i>McHugh, Joe.</i>	<i>Quinlivan, Maurice.</i>	
<i>McNamara, Michael.</i>	<i>Ryan, Patricia.</i>	
<i>Moynihan, Aindrias.</i>	<i>Sherlock, Sean.</i>	
<i>Moynihan, Michael.</i>	<i>Shortall, Róisín.</i>	
<i>Murnane O'Connor, Jennifer.</i>	<i>Smith, Duncan.</i>	
<i>Naughton, Hildegard.</i>	<i>Stanley, Brian.</i>	
<i>Noonan, Malcolm.</i>	<i>Tóibín, Peadar.</i>	
<i>O'Brien, Darragh.</i>	<i>Tully, Pauline.</i>	
<i>O'Brien, Joe.</i>	<i>Ward, Mark.</i>	
<i>O'Callaghan, Jim.</i>	<i>Whitmore, Jennifer.</i>	
<i>O'Connor, James.</i>	<i>Wynne, Violet-Anne.</i>	
<i>O'Donnell, Kieran.</i>		
<i>O'Dowd, Fergus.</i>		
<i>O'Gorman, Roderic.</i>		
<i>O'Sullivan, Christopher.</i>		
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<i>Phelan, John Paul.</i>		
<i>Rabbitte, Anne.</i>		
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<i>Smyth, Niamh.</i>		
<i>Smyth, Ossian.</i>		
<i>Stanton, David.</i>		
<i>Troy, Robert.</i>		

Tellers: Tá, Deputies Hildegarde Naughton and Cormac Devlin; Níl, Deputies Pádraig Mac Lochlainn and Denise Mitchell.

Question declared carried.

Cuireadh an Dáil ar athló ar 8.59 p.m. go dtí 9 a.m., Déardaoin, an 13 Iúil 2023.

The Dáil adjourned at 8.59 p.m. until 9 a.m. on Thursday, 13 July 2023.