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DÍOSPÓIREACHTAÍ PARLAIMINTE
PARLIAMENTARY DEBATES

DÁIL ÉIREANN

TUAIRISC OIFIGIÚIL—*Cheartaithe*
(OFFICIAL REPORT—*Revised*)

Ábhair Shaincheisteanna Tráthúla - Topical Issue Matters . . . 2
Saincheisteanna Tráthúla - Topical Issue Debate . . . 3
Public Transport . . . 3
School Transport . . . 6
Road Projects . . . 9
Special Educational Needs . . . 13
Neutrality and the Triple Lock: Motion [Private Members] . . . 16
Ceisteanna ó Cheannairí - Leaders' Questions . . . 52
Ceisteanna ar Pholasaí nó ar Reachtaíocht - Questions on Policy or Legislation . . . 62
Estimates for Public Services 2024 . . . 70
Presentation of Estimates: Motion . . . 70
Health Act 1970: Motion . . . 71
Ceisteanna - Questions . . . 71
Cabinet Committees . . . 71
Urban Development . . . 77
Cabinet Committees . . . 81
EU Directive: Motion . . . 85
Extension of Civil Law (Miscellaneous Provisions) Act 2021: Motion . . . 94
Research and Innovation Bill 2024: From the Seanad . . . 100
Health (Assisted Human Reproduction) Bill 2022: Report and Final Stages . . . 102
Neutrality and the Triple Lock: Motion (Resumed) [Private Members] . . . 143

DÁIL ÉIREANN

Dé Céadaoin, 29 Bealtaine 2024

Wednesday, 29 May 2024

Chuaigh an Cathaoirleach Gníomhach (Deputy Marc Ó Cathasaigh) i gceannas ar 9.10 a.m.

Paidir agus Machnamh.
Prayer and Reflection.

Ábhair Shaincheisteanna Tráthúla - Topical Issue Matters

An Cathaoirleach Gníomhach (Deputy Marc Ó Cathasaigh): 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 Ruairí Ó Murchú - To discuss the recent cancellations of the 100X bus service in Dundalk.

Deputy David Stanton - To discuss upgrading the N25 national road in east Cork.

Deputy Donnchadh Ó Laoghaire - To discuss the need for a school bus for the Douglas area in Cork city.

Deputy Christopher O'Sullivan - To discuss SET hours allocation.

Deputy Richard Boyd Barrett - To discuss the sudden closure of Newpark school of music.

Deputy Thomas Gould - To discuss discoloured water in Cork city.

The matters raised by Deputies Ruairí Ó Murchú, Donnchadh Ó Laoghaire, David Stanton and Christopher O'Sullivan have been selected for discussion.

Public Transport

Deputy Ruairí Ó Murchú: I have previously raised the issue of the 100X route with the Minister. This is the Expressway service from Dundalk to Dublin and obviously back again. For many people it is the means by which to get to and from Dublin Airport. Some issues we bring up here have an impact on and relate to many people. In the period since I brought this up previously, I have been inundated. I acknowledge politicians are very good at saying "inundated" and sometimes inundated means two Facebook messages. However, whether it is on the doors or people who have emailed my office with specific issues on the 100X, it is a big deal. I am hoping that the answer the Minister will give me will be positive to a degree. The initial issue that we were dealing with was last-minute cancellations. On the previous occasion I raised this matter, I told the Minister that there had been two cancellations that morning, affecting the 6.30 a.m. and 8.30 a.m. services. That was only notified on the website just after 7 o'clock. Obviously, that system does not work for anybody.

My understanding is that eight LE double-decker buses are available for the route but that at times, up to five of them have been in the garage out of action. While I accept that the buses used for the NTA for PSO services are absolutely separate, sometimes they were lying there when there was no bus available. My understanding is that things have changed since I initially brought this up, in the sense that private contractors are being brought in to make up for the shortfall. However, I am told that there is an issue with these buses. I believe they had been operating in Donegal, some of them are more than 12 years old with more than 1 million km on the clock and they are just breaking down. That is something we definitely need to deal with.

I understand that the Minister does not direct Bus Éireann's individual operations. Many people who have brought up their individual issues have said that it can sometimes be an incredibly busy bus service even when it is there. A number of people told me their difficulty was that it was not there, whether that was leaving Dundalk heading for Dublin or whether it was people trying to get on at the airport. People will always talk about how busy a service is and how difficult it is to get on. It is an issue I have brought up previously. An element of streamlining probably needs to happen across the board.

I do not think we will be able to deal here with whether there should be a direct service because this is a service that goes through Drogheda and is used by very many people in Drogheda commuting to Dublin. We need to work out how to provide that complete service for all those people who use it. The Minister more than anyone will talk about the benefits of a public service and having buses available to take people out of their cars. We know about the issues with parking at Dublin Airport. This is just a service and we need to make sure that it operates as best it can.

Minister for Transport (Deputy Eamon Ryan): I thank Deputy Ó Murchú for raising this important topic. From the outset, I must clarify that while, as Minister for Transport, I have responsibility for policy and overall funding for public transport, neither I nor my officials are involved in the day-to-day operation of public transport services.

The statutory responsibility for securing the provision of public transport services nation-

ally rests with the National Transport Authority. The NTA works with the public transport operators, which deliver the services and have responsibility for day-to-day operational matters. That said, I reassure the Deputy that the Government is strongly committed to providing all citizens with reliable and realistic sustainable mobility options. Public transport plays a key role in the delivery of this goal. To support this objective, in budget 2024 the Department of Transport secured €613.463 million of funding for public transport services and TFI Local Link services. This includes funding for the continuation of the 20% fare reduction on PSO services, the young adult card on both PSO and commercial bus services, and the 90-minute fare until the end of 2024. Funding has also been secured to support new and enhanced bus and rail services this year.

As the Deputy will be aware, while the majority of public transport in Ireland is provided by the publicly subvented bus and rail services funded through the NTA's PSO programme, the public transport system also includes non-subvented bus services provided on a commercial basis by bus and coach businesses of varying size.

These commercial bus and coach operators are an integral part of the overall public transport system in Ireland and play a pivotal role particularly in areas around the country that are not covered by existing public bus and rail services.

One such commercial service is the 100X route from Dundalk to Merrion Square, which is operated by Bus Éireann's Expressway business. As I am sure the Deputy will appreciate, Bus Éireann Expressway, is a fully commercial entity, which does not form part of the PSO network, and like all other commercial businesses, is responsible for managing its own resources in respect of its commercial services.

I have been advised that to date in 2024, 99.8% of Route 100X Expressway services have operated fully. However, I understand that between 17 May and 20 May, of 152 scheduled services, 97% or 146 of these services operated to schedule. I understand that a notification of the six service cancellations over this period was placed on the Bus Éireann website and that passengers with pre-booked tickets also received a direct communication from Expressway via email. I have been further advised that Bus Éireann has been experiencing a higher than usual number of vehicle breakdowns in its fleet recently and it is unfortunately having an impact on its ability to operate services to schedule, including on the 100X route.

Like other operators in the industry, Bus Éireann is facing significant challenges in the recruitment of both drivers and mechanics. The fleet is primarily maintained by Bus Éireann's own maintenance department, which unfortunately has been impacted due to the ongoing shortfall of mechanics. Bus Éireann's current headcount for craftworkers and mechanics stands at 154, which represents a shortage of 12 nationally and five at the Dublin Broadstone garage.

I understand that Bus Éireann is exploring all viable options to ensure improved service delivery across the Expressway network and that the company is making every effort to fill these key positions as quickly as possible. The company continually runs comprehensive mechanic recruitment campaigns, attends numerous jobs expos and partners with various groups such as education and training boards and business in the community to attract new recruits. It is hoped that these efforts will result in an increase in mechanic numbers at the company shortly.

Deputy Ruairí Ó Murchú: When I raised the issue before, my supplementary question related to the recruitment of mechanics for bus services. That is something that definitely needs

to be addressed. I understand that Expressway is a commercial operation but if we are talking about trying to get people out of cars and making sure we are not putting undue pressure on car park services in the airport, we need to make sure that Bus Éireann, which at least has an interaction with the Minister, has a sustainable service. A big part of this is ensuring it has vehicles that are fit for purpose. There seems to be an issue. The Minister himself referred to breakdowns, so I imagine there is a need to review the condition of Bus Éireann's vehicle stock. What I have been told about the poor state of some of these vehicles is frightening. For the want of a better term, some of them are on their last legs, which means they are going to be in the garage more often, with the obvious issues the Minister spoke about previously. The big issue here is that this service is used by a lot of people to get to and from the airport and cancellations are causing a huge amount of stress to them. If people cannot rely on the service, they will get back in their cars. We must ensure that does not happen.

The Minister referred to the period between 17 May and 20 May. I am working on the basis that Bus Éireann has made up for the shortfall in its own vehicles by taking on private contractors to fill the space. It is that issue, as well as the question of what conversation the Minister will have with Bus Éireann to make sure we do not end up with what is happening at present.

An Cathaoirleach Gníomhach (Deputy Marc Ó Cathasaigh): I thank the Deputy.

Deputy Ruairí Ó Murchú: If we want more people on buses then we must provide the service. We all know the environmental benefits but we also know all the other benefits that can be provided.

An Cathaoirleach Gníomhach (Deputy Marc Ó Cathasaigh): The Deputy's time has elapsed. I call on the Minister to respond.

Deputy Eamon Ryan: It is true. We have a direct relationship with Bus Éireann and even though these are commercially operated services, I have met Stephen Kent, the chief executive, and the chair on numerous occasions in recent weeks at various events. It is important to keep in touch with what is a real issue, namely, the ability of the company to get drivers and mechanics. We must ensure that we can deliver on that, as well as new bus services and new buses. We must make sure that we have the very best modern fleet. I am very confident that Bus Éireann will deliver the target. We want 100% reliability.

As well as getting mechanics and drivers, one of the other pressures is based on success. In 2019, Bus Éireann had something like 89 million passengers. They were pre-Covid numbers, but it is up on that and last year I think it was 106 million. There has been a 20% growth in passenger numbers. In other jurisdictions, no one is seeing such a high increase beyond pre-Covid numbers. That is also driving demand. There is significant investment going into the company, which has 3,000 employees in total. There has been a major increase in the company's size. There has been very significant investment. One of the times I met Mr. Kent and the chair was at the major development in Limerick where we have just put in a massive new investment in a bus station and a new electrified bus fleet. I was in Cork last week where we do have real issues, similarly talking to the company. We need to improve the Cork service. Obviously, we also need to make sure that the commercial services are running efficiently, effectively and fast.

I am not aware of any problems with a particular bus. The key constraint is the availability of mechanics rather than the characteristics of any one bus. The company has flexibility and the capability of drawing in private contractors to help. To be honest, the private contractors

have similar constraints with bus drivers and mechanics. It is a function of a flat-out economy. There is a need for us to engage in the recruitment of new mechanics. The company is doing that at full speed.

School Transport

Deputy Donnchadh Ó Laoghaire: I appreciate the Minister being here. I think this is an area where a bit of innovation could get us a long way. I saw the Minister was in Noonan's Road recently. I was glad to see that. I hope Government funding for that project will remain strong.

The Minister is familiar with Cork and he may be familiar with the greater Douglas area. It is an area that has seen enormous growth in the past 20 years or so. There is a very large young population in the locality and that has had a big impact on the schools. It was difficult to know how to word the matter I raised in order to get the right response but I hope the Minister will understand what I say. The issue first came up in the context of BusConnects when a number of residents identified the number of cars that were on the road because of school runs.

In the submission I made in October 2022, I made the point that the concentration of schools in the locality is significant and I asked whether it would be worth considering if the wider Douglas-Ballinlough-Turners Cross area could be served by a specific school system on the basis that it might be an alternative fix for the Douglas Road. What we are not talking about is the current school bus system run by the Department of Education where a tender is provided. Neither are we talking about the city services operated by Bus Éireann. I believe there is a need for is a timetabled service to service all of the schools in the Douglas area. We have a particular increase in demand in the morning and evening that would not be reflected during the course of the day. We could not possibly justify additional Bus Éireann services throughout the course of the day. I do not think a single bus connected to an individual school would offer the advantage that combining these schools in a number of routes potentially offers.

I will just give the Minister a sense of it. In a little over 2 km, along a route from Douglas village to Capwell Road, which is a straight line, there are four secondary schools, namely, Douglas Community School, Regina Mundi College, Christ King Girls' Secondary School and Coláiste Chríost Rí. That amounts to 2,358 students. Going on the census information, while not all students, the vast majority of them are being brought to school in their car. There is great potential if we were able to create a number of routes that might go perhaps three times in the morning between 7.30 a.m. and 8 a.m. One that might start in Maryborough Mount Oval; one that might start at the top of Donnybrook Hill and; one that might start at Frankfield – all coming into the village, taking an enormous number of cars off the road and a reasonable proportion of those young people into the village. That is even before we include the potential for some of the older kids in primary schools, for example, in Gaelscoil na Dúglaise, St. Columba's boys school, St. Columba's girls school, St. Luke's School and Bunscoil Chríost Rí. These schools are all along the same route but would perhaps extend the route slightly further to 2.8 km, and would add another 1,846 students. Altogether, that is 4,204 young people attending school in a very tight area. If we wanted to go a small bit further, there is Scoil Niocláis, Grange, with another 779 students.

I will outline how I imagine this would work. I do not think the National Transport Authority, NTA, has the flexibility to do it at the minute but if it was given the permission and the

flexibility to do this, it might be in a position to talk to the schools, identify where their children are coming from, and plan routes that would serve the group of schools that are highly concentrated, and potentially reduce enormously the emissions, traffic, parking and safety issues that can go with the huge congestion caused by cars at the school gates. It is worth considering. It is a new approach that does not exist anywhere currently to my knowledge, but it is well worth considering given the circumstances in the locality.

Deputy Eamon Ryan: I thank Deputy Ó Laoghaire. As he is aware, I have responsibility for policy and overall funding for public transport, which means that neither I nor my officials are involved in the planning of public transport services, such as those referred to by the Deputy. The statutory responsibility for securing the provision of public transport services rests with the NTA, which works with the public transport operators, for example Bus Éireann in the Douglas area, which deliver the services and have responsibility for day-to-day operations.

That said, from a policy and funding perspective, I assure the Deputy that I am strongly committed to providing all citizens with reliable and realistic sustainable mobility options, and public transport plays a key role in the delivery of this goal.

To support this objective, a funding package of €613 million has been secured for the public service obligation, PSO, and Local Link services. This package includes funding for the continuation of the 20% fare reduction on PSO services, the extension of the young adult card on both PSO and commercial bus services to include 24- and 25-year-olds, and the continuation of the 90-minute fare until the end of this year. Funding has also been secured to support the continued roll-out of new and enhanced bus and rail services this year.

In Cork, Bus Éireann is working with the NTA to examine what steps can be taken to improve service provision in the city and counter the impact of issues such as traffic congestion. The NTA has advised my Department that work is currently ongoing with BusConnects Cork, including the commencement of preliminary design work for core bus corridors in Cork. Significant improvements are being made to the bus network in Douglas, including a new orbital route 14, running from Cork University Hospital to Little Island via Douglas, and a new route 46 to Passage via Carrigmahon, and enhancements to service on other alignments. According to the NTA, this will give excellent accessibility to and from schools in and around the area, while also providing benefits to a wide range of other users. School demand will be taken into account when setting timetables and capacity. To be clear, in line with its public transport remit, the NTA has no plans to operate a dedicated school service in the area. It is the Department of Education which has responsibility for the school transport scheme. I want to repeat that I am strongly committed to improving public transport services throughout the country and to piloting new transport initiatives for people of all ages and abilities, including students. This is especially important to affect a modal shift from the private car to public transport to meet our climate and sustainable development targets. The Deputy might be interested to learn that my Department and the Department of Education are currently investigating the potential for better integration between the existing school transport scheme and public transport services in rural Ireland. This also aligns with the recommendations contained with the school transport scheme review around the integration of public and school transport to meet our climate action plan targets. The ultimate aim is to support a co-ordinated delivery of services and to maximise the number of sustainable trips to and from the schools. A steering group comprised of my Department, the Department of Education, the NTA and Bus Éireann is currently finalising potential locations for these integration pilots. In conclusion, I wish to reassure the Deputy that the Department of Transport, the NTA and the operators are working to ensure the optimised

deployment of resources across the public transport network to match changing passenger demand patterns, including in the Douglas area of Cork city.

Deputy Donnchadh Ó Laoghaire: The key sentence in the Minister's response is:

> To be clear, in line with public transport remit, the NTA has no plans to operate a dedicated school service in the area. It is the Department of Education which has responsibility for the school transport scheme.

That is the problem which prevents something like this happening. No one really has the flexibility, the interest or the ability to do so. While the scheme would be better off in the Department of Transport, that is another day of work. The Department of Education runs a scheme in which it tenders and creates a route for a school, if it has enough children who require school transport, according to where those children live and so on. That is not going to meet the needs that are being outlined here. It will not operate that significant shift. A lot of these children would not qualify because they are too close to the school or it might not be the nearest school. I have just identified that there are four schools in a quick run. It might not even be the second-nearest school even though it might be within 2.5 km of where they live, for whatever reason. I believe the NTA would conceivably be interested in something like this but it does not actually have the ability to do so.

The Minister said that the NTA has no plans to operate a dedicated school service in the area. We are talking about creating a timetabled service that would serve a suburb, including several of the schools, at a time of major increased demand. This can be seen already in the Bus Éireann services but they are not as responsive to the particular need that arises early in the morning and in the late afternoon as the schools close. They are not as responsive to that need as they should or could be. Consequently, people are being brought to school in their cars.

There is huge potential here. I am looking for the Minister to encourage the NTA and to say to it that it has a bit of flexibility and scope to explore this with the stakeholders, which are primarily the particular schools, obviously, to see whether something is possible. The Department of Education is not going to do this. I do not believe it even has the option to potentially explore this. It is only the NTA. This is about a timetabled service that would operate in an area, rather than directly to schools. I ask the Minister to give the NTA flexibility to explore this with the stakeholders as something significant is possible here.

Deputy Eamon Ryan: I am familiar with the problem. I was in Douglas last Friday, as it happens. The Deputy is right; a large amount of the morning rush-hour traffic is children being driven to school. People see the difference between the summer period when the schools are not open and the winter period. It makes a dramatic difference. If that 20% or 30% of school traffic can be taken out, it frees up the traffic for everyone and is better for the kids and the families. Absolutely, we need to provide better services.

As well as the new 14 and 46 bus services, there are, of course, the 206 and 207 routes serving Douglas as well. I was talking to Bus Éireann last week specifically about Cork bus services. Going back to when we had the earlier debate, we have an issue. We are looking to recruit 50 additional drivers in Cork and additional mechanics as well. However, the real problem in Cork is that our buses are getting stuck in traffic. A regular scheduled Bus Éireann Cork city service may serve a lot of these schools' needs. You would try to ensure the timetable is rostered so that you are picking up when that demand is at its highest. The biggest problem in

Cork is that our buses are stuck in traffic. No matter how many drivers or mechanics there are, if the bus is stuck sitting in gridlock, then the whole service will not work.

The most important thing we need to do in Cork, in my mind, is deliver the BusConnects project. My sense is that it has broad support now. There was a lot of opposition in Douglas to one of the routes but my sense is that it has broad support. As I was saying at the Oireachtas environment committee yesterday, we have to be very quick because, at this point of consensus, we could lose it if we are waiting another two or three years for further consultation, assessment, planning or development, as has happened in Dublin where there was too long of a gap between the original proposal and the delivery. That is the most important development. The Deputy is right; if the Department of Education was to step up and say that it wants a new route here, that would be its business. I would very much welcome it but I do not expect it. I expect us to improve the quality of bus service for everyone in Cork and in doing so, provide a service for these schools as well.

Road Projects

Deputy David Stanton: I thank the office of the Ceann Comhairle for selecting this issue, as well as the Minister for being here this morning to debate this with me.

When I was elected here for the first time 27 years ago, when I was a lot younger with a lot more hair, the big campaign in east Cork was about opening the railway line to Midleton and I got involved in that campaign. I raised the issue a lot here and I debated it with the then Ministers, Mary O'Rourke and Noel Dempsey, and others. Nearly 15 years ago, on 30 July 2009, it finally opened and it has been a massive success.

The Minister, as he said himself, was in Cork at the weekend and on Monday or perhaps Friday; I cannot remember as things are moving so fast. It was about another enhancement of the rail network. At the time, there was a trade-off between the county council and the Department of Transport, as it was then, with respect to the fact that we needed people to use rail. There was an agreement made to zone a lot of housing along the rail line in Midleton and Carrigtwohill and so forth in order that people would use it and it would have a critical mass. That has now happened.

We have now, for instance, planning permission in Water-rock for 2,500 units. A large town in its own right will be going in there. The problem is the road infrastructure between Carrigtwohill and Midleton. That 5 km infrastructure has not improved. It is very poor and of very low quality. I am worried about the safety side of it more than anything else. I am told that there are up to 30,000 vehicles travelling that road every day at 100 km/h. It is a double dual carriageway. One can imagine trying to get onto that. There are a number of low standard-grade junctions, medium crossings and direct-access points going on to that road. At peak times, it is bumper to bumper with two lanes going at speeds of 100 km/h. We are all extremely concerned there is going to be a major smash someday and people will be killed or whatever. It is only waiting to happen. Everybody I meet down there is talking about it. It is extremely dangerous. I invite the Minister to come down and drive that road at some stage to see exactly what I am talking about. There are places on the carriageway, for instance, where traffic comes from roads on the left and there is no space at all. There are three lanes merging into two and they are all moving extremely quickly. There have been a number of accidents in the past. Pedestrians have been knocked down as well. It is not safe for vulnerable users.

In the past, there were plans by the TII and the county council to upgrade the road between Carrigtwohill and Midleton. Phase 1 feasibility studies were completed in July 2020. Other potential routes were identified and the preferred option was outlaid in July 2021 to September 2021. Way back then, we expected that length of road to be upgraded and to be made safe. It has not happened. We are going to have even more traffic if all these houses go ahead as planned and I know they will. I have looked at some of the planning applications for housing for that area. The experts are saying on those planning applications that the road is already at capacity. The roundabouts are at capacity and the Lake View roundabout in Midleton is at over capacity. It is extraordinarily dangerous. It is a signal and a sign of success for east Cork. I am sure my colleague, Deputy O'Connor, who has taken the Chair, will agree with me. It is a sign of success. The rail link has been a game-changer. The greenway that recently opened is another game-changer. It is a great place to live, to work and to raise a family but this little bit of infrastructure really needs to be done as soon as possible.

I have no skin in the game. I am out of here after the next election, but I am really concerned. I do not want to be going to funerals in east Cork because of this lack of progress on this road. The Minister should at least try and make it safe. I am not sure how that could be done because the volume of traffic is not going down. We all want more people to use the train - I more than anybody. I use it all the time. However, an increased number of cars, and hopefully electric cars, are still on that road travelling at high speeds and other traffic trying to merge into it. The medians across it are absolutely lethal but they cannot be closed them because that would force more traffic into Carrigtwohill and back into Midleton again. The old Amgen site, one of the best IDA Ireland sites in the country, is sitting there and cannot be used because the road infrastructure has not been upgraded. There are good reasons for the Minister at this stage in the budgetary cycle to get some funding to get this project moving again and I implore him, from the point of view of safety, if nothing else, to get working on this as soon as possible.

Deputy Eamon Ryan: I thank the Deputy.

My Department has responsibility for overall policy and Exchequer funding relating to the national road programme. Once funding arrangements have been put in place with Transport Infrastructure Ireland, TII, under the Roads Acts, 1993 to 2015, and in line with the national development plan, the planning, design, improvement and upgrading of individual national roads is a matter for TII, in conjunction with the local authorities concerned. TII ultimately delivers the national roads programme in line with Project Ireland 2040, the national planning framework and the national development plan.

The Government has earmarked €5.1 billion for capital spending on new national road projects from 2021 to 2030, inclusive, as part of the NDP. This funding will enable improved regional accessibility across the country as well as compact growth, which are key national strategic outcomes. The funding will provide for the development of numerous national road projects, including the completion of projects that are already at construction stage and those close to it, as well as the development of a number of others.

As the greater portion of this funding becomes available in the second half of the decade, this has meant that there is a constraint on the funding available for new projects in 2024. However, approximately €411 million of Exchequer capital funds were provided for national roads through TII to local authorities this year.

Since 2020, approximately €320 million in Exchequer capital funding has been allocated

for the national road network in Cork, county and city. This has contributed to the substantial work that has taken place on the national road network in County Cork, as demonstrated with the recently completed upgrade of the Dunkettle Interchange, and the N22 Ballyvourney-to-Macroom project, which was completed late last year.

The N25 Carrigtwohill-to-Midleton project is one of a number of new national roads projects in Cork that were included in the NDP. In 2024, almost €56 million in Exchequer funding was allocated to Cork County Council through TII. This will be used to fund a number of new roads projects, including the M28 project between Cork and Ringaskiddy, which will improve freight access to the port and allow for the redevelopment of lands in the city. In addition, funding has been provided for the Mallow relief road and the N25 Castlemartyr and Killeagh bypasses. This will remove through traffic from town and village centres, improving the lives of local residents and reducing journey times. Furthermore, development of the N-M20 project between Cork and Limerick is ongoing, and a preliminary business case is expected to be presented in the coming months. This project would provide increased opportunities for developing the Atlantic economic corridor. It would also benefit a number of towns and villages in Cork, including Charleville, Buttevant and Mallow. Funding is also provided for the protection and renewal of the national road network in the county.

With regard to the current status of the N25 Carrigtwohill-to-Midleton project, technical advisers have completed their assessments of the route options and have determined the preferred solution. Improvements to crossings over this very busy section of the N25 to enhance active travel are being considered as part of the scheme. The project did not receive funding in 2024 but as with all national roads projects in the NDP, the delivery programme for this project will be kept under review for 2025 and future years, and considered in terms of the overall funding envelope available to TII. The project remains very much part of the national development plan.

Deputy David Stanton: I thank the Minister for his response and for the work that he is doing in his Department and that TII and Cork County Council are doing as well.

I note the point that it is still part of the National Development Plan 2018-2027 and it is also part of Project Ireland 2040.

I also want to point out that a lot of work has been done on this 5 km route. As the Minister said, the preferred option has been identified and publicised. However, the real issue here is the safety of that particular roadway. The only way to make it safe is to follow through on the plans that TII and Cork County Council had developed to a fairly extent by identifying the preferred option route. Will the Minister, when he is discussing the review for 2025 and beyond, have another look at this particular route?

My primary concern is saving lives. I am sure the Cathaoirleach Gníomhach will agree with me as well. My own heart has been in my mouth on a few occasions on that route when I have seen what is going on. I have had a number of escapes and I know of cases where there have been accidents with older people trying to get onto that road with traffic travelling on it at 100 km/h, bumper to bumper. It is extremely dangerous. I do not want to be standing up here in a few weeks or seeing another Member standing up here bemoaning the fact that we did not take action to make it safe, apart from the fact that it can constrain economic development as well with the old Amgen site sitting there for all those years when it cannot be used.

I laud the fact that the N25 Castlemartyr-to-Killeagh bypass is getting funding and is going ahead. That is badly needed. The Mallow relief road needs further funding. I have had that debate previously.

However, I call on the Minister to have a serious look at the N25 between Midleton and Carrigtwohill. The volume of housing that has been planned for the area is dramatic and, thankfully, it is happening, not only in Midleton but in all the villages in east Cork. Everywhere I go, there are more housing estates being built as we speak.

People want to live there but they have to travel on that section of roadway. Not only is the surface very poor, but, as I stated earlier, they are medians across the carriageway. That means that people are crossing four lanes of traffic going at 100 km/h. It is bonkers. As far as I can see, there is no way of making it safe and maintaining the level of service we need.

Finally, the lake-around road for Midleton really needs attention. I would call for something such as a flyover on that because we will see a smash there also. I hope I am wrong but, inevitably, it is going to happen.

Lives are at risk here. I would call on the Minister to use his good offices to make this work happen as soon as possible.

Deputy Eamon Ryan: I happened to be in Cork at the end of last week and was on the road. The Deputy is right. It is not up to the standard for safety that we want and we have to do everything to try and improve the safety standards on the roads.

The reality is we have a series of projects. I mentioned the Castlemartyr-Killeagh bypasses. The Cathaoirleach Gníomhach mentioned to me last week that there were very serious incidents at both locations in recent weeks and our thoughts go to all the families of those involved. Deputy Stanton also mentioned the Mallow bypass.

I have to be upfront and honest. I have said clearly at every stage that the priority should be such bypasses because there are very high volumes of traffic on these roads. The basic point is accepted. These are roads with very heavy traffic. That is all the more reason we would say in the case of Castlemartyr-Killeagh or Mallow that we have to free up those towns and villages as much as we can first but I had said to TII that this should not stop us examining safety issues, particularly on sections where there is concern as there may be a high record of incidents or accidents, etc. As an interim solution, while we are looking for the longer-term big investment, we need to consider average-speed camera systems to try to reduce speeding if weather conditions or other traffic volumes or whatever generate concern. What the officials are starting to do, and we provided additional funding this year, is to look, as the Deputy said, at the risk on roads like these, which is where the entry points onto them are not designed to the standard that we would do if we were to do it today. By all means, with safety coming first, I will encourage TII to look at that specific road section to see what can we do on an interim basis.

I visited Cobh as well as being in other parts. The Deputy has mentioned the Belvelly bridge to me on many occasions. There is a real issue on that, at Cobh. Much of that traffic feeds onto this section of road. There is that as well. It is not an easy one to solve. Looking at it, I am scratching my head and thinking, "How do you manage that?"

Lastly, what we launched in Cork last week is hugely significant for Carrigtwohill, Glounthaune, Midleton, and for all the new stations, such as Ballynoe near Cobh and Waterrock, that

will go into that very area. These will facilitate new housing, development and expansion and a sustainable solution. Those morning trains are packed at the moment and those two-carriage-way diesels sets are jammed. As soon as we put in the new services and go to a ten-minute service there, that will take a great deal of traffic off the road and it is part of the solution.

Special Educational Needs

Deputy Christopher O'Sullivan: I thank the Cathaoirleach Gníomhach; he is looking good in the Chair. I also thank the Minister of State for taking this Topical Issue.

Primary schools principals right throughout Ireland are screaming in an effort to retain their special education teacher, SET, allocations. The new criteria are flawed and are not working. I know this because schools throughout my constituency are having their SET allocations cut.

I want to give the Minister of State a few examples of what is happening out there. In Caheragh National School, the teachers and staff go above and beyond for their students. They had 22.5 hours of SET allocation and have been cut to 20 hours. It should be borne in mind that the school has already had to battle for a special needs assistant, SNA, allocation. Why is everything a battle when it comes to these schools getting the most basic services for the most vulnerable children in them? Their allocation has been cut because they are too good at what they do and because they have improved their literacy and numeracy profiles. They have done exactly what they set out to do, what was asked of them and what those pupils needed. They are essentially being punished for it with a reduction in SET hours.

Leap National School had 22 hours and 20 minutes of SET allocation. It has been cut to 17.5 hours. Again, this is a school that does not have DEIS status but provides such an essential service to children who, in some instances, are at an educational disadvantage.

Why is this happening? This country is supposed to be flush with money. Surely the last thing that should be done is cut hours for essential special education for those students who most need it. I come back to my essential point, which is that the criteria for SET are flawed. They are flawed because the allocation is based in the first instance on enrolment in the school, second, on the school's numeracy profile and, third, on the school's literacy profile. It completely ignores and does not take into account the complex needs of the school and the number of students with complex needs within the school. This is absolutely crazy and is why 730 principals nationwide have signed a petition to return the assessment of complex needs as an assessment when assessing SET allocations.

It absolutely has to happen and I will give a further example. There can be a school with 50 students with the same numeracy and literacy profile. Five miles over the road there can be another school with the same number of students, 50, with the same numeracy and literacy profile but one school might have two students with complex needs and the other might have five students with such needs, and they get the exact same SET allocation. That is not right; that does not make sense. Teachers, principals and other staff dedicate their lives and every hour to ensuring that their students get the best education they can but they are frustrated and they need help. No school at this point should experience a reduction in SET hours. We must remember that these are the most vulnerable children in our society and this is a particular issue throughout rural Ireland.

There can be one school with DEIS status, which receives all these allocations, services and extra support whereas another school in another village up the road, with a very similar profile will not get those supports. This absolutely needs to change and I making this plea to the Minister of State, Deputy Naughton. I am sure that this message will get passed on to her on this issue. We need to see a return of assessment of complex needs. It is absolutely ridiculous that any school has had its SET hours cut when it has improved its literacy and numeracy, and this needs to be reversed.

Minister of State at the Department of Foreign Affairs (Deputy Sean Fleming): am taking this Topical Issue on behalf of my colleague, Deputy Naughton, Minister of State at the Department of Education. I thank the Deputy for raising this issue, which has been raised at different levels in every constituency. The Deputy has highlighted two schools in his constituency in west Cork and he made the point very clearly. I want to respond as best I can without having the specifics of the particular schools mentioned by him in the few minutes to hand.

There will be more special education teachers in our schools in September 2024 than ever before with an increase of 1,000 from when this Government was formed. This is in addition to a significant reduction in class sizes at primary level over the budgets, where the pupil-teacher ratio at primary level is now 23:1; it used to be substantially higher. This means children with special educational needs in our mainstream schools are better supported now to meet their needs because of this reduction in the pupil-teacher ratio.

In addition, the model will be run annually in line with general teacher allocations. This allows schools to better plan their staffing structures and gives them time to arrange clusters in areas where schools share a special education teacher. That is very relevant in rural areas and constituencies such as the Deputy's where schools can co-operate, work together and have advance information on that issue.

I would like to clarify that the SET model is an allocation model to provide schools with additional teaching hours to support the needs of their students. When the 2017 model was introduced, it replaced at that stage a diagnosis-led model with one based on need. Perhaps the Deputy is suggesting that we need to go back some way to that model. This has not changed for 2024 and it has been the same consistent approach over the past number of years.

There has been a limited change to the method used to calculate SETs for mainstream classes. The Department of Education commenced a review of the model in late 2022 to ensure it was meeting the changing needs in special education. This review involved extensive consultation and visits to schools by the National Council for Special Education, NCSE, and took the strengths and shortcomings of the allocation model into account. This feedback has been incorporated into the revised model for the upcoming school year, 2024-25.

The allocation model for 2024-25 distributes the total available number of special education teaching posts in line with each school's profile of need. The model makes an allocation based on the number of inputs, including enrolment numbers, as the Deputy said. It also uses school-level data from standardised tests to reflect the level of overall need and complex need within a school. Obviously, if there are positive developments within a school, and if greater literacy and numeracy has been achieved within the school, I can understand the point being made by the Deputy, which is that the school will not score highly within that needs model in subsequent years, having achieved that improved level. What the Deputy is actually saying in layman's English is that some schools are being penalised because of their success or at least that is my

interpretation of what he is saying.

This model seeks to distribute the number of teaching resources in the fairest way. Schools have autonomy to decide how best to deploy those resources to meet the needs of their individual students. The Department acknowledges that every school is different and there is always a challenge when making allocations in respect of 4,000 schools at national level. For this reason, the Department, working with the NCSE, has streamlined the review process for special education teaching hours and schools that have any concerns can engage with the council on their allocation.

Reviews are being conducted between March and May to better enable schools to plan for the following September. The new streamlined review process was introduced for the forthcoming year's allocation. A school could request a review of their allocation and many have actually done that. A total of 218 review applications have been received and are being processed at the moment and the NCSE has committed that all schools will receive the outcome of the reviews by the end of this month. In cases where this is happening, schools will be able to plan for that particular matter.

Deputy Christopher O'Sullivan: I thank the Minister of State. We are hearing that the number of special education teachers has increased and that the allocations are increasing but I am telling him that this is not the reality on the ground. The fundamental point is that schools are being punished for doing their job correctly and for improving numeracy and literacy. We need to go back to taking account of those complex needs.

In my last two minutes of speaking time, I want to raise two very related issues.

10 o'clock

One relates to the spaces available in the secondary school in Bantry for children who need to go to an autism or special education class. What we are hearing on the ground is that those spaces are maxed out for 2024, 2025 and even 2026. Children are being sent to places like Skibbereen and Schull, a good 30- to 40-minute journey from Bantry. Will the Minister of State look into that, get some detail on the issue and see if a solution can be found?

On a second issue, the same schools that are facing challenges arising from cuts to special education teaching hours are also facing challenges arising from cuts to the ancillary grant. I appreciate that this does not relate to special education but the ancillary grant has been cut for many schools. That makes sense because secretaries are now included on the payroll but that ancillary grant is very important for caretakers and cleaners and to meet many of the basic costs of running a school. Schools are having to go to people with cap in hand and to raise money for these basic services. The ancillary grant has been cut by so much that these schools are now struggling to pay caretakers and cleaners to keep the school buildings clean and hygienic. I would really appreciate it if the Minister of State could take the message that this is an issue schools are facing back to the Minister for Education.

Deputy Sean Fleming: I will immediately convey what the Deputy has said about Bantry and the issue of the ancillary grant. Like the Deputy, many of the representatives here are hearing about that issue directly from schools in our own particular areas. I will make a few additional points. On the reviews, the model has set allocations for the forthcoming year such that 30% will have no change in their allocation, 37% will see an increase in their allocation and 23% of schools will see a reduction of five hours or less in their allocation. The reduction

at the level of individual schools is being driven primarily by changes in demographics and reductions in enrolments, particularly in the primary sector.

On the broader issue, a phased high-level plan has been compiled to further enhance the model over the coming years. This will be based on a number of criteria. One is the development of a revised process for resourcing new schools as obviously there are new schools coming along. Another is a mechanism for the transfer of resources between the primary and post-primary levels based on changing demographics. We are heading into a significant issue at post-primary level. A third criterion is an examination of geographically isolated schools. That may be relevant to some schools in the Deputy's constituency. Another is an examination of the additional data potentially available in schools or other areas within the early years setting, which could support greater sensitivity in the model. That is essentially what the Deputy is asking for. One blanket rule does not always fit all schools. Greater sensitivity is needed on these issues.

As I have said, a number of appeals or reviews have been conducted so far. As a result, a number of schools had their profile re-examined, resulting in an average of 13 extra hours per school. The reviews that have been completed to date have resulted in an average of 13 extra hours per school. Schools will be notified of their allocation by the end of this month.

Neutrality and the Triple Lock: Motion [Private Members]

Deputy Bríd Smith: I am sorry; an Tánaiste is not here.

Deputy Sean Fleming: The Tánaiste will be here very shortly and will be giving the opening response on behalf of the Government. In the meantime, I will be here. I will be sitting through the full debate.

Deputy Bríd Smith: The Minister of State will be here and will tell the Tánaiste what I have said. I am going to talk to him as if he was the Tánaiste, if that is okay.

Deputy Sean Fleming: That is fine. I agree to rise to the position of Tánaiste for the next few minutes.

Deputy Bríd Smith: Deputy Fleming has the position of Tánaiste for five minutes.

An Cathaoirleach Gníomhach Deputy James O'Connor: As a formality, I have to ask Deputy Smith to move the motion.

Deputy Bríd Smith: I move:

That Dáil Éireann:

notes that:

— the Tánaiste, Micheál Martin TD said in 2013 that the triple lock was at the core of our neutrality and described the attempt to undermine it as "an out-of-touch

ideological obsession on the part of Fine Gael";

— Fianna Fáil's 2020 general election manifesto states that Ireland will "Fully maintain neutrality and the Triple Lock ... Fianna Fáil reaffirms its commitment to the retention of the triple lock of UN mandate or authorisation, Government and Dáil approval, prior to committing Defence Forces personnel on overseas service", and it concludes "We will fully maintain neutrality and the triple lock mechanism";

— the Programme for Government: Our Shared Future states the Government will "ensure that all overseas operations will be conducted in line with our position of military neutrality and will be subject to a triple lock of UN, Government and Dáil Éireann approval";

— in April 2022, the then Minister for Foreign Affairs and Defence, Simon Coveney TD, said about a possible change to the triple lock "I have yet to see an example of where Ireland has been prevented from sending troops to a part of the world where it wants to make a peace-keeping intervention in the Mediterranean, Mali or elsewhere";

— in November 2022, Minister Eamon Ryan said "I think the current system supports our country well. I think our position as a neutral country in the world actually gives us greater strength. I think the triple lock doesn't stop us engaging where we do have to engage";

— none of the Government parties, Fianna Fáil, Fine Gael or the Green Party, campaigned at the last General Election to end neutrality or the triple lock, and therefore they have no mandate for any such policies;

— the Government continues to edge us closer to a military alliance and European Union (EU) militarisation project that includes NATO, the United States (US), Germany and Britain, the countries that are arming a genocide in Gaza and which continue to sustain Israel's ability to commit the most horrific crimes;

— the National Consultative Forum on International Security Policy was designed to manipulate public opinion towards further undermining Irish neutrality by moving us closer to NATO;

— a large majority of the public continues to support neutrality despite intense pressure from establishment politicians to support militarisation;

— some Western political leaders are promoting militarisation and preparations for war, with the Polish Prime Minister, Donald Tusk, having claimed that we are in a pre-war era, Admiral Rob Bauer, Chair of the NATO Military Committee, said "We are preparing for war with Russia" and the French President, Emmanuel Macron believes that NATO should be sending troops into Ukraine;

— global military spending is increasing rapidly, and according to NATO its members increased military spending sharply in 2023 to $1.34 trillion and 11 NATO members now spend 2 per cent or more of their GDP on their military, also, according to the Stockholm International Peace Research Institute (SIPRI), Europe increased military spending by 16 per cent in 2023 to €552 billion and NATO countries

accounted for 55 per cent of global military spending in 2023, far out-spending any other nation or bloc in the world; and

— this military spending means vast numbers of badly needed homes, schools and hospitals are foregone to fund warfare;

further notes that:

— Ireland's declaration to the Treaty of Nice, submitted as part of ratifying it, states that "the participation of contingents of the Irish Defence Forces in overseas operations, including those carried out under the European security and defence policy, requires (a) the authorisation of the operation by the Security Council or the General Assembly of the United Nations, (b) the agreement of the Irish Government and (c) the approval of Dáil Éireann, in accordance with Irish law";

— the triple lock is the only legal provision that meant that a government that effectively supported the US in its invasion of Iraq, by facilitating the invasion of Iraq through its use of Shannon Airport, could not legally send ordinary Irish soldiers to go, fight and die in a war for oil and profit in the Middle East on behalf of the US;

— prevented by the triple lock from participating in the wars in Iraq and Afghanistan, Fianna Fáil instead allowed US warplanes to refuel at Shannon and started a process whereby Shannon became a de facto forward operating base for the US military, so that more than 3 million troops have passed through Shannon over the past 21 years;

— under the United Nations (UN) Charter, there are two legal ways the Government can send troops abroad;

— self-defence, which is provided for under Bunreacht na hÉireann and in which situation there is no need for the triple lock to be activated; and

— peacekeeping authorised by the UN Security Council, therefore anything within the UN Charter comes within the triple lock; and

— if the triple lock is removed, it will be EU-led missions without UN approval, that is, outside of international law, and US or NATO-led missions, opening the prospects of Ireland's participation in such disastrous wars as those in Iraq and Afghanistan; and

calls on the Government to:

— withdraw plans for legislation to end the triple lock;

— commit to a referendum on enshrining neutrality in the Constitution; and

— end the use of Shannon Airport by the US military.

There is a dark open secret at the heart of the political establishment in this country. The Tánaiste is embarrassed by the very idea of Irish neutrality. When the Taoiseach trots off to Washington every St. Patrick's Day to give shamrock to the US President, he dreads being asked why he is not doing more to support the American project and American freedom. The Tánaiste has a problem. The vast majority of Irish people want to keep neutrality so he has to

try to manoeuvre around this sentiment. His latest move is to try to remove the triple lock so that he is free to send Irish troops, although not his own sons and daughters, to war at the beck and call of the US and the European Union. He has tried to prepare for this move. He even set up a commission chaired by a dame of the British empire. However, that move has backfired on him.

The Tánaiste only talks about military neutrality. He insists on inserting the word "military" before the word "neutrality". There is a reason for this. He wants to ignore how the Irish people think of neutrality and to gut the word of its real meaning. For the majority of Irish people, neutrality arises from our experience of colonialism. It is linked to an anticolonial sentiment. That is why we instinctively know which side we are on in the Palestinian-Israeli conflict. We do not want to support any empire. We know that behind the sweet talk of defending small nations lies a brutal arrogance. Do not tell me we have the left the world of empires and that history has left it behind. There are still colonies left, Palestine being one of them. There is a hierarchy in this world and it is based on military and economic power. That hierarchy is called imperialism.

The US Administration does not come to Dublin bearing gifts. We go to Washington to show our loyalty and support, or at least the Tánaiste and Taoiseach do. It made us laugh when the Tánaiste today claimed that he belongs to the western empire because it talks of freedom and democracy. Where is the freedom and democracy for the Palestinians? Where are women's rights in Saudi Arabia, which the Tánaiste's patron, the US, describes as its ally in the Middle East? Does he really think that in simply recognising the State of Palestine, as the Government did yesterday, he has done his duty in the face of genocide? Does he not know that 140 countries had taken this step long before Ireland and that even this step was forced on the Government by the tens of thousands who marched week after week? The plain reality is that the US empire does not stand for freedom and democracy. If it did, it would not be supplying Israel with bombs to murder and burn Palestinian children.

The Dáil recognises Palestine. Why then are we all using Hewlett-Packard machines in our offices? This is a company that supplies infrastructure that is vital for Israel's occupation. We say that we should boycott it. There is also AXA. No State agency should have a contract with a company that invests in Israeli banks and mining companies in the West Bank. We say that we should boycott it. As I asked yesterday, why is the Government fast-tracking visas for 100 Israeli engineers to fly here to work for Intel while, in the meantime, Palestinians who are fleeing genocide are left to sleep in tents on the banks of the canal? Why is the State supporting this? Intel is a strong supporter of the Israeli state. It has built its Kiryat Gat plant on the site of two erased Palestinian villages. Just weeks after Israel intensified its genocide against the Palestinians, Intel announced its largest ever investment in Israel worth $22.6 billion. I say we should boycott Intel. Why did the Department of Enterprise, Trade and Employment grant 32 licences to sell dual-use goods worth €70.4 million into Israel under the Control of Exports Act 2008? Why will the Government not name these companies?

We need to back up the recognition of Palestine with real sanctions. The Tánaiste should not just tell us that EU leaders are discussing sanctions. That means nothing. We are now seven months into this horrific conflict and EU leaders have done nothing. The plain reality is that the Tánaiste wants to remove the triple lock because he wants us to move from a sideline substitute in US imperialism to a full player. That is what he wants. He wants to send Irish troops abroad to fight wars on behalf of the US and the European Union. Despite repeated requests from us to do so, however, the Tánaiste has refused to say exactly where he wants to send more than 12 Irish troops. He has asked his civil servants to come up with some obscure examples of where

the triple lock has stopped him sending Irish troops. He needs to have the courage of his convictions and tell us where he wants to send the sons and daughters of working-class people to fight in wars for the benefit of western imperialism. He will not give us a referendum to testify that Irish people still want to keep their neutrality, which is the least he can do. He knows as well as I do that the chair of the NATO military committee has said we are preparing for war. He knows that the Polish Prime Minister has said we are in a pre-war situation. *The Irish Times*, in its own snooty way, recently declared that Ireland is at war but we are sticking our heads in the sand. I ask the Tánaiste to tell us where he wants to send Irish troops.

For our part, we are absolutely clear. We oppose both imperialist powers that seek to divide the world into their respective spheres of influence. I am openly opposed to the US empire and equally opposed to its Russian and Chinese rivals. I have been at many protests outside the US Embassy. My party was the first to organise protests outside the Russian Embassy over the brutal invasion of Ukraine. While I detest both imperialist powers, I have no time for the double standards of this Government. It took it seven months before it dared to raise the Palestinian flag at this House. It raised the Ukrainian flag immediately when it was invaded, and it is still flying here. Ukraine is right to oppose the Russian invasion but it is not the only country fighting imperialism. Why is the Government not denouncing the EU for not banning arms sales to Israel when it sanctioned Russia immediately after the invasion of Ukraine? Why are Fine Gael members of this coalition promising to vote for Ursula von der Leyen even though she has most brazenly backed Israel to the hilt? The Government's other way of getting around neutrality is to erode it bit by bit. It has allowed US troops to use Shannon Airport as a transit point, pretending this is just an economic arrangement when, in reality, it is a deliberate show of loyalty to the US empire. Now, the Government wants to send Irish troops to train Ukrainian soldiers. It sends helmets to its army and still pretends it is militarily neutral. We are sick of the Government's hypocrisy.

I make one call in the Dáil today, and the same call is being made in the Seanad. It is to stop US troops using Shannon Airport. Genocide Joe is totally complicit in the murder of Palestinians. We want to see a left government that really changes that. I say to my colleagues in Sinn Féin that we know Fianna Fáil and Fine Gael will keep US troops in Shannon for as long as they can. Therefore, let us work together to evict Fianna Fáil and Fine Gael. This is a commitment we want to make before there is any general election - US troops out a Shannon at a very minimum.

Deputy Gino Kenny: We are living in very dangerous times, when the norms of international law, even in warfare, are being breached on a daily basis. We only have to look at what is taking place in Gaza. The pictures and images of what Israel is doing to human beings - children, women and men - are incomprehensible. In that context, Irish neutrality has always been sacred. It has been sacred from the foundation of the State. The overwhelming majority of Irish people have supported neutrality because they understand that if our neutrality is eroded, we can be pulled into conflicts that are not of our making and in which our citizens will be maimed. We have seen in the past 100 years, in the First World War and Second World War, how countries were dragged into imperialist wars. It is, therefore, vitally important that our neutrality stays as it is and is not compromised. I believe it has been compromised and eroded, for decades and more, by language and deeds, in particular the militarisation of the European Union.

We only have to look at the European defence industrial strategy. This is a precursor to a European defence model and a European defence army. Hundreds of billions of euro are being spent on military hardware. Throughout history, when there has been increased militarisation,

that equipment for war has been used eventually. We are now seeing this in the European Union. Irish troops are engaged in the European battle groups, which is very controversial in terms of our neutrality.

What is really worrying, particularly in recent decades, has been the development of economic blocs from competition into potential conflict. We have seen this in the Pacific, the Middle East and in other parts of the world. This is extremely dangerous not only for Ireland's neutrality but for world peace.

The use of Shannon Airport by American troops is a blatant breach of Irish neutrality. The Tánaiste will remember that America invaded Iraq illegally in 2003. As a consequence, hundreds of thousands of Iraqi civilians were killed by American troops in the ensuing civil war. Hundreds of thousands of people died because of that illegal invasion yet Ireland facilitated millions of American troops going through Shannon Airport. That is a blatant breach of our neutrality and it has to stop. Any government that describes itself as left-wing has to stop that blatant breach, and it is continuing with regard to Iraq.

Neutrality is sacred. It is very dear to the Irish people and those who love peace and do not want to be dragged into other people's wars, as happened in the past. Our neutrality is so important in preventing us from being dragged into those wars and conflicts. The language and rhetoric being used by this Government about the triple lock and militarisation are extremely worrying. There is a potential that Irish troops could be involved in a European army and a European conflict, particularly given what is happening in Ukraine and elsewhere. On that basis, it must be enshrined in the Constitution that we can never, under any circumstance, be involved in military pacts or European wars given where the European Union is going. Neutrality is sacred, but that has to be enshrined in our Constitution.

The Tánaiste: I am grateful for the opportunity to talk about the current state of the world, Ireland's place in the world and our country's policy of military neutrality.

Given the language used in the motion, it is useful to begin with an examination of what we mean when we talk about military neutrality. Simply put, our policy of military neutrality, as practised by successive Governments, means that Ireland does not participate in military alliances or common or mutual defence arrangements. I have discussed this many times in the House and I am happy to clarify and put it on the record again. We have no plans to alter this policy. Our military neutrality means a great deal to a great many people. The history and instincts that inform it are important and valuable, and I understand that. Its birth was essentially the Second World War and the position of Éamon de Valera and the then Fianna Fáil Government to adopt a policy of neutrality on that occasion. It has evolved since then, particularly in the context of developing an independent foreign policy.

The fact that neutrality is and will remain our policy does not mean we can isolate ourselves from the international security environment we find ourselves in today. All of us, as serious-minded policymakers, must continue to observe and analyse the situation as it evolves and ensure that the application of our policies remains fit for purpose in changing circumstances. Ireland's foreign policy has always been grounded in the principles of international law, human rights, equality, respect, dialogue and engagement. We have correctly sought to position ourselves as a voice for good in the world, a champion of international humanitarian law, peacekeeping and peacebuilding, disarmament and non-proliferation and as a strong defender of a rules-based international order. I have not heard any of that in the contributions so far this

morning. It has just been ignored. Deputies should look at our record over the last two to three decades in terms of our role internationally. Most recently, this includes our role on the UN Security Council in pushing for humanitarian corridors in the most troubled parts of the world, in addition to peacekeeping. Our values must remain at the core of Irish foreign policy. The Irish people would expect nothing less from this or any Government.

There are many countries in the world with which Ireland shares similar values and whose foreign policy approaches are in keeping with our own. Some of these are members of military alliances or common defence arrangements and some are not. We work with any and all of them as the issue requires. A salient example of our close engagement with such partners happened just last week in the context of our recognition of the State of Palestine, together with Spain and Norway. We were right to do that in a co-ordinated way in terms of timing, co-ordination, impact, and in the context of the Arab peace vision.

The security of our people and country is one of the most important issues that any government must consider. I will talk about how this relates to our broader foreign policy and the reality of the world today. Across the globe and at home, Ireland and our EU partners face an increasingly challenging and contested security environment. Russia's illegal, immoral and ongoing invasion of Ukraine in February 2022 brought untold misery to countless Ukrainian citizens. It has had an impact in our country, which we discuss and debate here on a daily basis. It also shattered the collective European security architecture. In doing so, it brought home to many across Europe and beyond the cold hard reality of the world we live in today. In the same context, we know that Russia is demonstrating increasingly irresponsible behaviour beyond Ukraine, including through cyberattacks across the European Union. Russia and other foreign actors are also deliberately targeting European societies, including Ireland, with false and manipulated information. We need to call out these threats and work with partners to confront them.

In Europe's southern neighbourhood, we continue to face a horrible and completely unjustifiable conflict in the Middle East which, again, is an issue that we discuss and debate here on a regular basis. The Government has been absolutely clear that this appalling war must stop. There must be an immediate ceasefire, the immediate and unconditional release of all hostages and a massive scaling up of humanitarian assistance. As we have repeatedly said, we urgently need a political pathway towards peace that leads to a two-state solution, which respects the right of self-determination of both Israel and Palestine. That is where I disagree with the Deputies opposite who want the dismantlement of the Israeli State. That will not bring peace either.

In Africa too, hunger and poverty continue to drive conflict, instability and displacement. It is an issue that is rarely discussed in the House, but it is massive in scale and a major factor in our security in Europe.

Faced with the reality of this security environment, we cannot afford to tie our hands, to isolate ourselves, or to ignore our responsibilities towards our own citizens, our fellow EU member states, or other friendly partners. The motion put forward by the People Before Profit-Solidarity group is therefore problematic for a number of reasons. First, it demonstrates a complete failure to understand the policy of military neutrality. As I said, this means that Ireland does not participate in military alliances or common or mutual defence arrangements. As implemented, it reflects our security policies and the interests of the State. The motion by People Before Profit and the remarks by some in the Opposition regarding the proposed amending of the triple lock are also deliberately erroneous, misleading and dishonest. There is no implication whatsoever

for Irish military neutrality in the amendment of the triple lock.

Deputy Paul Murphy: You say it yourself.

Deputy Micheál Martin: It is absolutely dishonest to suggest that.

Deputy Paul Murphy: You say yourself it is at the core of our neutrality.

Deputy Micheál Martin: I did not interrupt anyone. A little courtesy and parliamentary decorum is called for from Deputy Murphy from time to time.

Deputy Paul Murphy: A bit of honesty.

Deputy Micheál Martin: The Deputy hates when the truth is told.

In reality, the Government's proposed modification of the triple lock does not impact in any way on our policy of military neutrality. In fact, the proposed changes will serve to reinforce Ireland's ability to pursue an independent foreign policy, by removing the power of UN Security Council permanent members to veto our national sovereign decisions. It will mean that Ireland, which is militarily neutral, will no longer need to seek the permission of Russia, China, Britain, France or the United States to pursue our own sovereign, independent, militarily neutral interest or to participate in peacekeeping missions.

To Deputy Smith's point, we are simply saying we will amend the triple lock so we do not depend on empires. She spoke at length about empires, yet she wants them to have a restriction, through the Security Council veto, on the peacekeeping that Ireland could participate in in future. There is no logic to her position. In her world of empires, she still wants those very same empires to have a veto on whether Ireland participates in peacekeeping or not. I make no apologies for singling out Russia in particular, as its behaviour is singularly shocking. The Deputies do not have the same emphasis on Russia. They do not have weekly marches against Russia, although they will do the occasional formulaic protest outside its embassy-----

Deputy Bríd Smith: And Biden's behaviour is okay?

Deputy Micheál Martin: They will identify the United States all of the time. That is fine. I do not believe US foreign policy is correct in all areas, but I recognise the huge Irish-American diaspora. I do not believe in boycotting Hewlett-Packard or Intel. The Deputies opposite would cause the loss of thousands of jobs in this country, if their reckless policies were pursued. I do not believe in doing that. I do not believe that United Nations Security Council members should have a veto on our participation in peacekeeping. This is not in any shape or form an attempt to disengage from the UN. It is, rather, the opposite. It will allow Ireland to continue to seek to improve the UN from within, while addressing the fact that our involvement in international peacekeeping can currently be held hostage by the veto-wielding power of any one of the five permanent UN Security Council members.

Second, the Government has real concerns about the proposal to hold a referendum enshrining neutrality in the Constitution. The policy of military neutrality always has been, and remains, a deliberate policy choice on the part of successive Governments since the Second World War. However, the motion, if passed, would seriously constrain the Executive's ability to exercise its policy-making authority in the conduct of external relations, as already set out in Article 29 of the Constitution. Indeed, we know from previous experience that inserting overly simplistic provisions into the Constitution on sensitive and complex issues does not serve the

State well. I have yet to see any proposed wording about an insertion or amendment on what form of neutrality-----

Deputy Paul Murphy: We had a Bill.

Deputy Micheál Martin: -----or definition of neutrality-----

Deputy Paul Murphy: We proposed a Bill. You voted it down.

Deputy Micheál Martin: I am talking about a general debate. We know what happens-----

Deputy Paul Murphy: We had a wording.

An Cathaoirleach Gníomhach (Deputy James O'Connor): Deputy, please. You have ten minutes to reply.

Deputy Micheál Martin: -----in referendums and so on.

Third, in the view of the Government, the motion fails to adequately reflect the reality of the situation in terms of the use of Shannon Airport. I know this is a hardy perennial for the Deputies opposite, but as the Government has repeatedly set out, all foreign military aircraft wishing to overfly, or land in, the State require diplomatic clearance. This is subject to strict conditions, including that the aircraft is unarmed and carries no arms, ammunition or explosives. It is also expressly prohibited for civil aircraft to carry munitions of war in Ireland without an exemption to do so by the Minister for Transport. A robust process is in place for such exemptions, which includes advice from the Department of Foreign Affairs in respect of international humanitarian law and Ireland's international obligations.

Deputy Bríd Smith: There are no inspections.

Deputy Micheál Martin: Let me reiterate once again that there are no transports of weaponry via Shannon or any other Irish airport to Israel, nor are the US troops transiting Shannon going to Israel or any other active conflict.

In short, from a Government perspective, the motion as presented is ill-conceived, partisan and inherently problematic. It fails to demonstrate an understanding of what the policy of military neutrality actually means. It completely neglects the security risks that Europe and Ireland face today. The proposal, in respect of neutrality, is particularly ill-defined, inappropriate and would significantly restrict future governments in terms of broader foreign policy and, more importantly, security challenges, such as cyberattacks, subsea cables and so forth. People elect the Oireachtas and the Government to develop foreign policy and other policies. That is the sensible way to proceed.

Deputy Bríd Smith: Then you should be truthful in your manifesto and say you want to get rid of the triple lock.

Deputy Micheál Martin: Last year's consultative forum was a very important forum. What was striking were the attempts of the Deputies opposite to stop it from ever happening. That fundamentally undermined democracy itself. There is already strong intolerance of democracy from the Deputies opposite. It is their way or the highway.

Ireland's position on the Middle East over the past three decades and more has been principled, informed by the desire to get peace, and supportive of the humanitarian needs of Pal-

estinians. We have raised the issue all over the world, including in the US, unlike Sinn Féin, which did not raise it at all with their colleagues in the United States. It has never, through the very large forums Sinn Féin has in the United States, really raised the Palestinian question as loudly as it raises it here.

Deputy Matt Carthy: You are a liar.

Deputy Micheál Martin: That is the truth.

(Interruptions).

Deputy Micheál Martin: It has always puzzled me why Sinn Féin's-----

(Interruptions).

An Cathaoirleach Gníomhach: Deputies, please.

Deputy Matt Carthy: The Tánaiste is telling lies in the Chamber.

Deputy Micheál Martin: -----social media platforms were never used extensively to promote its ideas around Palestine. Those are the realities.

(Interruptions).

Deputy Micheál Martin: Sinn Féin's main focus in the United States is fundraising not raising issues around foreign policy.

An Cathaoirleach Gníomhach (Deputy James O'Connor): The Tánaiste is over time.

Deputy Micheál Martin: That is the reality. That is a fact.

Deputy Aengus Ó Snodaigh: That is different from what you just said.

Deputy Micheál Martin: We are militarily neutral as a country. We are not politically neutral. We will stand for human rights, freedom, democracy, and the rules-based international order. This approach suffuses everything we do, whether it relates to the conflict in Gaza or the invasion of Ukraine.

Our international engagement is also underpinned by a significant investment in our security and defence architecture. This includes work to transform our Defence Forces by increasing annual spending to €1.5 billion. I think I have run out of time. I thank the Acting Chairman for his indulgence.

Deputy Paul Murphy: The Tánaiste should be honest with people.

Deputy Aengus Ó Snodaigh: He cannot be.

Deputy Paul Murphy: He should have the courage of his convictions to argue for what he favours. Instead, we had a very dishonest presentation of what he is trying to do. We have had a dishonest presentation for the last two years. People out there, anyone who is watching this debate and who listened to that speech, would have the impression that the Government is committed to defending neutrality. The Tánaiste said that "modification of the triple lock does not impact in any way on our policy of military neutrality". In fact, he went even further and said the Government would enshrine it, make it better and reinforce our ability to pursue an

independent foreign policy.

Deputy Micheál Martin: Yes.

Deputy Paul Murphy: People would have the impression that it is the Opposition that is intolerant of democracy.

Deputy Micheál Martin: Intolerant of debate, yes.

Deputy Paul Murphy: None of that is true, though, is it?

Deputy Micheál Martin: It is true.

Deputy Paul Murphy: No, it is not true and I will tell him why it is not. Who is intolerant of democracy?

Deputy Micheál Martin: Look at the Deputy's behaviour at the consultative forum last year.

An Cathaoirleach Gníomhach Deputy Michael Ring: Minister, please. The Deputy has the floor.

Deputy Paul Murphy: Thank you. The Tánaiste talks about my behaviour at the consultative forum. What was the consultative forum? The consultative forum was not a democratic institution. The Tánaiste proposed a democratic institution. He proposed a citizens' assembly so that citizens could come together, discuss it and come up with an outcome but then he ditched-----

Deputy Micheál Martin: People cannot gather together at a university campus and have a debate. Is that it?

Deputy Paul Murphy: -----that democratic proposal and replaced it with a hand-picked group of people, with a predetermined outcome that I predicted in advance, to recommend getting rid of the triple lock. That is not democracy. I will tell the Tánaiste what democracy is. It is people standing for election on the basis of a certain platform, winning votes on that basis and then proceeding to implement it. The Tánaiste stood for election in the 2020 general election on a certain basis. What was that? It was on the basis of a promise, as contained in the Fianna Fáil manifesto, to "fully maintain neutrality and the triple lock" and he won votes on that basis. Then he put it into the programme for Government. That is democracy.

Deputy Micheál Martin: Then Russia invaded Ukraine.

Deputy Paul Murphy: What is intolerant of democracy is for him to tear up his election promises because he thinks that now is the chance to get rid of our military neutrality.

The Tánaiste would lead people to believe that he has no intention of touching neutrality whatsoever, that the idea that he is interested in getting rid of neutrality is one of these big myths. Again, that is not true. He is not telling the truth to people. We can go back to the time when Putin's brutal invasion of Ukraine began. What was it that the Tánaiste said? He said then that neutrality is a policy issue that can change at any time. He also said that there needs to be reflection "on military non-alignment in Ireland and our military neutrality". There is not so much commitment to neutrality there, is there? He was not the only one. The Taoiseach at the time, Deputy Varadkar, said exactly the same thing. The Minister for Foreign Affairs, Deputy

Coveney, said exactly the same thing.

Deputy Micheál Martin: Come on. They are not my quotes on it. That is dishonest.

Deputy Paul Murphy: The Government decided that this was its moment to try to get rid of military neutrality. What happened then, and the reason the Government ditched the proposal for a citizens' assembly, was that it ran into the roadblock of public opinion. Public opinion, despite all of the attempts to massage it and to say that we need to have a mature debate and so on, remained steadfastly in favour of neutrality. The Government could not shift it. The Government did not change its attitude, though, which is a long-standing attitude in Fine Gael in particular. This is an attitude that the Tánaiste previously described as the long-standing ideological "obsession" of Fine Gael to get rid of the triple lock. We can go back 20 years to its policy document, "Beyond Neutrality". The Government did not its plan but it changed its presentation of the plan. Now, no longer would the Government try to get rid of neutrality. Instead, it would simply try to redefine what neutrality means and, as part of that, tear up the triple lock and that is what is reflected in the Tánaiste's speech today. How the Government defines neutrality today is simply that "Ireland does not participate in military alliances or common or mutual defence arrangements".

Deputy Micheál Martin: That has always been the position.

Deputy Paul Murphy: That is it. According to the Tánaiste-----

Deputy Micheál Martin: That has always been the position.

Deputy Paul Murphy: According to the Tánaiste, Irish troops-----

Deputy Micheál Martin: That was the position ten years ago.

Deputy Paul Murphy: -----could have been sent - and perhaps would have been sent, were it not for the triple lock - to participate in the US invasions of Iraq and Afghanistan.

Deputy Micheál Martin: No. No way.

Deputy Paul Murphy: Yes.

Deputy Micheál Martin: That is outrageous.

Deputy Paul Murphy: Yes, because as long as we did not formally participate in NATO, the Tánaiste is saying that is still military neutrality. He is redefining neutrality in order to say that as long as we are not formally in NATO, we can join in all the missions and send our troops abroad, which is what getting rid of the triple lock is actually about. That is his actual agenda-----

Deputy Micheál Martin: No, it is not.

Deputy Paul Murphy: ------we are still neutral. That is the Tánaiste's agenda here.

Deputy Micheál Martin: No, it is not. That is a very dishonest presentation.

Deputy Paul Murphy: The Tánaiste should not tell me about dishonesty.

Deputy Micheál Martin: It is a deliberately dishonest distortion, which Deputy Murphy is very good at.

Deputy Paul Murphy: The Tánaiste should not tell me about dishonesty.

An Cathaoirleach Gníomhach Deputy Michael Ring: Deputies, please. One moment.

Deputy Micheál Martin: I apologise.

An Cathaoirleach Gníomhach Deputy Michael Ring: Deputy Murphy has the floor but I would like him to tone down his comments a small bit. At the same time, I expect the Tánaiste to do the same.

Deputy Micheál Martin: I appreciate that. I apologise.

Deputy Paul Murphy: The Tánaiste does not like hearing the truth. He tells us today that the proposed modification of the triple lock "does not impact in any way on our policy of military neutrality". That was not always his position. It is the case that in 2013 he said that the triple lock is "at the core" of our neutrality, not something peripheral or separate, but at the core of our neutrality. He said that in the Dáil and he was absolutely correct when he said it. Why is it at the core of our neutrality? It is because without it - and this gets to the heart of the matter and is the Government's actual agenda - a government which has a majority in the Dáil would have been able to send troops to participate in the invasion of Iraq. According to the Tánaiste's own definition, we would still be neutral in doing so as long as we did not formally join NATO. That is absolutely what this is about.

I want to tear up some of the other dishonest presentations by the Tánaiste. He said that if we get rid of the triple lock, we will no longer need to seek the permission of Russia, China, the United States, the United Kingdom or anyone else.

Deputy Micheál Martin: Yes.

Deputy Paul Murphy: That is a very dishonest presentation because people would be left with the impression that if Ireland wants to send troops abroad somewhere, we have to go to the UN Security Council and seek a vote of the council to authorise that but that is not what happens. What the triple lock is about is saying that we can send troops on peacekeeping missions where they are authorised by the Dáil, the Government and the UN. This notion-----

Deputy Micheál Martin: The UN Security Council.

Deputy Paul Murphy: Wrong. Again, the Tánaiste is engaging in a very dishonest debate because he is not referring to the Defence (Amendment) Act 2006 which changed that. This is not about the UN Security Council. The notion of any country having a veto is a complete and utter red herring. The 2006 Act, which is explicitly about dealing with this issue, changed it. That legislation says "UN approval", which is explicitly not UN Security Council authorisation and UN command. The Act refers to "an international force or body established, mandated, authorised, endorsed, supported, approved or otherwise sanctioned by a resolution of the Security Council or [and this is the important bit] the General Assembly of the United Nations". There is no Security Council veto. It is in black and white in our current law. The current arguments that the Government is making about getting rid of the triple lock were the arguments that were made for the 2006 Act. This has been dealt with. If, for example, there was a regional peacekeeping mission into Gaza or somewhere else, and there was a veto at the UN Security Council but it was passed by a majority vote of the General Assembly, that would meet the terms of the triple lock.

Deputy Micheál Martin: Not true.

Deputy Paul Murphy: That is true.

Deputy Micheál Martin: Again, the Deputy is talking without having seen our legislation. Our legislation can be placed within the UN framework but the Deputy has jumped to conclusions again.

Deputy Paul Murphy: No. The Tánaiste is presenting it as if we rely on a decision of the Security Council but that is not true.

Deputy Micheál Martin: There has not been a peacekeeping mission since 2014.

Deputy Paul Murphy: It is in black and white in the law. Black and white. It is not just the UN Security Council but the UN General Assembly. What is this actually about? If there was a regional peacekeeping mission, it could be endorsed by the UN General Assembly by a majority vote and Irish troops could then participate in it. Does the Tánaiste accept that?

Deputy Micheál Martin: Yes.

Deputy Paul Murphy: Therefore, there is no veto.

Deputy Micheál Martin: That is what we are proposing-----

Deputy Paul Murphy: That is in the law now. It is in the 2006 Act.

Deputy Micheál Martin: No, it is not.

Deputy Paul Murphy: It is. There is no such thing as a veto. It is an absolute red herring in this debate.

The other thing that is dragged in as an example of why we need to do it is the idea that we may need to go and get our citizens from abroad but are currently blocked from doing so. Again, that is a red herring and is not true. In the 2006 Act there is a series of exceptions set out where the triple lock does not apply. One of them, in section 3(1)*(f)*, is "undertaking humanitarian tasks in response to an actual or potential disaster or emergency". That covers it.

Deputy Micheál Martin: It did not cover it in-----

Deputy Paul Murphy: The Tánaiste is not able to come up with any examples where the triple lock prevents us from sending troops. The truth is that this is about sending troops on US-led and NATO-led missions into the likes of-----

Deputy Micheál Martin: You cannot be dishonest and say that.

Deputy Paul Murphy: It absolutely is. The final thing I will say is that in terms of Shannon Airport the Government's policy is hear no evil, see no evil. It is to say-----

An Cathaoirleach Gníomhach (Deputy Michael Ring): Thank you, Deputy.

Deputy Paul Murphy: -----do not worry. There are no weapons going through Shannon Airport.

An Cathaoirleach Gníomhach (Deputy Michael Ring): Thank you, Deputy. Your time

is up.

Deputy Paul Murphy: A US General-----

An Cathaoirleach Gníomhach (Deputy Michael Ring): Your time is up, Deputy.

Deputy Paul Murphy: -----on his way to Israel-----

An Cathaoirleach Gníomhach (Deputy Michael Ring): We will move on to Sinn Féin.

Deputy Paul Murphy: -----was on a combat transporter, a C-17, in Shannon Airport last week-----

An Cathaoirleach Gníomhach (Deputy Michael Ring): We will move on to Sinn Féin.

Deputy Paul Murphy: -----and the Government did not inspect it-----

An Cathaoirleach Gníomhach (Deputy Michael Ring): Deputy, your time is up.

Deputy Paul Murphy: -----for weapons being used in a genocide.

An Cathaoirleach Gníomhach (Deputy Michael Ring): Have a bit of manners please, Deputy. Your time is up. You had your ten minutes.

Deputy Paul Murphy: He took an extra two minutes.

An Cathaoirleach Gníomhach (Deputy Michael Ring): I was not here.

Deputy Paul Murphy: He took an extra two minutes.

An Cathaoirleach Gníomhach (Deputy Michael Ring): I am chairing now. Sit down, Deputy.

Deputy Paul Murphy: No problem, but he took an extra two minutes.

An Cathaoirleach Gníomhach (Deputy Michael Ring): We will move on to Sinn Féin Deputies Cronin, Ó Snodaigh, Mairéad Farrell, Ó Murchú and Conway-Walsh.

Deputy Gino Kenny: He took extra minutes.

Deputy Micheál Martin: He has been interrupting me all my life.

An Cathaoirleach Gníomhach (Deputy Michael Ring): I would expect more from you, Tánaiste.

Deputy Micheál Martin: We tend to provoke each other.

Deputy Matt Carthy: Irish neutrality is a strength. It underpins our contribution to peace-keeping and diplomacy and allows Ireland to play a positive and constructive role in conflict resolution. We should be proud to say that Irish neutrality is a strength. Others have attempted to portray neutrality as a weakness. I put on the record of the House that it absolutely is not.

Fine Gael has always been among that cohort. Twenty years ago it produced a playbook on what it called moving beyond neutrality which sets out a series of steps and now Fianna Fáil, which no longer stands for anything at all, is following that playbook to the letter. The central

aspect of the playbook was removing the triple lock neutrality protection. The second part was to narrow the definition of neutrality until it became virtually meaningless. We saw that again today when the Tánaiste described neutrality as essentially not participating in a military alliance or common defence pact. When I asked him recently at a committee meeting whether anything below that mark would breach neutrality, he said every single action a government would take that did not include being part of a military alliance or common defence pact would be in line with his definition of neutrality. That means that any Irish Government, without the triple lock, could send troops to any part of the world, such as Iraq, Afghanistan or Ukraine, without a UN mandate and a Minister could come before this House and claim he or she was being neutral. That does not fit the definition of what anyone would describe as neutrality.

What I find to be the most dishonest part is that we are told that this move is being made in response to Russia's invasion of Ukraine but the Tánaiste has not had the guts or honesty to say where precisely he wants to send Irish troops to that they are currently debarred from going. That definition of neutrality is not what the Irish people understand. Indeed, it is not even what the Minister's Department understands. The Department set out a definition of the policy of military neutrality and it is much more elaborate than that narrow focus. It goes further. It gives reading material. It says Ireland's neutrality is well understood by EU partners and is codified by the protocol to the Lisbon treaty. What does the codification in the Lisbon treaty say? It says, helpfully, that participation of the Irish Defence Forces in overseas missions will be carried out with the authorisation of the United Nations. The triple lock is codified. Where did that codification come from? It came from the first rejection by the Irish people of the Lisbon treaty. To get democratic legitimacy for the Lisbon treaty on the second attempt, the Government had to find a route, which was the triple lock. The triple lock provided the democratic basis on which our current membership of the European Union stands and any attempt to withdraw or remove that without recourse to the Irish people is undemocratic in the extreme.

The Tánaiste has some nerve to talk about honesty, democracy and Russian vetoes. Vladimir Putin is not the reason that Irish troops are not participating in one of the most important UN peacekeeping missions in the world that is taking place in the Golan Heights. That is not Putin's doing. It is Micheál Martin's doing. He removed our troops from that peacekeeping mission. He has some nerve to suggest, as I read in the newspapers last week, that the triple lock is what has been preventing the Naval Service from participating in international drug smuggling operations. We cannot send our naval vessels to the Irish seas at this point in time because we do not have the resources and troops within the Defence Forces to do so because Fianna Fáil has overseen the decimation of our Defence Forces. Membership is at record low numbers. More people have left the Defence Forces than have joined every year since Micheál Martin came to office. Fianna Fáil and Fine Gael between them have decimated our Defence Forces and now they seek to decimate our neutrality. I do not believe the Irish people will allow them to do so.

Deputy Réada Cronin: As I did not get a chance to speak yesterday, I first thank the Government for the official recognition of the State of Palestine. I also acknowledge that it stood up to the veiled threats from Israel in taking this important step. It is a start. There is a lot more to be done but at least I hope it has given some solace to the people of Palestine and Gaza. I also give my solidarity to the Tánaiste for what is happening on social media. Unfortunately, it is what I have come to expect from the immoral supporters of this genocide and Netanyahu's bloodthirst and depravity, all so he can avoid political accountability.

I only have a little time so I will move straight on to the People Before Profit motion. I thank

it for giving us the opportunity to debate it in the Dáil. Neutrality is the wish and desire of the majority of the Irish people, a majority the Government will go against at its peril. Irish people are not the GI Janes and GI Joes salivating over NATO. They are not the hand-picked academics, the lobbyists for the industrial arms complex, the safe pair of hands or those who said they felt ashamed of our neutrality at the consultative forum, while they beat themselves up and talk up battles and wars that you, I or they will never fight, never mind win. They are not a safe pair of hands. They are not safe at all and Irish people know this instinctively. They know they will talk them into conflicts that will impoverish them and kill their children, while the industrial arms industry that demands them hide in their bunkers and high-security compounds.

It will not come as a shock to the Government that Sinn Féin is in favour or protecting our neutrality as the strength it is and not the weakness the majority of the hand-picked panel on the consultative forum considered it to be. Tinkering with the triple lock flies in the face of what people were assured of around the referendums on the Nice and Lisbon treaties. It is a betrayal. Fianna Fáil has no mandate to remove it. It wishes to turn our forces from peacekeepers into active participants in conflict. On top of that, it wishes to strip them of the protection of the UN while they fight other people's battles. There are very few Irish mothers who would have their sons and daughters fighting for the benefit of the President of the European Commission, Ursula von der Leyen, and her bureaucratic ilk. These are people who are making Europe complicit in Israel's war crimes by arming and funding it. This is all decided by an elite who will not be harmed or touched. Our neutrality is not for sale. Our people know by watching on their phones and other screens that there is already too much war in this world. They see it up close and personal and they see that it is innocent civilians and children who pay the price.

Deputy Aengus Ó Snodaigh: Mar Theachta atá tar éis Billí a chur faoi bhráid na Dála cúpla uair chun an neodracht a shá i mBunreacht an Stáit, tacaím leis an rún seo. Seasaim i gcoinne iarrachtaí an Rialtais, agus iarrachtaí an Tánaiste, an Teachta Micheál Martin, ach go háirithe, creimeadh a dhéanamh ar sheasamh onórach an Stáit Éire a bheith neodrach. Nuair a theip ar an Rialtas sna reifrinn ar na conarthaí Nice agus Liospóin, tháinig sé ar sheift an ghlais thriaraigh agus gheall sé go réiteodh an fhoclaíocht a bhí ann chuile fhadhb agus nach raibh gá ar bith le reifreann chun neodracht a shá sa Bhunreacht. Feicimid anois nach raibh sa mhéid seo ach cleas trí-chárta seachas trí ghlas agus go bhfuil an Rialtas seo ag triail fáil réidh leis ina iomláine. Idir an dá linn, tá sé tar éis tuilleadh creimeadh a dhéanamh ar sheasamh neamhspleách agus neodrach na tíre. Despite claims to the contrary, successive Governments have not been hampered by the triple lock, as they gradually expanded our submersion into the EU military agenda, the centralised arms procurement, the increased investment of the arms industry and the gradual emergence of an EU army. Since the triple lock was adopted by this State, there has been an increased use of Shannon Airport as a military stopover for the US with soldiers travelling to and from wars. We have joined the European Defence Agency. We have joined EU battle groups. This Government and other Governments have voted down Bills to enshrine neutrality in Bunreacht na hÉireann. They have backed the EU defence fund and the establishment of an EU military headquarters, have sent Irish Rangers into Mali and signed up to PESCO. Earlier, I heard the Tánaiste mention our proud record on the global stage and the proud history of Irish soldiers overseas. Why then did he instruct the disengagement and withdrawal of 133 Irish soldiers from the United Nations Disengagement Observer Force, UNDOF, mission to the Golan Heights? Surely it is a proud record that Irish soldiers, 2,700 of them, have served in that region. Why would he withdraw them at a time when, more than ever, there is an increased commitment needed for peace in that region?

The legacy of Fianna Fáil and Fine Gael Governments has been to erode the neutrality of this State and to weaken the Defence Forces to such a degree that the very basis and existence of some branches of the Defence Forces are now in question because this Government and previous Governments have continued to erode it to the point that we cannot patrol our seas or our skies.

Deputy Mairéad Farrell: Gabhaim buíochas le People Before Profit, PBP, as é seo a chur chun tosaigh inniu. It seems very much that there is a war on neutrality at this time. There is a war on Ireland's position on neutrality and a drum is being beaten by those who are cheerleading for war and those who want to militarise the EU and turn it into a geopolitical bloc. They keep telling us that we need to confront this nation or that nation but who are these people? Who are these people who seem to have the Government's ear? Because one thing for sure is the Government is clearly not listening to the people on this issue. Despite Micheál Martin's best efforts, he could not convince the Irish people to turn their backs on neutrality. Those who are lobbying for us to get rid of our policy of neutrality completely and utterly lack transparency. It seems that pro-NATO think-tanks are trying to influence our defence and foreign affairs policies. When they lobby a Minister, who seems all too keen to hear what they have to say, do they really have our interests at heart? Do they really have the interests of the Irish people at heart or are they technology and arms companies looking for a new customer? Anyone who stands back and looks at those who have been lobbying this Government in this regard can see clearly how it appears. I keep hearing how Ireland needs to prepare for the threat of this country or that country. These are countries which are very far from our borders and which have never invaded this island; countries which have neither threatened us nor objected to our neutrality. At times like this, I am reminded of the words of Nelson Mandela when he was criticised by members of the Israeli lobby in the US for his support for the Palestinian cause. He said the problem that certain political analysts make is that they assume that their enemies should be our enemies. We are a neutral country that threatens no one. I am deeply concerned by the increased militarisation of the EU and particularly the focus on dual-use, that is, military and civilian, exports.

I must also mention the use of Shannon Airport. It is clear how the people feel on that. It is clear from the protests we have seen and the increased protests we have seen at Shannon Airport as the Israeli genocide of the people of Gaza continues, the outrage people feel at its use and their deep concern about what is going through there.

It is clear the Government needs to stop going down the path it is on to try to get rid of our neutrality.

Deputy Rose Conway-Walsh: Ar an gcéad dul síos, táim ag iarraidh buíochas a ghabháil leis an bpáirtí Pobal Roimh Bhrabús as an rún seo. Sinn Féin recognises the EU member states' right to provide military support to Ukraine, a nation that has been invaded. I am extremely concerned, however, about the use of the EU budget to subsidise the European arms industry. I oppose Irish taxpayers' money subsidising the arms industry. Most of all, I oppose Irish taxpayers' money subsidising companies that are arming Israel to carry out a genocide in Palestine.

The European arms industry provides Israel with about one third of its weapons. When the EU budget is spent on something, that means that all Irish people through our taxes are contributing. That means that today, Irish taxpayers are subsidising the weapons manufacturers in Europe. This is happening at a time when arms manufacturers are making bumper profits. The profits of some companies have soared by more than 100% since Israel launched its assault on

Gaza. No official from the Departments of Defence or Finance or the European Commission could explain to the finance committee how this was compatible with Irish law. The Cluster Munitions and Anti-Personnel Mines Act 2008 bans investment of public moneys, direct or indirect, in a munitions company. The law is clear: any company engaged in the manufacture of munitions or components cannot receive public money. Yet Irish taxpayers are paying roughly €288 million into the European Defence Fund, a fund that subsidises private arms manufacturers. Ireland is contributing €12 million specifically to support the production of ammunition. Again, no official from the Departments of Defence or Finance or the European Commission could explain to the finance committee how this was compatible with Irish law. On top of this, no official could demonstrate any safeguard in place to show that Irish taxpayers' money was not going to weapons manufacturers that are arming Israel.

Senator Higgins and I specifically asked representatives from the Department of Defence if any companies that are supplying Israel with arms to carry out genocide are getting Irish taxpayers' money. They said they had no idea. I am asking the Minister of State today if he has any idea if that is the case. This is absolutely not acceptable. The Irish people want no hand or part in Israel's genocide against the Palestinian people. We need this Government to respect our neutrality and our support for Palestine.

Deputy Ruairí Ó Murchú: I think people understand where the Irish people are on the idea of neutrality. We know our own history. It is a history of colonisation and of resistance and struggle against it. That is part of the reason why we have a shared relationship with the Palestinians. It is partly a shared history of oppression and resistance to that. It has been a good week for this State in its recognition of the State of Palestine. It is something that we proposed many years ago. What we have seen with Spain and Norway is welcome and hopefully we will see many more states moving in that direction. We also know that part of the reason we can do that is because we are seen as a fair player and that we are seen as independent and independent minded. That is because we are not engaged in any degree in any military alliances or alignments. That is the way this needs to stay. Any move away from the triple lock is seen by Irish people, and can only be seen by them, as a move away from non-alignment and neutrality and yes, that will put our peacekeepers in a different situation. Our peacekeepers have always faced danger but theirs is a proud history. At times like this I remember the sacrifice of Private Seán Rooney and many others. I commend his family and his mother, Natasha, in particular.

11 o'clock

They were recently involved in project called "the rainbows room", which was opened in Ratoath Community College. That is in Seán's memory and that is all very positive. I also welcome the fact - and I seek further information in this regard - that the Tánaiste visited Lebanon, where he said that ensuring justice for Seán Rooney is at the top of his agenda. We also have to look after our peacekeepers in the sense that we ensure justice for Seán, and we also need to make sure that we maintain how our peacekeepers are thought of across this world: as independent, as from Ireland and as not aligned with others. That goes without saying.

Not only did Ursula von der Leyen stand solidly behind genocidal Israel, but she has also spoken quite openly - I will give her that - about what she sees as a need for a greater military industrial complex in Europe. This is not what the Irish people want. This is not what the Irish people need. We need to make sure there is no further move away from neutrality.

Deputy Brendan Howlin: This is an important and timely debate on two issues that matter

to the Irish people and I commend People for Profit-Solidarity on tabling the debate. I want to deal with each issue separately, the first of which is the announcement by the Tánaiste, which I have to say was a surprise and I was in the House the time it was made. He stated that it is his intention to alter the long-standing mechanism to authorise the deployment of Defence Forces personnel on overseas missions. That mechanism, as we all know, is the triple lock, which entails the support of the Government, a positive decision of the Dáil and acting on a UN mandate from either the Security Council or the General Assembly. The Tánaiste has confirmed to me in our exchange during parliamentary questions last week that, in effect, he proposes to remove one of those three pillars, namely, the United Nations sanction, and to effectively have a double lock. I have heard other voices from the Government sources, particularly from the Green Party, that there will be a third element, but that is not what the Tánaiste informed the House last week.

The Tánaiste's justification was that current practice gives a veto power to Russia - in effect to Vladimir Putin - and China. That is the legal structure of the United Nations since it was created. The five permanent members have veto powers. This was true in Soviet times and when the United States vetoed resolutions on Israel. There is clearly a case for reform, but that is not what has been proposed. The Government did not say that we need to reform the United Nations. It wants to abandon the UN sanction requirement.

The other side of that issue is the impact this change will have on Ireland and our Defence Forces. The long-standing and international mechanism we have and that everybody in the world understands has been cited repeatedly as an assurance to the Irish people during referendum debates on EU treaties. I have cited it myself when saying that Irish troops could not be deployed on overseas missions without UN sanction. This is important. It is an important matter of trust.

Third, the triple lock mechanism was always seen as a layer of security for our troops who can act with the authority of the United Nations, usually while wearing the much-valued blue beret. Those Irish soldiers were not seen as acting on behalf of any particular geopolitical group or any particular interest, but on behalf of the United Nations. They were safer as a result of that understanding and that would be removed, were the triple lock to be removed.

Many want to undermine or belittle the United Nations. Israel's commentary on the General Assembly vote on the recognition of Palestine is the most recent and blatant example of that. Right now, the international order is being tested. The International Court of Justice, ICJ, and the International Criminal Court, ICC, are now coming under enormous pressure and strain. Ireland must be among the defenders of the international order. We have created many of these institutions. We are the founders of many of these institutions. Do they have their difficulties? Yes, but we must be defenders, warts and all, until there is something better to be put in their place. This is because those who want to undermine it now want destroy the well-established working international order. There is a real fear that these institutions will be fatally undermined by growing isolationist self-interest. That is a momentum that is gaining interest and we should not join it. Ireland should not throw in the towel and should not be seen to be going alone and removing yet another brick from the edifice that was so carefully constructed over the last number of decades since the Second World War. We should not contribute to this undermining.

The second issue is that of neutrality itself. When we last debated this issue, I quoted Ivana Bacik's speech on her election as leader of the Labour Party. She said:

I am committed to Irish neutrality.

But I believe our non-aligned status isn't about opting out.

It has to be about opting in.

Opting into humanitarian missions, to peacekeeping, to diplomacy, and to the prosecution of war criminals.

We are not, and we never have been, neutral against barbarism and aggression.

We are not neutral against aggression of any sort. I can see the dramatic change in attitude among our EU partners and non-EU member states which, some with very good reason, fear a growing imperialist Russia. They listen to the speeches of Vladimir Putin and they know that he wants to restore an imperial Russia. His speech on the eve of the brutal invasion of Ukraine indicated that he basically wanted to have Russian hegemony restored, not only over the Baltic states, but over many of the states of Eastern Europe that are now independent and free. They look at the savage invasion of Ukraine and believe to their core that Vladimir Putin will not stop there.

In that context, what is Ireland's role? That is the issue we should be debating here. We will come under pressure from our partners, which is understandable, and our long-standing neutrality will be challenged. They will demand that we contribute to collective defence, and we must have a thought-out, reasoned, understandable and reasonable response to that, which should be that we develop our own positive neutrality, invest in our own capacity to police and monitor our waters, our infrastructure and our airspace. Our neutrality is not real if we depend on the RAF to patrol our skies and can only have one naval vessel at sea at any given time to patrol our very extensive economic zone waters. That is not neutrality. Neutrality has in the past been an excuse to not invest in our own defence but real neutral nations are capable of at least monitoring their own skies and territorial waters.

There is a role for a nation like neutral Ireland. There is a need for it in this volatile and changing world where everybody seems to be more belligerent and fearful. There is a role for a neutral Ireland that can argue for peace and can have the reputation and the capacity to explain that clearly to our EU neighbours.

Deputy Gary Gannon: I thank People Before Profit-Solidarity, for tabling this motion, as well as the opportunity to discuss these two very important topics, namely, the triple lock and our neutrality. Despite the fact that the Tánaiste has said for several years now that we need to have a discussion about these issues, very few opportunities are presented to the Dáil to have this discussion. It is only when the Opposition tables the matter that we are given the opportunity. I therefore highlight the fact that the Government never gives us the opportunity. It speaks of security and it has provided consultation forums but it only provides its people to speak at them, so I welcome this discussion today. Irish neutrality is not very well defined. It is not laid out in the Constitution and it has never been enshrined in legislation. However, we know that neutrality has been the effective State policy since the foundation of the State and it has served us very well. We have never signed up to any collective defence alliance, whether NATO or any other alliance, and while we did adopt the EU Common Foreign and Security Policy, we rightly did not sign up to its collective defence mechanisms.

A line we have heard a lot in the past few years is that we are politically aligned but militar-

ily neutral, which probably reflects the situation relatively well, but I would add that we are also grossly hypocritical in our approach. Never has that been more the case than in the response to Russia's horrific invasion of Ukraine when compared to the response to Israel's absolute brutal attempt at the annihilation of the people of Gaza. One saw a rapid and collective concert of sanctions whereas the other response was slow, with the need to talk behind closed doors and to work through diplomacy while the genocide rages all the while. This has undermined our neutrality and left us looking hypocritical to those who are suffering the most.

Ireland's neutrality is not something that can be taken for granted. It cannot be a position that is taken and then remains unaltered in perpetuity. It must be defended, it should be defined and, where necessary, it can change with circumstances. It should be an active neutrality, not a passive one. Active neutrality means acting in the interests of institutions such as the UN, ICC and ICJ, which were built on the very premise of "never again" meaning "never again", no matter who it is against or who we need to bring to justice. That is under onslaught at the present and the idea that we are removing ourselves from one vital component of the United Nations by removing the triple lock, as opposed to defending it and trying to push it forward and advance it, is incredibly unbecoming.

I listened to the Tánaiste. I would like to accept that he feels he is genuine in his sense that the removal of the triple lock would somehow not undermine our neutrality but he did not create a very compelling argument. In fact, much of this argument was deconstructed very quickly in the analysis that he wanted to present to the Dáil. It is incredible that without a mandate through a party manifesto or a programme for Government, the Tánaiste, and the previous Minister, Deputy Simon Coveney, before him, would seek to remove this. In fact, the programme for Government explicitly said we would keep the triple lock. It is undemocratic in the extreme.

The discussion illustrates that strong consideration should be given to officially defining neutrality and having it protected in the Constitution. otherwise it seems to be at the whim of whomever is Minister for Defence at the time. By not having it defined in the Constitution, the Tánaiste and Minister for Defence is creating an argument for removing a very important component of our neutrality, although it simply falls down at the first sight of parliamentary debate. A citizens' assembly on the matter would help us to explore the subject further but it should be one that starts off with a remit that is very much informed by what we know for sure, which is that the majority of Irish people support neutrality and want to see it maintained and protected, not undermined. The question should be how to maintain and protect it in a way that allows it to be dynamic and move with international developments.

Neutrality has been undermined consistently in the past couple of decades. For example, there is nothing neutral about aligning with other countries for our own security or to patrol our seas and skies. There is certainly nothing neutral about allowing US military planes to land at Shannon Airport. The story came out yesterday about a US general on his way to Israel to engage with a war criminal but we did not even have the self-respect to say we would like to know what was on that warplane. That is not the behaviour of a neutral state; that is the behaviour of a satellite state.

To be neutral, we need to resource the Defence Forces properly. We are currently well short of the establishment number and we cannot recruit fast enough to even maintain current numbers, never mind increase them. I want us to be realistic about what is required. Geopolitical developments of the past few years have shifted the world order and many of these developments have highlighted Ireland's deficiencies. We have no air surveillance or radar capacity,

and we do not know what is above our skies or below our seas. As a modern, self-respecting republic, at a very minimum, we should have those things. That will impose a cost but it should not deter us. We should not rely on other countries to defend our airspace and have to call on neighbours to conduct patrols in our waters due to naval personnel shortages. That is no reflection on the proud men and women of the Naval Service, who do an incredible job in difficult circumstances and conditions. However, we should invest in them more. We are seen as a soft touch for transnational organised crime, with the international drugs trade using Irish waters as a gateway to Europe. We should not permit that to continue. We know that in recent years probing missions have used our airspace to test the resolve of other European countries. This is not neutrality, or this is not the kind of neutrality that will serve us well into the future. We should not see neutrality as a way of underinvesting in our Defence Forces and peacekeeping forces. As an island, we conduct the vast majority of our trade by sea so securing Irish sea lanes is vital. We should pay our Defence Forces properly and equip them to do the job we need them to do.

Neutrality is a fundamental principle of the Social Democrats, as are national security and, indeed, economic security and the advancement of global peace. As I said, Ireland's neutrality cannot be taken for granted. It must not be left undefined but, I repeat, there is nothing neutral about aligning with other countries for our own security. All of the parties on the left should be able to acknowledge this without attacking the bona fides of other left-wing politicians because they want to approach neutrality from a practical perspective as well as an ideological one. The practical elements of neutrality also need to be taken into consideration. Regarding that ideological approach, the triple lock has been a very important part of our neutrality since the 1960s and it is clear the Government has no mandate to remove it. We know that the majority of people in Ireland support neutrality, that none of the Government parties went to the voters in 2020 talking about altering the *status quo* and that they promised to maintain the triple lock in the programme for Government. We will be playing a potentially dangerous game with the removal of the triple lock at any point and, certainly, the way the Government is going about it will undermine democratic norms.

Regardless of what the Tánaiste and the Government believe are the merits of the arguments, this is something which absolutely must be mandated by the people. There is literally nobody calling for this. We are all out canvassing every night coming up to the local and European elections and we know the issues that are coming up at the doors. Would the Tánaiste be able to tell me that anyone is asking him to remove the triple lock? For someone who often talks about his unwillingness to move unilaterally, this is a very unilateral move being taken by the Government without any mandate from the population.

Deputy Seán Canney: I welcome the opportunity to contribute to the debate I was reflecting on the fact that this is the first time I have been involved in a debate on this very important issue of neutrality since 2016, when I came into the House first, so I thank People Before Profit for bringing the motion forward. Neutrality has been treasured by our State since its foundation on the basis that we had made a principled decision and it is part of the Constitution that we remain neutral. However, that does not mean we do not engage with everybody across the world to try to build a better world. Neutrality has served us well internationally and served our reputation. It has also helped us to become a power, a force and an influencer within the United Nations. That is what is most important for a country like ours: that we can influence others.

Given what is happening in the world right now, we need to take stock of the turmoil and mayhem around us. These are very uncertain times. As a neutral nation, we have to be care-

ful what we mean by being neutral. While we call it being militarily neutral, we should not be neutral when it comes to things that are being done wrong. That is why I welcome the fact the Government and Ireland have recognised Palestine as a state on its own. That sends a message that as a neutral country, we are not just silent. We have opinions and we need to get them out there.

We are a valid and respected member of the European Union. Our engagements within the Union will sometimes drag us towards a common policy on defence and how to deal with wars. However, we also have to maintain and respect the fact we are a neutral country, and I believe other countries that are part of other alliances respect that too.

I wish to reflect on how we decided to be a neutral country, what has happened in the world since then and how everything has evolved. Right now, the world, as it stands, is a very small place and easily accessible for people. One of the things we find now is that Ireland is becoming a docking station for the transportation of illegal drugs across the world, and our seas are the same. While ours is a neutral country, we have to defend our seas and our shores to make sure we are not complicit in this trade. I acknowledge the fact that serious drugs funds have been made offshore in recent years, but our Defence Forces, including the Naval Service, need to be equipped properly in order that it is not just tokenism but that we can use our own resources to make sure we can defend our own patch against that type of subversive behaviour.

It is important that we have a discussion on neutrality for the simple reason that times have changed and emphases have changed. Our neutrality is core to the foundation of our society, and we should maintain it. That does not mean we cannot debate other alliances, provided that they are non-military. That is where the concern is as to whether we are now dropping our neutrality because we are engaging with other people who may have other alliances and we are trying to steer a clear path. At the outset, however, we have to state clearly from a Government point of view and from an Opposition point of view that neutrality is our bedrock.

Truly, we need to look at what role we want to play in the world in trying to restore peace to places that are in such turmoil at the moment. That should be our focus. When we look at the number of men, women and children being killed in the Israeli-Palestinian conflict, with the number rising daily, and when we see the pictures of what is happening, I do not believe we can take any part in any kind of military activity in any country. It is absolutely abhorrent.

We need to look at our economic development and, as a country that has a fantastic reputation for pharma in Galway and for digitalisation and all that goes with that, we are a global centre for a lot of that activity. We should be proud of that, but I also believe we should not allow the dividends from that to conflict with our neutrality. We should not pay any price or cede any kind of ground on the basis that there is an economic price to pay for that. The words of the Israeli ambassador this week were very unfortunate and highlighted the fact that they are trying to use their connections with business across the world as an influence to say, "Do it our way or we will not trade with you." That is the wrong way to do business, and if we are doing business ourselves globally, we need to be able to hold our heads up high and we need to take on the business that we can support and that we know is not in any way connected with the violence going on in the world today.

We have a lot to talk about as regards neutrality and how we define it going forward. We definitely need to have more of a discussion on this, maybe a people's assembly and a referendum to make sure we copper-fasten this into the future.

Deputy Danny Healy-Rae: I am glad to be here for this very important debate. I support this motion because the people are totally annoyed with what the Government is doing. None of the Government parties - Fianna Fáil, Fine Gael or the Green Party - campaigned at the last general election to end neutrality or the triple lock and, therefore, they have no mandate for any such policies. I ask them to hold a referendum and to tell the people the truth this time. The Tánaist, who is at the front of this removal of the triple lock, said in 2013 that the triple lock was the core of our neutrality and described the attempt to undermine it as "an out-of-touch ideological obsession on the part of Fine Gael". Now Fine Gael, Fianna Fáil and the Greens are joined together to do exactly what he said should not be done. Who can believe what they are saying? I have had a lot of respect for the Minister of State over the years, but this is totally ridiculous. We do not even have a properly resourced Army. A lot of the time, Defence Forces members have to get the working family payment to survive. We could not keep out the dogs and cats if a right invasion of them landed. That is the absolute truth. The Defence Forces are doing great peacekeeping work all over the world, and we really admire them for what they have done, but we should not be forced by Europe to go into this kind of a situation when we do not have an Army.

We applaud de Valera for what he did in the middle of the Second World War, when he stood up to Churchill and refused to go into an arrangement with him at that time. De Valera held his neutrality, and we applaud him for that. The Government parties should hold a referendum because the people do not trust them. They should tell the truth to them this time, not like what they did in the most recent referendums. They told them many blatant lies, but the people read it, even though all the Opposition parties here were combined in this. Look at all the things the Government parties have done to the people: carbon tax, the climate action Bill, the hate speech Bill, the nature restoration laws that they are going to implement and that their MEPs in Europe have voted for, and the nitrates directive. Many small farmers have to reduce the number of their cows. Water quality is important, but it must be recognised that something has to be done about our treatment plants as well because many of them are under capacity and some settlements have no treatment plant.

The Government's migration policy is a total and absolute shambles. The whole of the western world is laughing at the Government. One arm of the government is giving out tents and another arm is coming along and dumping them the following day along the canal. The Government parties have diluted the tourism product of Kerry and Killarney. Businesses are struggling over what they have done, and the social fabric of Killarney is totally changed by their migration policy because they have no policy, only to take as many as they can, with no cap and no idea of where they are going or where they will finish up. They are hurting and angering a great many people and they have it done already.

Deputy Michael Healy-Rae: I thank the Social Democrats for bringing forward this very important Private Members' business-----

Deputy Bríd Smith: Excuse me.

Deputy Paul Murphy: Deputy Healy-Rae has downgraded us.

Deputy Michael Healy-Rae: I am sorry.

Deputy Paul Murphy: We are not social democrats.

Deputy Michael Healy-Rae: I apologise.

Deputy Danny Healy-Rae: There is not much difference between the whole lot of ye anyway.

Deputy Paul Murphy: There is big difference.

Deputy Bríd Smith: It is a big insult.

Deputy Paul Murphy: A river of blood.

Deputy Bríd Smith: I would never say anything like that to Deputy Healy-Rae.

Deputy Michael Healy-Rae: Neutrality transcends mere non-involvement or detachment. It embodies a proactive stance in fostering human rights and liberty, shielding individuals from tyranny, championing peace and contributing to UN peacekeeping missions in regions such as Lebanon, the Congo, Chad and South Sudan. I pay a very strong word of thanks to the people who have worked in our Defence Forces over the years, whether at home or abroad. They have gone out and served our country with distinction. Some of them have very sadly lost their lives. There are families who will be looking at this and remembering their loved ones who put on a uniform, left here and came home after sadly losing their lives in the interest and in the voice of peace and of trying to save other people's lives and their way of life. We have to acknowledge that here today. For decades, Ireland's neutrality has facilitated a positive global influence and I am convinced this principle merits incorporation into the Irish Constitution and EU treaties, rather than being eroded as it is under the current Administration. It is right to highlight the wrongs of the Government and to say that what it is trying to do is a further display of its detachment. A couple of months ago, the Government told everybody that they should take the mother out of the Constitution and vote "Yes". It was not only the Government, but Sinn Féin, Labour and everybody in here said it, except a small number of people, including the people on this side of the House. We said "No" and that the people were saying "No" to what the Government wanted. When the votes were counted, who was right? It was not the Members over there; it was the people on the ground who said "No". They were not going to be dictated to by Government. No government or person has a monopoly on being right but people in Ireland today are standing up for what they believe in and will not be dictated to by Government or anybody waving their finger and telling them they must vote in such a way.

When it comes to our neutrality, if the Government is going to tinker with it and is thinking of diluting the stance we have taken over the years, it should give the people of Ireland a say and have a referendum on it. I have no doubt in my mind what the people would say. They would say the system we have and what we have been doing is right, and that is the road we should continue to go down.

I recall times when the Army was needed by the State and it was always ready to stand with the people and work on their behalf. It is in no way right Army remuneration should be insufficient. I think of great people who left Kerry, even in recent times; for instance, the Quinn family from Blackwater, whose son went off in the peacekeeping missions. I thank those families for sending their young people abroad on all our behalf.

Deputy Thomas Pringle: I am thankful for the opportunity to speak on the motion. I pay tribute to People Before Profit for bringing it forward, rather than the Social Democrats. There has never been a more important time to protect and preserve Irish neutrality, so I support the motion fully.

It is incredible to see the significant U-turn all three Government parties have taken in their views on neutrality. Ten years ago, Deputy Micheál Martin described Fine Gael's attempt to undermine the triple lock as an "out-of-touch ideological obsession on the part of Fine Gael". Now it must be an out-of-touch, ideological obsession on the part of Fianna Fáil, Fine Gael and the Greens. He is actively trying to do away with the triple lock as Minister for Defence. It is not only surprising but disingenuous to voters who were told by Government parties and in the programme for Government that overseas operations would be subject to a triple lock of UN, Government and Dáil Éireann approval. The Minister for Defence has made it clear in recent weeks that the new defence Bill will seek to get rid of the triple lock, openly contradicting the commitments he made to the public four years ago. In reality, the double lock is totally ineffective because the Dáil will do whatever the Government bids it to do. The Government parties will not stand individually as people; they will stand in such a way as to ensure a ministerial position comes calling for them. They will do the Government's bidding. Unfortunately, the Dáil is not independent of the Government, which is a breach of the Constitution. It is supposed to be an independent body in the overall scheme of things but because of the nature of government and how it works in the country, it is not. Effectively, we have a triple lock or nothing.

There is no doubt neutrality is under threat from Fianna Fáil, Fine Gael and the Greens. They are using every opportunity to undermine neutrality and hoodwink the public into agreeing to pieces that erode our neutrality bit by bit until there is nothing left. It is disappointing the Government does not even have the courage to come forward and say what we should do on behalf of the people. It will instead remove it bit by bit and we will wake up one morning and it will be all gone. We will be in the middle of a war and people will wonder how we got here. We will have got here because the Government did not have the courage to say this is what it wanted to do and put that forward. We need to actively ensure we do not sleepwalk into a situation nobody wanted or asked for. That is exactly what would happen if it were up to the Government, as proved by the consultative forum on international security, which was clearly an attempt to skew the public towards questioning our neutrality and towards the legislation to remove the triple lock that will come through the Dáil in the next few months.

Neutrality is essential to ensuring a peaceful resolution to disputes across the globe. We could, and should, play a significant role in facilitating this. We should not take direction from Europe, which has no interest in peace or progress and only wishes to conform to German and French military policy. We have nothing to add to military policy or might; what we have is a long-standing and well-respected neutral stance over the years and an honourable role we could and should expand on. Our focus should be on creating links between Europe and Third World countries and expanding our peacemaking capabilities. Ireland is recognised throughout the Third World as a former colony and one of the few members of the European Union that is a former colony and that understands at heart what former colonial countries feel. We could bring that to the heart of the European Union and to the former colonial masters, and put an alternative view there. That would be more valuable and worthwhile than blindly following Germany and France's views on military matters.

Our focus should be on looking after people at risk, taking in refugees and ensuring they have access to travel and a secure place to go. We will bring far more to a crisis by providing such assistance than we ever could through military assistance, though we could provide plenty of manpower for the European army, which is probably what the focus will be on in time to come. The focus should always be on assisting those affected, and this focus is taken away when military gain becomes the main priority. This would be the case if we were to join NATO

or any type of EU military intervention. We need to enhance peace, not destroy it.

The Government amendment states: "under the Air Navigation (Carriage of Munitions of War, Weapons and Dangerous Goods) Orders 1973 and 1989, it is expressly prohibited for civil aircraft to carry munitions of war in Ireland without an exemption to do so by the Minister for Transport[.]" That sounds very good but inspections of aircraft are supposed to take place to ensure the regulations are being followed and there is no record of a single inspection carried out in Ireland since 2020. Why has the Minister not carried out a single inspection in four years? It is probably because he is afraid of America.

The amendment goes on to state: "the process for the granting of such exemptions is robust and includes advice from the Department of Foreign Affairs in respect of international humanitarian law and Ireland's international obligations". How can the Minister stand by this when more than 1,000 such exemptions were granted in 2023 without a single inspection? Most of these exemptions were granted to the United States and Germany, two countries we know are actively arming states such as Israel. There is no record of oversight of items carried on aircraft coming through Ireland. This is outrageous and the Government stating we somehow have "a robust process" is laughable. It might be a robust and good process but the only way to prove that is by doing inspections. If the inspections are carried out and it turns out there are no arms being carried on planes through Shannon, that is well and good and it means our process is being respected by powers around the world. However, we know the reason no inspections are taking place is that weapons are being carried and it is better not to ask than to look for excuses. That is the reality of the situation.

The Tánaiste and Government's amendment is shocking when you think about it. The Tánaiste recognises "Russia's brutal... invasion of Ukraine... has fundamentally changed the geopolitical and security landscape in Europe". What about the brutalisation of the Palestinian people by Israel? That is not even mentioned. It is hard to find a positive in the invasion of Ukraine. The one positive that has come out of it is that it has really shown the Irish people the hypocrisy in Government and EU policy where everything that Russia does to Ukraine is wrong but we turn a blind eye to everything that happens in Palestine and what the Israelis do. What the Israelis are doing in Palestine is the exact same as what the Russians have been doing in Ukraine. The hypocrisy of this Government and Europe denying that and looking the other way is altogether shocking.

The amendment then uses the words, "in common with other partners in Europe". I would like to know who those other partners are because in reality, Europe has dominated us right from the time we went into Europe. All we have to do is look at my own town and how the fishing industry there has been treated over the years. That is all to do with European domination, right up to Brexit when the French negotiated so that the French fishermen were looked after and they shafted everybody else. This meant that we were shafted once again by our so-called common partners in Europe. That is a load of rubbish.

Deputy Sean Fleming: I move amendment No. 1:

To delete all words after "Dáil Éireann" and substitute the following:

"notes that:

— Ireland's policy of military neutrality is characterised by non-membership of military alliances, or common or mutual defence arrangements, and this policy choice has

been practised by successive Governments since the Second World War;

— the Government reaffirms its commitment to this policy and reiterates that it has no plans to either join a military alliance or enter into a mutual defence arrangement; and

— the Government does not believe a referendum enshrining neutrality in the Constitution of Ireland is either necessary or appropriate;

recognises that:

— Russia's brutal and illegal invasion of Ukraine, blatantly violating the United Nations (UN) Charter and international law, has fundamentally changed the geopolitical and security landscape in Europe;

— in its wake, countries all over Europe have examined their foreign, security and defence policies;

— in common with other partners in Europe, Ireland therefore finds itself in an increasingly contested, dynamic and volatile international security environment, marked by violence and conflict in our immediate neighbourhood, including in the Middle East and Africa; and

— as a highly globalised country, Ireland cannot rely on our geographic isolation for our security, nor isolate ourselves from world events;

acknowledges that:

— the Government convened a Consultative Forum on International Security Policy from 22nd – 26th June, 2023, with a view to building public understanding and generating discussions on Ireland's foreign, security and defence policies;

— the Government remains committed to taking forward a number of actions in follow up to last year's Consultative Forum on International Security Policy, focusing in particular on opportunities for multilateral and international engagement and steps to tackle new and emerging threats, including through engagement at the UN, European Union (EU), and the NATO Partnership for Peace programme;

— Ireland has a long tradition of international engagement, including through participation in UN and UN-mandated, EU-led, and NATO-led peacekeeping missions and, in this context, the Government has approved the drafting of legislation which will govern the future deployment of the Irish Defence Forces as part of an international peacekeeping or crisis management operation;

— this legislation will reinforce our ability to pursue an independent foreign policy by removing the power of UN Security Council permanent members to veto our national sovereign decisions regarding our participation in peacekeeping missions, and will also allow for the deployment of Defence Forces personnel overseas in roles such as the crisis management evacuation of Irish citizens; and

— Ireland will also continue to support a strong EU role in the maintenance of international peace and security and will engage actively in the EU's Common Security and Defence Policy, including through the EU's Permanent Structured Cooperation (PES-

CO); and

further notes that:

— under the Air Navigation (Carriage of Munitions of War, Weapons and Dangerous Goods) Orders 1973 and 1989, it is expressly prohibited for civil aircraft to carry munitions of war in Ireland without an exemption to do so by the Minister for Transport, and the process for the granting of such exemptions is robust and includes advice from the Department of Foreign Affairs in respect of international humanitarian law and Ireland's international obligations; and

— under the terms of the Air Navigation (Foreign Military Aircraft) Order, 1952, all foreign military aircraft wishing to overfly, or land in, the State require diplomatic clearance from the Minister for Foreign Affairs, and this is subject to strict conditions, including that the aircraft is unarmed, carries no arms, ammunition or explosives, does not engage in intelligence gathering, and that it does not form part of a military exercise or operation.".

I welcome the opportunity to hear the perspectives of Members of the House on Ireland's policy of military neutrality. We now need to focus on a more serious, sustained and informed discussion on our international security and policy choices. The security situation in Europe has changed significantly. This calls for a serious consideration of the State's approach to international security issues and the contribution we can and should make to the safety and security of Europe.

As Ireland is a highly globalised country, we cannot rely on our geographic isolation for our security, nor isolate ourselves from world events. It is important to be clear on precisely what we are discussing. Ireland's policy of military neutrality, as practised by successive Governments over many decades, means that Ireland does not participate in military alliances or common or mutual defence arrangements. There are no plans to change this policy. The Government's countermotion explicitly reaffirms this position.

On a general point about the discussion, many of the Deputies on the other side quoted statements made more than ten years ago, in 2013, by different politicians and stated there had been no discussion of this matter during the last general election. I do not know what planet they have been living on. The world has changed since the last general election. Russia illegally invaded Ukraine. In my lifetime, I have not experienced a war in Europe. Nobody in this building has ever seen a war on the Continent of Europe in their lifetimes. None of us in this building have ever seen one.

Deputy Richard Boyd Barrett: Yugoslavia.

Deputy Paul Murphy: NATO bombs.

Deputy Sean Fleming: We had not seen one before the last general election. It has happened since, with Putin's illegal invasion of Ukraine. Whether we like it or not, that has changed the international security situation in Europe, of which we are a part. That has changed fundamentally since the last general election. For people to refer to what people said on previous occasions is not acceptable. Since the last world war, Ireland has been privileged to be a peaceful nation in Europe where there were no military assaults on other countries in the European Union. Putin did it and it would be irresponsible of us not to respond to the change in circum-

stances or not to take any action.

I have listened to Putin's puppets over there today.

Deputy Paul Murphy: That is shameful.

Deputy Sean Fleming: This is an issue of Putin's puppets versus the people of Ireland.

Deputy Paul Murphy: Chair, I am complaining right now. The last time I complained about that I was told that I had not complained immediately. I am asking that that statement be withdrawn. It is out of order and against Standing Orders.

Deputy Sean Fleming: You are puppets of Putin. You are on the wrong side of history.

Deputy Paul Murphy: The Minister of State called us Putin's puppets. The Acting Chairman must ask him to withdraw it.

An Cathaoirleach Gníomhach (Deputy Michael Ring): Sit down, Deputy.

Deputy Paul Murphy: I am making a request of the Chair. I have written to the Ceann Comhairle about this.

An Cathaoirleach Gníomhach (Deputy Michael Ring): You had your opportunity, Deputy.

Deputy Paul Murphy: Can I get a response? The remark is against Standing Orders and I want it withdrawn.

Deputy Sean Fleming: I have the floor.

Deputy Paul Murphy: The Minister of State just accused us of being Putin's puppets.

An Cathaoirleach Gníomhach (Deputy Michael Ring): No. The Deputy had an opportunity to speak and there will be another ten minutes.

Deputy Sean Fleming: The Deputies opposite will have a wrap-up speech.

Deputy Bríd Smith: I moved the motion and I want the accusation that we are puppets of Putin to be withdrawn. Withdraw it now.

Deputy Sean Fleming: I did not direct my comment at any individual but if the hat fits, you should wear it.

Deputy Bríd Smith: You said the backer of the motion. I am no puppet of Putin.

Deputy Sean Fleming: You obviously feel the hat fits.

Deputy Bríd Smith: Withdraw that accusation.

An Cathaoirleach Gníomhach (Deputy Michael Ring): Deputy, you had your opportunity. Please sit down. You had ten minutes and if you want, I will call this debate off.

Deputy Bríd Smith: On a point of order-----

An Cathaoirleach Gníomhach Deputy Michael Ring: It is not a point of order. Sit down.

Deputy Bríd Smith: The Minister of State must withdraw that remark.

An Cathaoirleach Gníomhach Deputy Michael Ring: Sit down, Deputy. Have respect for the Chair.

Deputy Paul Murphy: Salient ruling of the Chair 417 states that Members may not say that another Member is taking orders or instructions from outside interests or its representatives, or speaking for such interests. That is what "Putin's puppets" means.

An Cathaoirleach Gníomhach (Deputy Michael Ring): You made enough allegations earlier that I let go. Please sit down.

Deputy Paul Murphy: This is the salient ruling of the Chair. I am asking that the Acting Chairman get the Minister of State to withdraw the remark. It is very clearly against the rules.

An Cathaoirleach Gníomhach Deputy Michael Ring: I will adjourn if you do not stop.

Deputy Paul Murphy: Please adjourn the debate and check the rules. Salient ruling of the Chair 1417 states that Members may not say that another Member is taking orders or instructions from outside interests or its representatives, or speaking for such interests. That is what "Putin's puppets" means. It is very clear.

Deputy Danny Healy-Rae: How dare he-----

An Cathaoirleach Gníomhach (Deputy Michael Ring): We will suspend the sitting for five minutes.

Cuireadh an Dáil ar fionraí ar 11.46 a.m. agus cuireadh tús leis aris ar 11.48 a.m.

Sitting suspended at 11.46 a.m and resumed at 11.48 a.m.

An Cathaoirleach Gníomhach (Deputy Michael Ring): Will the Minister of State withdraw or clarify what he said?

Deputy Sean Fleming: I will specifically clarify what was said. I have listened to the debate over the last hour or so. At least 15 Members of the Opposition have spoken. I referred to Putin's puppets. I did not refer any specific individual. If an individual feels that I was referring to them-----

Deputy Danny Healy-Rae: He called all of us over here puppets.

Deputy Sean Fleming: As I said, 15 Members of the Opposition spoke and I made a reference. If some people feel it relates to them, if the hat fits, they can wear it but I did not put the hat on anyone here today. I mentioned no name. I did not direct my comments at any individual.

Deputy Danny Healy-Rae: He called us Putin's puppets. Telling lies

Deputy Bríd Smith: That is not a withdrawal.

Deputy Sean Fleming: It was a general remark and if a Deputy takes offence, that is up to the Deputy. Why would an individual Deputy think I was referring to them if they did not believe it themselves? I am still referring to no Deputy in particular.

Deputy Bríd Smith: We are the Opposition. All of us who spoke this morning are liable to that accusation. The Minister of State has breached the order and he will not remove what he said. The order states that a Member shall not say that another Member is taking orders and instructions from outside the interests of the State.

Deputy Sean Fleming: I did not mention another Member.

Deputy Danny Healy-Rae: You said that we are over here and you are over there.

Deputy Bríd Smith: We find ourselves in the same position as the Healy-Raes in demanding that you withdraw an accusation that we are Putin's puppets.

Deputy Danny Healy-Rae: Who said it so?

An Cathaoirleach Gníomhach (Deputy Michael Ring): Are you withdrawing the remark?

Deputy Bríd Smith: If you do not do it now-----

An Cathaoirleach Gníomhach (Deputy Michael Ring): Deputy, please. I have asked the question.

Deputy Danny Healy-Rae: Calling us Putin's puppets-----

An Cathaoirleach Gníomhach (Deputy Michael Ring): Withdraw the remark for the order of the House.

Deputy Sean Fleming: I will withdraw the remark as a result of some Members feeling that the comment was directed towards them, which it was not specifically.

An Cathaoirleach Gníomhach (Deputy Michael Ring): Deputy Smith, he has withdrawn the remark. Accept that now, please.

An Cathaoirleach Gníomhach (Deputy Michael Ring): The Minister of State should now continue.

Deputy Sean Fleming: We have had an interesting debate over the past hour or so. In particular, we had a very important debate yesterday on recognising the State of Palestine. On the issue of neutrality, the world has changed since the last general election. In my lifetime, I have never seen an invasion by Russia into Europe before. I have heard no------

Deputy Danny Healy-Rae: Ukraine is not in Europe.

Deputy Sean Fleming: What?

Deputy Danny Healy-Rae: Ukraine is not in Europe.

Deputy Sean Fleming: It is not in the European Union. It has preferred status to-----

Deputy Danny Healy-Rae: It was part of Russia.

An Cathaoirleach Gníomhach (Deputy Michael Ring): Please, Deputy Healy-Rae. I will have to ask you to leave if you do not stop. Let the Minister of State continue.

Deputy Sean Fleming: The UK is not in the European Union but it is in Europe. The Eu-

ropean Union is not Europe and it is important to recognise that. Switzerland is in Europe but it is not in the European Union. I am not referring to the EU.

In the last few days, I have heard very little criticism in this House of what Hamas did on 7 October. We are very fair and proportionate. We criticise what Hamas did on 7 October and we also and more firmly criticise the actions of Israel and its barbaric slaughter in the Gaza Strip of thousands of utterly defenceless innocent women, children and men. When we talk about neutrality, we cannot ignore what has happened in the world since the last general election. In case the Deputies have not noticed, there have been changes since then. They talk about neutrality. I talk about military neutrality as part of this debate for the very simple reason that I, the Deputies and everyone else know the Irish people are not one bit neutral when it comes to Israel and the Palestinian people. We are not a neutral country politically or ideologically. We do not favour downtrodden people being overrun by military might, as happened in this country over many years. We are not neutral when it comes to a big, aggressive offender with mighty arms, trampling over lives and killing innocent people who are powerless to defend themselves. Similarly, the Irish people are not one bit neutral when it comes to Russia and Ukraine and what Putin has done in Ukraine. The Irish people are very clear. We support the Ukrainian people. We support Ukraine's early access to the European Union in order that, collectively, we will be stronger against the aggressions of the military might of Russia. Russia believes the longer this goes on, the better for it because it will wear down resistance.

Ireland has worked to make sure funding is put back in place for various projects, including for the people in Gaza. We are taking a lead with UNRWA and asking countries that have suspended funding to reinstate it immediately. I attended a meeting of the foreign affairs committee in Europe two weeks ago to put pressure on the European Commission which had withheld some of its funding to UNRWA while Ms Catherine Colonna's investigation was under way. The European Commission has agreed to bring forward and pay over the funding it had withheld. That is what we do.

We are not neutral when it comes to Israel and Gaza. We are not neutral when it comes to Russia and Ukraine. However, people think we are neutral. They should get real. The Irish people are not neutral. This Chamber is not neutral. Deputies should not talk to us about being neutral when some country is slaughtering the people of another country. We are not one bit neutral. When it comes to military action, as a small country of 5 million people, we have been taking part in peacekeeping missions around the world for 60 years. There has not been a single day in over 60 years that Ireland has not been involved in a UN peacekeeping mission. That will continue because people see us as fair-minded. We never participated in a war, invaded a country or supported any country during the world wars.

An Cathaoirleach Gníomhach (Deputy Michael Ring): I thank the Minister of State.

Deputy Sean Fleming: I commend the Government amendment to the House.

Deputy Bríd Smith: The Minister of State was obviously in the House when I spoke earlier but chose to ignore what I said. He spoke of hypocrisy but his hypocrisy has been shown and thrown open today. I will repeat what I said. I made absolutely clear that I opposed both imperialist powers that seek to divide the world into their respective spheres of influence. I said I openly opposed the US empire and equally opposed its Russian and Chinese rivals. Maybe the Minister of State is deaf or maybe he chooses not to hear it but what he did here earlier was disgraceful. Thankfully, he withdrew his comments.

I have a couple of questions that I would like the world to repeat to this Government. When is it going to bring the Bill to end the triple lock before the Dáil? Clearly, and for very good reasons, it is not going to happen before the European and local elections. It is because the Government knows it would make it unpopular. If it is going to bring in the Bill before the general election, then make it a general election issue if it will not give the people a referendum. It should give us a new manifesto from Fianna Fáil which states it is ditching our neutrality and will bring the sons and daughters of working-class people to engage in combat in any part of the world it chooses. I repeat that question. Where does the Government want to send the sons and daughters of Irish people to take part in combat? The Government cannot and has not answered this.

Lastly, an important question was asked today that needs to be repeated. How does the Government know that US aircraft, such as the C-17 which carried UN general commander Erik Kurilla into Tel Aviv to engage in discussions with the Israeli military, are not carrying weapons or bombs? It does not inspect them. The Seanad will deal with this today in its motion on air navigation and transport and we fully support it. I thank all Members of the Opposition who spoke. I will give Deputy Boyd Barrett an opportunity to speak.

Deputy Richard Boyd Barrett: The Government has resorted to McCarthyism. That is what we saw here today. It is absolutely unbelievable but it is not surprising it would have adopted the tactics of the Cold War merchants of the United States who sought to actively crank up inter-imperialist rivalry to the terrifying level that at one point we were on the brink of a nuclear war over Cuba. Those are the stakes. The Government should be honest on where it stands in that very frightening new international security framework, to use the Minister of State's phrase. Let me be clear about our position because it is crystal clear and consistent. We support neither Washington nor Moscow, neither London nor Beijing. We oppose all these empires and imperial military blocks equally. We have a record of it which, frankly, is very much better than that of the Government.

Fianna Fáil leaders have gone over and hobnobbed with Putin. We have never done that. In fact, we have comrades who are languishing in Russian prisons at the moment because they opposed Putin's bloody war in Ukraine. We just do not happen to believe escalating that conflict to the point of a possible nuclear war is a very good idea. We think it is terrifyingly dangerous. However, we are absolutely consistent, unlike the Government. There is one thing missing in the Government's amendment and in its characterisation of the new international situation that allows it to abandon solemn commitments, made in its parties' manifestos, in the Dáil and in the programme for Government, that it would retain the triple lock. Its justification for that is the new international framework but the only thing it mentions in its amendment is the Russian invasion of Ukraine. There is not a word about the various obvious other new contexts for this, specifically that the powers that dominate NATO are the ones that are arming to the teeth the state that is committing genocide in Gaza and that, even now, Biden refuses to say the action Israel took in killing 45 people in Rafah in a bombing of people languishing in tents who had fled from other parts of Gaza does not breach his red line. I think Putin is a monster and a tyrant. By the way, I said this in the Dáil long before the Government ever used words like that about Putin. However, what sort of monster and tyrant does not think the regime that slaughtered innocent people in tents who fled to Rafah from other places is not equally a monster and a tyrant? The amendment makes no mention of that or the regime that was capable of killing, directly and indirectly, 1 million people in Iraq based on a pack of lies concocted about weapons of mass destruction. The Government was silent about that and allowed 2 million troops to go

through Shannon Airport to perpetrate that slaughter. Those were criminal actions based on a pack of lies.

12 o'clock

We are consistent - we oppose war and empires. That is what Irish people feel about neutrality because we were victims of empires and, therefore, we should not align with them. We should stand with the oppressed of the world against these warmongering powers and empires.

As well as the Government's breaches of promises in its manifestos and statements in the Dáil, I draw the Minister of State's attention to a possible legal impediment to the Government doing what it wants to do in getting rid of the triple lock and abandoning further our neutrality, which is the national declarations made at the time of the Treaty of Nice and the Treaty of Lisbon. Those national declarations were launched with the EU in advance of those repeat referendums in order to assure the Irish public that under no circumstances would the triple lock be abandoned. They were not just verbal commitments; they were launched with the EU. Arguably, if the Government attempts to bring this legislation through, it will be in breach of international law. Think about that one, as well as the moral bankruptcy of saying one thing to people before an election and abandoning it afterwards. As Deputy Paul Murphy laid out forensically, there is nothing in current legislation or in the triple lock that prevents us from doing humanitarian or other missions that are genuinely about peacekeeping. We insist that there is a constraint on the Government, which should be in our Constitution, that prevents it from deploying the sons and daughters of working-class people in wars headed up by powers like the United States, Britain, France or Germany - the states that are complicit and up to their necks in the Israeli genocide in Gaza. The horror we are witnessing could be turned off like that if the United States, Britain and Germany stopped arming Israel.

The Government suggests that Putin's invasion of Ukraine is a reason we should ally ourselves with powers like that. No, the opposite is the case. Putin's invasion of Ukraine is the reason we should never have anything to do with these bloody imperial powers. We stood with the Afghani people when Russia invaded Afghanistan. That was a bloody, horrific war. We stood and protested with the people of Chechnya when Russia launched a bloody, murderous assault on its people. We stood with the people in Hong Kong when they fought against a crushing by the Chinese regime of their democracy. We stand with the people of Tibet against the Chinese regime. By the same token, we stand with all oppressed people - the Palestinians, the people of Yemen as they are being slaughtered by the Saudi regime armed by the United States, and people in Latin America who, time and again, were victims of the United States believing that South America was its backyard and was willing to arm militias to undermine democratic governments and movements in El Salvador, Nicaragua and so on. That is a consistent foreign policy. It is what I think people want. It would be an absolute betrayal of Irish neutrality and our entire history of resistance and opposition to empire and colonialism for the Government to do what it is trying to do, as well as it very possibly being a breach of solemn legal commitments made in advance of the second Nice and Lisbon treaty referendums. The Government has been called out. It is interesting that the Tánaiste said we provoke him. We provoke you because we remind you of the facts and cut through the dishonest narrative the Government has used to justify its moves away from neutrality.

Amendment put.

An Ceann Comhairle: In accordance with Standing Order 80(2), the division is postponed

until the weekly division time on Wednesday, 29 May 2024. Now, later than scheduled, we proceed to Leaders' Questions.

Ceisteanna ó Cheannairí - Leaders' Questions

Deputy Mary Lou McDonald: The cost of living is putting enormous pressure on households. A report by Barnardos published this morning highlights the sharp impact on families and children. Nearly half of parents say they or their children have gone without or cut back on the basics over the past six months. This includes food, clothes, medicine, electricity and heat. Some 47% of parents say they are forced to cut back on social activities for their kids. The vast majority of those surveyed say they worry about not being able to provide the daily essentials for their children. These are the stories I hear from families as I canvass around the country. Speaking on radio this morning, Barnardos CEO Suzanne Connolly captured the real stress and worry for parents, saying:

> Can you imagine what it is like living in a household where you are having to make those type of choices about whether to have the heating on or to have variety in your diet in terms of food? Can you imagine what it is like for parents having to say to children, 'We cannot do what your friends are doing ... we cannot afford it'?

That is the reality for so many workers and families. For many of them, the cost of living has never been higher and getting by has never been more difficult than under this Government. People are paying hand over fist for sky-high energy bills, housing costs, food, insurance - everything - while big, super-rich companies make record profits and the Government stands idly by, allowing rip-offs to happen. People who work very hard to provide for their families are being squeezed every single day.

Having failed to tackle the cost-of-living crisis, the Taoiseach is now talking a big game nine days out from an election. He sat at the Cabinet table as the Government chose not to introduce permanent supports for struggling families, which would have made a long-term difference. He was there as the Government chose not to increase the core rate of child benefit or the qualified child payments to the levels needed. Last month, the Government chose to increase the price of petrol and diesel and it has proposed to do so twice more once these elections have passed. Despite the Taoiseach's stated concern and instead of making every effort to reduce costs for households, he proposes to increase them. He will forgive many for not believing his big talk on the eve of an election.

Tá géarchéim an chostais maireachtála fós ag cur brú ollmhór ar theaghlaigh. Tá an Taoiseach ag caint ar chluiche mór naoi lá amuigh ón toghchán. Ní mór anois aige ach fáil réidh leis na hardaithe peitril agus díosail atá pleanáilte.

If the Taoiseach is genuinely concerned about struggling families, why would he make them struggle more? He must know that raising the cost of petrol and diesel again and again will hurt these families, so he should not do it. If he is serious about tackling the cost of living, he should start by scrapping plans to hike the price of petrol and diesel in August and October.

The Taoiseach: I welcome the opportunity to discuss the important issues highlighted by

the Barnardos survey published this morning. I am very grateful to Barnardos for the work it does and the survey it produced. I thank its dedicated staff and volunteers. Objectively, Ireland is making progress when it comes to child poverty. The consistent poverty rate for children is now lower than it has been at any other time since measurements began in 2004. Similarly, the at-risk-of-poverty rate for children is now lower than at any other time since we started measuring it in 2004. The data also shows the positive impact on child poverty rates of the cost-of-living measures taken by the previous Government. The Barnardos report today has 12 indicators. Of those 12 on page 2 of its statement issued this morning, eight have shown significant progress over the course of the past year. That is why I said this week at the national economic dialogue that cost-of-living supports must also be a focus of the next budget. It is also why we held the first child poverty and well-being summit in Dublin Castle last week. It had more than 300 participants, including Barnardos, to ask what next do we do in Ireland. We do not want any child in Ireland to be hungry. We do not want any family in Ireland to struggle. How do we work together on both universal supports and more targeted measures? I must say to the Deputy that by any fair analysis, we have taken a number of measures that have already made a positive difference to families, whether that is reducing the cost of childcare, increasing parent's leave and benefit, providing free schoolbooks to all children in primary school or providing an expansion of the hot school meals programme and making sure we have hot school meals for all primary school children in 2025. Moreover, we have provided access to free GP care and the Government took a really important initiative last week called Equal Start. The Children's Rights Alliance called this initiative one of the most important measures you could take if you were serious about tackling child poverty. This is a new Government-funded model to ensure there are extra supports for disadvantaged children in early learning and childcare. There is of course much more that we want to do, both on the universal side and the targeted side.

However, the Deputy specifically mentioned the fuel issue. Here is where I think there are a number of inconsistencies in her approach. First, she travels the globe, most recently to Massachusetts, talking to the next generation about the importance of climate change. Yet, she comes in here and - I think many of the Opposition would agree with me on this - refuses to take every single opportunity she has to show leadership on climate. She opposes every single measure put forward, while telling young people across the globe that she wants to address the climate emergency. Perhaps more hypocritical is her position on petrol and diesel. She is misleading people again. To the men and women at home, driving to and from work, collecting children from school later today, I say that while the Government keeps future rises under review, including the August one, the Sinn Féin alternative budget proposed restoring all of the carbon tax by April. Stop trying to cod people. The people are not thick. They can see through this single gear Sinn Féin has, which is to sow outrage, shout and roar, go rah rah rah and stick a video up on Twitter. When push came to shove, at decision point, and Sinn Féin had to present its alternative budget to this House, it proposed to extend the reduced rate of excise duty for petrol and diesel to April, not August.

Deputy Mary Lou McDonald: The report makes absolutely clear that half of households, both parents and children, struggle, go without and worry.

The Taoiseach: Yes, and let us talk about it.

Deputy Mary Lou McDonald: That is the upshot of the Barnardos report. It is an echo of Social Justice Ireland, which equally recorded those stresses and strains. Insulting me does not take from that reality. I have put to the Taoiseach that he has made and stated his intention that he wishes to tackle the cost of living. He has made quite a production around this. That is

good and he should do that. I am saying that hiking diesel and petrol prices in August and then again in October will not achieve that aim. On the contrary it will make a difficult situation far more difficult, particularly for families that live in rural and isolated communities, and for other families who must rely on their car for all sorts of reasons. Why would he do this? I am asking him to put his money where his mouth is. If he believes he will tackle the cost of living, he should start by scrapping and being explicit that there will be no hike in diesel and petrol costs in August or October. It is that simple.

The Taoiseach: The Deputy must not be a sensitive soul. When I talk about holding her to account for what she said, it is not insulting. I would never insult her. I have great respect for her as a person, but this is what she said about the budget. That is what she said and I can only judge her on the figures she produces and so can the Irish people. I want to motorists to know that, as a Government, we keep this under review and have great form in this regard. Reversals on reductions that were due to come into place as far back as August 2022 have been rolled over.

Deputy Mary Lou McDonald: So, he is not doing it.

An Ceann Comhairle: Please. The Taoiseach, without interruption.

The Taoiseach: We are keeping it under review and will make those decisions and continue to keep it under review. However, I am glad the Deputy has also referenced the issue of child poverty today. Child poverty is a really important issue, and we need to do more, but let us look at our record versus Sinn Féin's. In the last budget we extended child benefit, benefitting 60,000 more children. Sinn Féin did not wish to benefit one extra.

Deputy Mary Lou McDonald: Not true.

The Taoiseach: We put €45 million more into hot school meals, they put a paltry €15 million in. We increased the domiciliary care allowance. Sinn Féin did not think those parents deserved any more.

Deputy David Cullinane: We did.

The Taoiseach: We provided a lump sum payment for families on qualified child payment. Sinn Féin did not.

Deputy Mary Lou McDonald: I can feel another fact check coming on.

The Taoiseach: We increased the income threshold for working families, and Sinn Féin did not do that either. In Northern Ireland, where Sinn Féin is now leading the government longer than I am leading this one, it does not yet have a strategy to tackle child poverty. The Deputy can read what the Northern Ireland Audit Office has said.

An Ceann Comhairle: Thank you, Taoiseach, time is up.

The Taoiseach: When is the Sinn Féin First Minister going to deliver a child poverty strategy in Northern Ireland?

An Ceann Comhairle: On behalf of the Labour Party, I call Deputy Ó Ríordáin.

Deputy Niall Collins: You are all very quiet over there.

Deputy Aodhán Ó Ríordáin: I was privileged on Monday to visit the SAOL Hub-----

Deputy David Cullinane: Another fact check coming.

An Ceann Comhairle: Can we have a little order please?

Deputy David Cullinane: More lies.

Deputy Aodhán Ó Ríordáin: I want to talk about disabilities-----

Deputy David Cullinane: More lies.

Deputy Aodhán Ó Ríordáin: -----if people would give me the opportunity.

On Monday, with our local Labour representative Patrick Dempsey, I was privileged to visit the SAOL Hub in Ballyfermot Community Civic Centre run by Stewarts Care. We heard first-hand the challenges facing young adults with disabilities - the under-resourcing and lack of opportunities. As the Taoiseach knows, disabled people are at a much higher risk of poverty and social exclusion. They are more likely to be out of work and to leave education early. In 2015, I was proud to be involved in the creation of the comprehensive employment strategy for people with disabilities. Yet almost ten years on, Ireland still has the highest disability employment gap in the EU at almost twice the European average. There are many reasons for this, but a failure to support people to overcome barriers is fundamental to Ireland's poor outcomes. There is still no recognition of the cost of a disability and if a person takes up work, he or she may lose their medical card.

However, many parents cannot even think about future employment when they are swamped with the difficulties of accessing services and supports for their children. When the Deputy became Taoiseach, he said disability would be one of his priorities and we welcomed that. He knows this is a burning issue for many families. There are huge delays in assessment of needs for children with almost 15,000 on waiting lists. There is a lack of supports for young adults when they leave the education system. There is huge disquiet about the resourcing of additional complex needs in schools, and the chronic failure to ensure access to occupational therapists, speech and language therapists, psychologists and so on. A few weeks ago, we had a national discussion about the rights of disabled people, yet it has fallen off the political radar again. It is the last week of May and no allocations have been released yet for special needs assistants. It shows enormous disrespect for educational staff. Principals of special schools have highlighted the need for therapists to be in their schools, rather than allocated to the HSE's children's disability network teams. This mistake, introduced six years ago, is now being reversed but there are huge barriers to recruitment because they were not being offered permanent contracts. The Minister now has to go to the Department of public expenditure and reform to get sanction for what should have been obvious in the first place. There was no consultation with disability organisations about the removal of complex needs criteria from the allocation of special educational teachers. Yesterday, the Minister had to admit that an additional 1,000 teacher hours would have to be allocated. Schools are being forced to go to the NCSE to fill the gap when they do not have alternative supports. Inclusion Ireland has said that all policies should be rights proofed and child centred and this needs to be revisited.

These are the questions I have for the Taoiseach almost two months into his term. The Ceann Comhairle might allow some latitude as I was interrupted at the beginning. What has been done to address the cost of disability, and will there be a new comprehensive employment

strategy for people with disabilities? Will the Taoiseach consult disability organisations and reverse the removal of complex needs hours from schools? Will he guarantee every child will have a place in September? When will allocations for SNAs be made? It is getting later and later every year.

The Taoiseach: I thank the Deputy for raising this important matter. I acknowledge the work of SAOL, and people are happy to engage with that organisation. There are a couple of issues, and I would like to address each of them. On comprehensive employment and the need to do more for people with disability to access the workforce, I acknowledge that it was a former colleague of the Deputy's, Fergus Finlay, and others who set up the Trinity Centre for People with Intellectual Disabilities. It is quite inspiring what they have done, because it is not just access to education but crucially access to employment after. I am pleased to inform the Deputy that from September, that model or a similar one, will be rolled out to approximately one dozen more higher education complexes and institutions across the country. I think that link between education and employment opportunities is important, and we can learn much from the Trinity centre. There is also a funding allocation for that.

I am not happy with where we are on assessment of needs and neither are the Ministers of State, Deputies Rabbitte and Naughton. That is why we announced an additional €12 million last week to try to address the backlog in families waiting for an assessment of need. Many families are waiting far too long. I again acknowledge the Deputy's constructive role in the Labour Party in this area. I am pleased that, in the short term, private capacity will be used to try to help address some of that backlog. I think that may have arisen from a motion tabled by the Deputy. A recruitment campaign is now under way for the children's disability network teams. From memory, about 161 people have been offered jobs in those teams as result of that recruitment campaign, and phase 2 of the campaign is due to commence later this year.

In respect of the special education teaching hours, the Deputy is right. The Minister of State, Deputy Naughton, has reminded me that, as a result of a review, about 1,000 additional hours will be announced in the coming days. There are learnings regarding this model and the lack of consultation and engagement, which the Department should reflect on. I am pleased the review is showing that some of the concerns that had been highlighted are now being addressed. The Minister of State is working intensively with the Minister for Education to ensure every child with a disability will have access to an appropriate school place this September. We are also working to put on a permanent basis the 39 therapy posts the National Council for Special Education now has sanction for.

As for a new comprehensive employment strategy for people with disabilities, that will be considered as part of the new national disability strategy. There is due to be a very significant engagement with stakeholders on that later this week, I think on Friday, and I have now decided to personally chair a Cabinet committee on disability. It has met twice in my seven weeks in office and will continue to meet monthly, to try to break down silos and bring people together.

I could quote statistics for extra investment and so on but that would kind of miss the point. I accept there are still very many challenges in the delivery of services here and I hope some of these measures will provide some hope to people and some positive momentum.

Deputy Aodhán Ó Ríordáin: The Taoiseach has accepted some of the Government's failures but I would not put them at the feet of just the Department. The Minister stood here and said 33% of schools would have a disadvantage in their allocation of hours under the model that

was suggested and there was no adequate consultation but the Taoiseach is working to correct that.

On the rates of people with disabilities in employment, a person with a disability is more likely to be at risk of poverty, be socially excluded or fall into addiction. Our rate of people with disabilities in the employment force is 32%. The European average is 51%, so it should be a Government priority to reinitiate the comprehensive employment strategy for people with disabilities. We in the Labour Party understand absolutely the power and dignity of being in work and how important that is. If the rate is 32% here and 51% in most European countries, we obviously have a huge amount of work to do, and the danger is more people with disabilities will fall out of mainstream society and not feel as empowered or as loved and cherished as they should feel.

The Taoiseach: There is sometimes a difference in the classification of disability across the EU but that does not take from the broader point the Deputy made about our participation rates of people with a disability in the workforce not being where they need to be. At a time of full employment, we need to address areas of underemployment where people with a disability would like to access the workforce. Employers need people in the workforce and the Deputy's suggestions are sensible.

I do think the approach we are taking, though, in the linkage between the educational opportunity and the employment opportunity is important. The career guidance strategy review that I published in my previous role with the Minister for Education, which talks about putting career guidance supports into special educational schools, has to be a priority and will be a personal priority of mine for the next budget.

In terms of education in general and some of the points the Deputy made about access to places, the Minister of State, Deputy Naughton, intends to increase the number of special educational needs organisers, SENOs, the people organising services on the ground and organising education, from 73 to 120, which is a very important support for parents and teachers. We are happy to continue to constructively engage with any suggestions in this area.

Deputy Michael Lowry: I raise the issue of community cancer support centres. A diagnosis of cancer can bring with it a myriad of changes. Life can suddenly become a roller-coaster of medical appointments and hospital stays, being unable to work, financial worries, a loss of independence, unintended isolation and a tsunami of fear and uncertainty. These all-consuming changes come at a time when a person is already feeling vulnerable, worried and sometimes even angry. Their world and that of their families and loved ones become plagued with questions and concerns. In the midst of these changes, patients and those close to them can become overwhelmed. Their minds are flooded with worries and fears that they often feel unable to discuss with one another. Questions that need answers go unspoken and worries stay silent for fear of magnifying this worry in others. Individually and collectively, they are crying out for support. They simply want someone who will listen and hear their fears, someone who can guide them along the unfamiliar path on which they find themselves and walk with them when times are tough or overwhelming. Medical professionals cannot adequately offer this support. Demands on their time do not allow them to do so.

For more than 30 years, community cancer support centres have been providing this invaluable and vital service in many locations across the country. These centres are partnered with and recognised by the Irish Cancer Society for the instrumental role they play in the lives of

patients, their carers and their families. The national cancer strategy identifies community cancer support centres as a key service for cancer patients. They provide psychological, emotional, educational and practical support in a warm and welcoming environment to people with cancer and those who care for them. Their services are confidential, professional and caring and are provided free of charge. They offer a supportive role during and after a journey with cancer. They spend quality and precious time with all those in a family who have been impacted by their loved one's cancer diagnosis. It would be impossible to estimate the magnitude of the role they play, yet despite this, community cancer support centres have operated as registered charities since their inception and rely solely on fundraising. They received no designated funding until this year, when they were awarded €3 million in a one-off fund from the Department of Health to support the 16 centres they operate across the country, including Suir Haven, Thurles, North Tipperary Hospice, Roscrea Outreach Centre and the Circle of Friends cancer support centre in Tipperary town. This funding has allowed them to sustain and increase the incalculable role they play. However, the demand and the proven need for community cancer support centres will not end in 2024. One-off funding cannot sustain the demand for such services.

The community cancer support services have more than proven their worth. Will the Government support their call for annual funding to enable this service to continue its crucial work?

The Taoiseach: I thank Deputy Lowry for raising this really important matter. As he started speaking, I was reminded of a delegation he brought to see me many years ago, when I was Minister for Health, from the Circle of Friends group in Tipperary town. He will remember that at time, the late, great Sarah Gleeson came to see me with Jennifer Jones Hickey and others, and I think of Sarah and her family today. She made an incredible contribution and legacy to cancer services and to the Circle of Friends in Tipperary town, and I thank her and others. I remember visiting the Circle of Friends and Sarah being too ill to attend but in her memory, we were all able to work to provide very significant funding, with community and the Government, to deliver that state-of-the-art centre. I was just reminded of those meetings as we are talking here today.

The Deputy is right about the role of community cancer support centres. There is not a Deputy in this House, regardless of party affiliation, who does not know the incredible benefit of them, and I am really pleased the current national cancer strategy, which runs from 2017 to 2026, recognises that important role. There is stuff the State must do, and there is stuff the State does well and stuff it must do better, but alongside that there is that partnership approach with the voluntary centres. More people in Ireland are now living after a cancer diagnosis and, therefore, the supports of our community cancer centres are growing in importance. As the Deputy rightly said, they are voluntary organisations, and many of them are legally charity organisations as well. They deliver a range of services directly to cancer patients, as well as to their families and carers, and this emphasises the importance of, and facilitates, improved quality of life during and after cancer treatment. The services are free of charge and are delivered in a community, non-hospital setting, and the idea a patient is not just a patient but also a person who is able to access services that look at all of their well-being in the community is really important.

The national cancer control programme established in 2022 an alliance of community cancer support centres and is now working closely with these centres on the psycho-oncology model of care and its implementation. I am pleased to say an additional €3 million in funding was allocated to the community cancer support centres in the most recent budget, which will help these voluntary and charity organisations to deliver services directly to cancer patients and

their families. All centres that were full members of the alliance were invited to submit applications for that funding this year. The national cancer control programme advises that letters with funding amounts for 2024 have now been issued to all of the centres and grant agreements are currently being signed off. I believe those grants are due to start to be paid this week and that grant payments for all of those who have received funding through the alliance centres will be completed in early June.

As we move towards budget 2025, I want to see how we can put that funding on a sustainable footing.

Deputy Michael Lowry: The most important element of this is that the €3 million was very welcome and it sustains those organisations throughout this year. Their difficulty is that they cannot plan ahead and they need an annual budget. I ask the Government to ensure that an additional €3 million or whatever the figure is included in the budget at the end of this year for next year, that is, the year 2025.

An estimated 42,000 people are diagnosed with cancer in Ireland every year and the good news is that more people in Ireland are surviving cancer than ever before. Investment and support under the two national cancer strategies have helped significantly in improving outcomes.

Deputy David Cullinane: We provided €6 million in our budget.

The Taoiseach: You did.

Deputy David Cullinane: It was permanent, as well.

Deputy Michael Lowry: However, this has declined somewhat due to what has been a reduced investment and funding priority in the 2017 to 2026 strategy the Taoiseach just referred to, so I ask the Taoiseach to address that and ensure adequate and proper funding is put in place to keep the organisations doing the tremendous work they do.

The Taoiseach: I thank the Deputy and as he will appreciate, the €3 million was the first time we provided this model of funding to the alliance. I have met many of these organisations and I know many of them in my own county. I have met a number of these organisations around the country and the funding was welcomed as an important step. I accept it is a first step. I accept the organisations want to have an ability to be able to plan beyond year to year or beyond having to apply on a recurring basis. Let us now see how we can make that happen in terms of the delivery of the health budget for 2025. The level of investment is very small compared to the level of community investment and I do not think it is too much of an ask from the communities that raise so much that the Government would provide a greater level of certainty of funding for the years ahead. I am happy to work with Deputy Lowry and any like-minded Deputy on this in advance of budget 2025.

Deputy Michael Healy-Rae: I wish to raise road safety schemes in County Kerry. Over a long period, Councillor Jackie Healy-Rae in the Castleisland electoral area has raised this very important issue. In 2024, Kerry County Council and our excellent director of roads and transportation, Frank Hartnett, have only received €550,000 to progress road safety schemes in the entire county. This is an increase of just €7,000 from 2023. In one municipal district in Kerry that stretches from Scartaglin back to the west of Dingle, the Castleisland - Corca Dhuibhne MD, will only be able to progress one safety scheme this year due to this allocation. Kerry County Council requires €30,000, which is a small sum of money, to progress a safety scheme

at Lisheen cross in Gneevgullia where there is an extensive accident history. Recently, there was another major accident at this junction involving five people and it is only a matter of time before someone is killed at that location. That project is shovel-ready but is starved of funding.

A sum of €60,000 is required to progress a safety scheme in Castleisland town at the junction of Church Street and Main Street. An extremely busy mart is located down this road and it is heavily trafficked. Another scheme requiring funding for traffic calming measures and a pedestrian crossing at an extremely busy crèche facility in Firies along with further traffic measures in Firies village where there is a big residential development. A recent traffic survey found cars going in excess of the speed limit there.

The junction at the very busy Gortatlea Mart, which provides a great service on the N21, requires a right-turning ghost island to facilitate traffic turning right. Transport Infrastructure Ireland, TII, in its infinite wisdom burned off the road markings a number of years ago. Another right-turning ghost island is required further up at the Glanshearoon viewing area on the N21. There have been multiple fatalities along that road.

The point I am trying to make is the Taoiseach and his Government - and rightly so - are concerned about traffic safety on our roads. The Government continuously looks at different ways, and I do not disagree with the Government looking at it. However the Government is looking at certain issues, such as driver behaviour and saying speed limits should be reduced from 100 km/h to 80 km/h, 80 km/h to 60 km/h and 60 km/h to 40 km/h. I do not agree with that. I would never vote for that and I will tell the Taoiseach why. I have no monopoly of being right in this House and I am not waving my hand at the Taoiseach and saying he is wrong. The Taoiseach's heart is in the right place but I say that what I would call simplistic political reactionary actions such as that are not what is required. What is required is to fund us, for instance in County Kerry and every other county in the country. Every other Deputy in this House has the same issues. They could stand up and name crosses, junctions and locations. Why is the Government not seeing to those accident locations where people are being injured and putting themselves in danger?

An Ceann Comhairle: I thank the Deputy.

Deputy Michael Healy-Rae: I ask the Government to look at the bigger picture, the deer roaming onto our roads and the fact local authorities are not cutting hedges and keeping trees back to gives us sight distance on our road. I am asking the Government to look at the bigger picture and when it comes to road safety and the RSA-----

An Ceann Comhairle: I thank the Deputy. We are way over time now please.

Deputy Michael Healy-Rae: -----to not just be looking at the one thing all of the time - penalty points and driver behaviour on the roads. Look at our responsibilities. It is all of our faults that we are not spending money at those locations. I am not blaming the Taoiseach; I am blaming all of us.

An Ceann Comhairle: Please Deputy, we are way over time.

Deputy Michael Healy-Rae: We should be doing more to help people on the ground.

The Taoiseach: I thank the Deputy for raising this matter. At the outset, as we approach another bank holiday weekend, I am sure everyone in this House will join in calling for people

to be very conscious of driver behaviour on the roads this weekend. I will get to the Deputy's direct point in a moment.

Let me actually get to it now because I agree with the Deputy to a point. I definitely agree that road safety is not down to any one thing. If we are extraordinarily serious about road safety and reversing the worrying trend we have seen in deaths and injuries on Irish roads this year, we need to look at every lever at our disposal and every thing we can possibly do. I will come back to that in a moment.

What we also know, and I am sure the Deputy will not disagree on this, is that driver behaviour - what the RSA calls "killer behaviours" - accounts for a very significant majority of deaths and accidents on Irish roads. We need to be very conscious of that. Speed, drink driving and drug driving kills. There is the importance of wearing a seat belt. The basic things we have been trying to ingrain in Irish culture and psyche for many years are as important, if not more important, than ever. Not using a mobile phone while driving is another major one. I have met a lot of people on this issue over the last number of weeks, including the Medical Bureau of Road Safety, An Garda Síochána, the Road Safety Authority, local authorities and TII. We need to continue at every opportunity to get that message out about driver behaviours and the impact they have on road safety. I know the Deputy gets that.

I will clarify the Government's position on speed limits. In legislation the Government passed, local authorities are empowered with regard to final decisions on speed limits because I believe in local government and that local councillors will always have good and important knowledge that we perhaps would not have here in the Dáil. Speed limits and speed limit levels are important but allowing that understanding that the local authority would be pre-eminent is also quite important.

The Deputy is also right that the quality of roads, investment in roads, road repairs, road safety and working with the local guys is also very important. It is a sad state of fact that when we see accidents happen on roads we often see them happen on the same stretch of road or bend in the road - what used to be known as the accident blackspots back in the day. That is why we want to continue to invest more in safety schemes as well.

I have a list of a number of allocations the Government has made to Kerry County Council, including in 2024. Allocations of €30.14 million were received by Kerry County Council for works to be conducted under various grant types. Under safety schemes specifically, the Government has provided funding for five safety schemes. The Deputy may have referenced some of them already. They are Whitebridge, Two Mile school, Abbeydorney village, Castlegregory village, Tailor's Row and Ardfert village. We have also provided capital funding of €9.7 million, which has been allocated to the protection and renewal of the national road network in Kerry.

With regard to the specific issues and stretches of road the Deputy has raised, if he provides those details to me in the context of road safety I will also ask that the Department of Transport and TII look at them and work with Kerry County Council on these matters.

Deputy Michael Healy-Rae: If the Government is serious about saving lives on our roads, the local authorities will need a massive increase in funding for road safety schemes. The RSA recently spent €800,000 on one single television advert for its 30 km/h town campaign which in my personal opinion was a glorified tourism advert for the town of Clonakilty. Yet Kerry

County Council only received, again, €550,000 for the entire county to progress road safety schemes in 2024, schemes that will have an impact on our roads. Money is being squandered on TV adverts that have little or no effect. It would be far better spent by the Frank Hartnetts of Ireland in our county councils to effect real changes on our roads.

I want to pay tribute to the great soldiers and people on the ground working for Kerry County Council, and for local authorities throughout the country. They are the people who are out in bad weather trying to keep roads clear, filling potholes, doing tarring and skirting, laying surface dressing and doing maintenance work on all of our behalf. I want to compliment every one of those people here today and acknowledge their work in wet and inclement weather.

The Taoiseach: I am trying to be agreeable on this because the Deputy raises valid and important points about road safety and we want to build a political and societal consensus around road safety which is a major issue. I have a point of difference with the Deputy to TV adverts. There is behavioural science that shows the importance of those impactful ads. Everybody in this House and anybody watching this debate at home can think of some of the impactful ads that have been broadcast over the years and the impact they have had in generating conversations around kitchen tables, in the workplace, at the water cooler and all of that. That is good.

On roads, I would respectfully say that the €550,000 refers to five specific roads projects under the title of road safety schemes. The totality of funding we provide to Kerry for regional and local road networks, which has a contribution to road safety, is €30.14 million for this year. We have also provided €1 million in current funding to Kerry County Council to fund regular maintenance operations, including winter maintenance and route lighting. The past number of months have been horrific in terms of rain. That has had a real impact on roads. I join the Deputy in paying tribute to all local authority staff for the work they have done and I hope Government in the coming days is in a position to recognise the impact that the weather has had on roads and support our local authorities in a practical sense in that way.

Ceisteanna ar Pholasaí nó ar Reachtaíocht - Questions on Policy or Legislation

An Ceann Comhairle: That concludes Leaders' Questions. Please adhere to the one minute allowed for Questions on Policy or Legislation.

Deputy Mary Lou McDonald: I will endeavour to do so. I want to raise an important issue that affects hundreds of former Waterford Crystal workers, some of whom join us in the Gallery. It is a group that has campaigned on this matter for years. The workers said Waterford Crystal Limited failed to properly inform them of their pension options when they were taking redundancy. This left them without an occupational pension and reliant on the State pension. I met a group of workers in Waterford recently. They are very angry and they believe, with good reason, that they have never gotten a fair hearing. The workers say the company misinformed them by offering them only one pension option, that is, the return of their pension contributions. By accepting this, workers claim they were unknowingly signing away their pension rights. The workers say they have never received any paperwork whatsoever outlining all of their options. Surely if proof exists of options being afforded to them, it should be produced but it has not been. I ask the Taoiseach to intervene in this very serious ongoing saga. I ask him to meet these workers, hear their case fully, have that case fully and independently examined and give

these workers what they deserve, namely a fair hearing.

The Taoiseach: I thank the Deputy for raising this issue. It is one that has been brought to my attention in this House in recent weeks by her colleagues and colleagues on the Government benches. I am happy for my office to make arrangements in the coming weeks to have that meeting. I am also happy to ask the Minister for Social Protection to perhaps join me at that meeting as well. I have a note on the issue, but I am not sure the note captures some of the concerns, quite frankly, that have been expressed by workers. I want to hear from them directly and I am happy to work with you on this matter.

Deputy Ivana Bacik: I join in welcoming the Waterford Crystal workers to the Gallery and the Taoiseach's commitment to meet them.

This week saw more grim news on climate, with the latest projections from the Environmental Protection Agency, EPA, showing starkly that we are not going to meet our emissions reductions targets, have no chance of achieving a 51% reduction in emissions by 2030, even though this is our legally binding target, and that in a best-case scenario greenhouse gases will only be reduced by 29% by 2030. Friends of the Earth called this alarming and disappointing, yet today there are reports that a memo was presented to Cabinet by the Minister for the Environment, Climate and Communications, Deputy Eamon Ryan, setting out a list of additional measures that he says could close the gap and that were not modelled by the EPA, measures that will, apparently, be contained in a revised national energy and climate plan to be published this week. The list of measures sounds somewhat like magical thinking to me, but I would like to know whether the plan will be published this week and whether we will have time to debate it in the Dáil. I understand it is to be submitted to the EU Commission next month. How does the Government propose to take the urgent action that is necessary to ensure we meet our essential and legally binding emissions reductions targets to avoid what we know is a climate catastrophe?

The Taoiseach: I thank the Deputy for raising this issue. To the very best of my knowledge, the plan is to publish that plan this week. Let me confirm that. It would be timely, subject to the agreement of the House, to have a debate on climate, the EPA report and the new national plan the Minister will publish and submit to Europe to fulfil our requirements. The EPA will acknowledge that it has not yet been in a position to model actions that are about to start. For example, yesterday we agreed a new national biomethane plan. There are changes proposed around Dublin city relating to traffic. The impact of such changes is obviously not yet represented in the 29% figure. There are also plans to bring forward a new national adaptation plan. I will talk to the Minister for the environment and seek clarity on when the report will be published. The Government will be happy to have a debate on this.

Deputy Holly Cairns: On the same issue, the EPA stated that even if every measure in the Government's climate action plan was implemented, the reduction in emissions would only be 29% by 2030. As the Taoiseach knows, the legally binding target is 51%. We are no closer to meeting our targets than we were 12 months ago. His colleague Minister for the Environment, Climate and Communications was on the defensive yesterday. He was annoyed that members of the Opposition were reading from the EPA report and quoting it accurately. We all know that the consequences of this failure will be catastrophic, particularly for rural and coastal communities. It will also expose us to multibillion euro fines from the EU, billions of euro which could be used to take climate action to retrofit homes across the country, restore biodiversity and improve water quality. Instead, the Government is going through that opportunity away.

The biomethane plan is welcome but it will not bring us up to 51%. Has the Government any plan or intention to reach our legally binding targets?

The Taoiseach: We have every plan and intention and as you said it is a legally binding target. That is why a debate in this House would be timely on that. While I accept we have a gap to close, any fair analysis of the EPA report would show that we are now on track to reduce emissions by almost 30%. Prior to this Government, we were increasing our emissions by 10% a year. To the credit of sectors of the economy, society and the public sector, we are now in a position whereby we are on track to very significantly reduce emissions. We have a climate tipping point. This is not something that will happen in the future. We need to get to 51%. It is our legal requirement to get 51% and we will work across this House on that. We can come back to some of these issues during the debate as I dot not have time now, but we are taking, and proposing to take, a number of actions that will bring that figure beyond 29% or 30%. We are very eager to engage with the Opposition on how we get to 51%.

Deputy Richard Boyd Barrett: Last week, 40 workers in the Newpark School of Music received the shock announcement that the school, which has 600 students and has been located on Newpark school grounds for 40 years, was to shut down with a week's notice. I thank the Ceann Comhairle for giving us an opportunity for a Topical Issue debate on this tomorrow, but I want to flag this issue now because these workers' jobs are gone. This cuts across Departments. At a workers' right level this is Debenhams Mark II. It would seem to me to be a flagrant breach of liquidation rules, so it needs intervention at that departmental level. It also requires the involvement of the Departments of Education and Tourism, Culture, Arts, Gaeltacht, Sport and Media. It is a non fee-paying school and a not-for-profit charity on the grounds of Newpark. It does outreach and provides music teaching. It is self-financing and it is now gone. I want to flag this issue. Some of those affected by this will probably be here for the debate tomorrow. I want urgent intervention on this because it just makes no sense that this should happen. I am asking for urgent intervention.

The Taoiseach: I thank the Deputy for raising the issue of Newpark School of Music. I am pleased that there will be time in the Dáil for a topical issue debate on it tomorrow. The Deputy has been constructive in flagging it with me today and I will certainly ask, in advance of that debate, relevant line Ministers and agencies to see what role the State may have in this, in order to be able to give the Deputy a comprehensive answer then.

Deputy Michael Lowry: The fall in the number of taxis is having a detrimental impact on towns and villages across rural Ireland. In County Tipperary, according to the most recent figures, there has been a drop to just 220 taxis, despite a population growth of more than 4,000. This has an obvious negative impact on hospitality and retail services. Pubs and restaurants are struggling as people are forced to stay at home. Securing transport is also a major issue for people who need to get to medical and personal appointments or, in some cases, simply to get to their nearest town. Without a local taxi service, many people are left isolated at home or stranded if they leave home. This growing issue was brought to the Government's attention at the start of this year. There was an agreement to explore the existing prohibitive regulations that deter people from entering the taxi industry, particularly the onerous local knowledge test, which up to 75% of applicants failed. Considering that GPS can direct drivers to given locations, should that regulation be removed? What is the current position on that review?

The Taoiseach: I thank the Deputy for raising this important issue. I will get him a specific answer from the Minister for Transport on this but the Government is very eager to take steps to

increase the number of taxis and hackneys available nationally, particularly in rural areas. For a variety of reasons, these steps have not yielded the numbers so further actions are planned and some are under way. I will write to the Deputy in that regard but the Minister for Transport has recently written to the advisory committee on taxis and hackneys to request its consideration of how taxi availability can be assessed and to make recommendations on relevant data. A driver recruitment campaign ran on national radio and digital platforms and applicants for new vehicle licences can apply for funding under a variety of schemes. I will get a specific update for the Deputy on the regulation.

Deputy Thomas Pringle: As the Taoiseach can imagine, many young constituents in County Donegal go on to study in the North given its close proximity to home and given the housing shortage in Dublin at the moment. At the beginning of this yea,r it was announced that funding would be made available for 25 additional medical students qualifying to study medicine in Queen's University from September 2024 and that, as part of that arrangement, students will pay the €3,000 fee charged in the Republic, with the State covering the rest of the tuition costs. This is great news for students in Donegal and across the country looking to study medicine, many of whom will want to come back to the Republic to practise once they graduate. Will the Taoiseach ensure that this project is extended to the rest of the universities in the North, such as Ulster University, to allow more students to study medicine, given the severe lack of GPs and the needs that we have here in the South?

The Taoiseach: I thank the Deputy. This is a great initiative. It is great for the island of Ireland, for the north west in particular, for medical education and for opportunities for young people. The Minister for further and higher education is in Ulster University, on the Magee campus in Derry, today. We are willing to expand this. Obviously, there has to be two partners and a willingness to do it, although I am not suggesting there is not. From a funding point of view, we see this as a win-win in terms of education, medicine and opportunities for young people.

Deputy Thomas Gould: A young man, Seán, came into my office last week. He works full time, is separated and has two children. He has a good job but is living with his parents because he cannot afford to buy a house. He has saved every penny he can and has substantial savings. He applied and was accepted for an affordable housing scheme run by Cork County Council but even with all of his savings, a gift from his parents, a good job, and a mortgage offer from a bank, he is still €20,000 short. He does not qualify for social housing. He cannot buy a house. This Government promised that he could buy a house but its scheme is failing. This is a man with two children who has a good job and good savings but the Government's affordable housing policy is in tatters. The affordable housing that the Government is providing is not affordable. What do I tell Seán? What will the Taoiseach tell him? Where does he and his two children go? He is in his thirties. Must he live with his parents for the rest of his life?

The Taoiseach: I am sure what the Deputy definitely does not tell Seán is that if Sinn Féin was in government it would get rid of the help-to-buy scheme for first-time buyers-----

Deputy Thomas Gould: It would be affordable. Our scheme would be affordable. That is the difference.

The Taoiseach: -----and the first home scheme as well. I am sure he did not mention that to Seán. It is very hard to comment on the floor of the Dáil without knowing people's specific financial situations but this Government is seeing, every week, 500 people buying their first

home. Every working day we are seeing 350 new homes being built. That is the progress we are making. That is what I would say to Seán. We are increasing supply and increasing supports. There are a range of supports now in place. If the Deputy wants to send me Seán's particulars-----

Deputy Thomas Gould: I will.

The Taoiseach: -----I would be very happy to come back to him with more comprehensive reply for his situation.

Deputy James O'Connor: I wish to raise an issue that is very important to people across the north Cork area including in Fermoy and Mitchelstown. Unfortunately, I am meeting a huge number of people who are retired or who have complicated healthcare needs and who want access to GP services across the north Cork area. In north Cork, we have two primary care centres but they are under serious pressure because of a lack of GP services. My siblings all work in the healthcare setting, in pharmacy, and others are studying medicine. Indeed, I am the only one that is not in healthcare. They tell me, as do others working in the sector, that they are under fierce pressure to get additional GPs across the north Cork region. I ask the Taoiseach to have a conversation at Cabinet with the Minister for Health to see if we can get additional resources to address the issue of access to GP and primary care services in the north Cork area for people who are so desperately in need.

The Taoiseach: I thank the Deputy for making that important point for his constituents in north Cork in terms of access to GP services. I will certainly discuss the matter with the Minister for Health and the HSE. We are now seeing a very significant increase in the number of training places for GPs. We are also now looking at other pathways that we can put in place in universities but I do recognise that in certain parts of the country, there may be particular challenges. There is an option available now in terms of having salaried GPs in those areas. Without knowing the particulars, but that is definitely one option that is available to the Minister for Health and the HSE. I will talk to the Minister and will revert to Deputy O'Connor on the issue.

Deputy Richard Bruton: I welcome the establishment of the task force to rejuvenate Dublin city centre to make it thriving, attractive and safe. David McRedmond will come up with innovative ideas and will integrate across agencies, including, local authorities, the NTA and the HSE. The key to success will be the provision of a budget to fund cross-sector and cross-silo initiatives. I would be keen that, in preparation for the budget, significant moneys would be made available for this particular initiative as well as for the community safety plans that will be a feature of every community in the country.

The Taoiseach: I thank the Deputy for his constructive suggestions with which I agree. I am very clear, and I said it on the day that I launched the Dublin city centre task force, that this is going to come back with a list of practical actions and a list of responsible owners for those actions. Then there will be a requirement for government, both national and local, to fund those initiatives. This is something that I am personally championing and running from my own Department and, therefore, it is something that I intend to deliver funding to deliver in budget 2025.

Deputy Danny Healy-Rae: I want to welcome more than 45 women from all over County Kerry, especially east Kerry areas like Barraduff, Headfort, Glenflesk and Rathmore. These women have created homes and reared fine sons and daughters. However, many of their sons

and daughters are forced to leave Kerry for places like Australia, Dubai and Canada. These are 28- to 32-year-olds who cannot afford to purchase a house. The other sad thing is that they will not even be considered for planning permission on a site next door to them owned by their family, or even if they could purchase a site from a neighbour because of the designation, enforced by the Government's planning regulator, of the areas as being under significant urban influence. The sons and daughters of farmers can get permission and that is fine but lots of other people are being excluded.

An Ceann Comhairle: Your time is up.

Deputy Danny Healy-Rae: Large tracts of land far beyond Killarney, Killorglin and Kenmare are being excluded from these people who will build a house themselves.

An Ceann Comhairle: Thank you, Deputy.

Deputy Danny Healy-Rae: They will create employment and spend money. All they want is planning permission but this designation is hurting the whole lot. I will just mention one father-----

An Ceann Comhairle: No. Please.

Deputy Danny Healy-Rae: -----of five, the Kellehers, who are musicians but none of them can get planning permission.

An Ceann Comhairle: You are out of time, Deputy.

Deputy Danny Healy-Rae: They are a wonderfully gifted family but they are going to have to leave our shores if we cannot house them.

An Ceann Comhairle: Deputy, please. You are out of time.

Deputy Danny Healy-Rae: This is very serious.

1 o'clock

An Ceann Comhairle: I know it is very serious, but keeping the time here is very serious. Resume your seat.

Deputy Danny Healy-Rae: I am raising a genuine concern.

An Ceann Comhairle: I know you are.

Deputy Danny Healy-Rae: These people will build the houses-----

An Ceann Comhairle: Will you let the Taoiseach answer?

Deputy Danny Healy-Rae: ----- if they get planning permission.

An Ceann Comhairle: Deputy, you are out of order.

Deputy Danny Healy-Rae: I am sorry.

The Taoiseach: I thank the Deputy for raising an important issue with passion. It is an important issue, as is planning reform. Everyone on this side of the House, like everyone on

that side of the House, wants people to be able to live in this country and wants young people to know that their future is in this country. That is why we are working so hard on housing and why we are seeing 350 new homes go to construction every working day and 500 people per week buy their first home. I take on board the specific point on planning and have two suggestions for the Deputy. The draft national planning framework will be published in June, which will provide an opportunity for people to make an input into such issues and the planning Bill, which will overhaul planning law, will be in this House again in the month of June.

Deputy Gino Kenny: In the past number of days, there have been reports in the media about people having adverse reactions to cannabis. This is quite concerning but where there is no regulation, someone will fill the gap and that is the black market. It is in everyone's interest in respect of harm reduction and regulation that there would be a different model for cannabis. In the absence of regulation, people will have adverse effects from cannabis use because of the potency and because they do not know what they are consuming. Does the Taoiseach agree that we have to change course on the laws around cannabis and that a regulatory system would be better than what we have at the moment, where there is no regulation?

The Taoiseach: I thank the Deputy for raising this issue as he has sincerely on a number of occasions. The best way to proceed on this from a policy point of view is via the Oireachtas joint committee that will consider the outcome of the Citizens' Assembly on Drugs Use. That was an honest and genuine effort to get civil society together to debate what is a difficult and important issue. There are real health concerns around the use of cannabis and there is also a need to ensure we support people with addiction. A variety of issues need to be addressed and the new committee is best placed to bring forward its view on the citizens' assembly.

Deputy Marc Ó Cathasaigh: The Taoiseach said that road safety would be a priority of his tenure. We have had significant loss of life on the roads this year - 79 people to date with a bank holiday weekend looming. Beneath that headline are many accidents, collisions and injuries, many of which are life-changing. The Minister of State, Deputy Chambers, has commissioned a report on the Road Safety Authority to make recommendations on the future structure and operation of the authority, including potential legislative changes to ensure it delivers on its mandate. When can we expect that report to be finalised and see the light of day?

The Taoiseach: Road safety is a priority for me and the Government. Since becoming Taoiseach seven weeks ago, I have chaired two meetings on road safety, we have allocated an additional €3 million to public awareness campaigns and we are working with local authorities to see what more we can do on road safety. We all have to amplify the message around killer behaviours, especially as we approach this bank holiday.

The point the Deputy made on structure, governance and the role of the RSA is important. The Minister of State, Deputy Chambers, is fully committed to this. I need to check that I am right about the timeframe, but I know the work is well under way. We will see the output this year. I will ask the Minister of State to come back to the Deputy with a specific time.

Deputy Brendan Smith: As the Taoiseach knows, Louth-Cavan-Monaghan Garda Division has a long land Border with the neighbouring jurisdiction and this creates additional and unique policing demands on the gardaí in our area. For a number of years, I have continually expressed my concerns that, with resignations and retirements, we are not getting nearly enough of the new Garda recruits into our division. The inadequate allocation of Garda personnel must be addressed. I welcome the recent re-establishment of the Cavan-Monaghan Garda drugs

unit. Again, that unit's demanding role needs to be supplemented by more gardaí. The scourge of drugs is causing desperate problems for individual families and communities in every parish. Our Garda division needs an adequate allocation of Garda personnel to ensure day-to-day policing needs in our communities are met, while also taking into account the absolute need to have appropriate mobile patrols and other policing measures to deal effectively with criminality that occurs on a cross-Border basis and ensure the laws of our State are not flouted and abused.

The Taoiseach: I thank the Deputy for raising this important matter. I am pleased the Cavan-Monaghan drugs unit was able to recommence. I share his view and that of everyone in government that we want to see Garda numbers increase. We are seeing progress on that. The college is back open and busy.

The fair distribution of new Garda recruits is important. I will share the Deputy's views with the Minister for Justice. I am aware of the particular issue the Deputy raised for counties near the Border and the importance of strong collaboration between the PSNI and An Garda Síochána, particularly to prevent any abuse of the common travel area in respect of immigration. We have seen some good progress on that only in recent days.

Deputy Éamon Ó Cuív: Over the years we have had the refusal of the Galway bypass, the refusal of planning permission for the road from Maam Cross to Clifden, massive delays relating to the road from Maam Cross to Oughterard, the refusal of Páirc na Mara, which was a development by Údarás na Gaeltachta, and recently a court case about Ros an Mhíl. It is beginning to become evident that it is becoming nearly impossible to get any basic infrastructural or economic projects through in Connemara.

I have no doubt that when Europe brought in environmental rules, it never meant to strangle any region economically or socially. Will the Government, therefore, consider setting up a review as to why so many public infrastructural projects in Connemara seem to fail on environmental grounds and how it can be tweaked to get a better balance? I ask that the review be done and if the issue that comes up is in Europe, it be dealt with in Europe and if it is an issue we can deal with, it be dealt with here. We cannot go on forever living in a region that is bereft of adequate infrastructure and economic development.

The Taoiseach: The Deputy will understand why I do not want to comment on any specific case, but I will take the broader point he made, which is fair, about constantly keeping under review the impact of regulations and directives. We are part of the decision-making around the European table. We will ask the question the Deputy fairly asked: is it a matter that we need to speak about at a European level regarding a need for reform or is it how we are implementing it at a national level? I have seen a number of examples. I am concerned about the situation in Lough Funshinagh, where there are unintended consequences, if I can put it politely. Let me take the Deputy's suggestion away and I will come back to him directly on it.

Deputy Darren O'Rourke: I raise the issue of Bord na Móna's plans to sell off its waste management business, as was reported recently. This risks further concentration of waste management services, which is potentially bad for workers and customers. It is further privatisation when the opposite should be happening. Is the Taoiseach aware of the plan and has he or the Government assessed it in terms of competition, terms and conditions of employment, workers' rights and State provision of services?

The Taoiseach: Truthfully, I am not across the detail of it. It has not been brought to my

attention, but I will speak directly to the Minister, Deputy Eamon Ryan, about the issue. Any such matter would have to comply fully with competition law and other laws of the land such as employment law and an impact assessment should be considered. I will ask the Minister to come back to the Deputy directly.

Estimates for Public Services 2024

Minister for Public Expenditure, National Development Plan Delivery and Reform (Deputy Paschal Donohoe): I move the following Revised Estimates:

Vote 1 — President's Establishment (Revised Estimate).

That a sum not exceeding €5,260,000 be granted to defray the charge which will come in course of payment during the year ending on the 31st day of December, 2024, for the salaries and expenses of the Office of the Secretary General to the President, for certain other expenses of the President's Establishment and for certain grants.

Vote 2 — Department of the Taoiseach (Revised Estimate).

That a sum not exceeding €37,920,000 be granted to defray the charge which will come in course of payment during the year ending on the 31st day of December, 2024, for the salaries and expenses of the Department of the Taoiseach, including certain services administered by the Department and for payment of grants.

Vote 3 — Office of the Attorney General (Revised Estimate).

That a sum not exceeding €24,053,000 be granted to defray the charge which will come in course of payment during the year ending on the 31st day of December, 2024, for the salaries and expenses of the Office of the Attorney General, including a grant.

Vote 4 — Central Statistics Office (Revised Estimate).

That a sum not exceeding €80,615,000 be granted to defray the charge which will come in course of payment during the year ending on the 31st day of December, 2024, for the salaries and expenses of the Central Statistics Office.

Vote 5 — Office of the Director of Public Prosecutions (Revised Estimate).

That a sum not exceeding €61,279,000 be granted to defray the charge which will come in course of payment during the year ending on the 31st day of December, 2024, for the salaries and expenses of the Office of the Director of Public Prosecutions.

Vote 6 — Office of the Chief State Solicitor (Revised Estimate).

That a sum not exceeding €48,896,000 be granted to defray the charge which will come in course of payment during the year ending on the 31st day of December, 2024, for the salaries and expenses of the Office of the Chief State Solicitor.

Votes put and agreed to.

Presentation of Estimates: Motion

Minister for Public Expenditure, National Development Plan Delivery and Reform (Deputy Paschal Donohoe): I move:

That, notwithstanding Standing Order 215 of the Standing Orders of Dáil Éireann relative to Public Business or the Resolution of the Dáil of 13th December, 2023, the following Further Revised Estimates for Public Services for the year ending 31st December, 2024, be presented to the Dáil on 29th May, 2024, being a date later than that prescribed for the presentation of Estimates:

Vote 16 — Tailte Éireann (*Further Revised Estimate*).

Vote 29 — Environment, Climate and Communications (*Further Revised Estimate*).

Vote 34 — Housing, Local Government and Heritage (*Further Revised Estimate*).

Question put and agreed to.

Health Act 1970: Motion

Minister of State at the Department of Health (Deputy Mary Butler): I move:

That Dáil Éireann approves the following Regulations in draft:

Health Act 1970 (Section 45(3)) (Classes of Persons) Regulations 2024,

copies of which have been laid in draft form before Dáil Éireann on 16th May, 2024, in accordance with Section 45(4) of the Health Act 1970.

Question put and agreed to.

Ceisteanna - Questions

Cabinet Committees

1. **Deputy Richard Boyd Barrett** asked the Taoiseach when the Cabinet committee on health will next meet. [21327/24]

2. **Deputy Aindrias Moynihan** asked the Taoiseach when the Cabinet committee on health will next meet. [22344/24]

3. **Deputy Jennifer Murnane O'Connor** asked the Taoiseach when the Cabinet committee on health will next meet. [22348/24]

4. **Deputy Pádraig O'Sullivan** asked the Taoiseach when the Cabinet committee on health will next meet. [22349/24]

5. **Deputy Paul Murphy** asked the Taoiseach when the Cabinet committee on health will next meet. [22695/24]

6. **Deputy Bernard J. Durkan** asked the Taoiseach when the Cabinet committee on health will meet next. [22709/24]

7. **Deputy Mick Barry** asked the Taoiseach when the Cabinet committee on health will next meet. [22817/24]

8. **Deputy Ruairí Ó Murchú** asked the Taoiseach when the Cabinet committee on health will next meet. [23653/24]

9. **Deputy Christopher O'Sullivan** asked the Taoiseach when the Cabinet committee on health will next meet. [23895/24]

10. **Deputy Rose Conway-Walsh** asked the Taoiseach when the Cabinet committee on health will next meet. [24104/24]

The Taoiseach: I propose to take Questions Nos. 1 to 10, inclusive, together.

The Cabinet committee on health last met on 12 February 2024 and is scheduled to next meet on 1 July. In addition to the meetings of the full Cabinet and of Cabinet committees, I meet Ministers on an individual basis to focus on different issues. I meet regularly with the Minister for Health to discuss progress and challenges in the area of health, including the Sláintecare reform programme.

Sláintecare is about four main things: making healthcare more affordable; making healthcare more accessible; ensuring better outcomes for patients; and reforming our health service. We are committed to expanding the core capacity of our acute hospitals, with more health professionals and more acute hospital beds. We have added more than 1,000 permanent hospital beds since the Government came into office in 2020. We have increased the total public health sector workforce by more than 28,000 since the beginning of 2020, which includes 9,000 more nurses and midwives, over 4,200 social care professionals and over 3,000 doctors and dentists. These are very significant additional numbers of people working in the health service who are working hard every day.

There is a strong pipeline of capital projects, including several new hospitals and significant new facilities for existing hospitals. Our multi-annual approach to waiting lists resulted in an overall reduction in the number of patients exceeding the Sláintecare targets by 25% since the pandemic peaks. Waiting lists in the Irish health service fell last year for the second year in a row. The figures that matter most are the number of patients waiting longer than the agreed Sláintecare maximum wait time targets of ten to 12 weeks. We had a cross-party consensus, or what was largely cross-party consensus, around health reform in this House, called Sláintecare, that said that people's wait times should be around ten to 12 weeks. It is, therefore, appropriate that we measure progress in relation to that. We are seeing significant progress on that. The core target of achieving a 10% reduction in patients breaching the Sláintecare wait times was

exceeded, with 11% achieved. This covers inpatients, day case, outpatients and GI scopes.

The enhanced community care programme continues to improve healthcare at a more local level and alleviate pressure on hospitals. The majority of community healthcare networks, community intervention teams and community support teams are now in place with the aim of providing care closer to home.

We are also making healthcare more affordable at a time when the cost-of-living crisis is affecting everyone through the removal of hospital inpatient charges, widened eligibility for the GP card and a reduced drug payment scheme threshold, among other things.

The last budget provided funding for hundreds of millions of euro for waiting lists and action on urgent and emergency care; investments in our workforce such as advanced practice, more college and training places and more hospital consultants; the first full-year programme of publicly funded assisted human reproduction services including *in vitro* fertilisation, IVF; further expansion of the free contraception scheme to include women aged 31; and additional staffing for CAMHS teams to improve access to services and reduce waiting lists.

We all know our health and social care service has its challenges, that is also a global phenomenon, but our systems are responding and have expanded dramatically in recent years. We are treating more people with better outcomes than ever before. Ireland has the highest self-perceived health status in the EU, with 80% of people rating their health as good or very good. Our life expectancy is continuing to increase and is above the international average. Ireland is among a group of seven EU countries where life expectancy is above the age of 82. We continue to reduce mortality rates for stroke and many cancers and report positive trends in preventative health. Our age-standardised mortality rates have declined for all causes over the past decade by 10.3%.

Deputy Richard Boyd Barrett: I have raised this issue with the Taoiseach before but I would like to repeat it so that action follows.

The Taoiseach: I am listening.

Deputy Richard Boyd Barrett: It is the issue of medical evidence being provided to local authorities on the question of medical priority housing allocation. Something needs to be done about this. Medical adjudicators are second-guessing specialists, whether they are consultants, OTs, psychologists or psychiatrists. They are often people who do not have these specialties but they are second-guessing them and putting families where there are often very severe, extreme medical conditions through the ringer. It has to stop and a circular needs to be issued. This is a health issue but it intersects with housing.

To give an example I have mentioned a couple of times, there is a young woman who has had a shocking, life-changing situation where her two children were born with muscular dystrophy and cystic fibrosis. These are two life-limiting conditions and this case is unique in the world but there is still this constant back and forward with the local authority over the medical evidence because there are multiple consultants involved. As we can imagine, this creates unique requirements in relation to housing. I also had a case recently of someone with scoliosis who is getting into a bath which is dangerous but the council stated the person would have to find a HAP tenancy that would suit their medical needs, which is impossible. We need to do something where we do not have second-guessing of medical professionals, mental health professionals or allied health professionals when it comes to ascertaining what someone's housing

needs are. It should not be determined by the question of resources. I understand that local authorities are under pressure but we have to start with the needs. We have to trust the medical professionals and the people who have health issues themselves and establish objectively what the medical needs are rather than second-guessing them because of resource questions.

Deputy Jennifer Murnane O'Connor: I raise the issue of nursing homes. I was contacted recently by a nursing home because residents who need to see a doctor to have their ears syringed are being charged €35. These residents have medical cards and they are on the fair deal scheme. They must also pay for a taxi which costs between €65 and €75 and, furthermore, the nursing home has to get a member of staff to go with them in the taxi.

I welcomed what the Taoiseach said about people living longer and he is right that it is good news but as people live longer, it brings challenges. As I said, residents of a nursing home who have medical cards and are on the fair deal have to pay this money. It is too much money and they do not have it.

Another matter I have raised several times is that people on medical cards are being charged for having their bloods done. Some of them have visited my clinic. People are struggling, particularly those who are on a pension, and then there are all these extra charges. We need a proper system. Whether we review doctors' contracts or do something else, something needs to be done. These residents are concerned and have contacted me.

Deputy Pádraig O'Sullivan: I read an article last month which reported that the European Commission is considering giving pharmaceutical companies financial incentives and enhancing their market exclusivity in the way they produce drugs, particularly in the niche area of orphan drugs and rare diseases. I found the article welcome but in another way it was amusing in the context of the access patients here have to drugs for rare diseases. Some 80% of all diseases identified these days are actually genetic mutations. I note the importance of clinical trials and research in gaining better treatment for patients in that sphere, and sometimes even cures. If we compare ourselves to any EU counterpart by any metric, particularly in terms of access to orphan drugs, we fail abysmally. Those league tables are well documented and are published for all to see. Given what the Commission intends to do in terms of offering incentives to pharmaceutical companies to enhance research, clinical trials and so on, what will we do here to do the same because we are failing?

Deputy Paul Murphy: I raise a particular issue related to the health of those who live in the shadow of the Aughinish Alumina plant in Limerick. It dates back to 1989 when animals began dying on farms in the area, after which there were increased incidences of serious human health problems, including increased rates of fatal foetal abnormalities, cancer, upper respiratory tract issues, eye inflammation and so on. Later, there was an investigation into this involving the Environmental Protection Agency, Teagasc, the Department of agriculture and others. Later on, there was an investigation into this involving the Environmental Protection Agency, EPA, Teagasc, the Department of agriculture and others. The crucial problem in that investigation was that the human blood samples went missing, which meant that the investigation was not really able to be comprehensive and independent.

In 2018, while the Taoiseach was the Minister for Health, he was given a 26-page dossier by the former Deputy, Dr. Harty, who was a representative of the area, as well as by Deputies Connolly and Catherine Murphy. They asked him to appoint an independent health expert, as he did for the cervical cancer scandal, to investigate the dossier outside his Department because

new information was contained within. As I understand it - and the Taoiseach may not remember this, which is fine - the Taoiseach refused to have any independent view of it. Instead, he simply went back and said that there was nothing new there, etc. I am asking the Taoiseach to look at this dossier again, which I can send to him, and agree that there will be an independent investigation.

Deputy Ruairí Ó Murchú: I ask for the Taoiseach for an update on the Covid-19 inquiry, its terms of reference and its individual modules. I am incredibly interested in the families that lost loved ones in Dealgan House Nursing Home at the beginning of Covid-19. I think the Taoiseach met with one of the family members when he was recently in Dundalk. At least 22 lost their lives in a really desperate set of circumstances. When the Minister for Health, Deputy Stephen Donnelly, met with them recently, he spoke of how they need some sort of mechanism to provide them with the necessary answers. They have done a huge body of work through freedom of information, FOI, requests. At times, they have been pushed back by every agency, but they have put a huge amount of information into the public domain. We have to provide them with truth, justice, and the learnings needed in relation to elder care, in case we have to deal with circumstances such as these ever again. I ask for an update on that, which would be really useful.

Deputy Christopher O'Sullivan: I do not say this lightly, but when it comes to our islanders and healthcare, they are treated as second-class citizens. This is especially the case in the west Cork islands and I will explain why. On Bere Island, which is near Castletownbere, at one point they had two full-time nurses. They had nursing cover on the island for 24 hours a day, seven days per week, but they now only have one nurse, whose nursing cover has been reduced to the hours of 9 to 5, five days per week. It is simply not good enough because of the unique geographical nature of an island and access to healthcare. Similarly, on Cape Clear Island, which is not too far away from there and is off Baltimore, they also had full-time nurse cover, but that too has been reduced. The nurse comes in on a Tuesday and leaves on a Thursday, so there are large portions of the week where there is no nurse cover. That is a pretty distant island and it takes approximately 40 minutes to get there by boat. We need 24-hour cover for nurses on our islands. It is the least that our islanders deserve.

I will raise a slightly related issue, which is that Bantry General Hospital had a neurology service for four days per week in the mornings and afternoons. That has now been cut to two sessions per month. That will be a serious issue for people with Parkinson's disease and multiple sclerosis, MS.

Deputy Rose Conway-Walsh: What measures does the Taoiseach propose in order to urgently fix the systemic problem at University Hospital Galway, UHG, to fulfil its mandate to operate as a centre of excellence? That question comes from a man in Mayo who is currently undergoing chemotherapy at University Hospital Galway. He has an aggressive form of lymphoma cancer, he requires urgent and intensive treatment and, devastatingly for him and his family, there has already been a delay of 17 days to his treatment simply because there was no bed for him. He says: "It is ethically and morally wrong that my prospects of survival are currently in the hands of hospital administrators who have to try to decide when I am allocated a bed for my treatment. It is wrong that I am forced to advocate for the repair of a broken system at a time when all my energy should be directed towards recovering."

This is a fact of life for many people living in the west who are really seriously ill, and the Taoiseach's Government has failed them. It has failed them for the last 13 years. The Taoiseach

was in that position himself. This is something as simple as a bed. We have hugely expensive equipment and we have the best expertise in the world, but we do not have a bed. I think the Taoiseach and his Government owe this man an answer, as well as others in the west of Ireland and Mayo who are in a similar position.

The Taoiseach: I thank the Deputies for raising a range of issues. Obviously, Questions Nos. 1 to 10, inclusive, were about when the Cabinet Committee on Health will next meet, so Members will have to excuse me if I must come back to them on some of the specifics because quite a few of the questions strayed very significantly, I would imagine, from the Standing Orders, although they are valid and important questions in and of themselves.

Deputy Boyd Barrett's question, which he has raised on a number of occasions, is a serious point about medical prioritisation and the local authorities. He has requested a circular on this. The disadvantage I am always at on this is that I do not have the benefit of having the line Minister here with me. Let me speak directly with the Minister for housing about that issue because we do not want a situation, such as the one the Deputy outlined, whereby somebody who has two children with muscular dystrophy and cystic fibrosis must have a back-and-forth debate about the status of their healthcare with their housing authority. While the Deputy and I might hold different views, we both know the housing constraints that people face. Parents of children who are sick, or indeed people in general who are sick or have a disability do not need to be going back and forth. Let me look into that, as will my own officials who are watching this. We will engage with the Minister for housing on that issue and I will come back to the Deputy directly on it.

I thank Deputy Murnane O'Connor for raising some important issues about nursing homes and nursing home care. She has made a request for clarity and transparency around what is and is not covered through the fair deal scheme, the nursing home support scheme and the medical card. She gave the examples of the ear syringe costs, the staff burden that is being faced by nursing homes and how people are being charged for bloods when they have a medical card. I will raise both issues with the Minister, Deputy Stephen Donnelly, and the Minister of State, Deputy Butler. We will come back to her about that.

Regarding Deputy Padraig O'Sullivan's point, I just met some people earlier today at the DART station who were on their way to an important conference about rare diseases. This is a very important issue. Again, I want to speak with the Minister for Health about this, but it is a fair point that the Deputy makes. We have some very large pharmaceutical companies here. I think that nine of the ten biggest pharma companies in the world are based here in Ireland. We have incredible universities and research infrastructure and we have a health service that we are now funding with the sum of well over €22 billion per year. Can we do more on access to orphan drugs and learn from the European example? I think we can and I think we have to. I will talk to the Minister, Deputy Stephen Donnelly, about the Deputy's suggestion and I will come back to him.

Deputy Paul Murphy spoke about Aughinish Alumina. I thank him for offering to send that on again, because I do not want to reference something on the floor of the Dáil when I do not have the documentation before me. I would appreciate it if Deputy Paul Murphy sends that to me again. I am happy to look at that and speak to the Minister for Health and the Department of Health about it.

Deputy Ó Murchú spoke about Dealgan House. I did have the opportunity to meet a woman

when I was in Dundalk in recent days in relation to this. The Deputy used a very important word there, which was "mechanism". I do not want to speak for the families, but it is my sense that that the families want to know about what mechanism can be put in place so that they can get truth, justice and answers. I share that view, as I know Deputy Ó Murchú does. It is a matter of deciding what is the best mechanism. Will that be the Covid-19 review or will it be a particular pillar of work? Some suggestions were made to me when I met with her, and I also exchanged contact details with a family member. I am happy to engage with the Minister for Health on this and come back to the Deputy about it, but I do fully accept that answers are needed about what happened in Dealgan House. It is the very least that the families deserve. I will work constructively with the Opposition to work out what the best mechanism is to bring about those answers.

Deputy Christopher O'Sullivan raised islander healthcare in Bere Island and Cape Clear Island, as well as the nursing resources and the importance of supporting island healthcare. I will speak with the HSE and the Minister for Health. I take the point the Deputy makes. We want to see the offshore islands thriving. Access to healthcare is an important part of making sure we have sustainable communities. Similarly, I will follow up about Bantry General Hospital and the neurology service there and the importance of the department to patients. I will ask the Minister for Health to come directly back to the Deputy.

Deputy Conway-Walsh spoke about University Hospital Galway, its importance as a centre of excellence, and the traumatic experience that one of her constituents has encountered there. The Deputy said she believes it is being replicated by many more. I was in Galway recently and I met some of the leading doctors working in this area. I know the Secretary General at the Department of Health was there, as was the Minister for Health in relation to the development plans for the hospital services for centres of excellence. I will get the Deputy a detailed note that he can share with his constituent.

Urban Development

11. **Deputy Jim O'Callaghan** asked the Taoiseach to provide a report on the task force for Dublin city centre that he announced on 9 May 2024. [22005/24]

12. **Deputy Paul McAuliffe** asked the Taoiseach to provide a report on the task force for Dublin city centre that he announced on 9 May 2024. [22006/24]

13. **Deputy Mary Lou McDonald** asked the Taoiseach what level of engagement his Department will have with the Dublin city centre task force. [22484/24]

14. **Deputy Alan Farrell** asked the Taoiseach the level of engagement his Department will have with the Dublin city centre task force [22758/24]

15. **Deputy Bríd Smith** asked the Taoiseach what level of engagement his Department will have with the Dublin city centre task force. [23877/24]

16. **Deputy Cian O'Callaghan** asked the Taoiseach the level of engagement his Department will have with the Dublin city centre task force. [24003/24]

The Taoiseach: I propose to take Questions Nos. 11 to 16, inclusive, together.

On 7 May 2024, the Government agreed to appoint a task force to take a holistic view of the measures required to rejuvenate Dublin city centre, north and south. The goal is to make Dublin city centre a more thriving, attractive and safe cityscape, and a desirable location to live, work, do business and visit.

The task force is taking an evidence-informed approach in its work and will provide recommendations to improve the city centre's public realm, safety and experience. It will harness efforts and initiatives under way, including within the Dublin city co-ordination office, as well as existing initiatives such as Dublin's north-east inner-city initiative and the Dublin north inner city local community safety partnership. The task force will not duplicate efforts already under way, which is important, but will instead consider what additional co-ordinated activities could galvanise actions to return Dublin's city centre to the vibrant destination we know it to be and deliver on a shared vision of central Dublin's public space.

The task force is led by an independent chair, Mr. David McRedmond, chief executive officer of An Post, who brings his wealth of insights and experience to the role. Membership of the task force includes representatives from the public service, including An Garda Síochána, the local authority and the National Transport Authority, representatives of city centre businesses, a trade union representative, and representatives from the community and service provider sector and the cultural and arts sector. The task force is being supported in its work by Dublin City Council, for which I acknowledge its chief executive, An Garda Síochána, the Department of the Taoiseach, the Department of Housing, Local Government and Heritage and the Department of Justice. The Department of the Taoiseach will bring together a senior officials group as required by the task force to inform the work.

The first meeting of the task force took place on Tuesday, 21 May 2024. It has been requested to deliver its recommendations for consideration by the Government within 12 weeks.

Deputy Jim O'Callaghan: I welcome the establishment of the task force and commend Mr. David McRedmond for taking on this important role. However, I think he is going to have a very challenging task in terms of trying to change the status and make-up, and deal with the concerns that we all see when we travel through the city centre at present. I have no doubt Mr. McRedmond and the other people on his committee will be able to describe the problems that are present in Dublin city centre. Unfortunately, one of the consequences of Covid and the restrictions that were introduced appears to be that quality of life in the city centre has declined quite significantly.

What the Taoiseach will have to do when he gets the report, hopefully at some stage in mid-August, is give an indication as to how it is going to be implemented. I will give my own assessment of why there needs to be a strong implementation project in this respect. It is clear that we have decided, for very legitimate reasons, no doubt, that for many of the societal problems that exist in Dublin at present, whether it be homelessness, drug addiction or people seeking international protection, we have focused all of the services in the city centre. That puts an undue burden on the city centre. We need to recall that Dublin city centre is not like the city centre of London. Dublin city centre has a vibrant residential community. I represent a significant part of it in Dublin Bay South and colleagues in Dublin Central also represent that area. We need to recognise that if we want to alleviate some of the issues that are affecting the city centre, we will have to look at sharing out those services across the city and county in respect of people who are in need of these challenging and important services.

My big fear is that, otherwise, we are going to see a very divided city. Some parts of Dublin are excellent at present and are vibrant and thriving, but we can see that other parts have a very challenging and difficult environment. What we do not want to happen is that the city in some way becomes segregated or divided and there are parts that people just do not want to go to, whether they are tourists or people going out at night-time. That will be a central task, not just for Mr. McRedmond but for the implementation of his recommendations when they come.

An Cathaoirleach Gníomhach (Deputy Alan Farrell): I call Deputy O'Reilly for Deputy McDonald.

Deputy Louise O'Reilly: I welcome the establishment of the task force. If it is done right, it could represent an important marker in the development of the city. As our national capital, Dublin has a responsibility to serve as an example for the rest of the country and to be a safe, attractive, vibrant and flourishing city, one that cherishes and celebrates its past and fearlessly embraces the future and its potential. The new Dublin task force is the opportunity to foster and support appropriate and imaginative regeneration of the city but only if it is done right. The project is a valuable opportunity to create jobs, deliver new opportunities, foster social progress and grow the local economy and tourism sector.

I have four questions. When will the terms of reference be announced? What will be the geographical area covered by the task force? What financial and staffing resources will be allocated to its work? What mechanism of engagement will be employed to ensure all community voices can be heard? That last question raises an essential point. It is not enough that people will just have a chance to input once or twice. It needs to be a comprehensive strategy to ensure that all voices are being heard.

An Cathaoirleach Gníomhach (Deputy Alan Farrell): I call Deputy Murphy for Deputy Smith.

Deputy Paul Murphy: Last week, during this session, I raised with the Taoiseach the arson attack on St. John's House, which was due to house families who are seeking international protection here, and the Taoiseach correctly condemned that. Unfortunately, there was another arson attack on the same building this morning, which is two arson attacks in a week. Last week, I raised with the Taoiseach the need for private security for these buildings to ensure they are not targeted because there is clearly an orchestrated campaign of terror to try to prevent us from taking and welcoming those who are seeking international protection. Clearly, there was some security because it emerged, for example, that there was a woman in the building last week, and it is thankful that the fire did not take off because she could have been killed, and that is obviously where this can go. The State needs to take this more seriously in terms of protecting these buildings.

It was also the scene of a quite horrendous incident - it is interesting that the far right chose to promote it - where a female Garda was called every possible thing under the sun, including some really disgusting, abusive stuff. I would say that the impact of people seeing that sort of language and abuse, and the violence of the arson attacks, has been to turn people in the area against the far right. Whenever there are these crazy rumours about 3,500 unvetted men, it is an attempt to create fear. When the truth gets out and it turns out to be 350 people, including families, who are seeking international protection, many people want to welcome them. However, people are also rightly horrified and repelled by the violence, the abuse and the misogyny represented by those who would just seek to divide, spread fear and tear down our communities.

Deputy Alan Farrell: Not a week goes by that a constituent of mine in the leafy suburbs of north Dublin does not mention the inner city and the issues and concerns they have with it. I would highlight, in particular, young women who have raised it with me as a concern in terms of their night-time plans and visiting and meeting with friends in the city centre, among other things. I know a lot has been done. I know 101 recently attested gardaí were assigned to Garda stations around Dublin in recent weeks but, as I am sure the Taoiseach can appreciate, there is no substitute for experienced members of An Garda Síochána being appropriately allocated to the appropriate stations in order to police our streets and make people feel safe on our streets.

Of course, that is not a means in and of itself. As the Taoiseach has highlighted, there must be a multi-agency approach to dereliction, drug addiction and the general demeanour of the community. To be fair, the city council is doing good work in that regard but it is not doing it fast enough. A number of streets in the north inner city should look so much better. We are one of the richest nations in the world and it is time that we showed it, in particular in Dublin 1, by caring for those who need our help the most and making sure the community in which they wish to live, and where they have been reared for generations, is appropriately supported by the Government and the agencies of the State. I wanted to raise that point because while policing is fantastic, it is not the solution to every problem within these communities.

The Taoiseach: I thank Deputy O'Callaghan for his comments on the task force and for welcoming it and welcoming the appointment of David McRedmond. I, too, thank Mr. McRedmond for the work he is doing. It is interesting that the Deputy mentioned the impact of Covid. He is correct that in looking to establish this task force, it was looking at examples of capital cities and the impact Covid has had on them. It is very real and it is an issue that many capital cities are trying to grapple with. I mentioned that to the chair when I appointed him. I agree with the Deputy that implementation will be key. One of the things I am asking the chair and the task force to do is to recommend, in their view, the appropriate implementation structure. I am absolutely sure we will get from them innovative thinking and I know Mr. McRedmond to be of that sort.

I have also asked that we get actions with clear owners of the actions. I do not say this to be confrontational. The new chief executive of Dublin City Council has really embraced this and I thank him for that. He sees the value in it. I have no doubt, however, that many of the actions that will flow from this will be for local government. Many will have a funding requirement from the national Government too, and we need, a little like with the Action Plan for Jobs and the likes back in the day, an action plan-type approach to implementation. My Department stands ready to help with any sort of implementation structure, senior officials group or the likes that need to be convened. I will keep Members informed and engage with them as we get towards that.

I thank Deputy O'Reilly for welcoming this and I take the point she makes. She is entirely right - "if it is done right". That is fair comment. I have seen the terms of reference. I do not seem to have them in front of me, but let me send them to the Deputy. My understanding was that they were being finalised. We are giving the group the flexibility to finalise them. My understanding is that the group had its first meeting on 21 May. It was an introductory online meeting but it is due to have a full-day session in An Post next Wednesday, 5 June. That will be the first substantive meeting.

Similarly, I discussed the geographical area with the chair. What is Dublin city centre? In my layman's speak, it is largely from just beyond O'Connell Street right down to Grafton

Street and the streets off it. The group will clarify and speak to that because there is a view, and since we have established this, lots of other parts of Dublin have said, "We would like that too." One of the terms of reference is that if there are lessons from this, there is no reason this model could not be replicated in other places, but we have to start somewhere and have a clear, defined understanding of that.

As regards budget and staff, currently, the secretariat is being provided by Dublin City Council but also being supported by officials in my Department, with the Department of Justice and An Garda Síochána ready to assist as well. A budget will be required for this. Where that falls will depend on the actions, but I understand that my responsibility in setting this up will obviously mean that we will have to follow through in budget 2025.

On engagement, I know that is something the chair is very much thinking about as to how best to do it. It has to be real and meaningful. I also have to be honest. The group has been asked to do this in 12 weeks. What can you meaningfully do in 12 weeks? I think you can do a lot, but how do you use that time well? I know the chair and the group are very open to engaging with public representatives, and I might ask them to provide a briefing to representatives of the Dublin constituencies if that would be useful.

I am sorry. I am getting used to Taoiseach's Questions. I forgot about Deputy Murphy's and Deputy Farrell's questions. I join them in condemning the arson attack and I am very frustrated and disappointed to hear of another one. I am interested in what Deputy Murphy said because it is my experience as well across the country that communities are calling out and very much rightly distancing themselves with great vigour from the disgusting actions of a few. In fact, I was recently in a community where decent, legitimate people who were not racist or anything else had questions they wanted to ask the Government about what was happening in their town, and as soon as they saw the far right try to hijack it, they called off any form of meeting or engagement because they did not want to be used as pawns by the far right. What I would say to communities is that I accept that we need to do more and to do better in terms of community engagement, but do not allow yourself be hijacked or exploited by the far right in this regard. We are very conscious of security. We discuss it regularly at Cabinet committees and other meetings, as well as the role of An Garda Síochána.

To Deputy Farrell, who is now in the Chair, I think he has highlighted in many ways one of the reasons we need a task force. Safety in Dublin city, as he said, is not just a matter for any one agency. Obviously, the Garda has a major role to play. I am very pleased that we have been able to allocate more gardaí to Dublin Garda stations. I expect more gardaí to be allocated to all Garda stations as numbers continue to attest from Templemore. Also, I know from talking to people, as the Deputy does too, that safety at night does relate to the lighting, the cityscape, the role of the local authority, the availability of public transport and the availability of taxis. It is that idea of trying to pull together what creates a safe city and how a man or a woman can, particularly when they have finished their night out, safely get themselves home. That is something on which I really hope the task force can provide us with a clear to-do list for all the various agencies that have an important role to play in that regard.

Cabinet Committees

17. **Deputy Bríd Smith** asked the Taoiseach when the Cabinet committee that deals with defence will next meet. [21748/24]

18. **Deputy Brendan Smith** asked the Taoiseach when the Cabinet committee that deals with defence will next meet. [23693/24]

19. **Deputy Richard Boyd Barrett** asked the Taoiseach when the Cabinet committee that deals with defence will next meet. [23880/24]

20. **Deputy Paul Murphy** asked the Taoiseach when the Cabinet committee that deals with defence will next meet. [23883/24]

21. **Deputy Christopher O'Sullivan** asked the Taoiseach when the Cabinet committee that deals with defence will next meet. [23897/24]

The Taoiseach: I propose to take Questions Nos. 17 to 21, inclusive, together.

At its meeting on 10 April, the Government established ten Cabinet committees as follows: children and education and disability; economy and investment; environment and climate action; EU and international affairs; Government co-ordination; health; housing; migration, integration and Ukraine; Northern Ireland; and social affairs and public services. I am a member of all Cabinet committees, as are the Tánaiste and the Minister, Deputy Ryan. There is no Cabinet committee dedicated specifically to defence matters. The Deputies will appreciate that it would be neither possible nor practical to have a dedicated Cabinet committee for each and every policy area.

Defence policies are handled by the Tánaiste and his Department. Matters relating to the Defence Forces and defence policy matters appear frequently on the agenda for Government meetings. They may also be addressed and are addressed, as the need arises, in the framework of other Cabinet committees, including, for example, the Cabinet committees on EU and international affairs; social affairs and public services; and Government co-ordination.

There are also a number of interdepartmental and senior official groups that consider matters relating to the Defence Forces and defence policy, including the implementation group overseeing the commission on defence recommendations, and, as Taoiseach, I am kept apprised of defence and security matters.

Deputy Brendan Smith: I thank the Taoiseach for his reply. Unfortunately, the security situation worldwide has deteriorated drastically since 2022 and, of course, our country is not immune from those difficulties and those challenges. We never pay enough tribute to the work of the emergency services in this country, including how they protected us and our State during a very troubled era. I am thinking of An Garda Síochána, the Permanent Defence Force, the fire services, all the health services, including emergency health services, the Civil Defence, our local authorities and many others. At that time there was a huge knowledge built up in the Border area among those personnel who were based locally.

Recently, I have been raising constantly with An Tánaiste the possibility of having the former Dún Uí Néill barracks in Cavan reopened. At the moment, the Army structure in our country is such that we have Finner Camp in south Donegal and Aiken Barracks in Dundalk. The central Border area does not have a barracks. That is huge land Border, as the Taoiseach knows, with a neighbouring jurisdiction. I believe that the Dún Uí Néill barracks, which the Taoiseach visited from an ETB point of view some time ago, when most of the barracks was still intact, should be used, at least initially, as a forward operating base prior to its re-establishment as a full barracks. There was animal disease in this country. We had to deal with the security situ-

ation. The knowledge of the personnel based locally is not on any file. It is being lost now because we do not have those personnel based in that area. We can never factor enough into our thinking local knowledge or the people locally making decisions in barracks, Garda stations or whatever.

I would like the Taoiseach, along with the Tánaiste, to consider the reopening of Dún Uí Néill, initially as a forward operating base, because of the particular challenges that face us in that area with a long land Border with a neighbouring jurisdiction. Unfortunately, paramilitarism has not ceased entirely.

Deputy Richard Boyd Barrett: I have raised this issue once or twice over the past few weeks but I would like to raise it with the Taoiseach because I am not satisfied with the responses I have got. I was contacted by a Sergeant Patrick Gorman, who served for 35 years in the navy. He had a conduct rating that was exemplary. He had an active service record: 1986 in Lebanon; 1993, Somalia; 2004, Liberia; 2005, Liberia; 2006, Liberia; 2008, Chad; and 2010, Chad. He is therefore someone who served for a very long time this country on those missions, and he tells me that he was denied what is called a presentation when one retires. I was not aware of this but it is a ceremony where a person is brought back in with his or her family as a "thank you" for service given. He and a number of his colleagues were denied this presentation because he had made a protected disclosure. That is his belief. He had made a protected disclosure about health and safety issues and other things, as he felt obliged to do. It was particularly about the use of dangerous chemicals and lack of proper safety precautions putting the health of Defence Forces personnel in danger. I do not have time to go through the details but he disclosed some quite shocking facts or certainly things that needed to be investigated. He was denied his presentation and was also denied being able to go to the WRC because apparently there is some obscure distinction between being a worker and an employee. When you are a member of the Defence Forces, you cannot go to the WRC over penalisation.

An Cathaoirleach Gníomhach (Deputy Alan Farrell): I am going to have to move on

Deputy Richard Boyd Barrett: I would like this looked into.

An Cathaoirleach Gníomhach (Deputy Alan Farrell): I do not think this is fitting for-----

Deputy Richard Boyd Barrett: It is Defence Forces.

An Cathaoirleach Gníomhach (Deputy Alan Farrell): I know but it is also talking about an individual. I should have said it to you at the start.

Deputy Richard Boyd Barrett: He gave me permission.

An Cathaoirleach Gníomhach (Deputy Alan Farrell): That does not necessarily qualify under Standing Orders. The clock is running down and I have two other Members I would like to let in.

Deputy Paul Murphy: We had a debate this morning on our motion to defend the triple lock and will have a vote this evening. Is the Taoiseach still committed to scrapping, ending, modifying, getting rid of - whatever you want to call it - the current triple lock in the term of this Government, without a new democratic mandate and without going to the people to allow them to decide through an election or referendum? If he is, will he admit the idea the triple lock allows a veto of Security Council members is a red herring? That is not true. That is not what

the triple lock does because the Defence (Amendment) Act 2006 is clear this is not just about peacekeeping missions authorised by the UN Security Council but also includes other peacekeeping missions, including regional peacekeeping missions, supported, approved or otherwise sanctioned by a resolution of the General Assembly of the United Nations. Any mission that has majority support in the United Nations can be covered by the triple lock. This is actually about enabling future Governments to send troops abroad on missions that do not have the support of the majority of the United Nations - forget about the General Assembly and Security Council. In other words, these would be the sort of missions we have seen in the Middle East led by the US and NATO.

Deputy Christopher O'Sullivan: In a slight departure from the triple lock, I will bring the Taoiseach back to Bere Island off west Cork. The Department of Defence has an important training facility there for naval personnel. Unfortunately, there is an issue with Department of Defence-owned infrastructure there, namely, a slipway at Lawrence Cove. It is an important slipway used by naval personnel but also by a car ferry operating between Castletownbere and Bere Island. It is in a really bad state. I brought it to the attention of the Tánaiste already. There is Department of Defence infrastructure there, slipways and piers, that could do with a fund to upgrade them and bring them up to standard. I would really like if the Taoiseach would raise that.

The Taoiseach: I thank colleagues for the range of questions. I join Deputy Smith in thanking all our emergency and uniformed services who have kept the country safe on many occasions in different ways. The Border communities the Deputy represents are particularly acutely aware of the huge level of service provided by those people. I echo those words. I know Dún Uí Néill barracks because I have been there with the Deputy. Cavan Institute is benefiting from a small piece of it. I take that point and the Deputy's view that the former barracks needs to be reopened in some capacity, given the benefit that would provide to the region. I will discuss that with the Tánaiste, seek his views and those of the Defence Forces and revert back to the Deputy on the issue.

In response to Deputy Boyd Barrett, I am happy to explore what is going on there. I do not have a direct role in this or an understanding of the situation but if the Deputy passes on the details, I will seek the views of the Tánaiste and Minister for Defence on why the presentation was denied to some people in the Defence Forces.

On Deputy Murphy's point, there has been a lengthy debate on the triple lock through the Private Members' motion. We will vote on it later today. I see this as amending the triple lock in the sense there will still be three elements, namely, the UN Charter, Government approval and Dáil approval. As I have said on a number of occasions, it is important we allow the Minister for Defence to bring forward legislation - it is our intention to do that in the lifetime of this Dáil - and to allow that to be scrutinised at an Oireachtas committee and considered. When people see the detail of the legislation, I think it will show it is not intended to do what the Deputy fears it will. It is time to refresh the situation regarding the triple lock and I look forward to a debate in due course.

Deputy O'Sullivan referred to Bere Island. That island is getting a good run today. We did its health services a while ago; now we are rightly talking about the issue in relation to the slipway and the need for a fund for slipways and piers. The Deputy made the point there is a defence facility on the island. I will discuss it with the Tánaiste and, perhaps, the local authority and revert to the Deputy.

Is féidir teacht ar Cheisteanna Scríofa ar www.oireachtas.ie.

Written Answers are published on the Oireachtas website.

Cuireadh an Dáil ar fionraí ar 1.56 p.m. agus cuireadh tús leis arís ar 2.59 p.m.

Sitting suspended at 1.56 p.m. and resumed at 2.59 p.m.

EU Directive: Motion

Minister of State at the Department of Justice (Deputy James Browne): I move:

That Dáil Éireann approves the exercise by the State of the option or discretion under Protocol No. 21 on the position of the United Kingdom and Ireland in respect of the area of freedom, security and justice annexed to the Treaty on European Union and to the Treaty on the Functioning of the European Union, to take part in the adoption and application of the following proposed measure:

> Proposal for a Directive of the European Parliament and of the Council on combating the sexual abuse and sexual exploitation of children and child sexual abuse material and replacing Council Framework Decision 2004/68/JHA (recast),
>
> a copy of which was laid before Dáil Éireann on 28th February, 2024.

I thank the Cathaoirleach Gníomhach. Yesterday, the Government approved the request of the Minister for Justice, Deputy Helen McEntee, to seek the approval of the Dáil and the Seanad to opt in to the EU Commission proposal. The proposal seeks to amend the 2011 directive on combating child pornography and the sexual abuse and sexual exploitation of children.

3 o'clock

This is a directive we opted into and have transposed. All sides of this House are aware of the gravity of the subject of this new directive and child sexual abuse is among the most heinous of crimes. We in Ireland know well the damage such abuse can do and the people whose lives were ruined by acts perpetrated on them when they were at their most vulnerable, often by the people they most trusted. We already have comprehensive laws to deal with child sexual abuse, particularly as set out in the Child Trafficking and Pornography Act 1998 and the sexual offences Act of 2017. The latter Act, in particular, gave effect to many of the stipulations of the previous EU directive on this matter, which is amended by this new proposal. However, as in so many other facets of life, our legal framework must be re-examined and updated to take account of the changes wrought by technological developments and the changed digital world in which we now live. In the case of this directive, that means targeted new provisions aimed at criminalising the live-streaming of child sexual abuse and clamping down on online enterprises that enable or encourage such abuse, including those that operate on the dark web. It also means ensuring our legislation is adequate to encompass child sexual abuse material that is generated by artificial intelligence.

I will speak about some of the provisions of this new proposal in more detail. First, there is the matter of terminology. Deputies will note I have been referring to "child sexual abuse material" rather than "child pornography". The latter term is outdated and minimises the extent and gravity of the criminality that characterises such material. This matter is, in fact, the subject of a current Private Member's Bill in the Seanad, and is addressed in this new European proposal, which updates all such references to the more modern term "child sexual abuse material" or CSAM.

The Government welcomes the provision in the new directive which seeks to ensure the criminalisation of live-streaming of child sexual abuse by criminalising financial promises or transactions linked to other relevant offences. Deputies may be aware of the recent comprehensive report entitled Online Sexual Abuse and Exploitation of Children in the Philippines, which was published by a consortium of organisations led by a principal investigator from Dublin City University. The report sets out the extent to which the live-streaming of child sexual abuse can become normalised as a source of income in deprived Filipino communities. This shocking phenomenon is, of course, driven by the people here in the West; I should really say the men, because it is usually men who order up this abuse and pay for it. We know the facilitators of abuse who are imprisoned in the Philippines are often subject to lengthy prison sentences. We need to treat the perpetrators at the other end of the video call in a similar fashion and we will explore how to ensure that in the course of the negotiations.

In respect of dealing with Al-generated child sexual abuse material, Irish legislation is already framed in such a way that no distinction is made between this and other child sexual abuse material, and that is important. Al-generated material does not represent a harmless alternative to so-called "real" child sexual abuse material. Al-generated CSAM still represents the sexualisation of children. Offenders who look at such material are still more likely to go on and abuse children, just as with other CSAM. All child sexual abuse material, regardless of origin, re-victimises those who have been abused and, of course, from a law enforcement perspective, Al-generated CSAM wastes valuable police time. Every actionable report of online child sexual abuse received by An Garda Síochána needs to be examined with a view to identifying the children depicted therein. Countless children have been rescued from abusive situations thanks to such reports.

The maximum penalties for various offences are strengthened in this legislation. A definition of "peers" is set out, for those who are close in age and degree of psychological and physical development or maturity. The importance of hotlines, such as *hotline.ie* here in Ireland, which receives reports from the public of CSAM, is recognised through special dispensation to examine and process CSAM within the law. Changes to Article 6 ensure that all forms of grooming, including solicitation aimed at committing child sexual abuse and exploitation offences in an online context, are criminalised in all member states. An amendment to Article 15 seeks to clarify the situations in which member states are entitled not to prosecute or impose penalties on child victims of sexual abuse and sexual exploitation for their involvement in criminal activities which they have been compelled to commit, including distribution, offering, supplying or making available child sexual abuse material. Article 16 seeks to ensure that statutes of limitations of member states cannot start running before the victim has reached the age of majority and to set out minimum statutes of limitations to effectively allow the victim to seek justice. Other changes under this article require member states to ensure that persons, units or services investigating and prosecuting the relevant offences have sufficient staff, expertise and effective investigative tools, including the possibility of using special investigative tools. Ar-

ticle 23 strengthens the position of victims and survivors of child sexual abuse by reinforcing their right to claim compensation for any damage suffered in connection with child sexual abuse and exploitation offences, including damages caused by the online dissemination of material concerning the abuse. Articles 24 and 25 set out new obligations in relation to national co-ordination and data-collection.

Ireland already has a strong reputation at European Union level for the priority we attach to having in place robust, victim-centred legislation. This has been buttressed by the prominent role we have played in the separate negotiations on the EU child sexual abuse regulation, an Internal Market instrument setting out obligations on online service providers to act against the misuse of their platforms for the purposes of abuse. This directive is a fitting criminal law counterpart to that proposal, strengthening the criminal offences that constitute child sexual abuse and ensuring they are fit for purpose in the digital age. We know EU proposals can be subject to sometimes lengthy negotiations. It is important that Ireland play its part in those, to ensure the legislation that is ultimately adopted is as strong and as effective as it possibly can be. I am sure the House will support Ireland's participation in that process, as well as in this important European legislation, and I commend the motion to the House.

Deputy Pauline Tully: This is a welcome debate as it involves a subject on which we are all united, namely, the need to combat abuse and protect the most vulnerable in our society. The measures within the directive seem worthy and positive according to the briefing note we have received and I wish to comment on some of the proposals in order.

First, the move away from using the term "child pornography" to "child sexual abuse material", as well as an amendment in that definition to cover the generation of synthetically created material, is incredibly important. The former term is associated with a degree of glamour or even titillation, which is absolutely inappropriate. It should be noted the coverage of these issues by media and their treatment by other stakeholders has improved but we must always be vigilant in this regard. Every piece of material depicts a crime and constitutes an abuse in and of itself, which includes those generated by AI. Anything that can be done to always remind people of that is welcome.

The increasing of the levels of penalties for engaging with sexual activities with a child in respect of child prostitution is critical as a deterrent must be there. There must be a significant level of co-operation across member states and with third party countries given the fact that many criminals travel themselves or traffic children for these vile ends. A degree of extraterritoriality in the prosecution of people who travel and commit crimes needs to be considered as part of all laws within these areas. Similarly, the harmonisation of the offences of solicitation or grooming and online live-streaming across all member states captures the transnational nature of abuse. Whether acting alone or in concert with others, criminals will exploit whatever measures they can, and the tech platforms in particular must be faced with uniform and universal demand across member states. That all member states criminalise and provide for an effective investigation and prosecution of the events of live-streaming child sexual abuse is essential.

It is close to impossible to commit many of these heinous crimes without an online infrastructure whether it be encrypted apps or other means. The dark web, also a haven for drug dealing and terrorism, clearly plays a huge role. Again, international co-operation is crucial. I wish to raise one such case from 2021, which saw four people arrested in a multiagency operation sparked by a German investigation into one of Europe's most prolific child sexual abuse platforms on the dark web. All four were German nationals and were responsible for running

the platform. The operation was as a result of an international task force set up by the German federal criminal police, which included Europol and law enforcement agencies from the Netherlands, Sweden, Australia, Canada and the US. The site focused on the sexual abuse of children and had 400,000 registered users when it was taken down. To quote Europol itself:

> The case illustrates what Europol is seeing in child sexual abuse offending: online child offender communities on the dark web exhibit considerable resilience in response to law enforcement actions targeting them. Their reactions include resurrecting old communities, establishing new communities, and making strong efforts to organise and administer them.

This is a clear and clarion call to us as legislators.

We must support this international co-operation between agencies in tackling these matters.

The victim provisions in the directive are a positive. Compensation, support and expertise must be given where people have been traumatised. These crimes leave lifelong scars. Individuals should be supported fully in attempting to rebuild their lives. Parental figures can be involved in the abuse, meaning State supports are more critical than ever. I sometimes meet people who suffered abuse as children and have gone through a life of self-loathing and blame. They need strong support to overcome that and rebuild their lives. Often, people block out this terrible crime that happened to them; for it to resurrect itself can have damaging effects. They need definite support. We also need more social workers to deal with families and give support to individuals who have been abused.

A requirement that member states ensure persons, units or services investigating and prosecuting the relevant offence have sufficient staff, expertise and effective investigative tools, including the possibility to conduct undercover investigations on the dark web, is important. I ask the Minister in this specific context if he is confident the Garda and other agencies have these tools. In the context of the ongoing debate on facial recognition technology, I understand the search of child abuse material by automated rather than manual means is part of why the Garda is requesting legislation on this matter. My colleagues, Deputies Daly and Cronin, received a briefing on this technology. What can the Minister of State share with the House what is happening in this regard? In summary, we support this directive and ask that further updates on its implementation be scheduled at a later date.

Deputy Brendan Howlin: I will start with a technical matter I raised previously. I have been critical of the Department of Justice in its treatment of this House regarding the transposition or adoption of EU directives. This is a really important matter. Standing Orders require motions to reach the Clerk of the Dáil at least four working days before they are scheduled to be taken. The Business Committee was able to publish the agenda for this week last week saying that this was to be taken but it was only yesterday that the motion was added to the Dáil business site at 2.25 p.m., a mere 24 hours or so ago. That does not underscore the importance of a proper debate in this House. As long as we put up with that, it will continue.

As has been made clear by the Minister of State, this is a proposal to opt in to a reform and update of the directive we agreed to and legislated for. The new recast directive demonstrates the importance of continued review and update of EU laws, particularly in this area, to take account of changes in technology, which are constant and ongoing. The first phase of work was done by the Council of Europe in 2007. It adopted a comprehensive Convention on the Protection of Children Against Sexual Exploitation and Sexual Abuse. The convention criminalised

a wide array of practices constituting sexual abuse against children. States were required to criminalise such practices and to take measures to prevent sexual violence, protect child victims and prosecute perpetrators. That convention was also ratified by all 46 Council of Europe member states and two non-member states. As regards the European Union, the original directive dates from 2011 and was largely given legislative effect here in the Criminal Law (Sexual Offences) Act 2017. In September 2021, the Commission launched its initiative to assess the implementation of that directive with a view to revising it.

According to the European Parliamentary Research Service, as a consequence of new technologies and the Covid pandemic, criminal reports of child sexual abuse have never been so numerous. It is a shocking fact. It estimates that one in five children is a victim of some form of sexual violence in Europe. That amounts to 16 million children. Both governments and NGOs have acknowledged a dramatic increase in online child sexual abuse materials. For example, between January and August 2023, the Internet Watch Foundation identified 101,988 web pages containing such material hosted on several servers in the EU, a 26% increase compared with 2022. Of those pages, 21,651 depicted the most extreme forms of child sexual abuse, including rape, bestiality, sadism and sexual torture; these are shocking facts. It seems from the Commission's viewpoint that there has been a delay by member states in transposing the 2011 directive and that it has been transposed unevenly, with different rules still applying in different member states. Some of this may be inevitable and may relate to matters that do not fall within the EU's competence, for example, the age of consent varies in the EU from 14 to 18. According to the helpful summary provided by the European Parliamentary Research Service, what was more worrisome than transposition weaknesses was the dramatic increase in online child sexual abuse. This becomes the major problem and is not a consequence of member states' failure to transpose the directive properly. This phenomenon is the main driver of the revision as it calls for certain clarifications.

The issues include investigations and prosecutions of offenders, the increased possibilities for perpetrators to hide their identities, the increased presence of children on the Internet, shortcomings in assessing victims and the impact of new technology in the proliferation of child sexual abuse material. I welcome the general objectives of combating and reducing child sexual abuse in all its forms. I welcome in particular the specific objectives of ensuring effective assistance to and support of child victims. We have very little time in this debate. I hope we will have fuller debate on a matter that really is of importance and substance. This may not be the final version of the directive but I have no difficulty agreeing that a balancing exercise along those lines is clearly necessary and not at all unusual. I and my party strongly support this motion.

Deputy Catherine Murphy: I welcome the opportunity to contribute to this debate. The briefing document was very useful. The opt-in to this directive should, of course, proceed. Many aspects have been either clarified, updated or better defined. It also reinforces a victim's right to pursue avenues of compensation. This recasting of the directive tightens up many strands in the context of the detection, reporting and investigation of CSAM. Crucially, it endeavours to keep pace with advances in technology, particularly in the area of AI-generated materials, some of which are extraordinarily realistic, to such a degree they are making headlines, for example, the Met Gala deepfakes of well-known celebrity personalities. It is a clear illustration of how far somebody can take the production of digitally-engineered imagery. AI has a lot of significant benefits but also has threats. It is important that we stay ahead of those threats. We are addressing it in legislation but there are certain aspects I wish the Minister of

State to address in his concluding remarks. I note a paragraph in the briefing document provided to us that outlined some statistical data from the US from the National Center for Missing and Exploited Children, the body that receives reports of suspected CSAM from service providers. It stated that more than 10,000 cases were referred to An Garda Síochána in respect of material relating to Ireland. Gardaí were able to identify 115 victims of exploitation based on the reports. I must query the resourcing required for this. Of course, it is welcome that perpetrators and victims are being identified but what about those who are not identified because the Garda simply does not have the resources to get through those reports? Will the Minister of State comment on backlogs and how they are to be handled? The briefing indicates that reports are increasing year on year, unfortunately.

The CSAM directive has seen various iterations. An aspect that prevails is concern by civil liberty groups, some academics and the European Parliamentary Research Service. While all acknowledge the fundamental ambition is to protect children, the CSA regulation "... could become the basis for de facto generalized and indiscriminate scanning of the content of virtually all types of electronic communications" of all users in the EU and EEA. On this point I briefly mention commentary from the ICCL, which queried An Garda Síochána on what it does with IP addresses and identifying information pertaining to NCMEC referrals after false positive content was identified. It confirmed that the following data relating to all referrals is retained, such as suspect emails, screen name and IP addresses. There may be no legal basis to retain data in the first place as it may not be proportionate to do so. Cases that are clearly not child abuse material are, for example, referrals involving images of children playing on a beach. Will the Minister of State clarify whether he, his Department or An Garda Síochána have sought and received legal advice on that matter? This directive is well intentioned, and I absolutely support it. However, there could be serious consequences for people caught up in a false positive report and we have to make sure that is dealt with in a way that reduced the risks to people in that context.

Deputy Peter Fitzpatrick: Child sexual abuse is a heinous crime that has evolved significantly over the past years. One in five children suffers from some form of sexual violence, offline and online. Both increased online presence of children and technological developments create new possibilities for abuse and raises challenges for law enforcement to investigate this extremely serious and widespread crime. The Internet, for example, has greatly worsened the spread of child sexual abuse, allowing predators to meet online and instantaneously share videos and pictures of severe sexual violence against children. Given the alarming prevalence of child sexual exploitation and abuse material, swift and comprehensive action is imperative. The purpose of the new directive is to prevent crimes associated with child sexual abuse and exploitation as well as to protect the victims. A strong criminal law is therefore essential and with this directive we are taking a step in the right direction to ensure we have effective legal tools to ensure children and bring predators to justice. The revised rules within this directive justly expand the definitions of offences and introduces higher penalties and more specific requirements for prevention and assistance to victims.

Until now, online providers have been relatively free to combat sexual child abuse as they choose, and the consequences have been shown to be devastating. The threat of abuse is real and has increased throughout the EU. There were 1.5 million reports of child sexual abuse in the EU in 2022. In 2023, the US National Center for Missing and Exploited Children, which receives reports of suspected child sexual abuse material from US-based online service providers, referred more than 10,000 reports to An Garda Síochána in respect of material relating to

Ireland. This represents a 17% increase on the number of referrals in 2022. The Internet Watch Foundation reports a 360% rise in self-generated sexual imagery among those between seven and ten-years-old from 2020 to 2022 as a result of grooming. Online providers will be required to detect, report, and remove online child sexual abuse material on their services, and providers of games, pornographic platforms and services directly targeting kids will have to make their services safe by design. This agreement is a major step forward in making the Internet a safer place for children while upholding fundamental rights. The new directive includes in the definition of "child pornography" the use of realistic images of imaginary children. Often used as a loophole within disrupting criminal networks, this means it would be unnecessary to prove there is an actual child behind every image, which welcomingly makes the efforts of law enforcement agencies easier. Moreover, the criminalisation of grooming is vital for law enforcement agencies to be able to intervene to prevent an adult and a child from meeting instead of waiting until the actual abuse has occurred. These children are victims. Childhood abuse effects every aspect of a child's life from how they think, their sense of safety, their sense of worth and their coping. We need to protect and assist victims in every way we can in the hope that legislation in Europe is capable of efficiently protecting children in the digital world and guarantee they can exercise all the rights envisaged for them in the UN Convention on the Rights of the Child.

The most important issue is the protection of our children and therefore I support this motion. In comparison with when I was a child 50 years ago, children are far more advanced than us. They are more curious, and I maintain they are more intelligent than us. We can look at simple things like the Internet and mobile phones. I do not know how many times in the past number of years I had to go to my grandkids to ask them to update my phone or my computer. They are so advanced. However, the bottom line is that they are children and need protection. They are smarter than us but there are a lot of evil people out there at the moment. I welcome this motion. A good job has been done on it, and I wish the Minister of State the best with it.

Acting Chairman (Deputy Seán Canney): I call on Deputy Pringle from the Independent Group.

Deputy Thomas Pringle: I was called in the nick of time.

I thank the Chair for the opportunity to speak on this directive on combating the sexual abuse and sexual exploitation of children and CSAM. The directive addresses a number of important issues such as investigations and prosecutions of offenders, the increased possibilities for perpetrators to hide their identity, the increased presence of children on the internet, shortcomings in assisting victims and the potential impact of new technology on the proliferation of child sexual abuse material. This is timely given that shocking new research has shown that more than 300 million children per year are victims of online sexual abuse and exploitation. Researchers at the University of Edinburgh found that one in eight, or 12.6%, of the world's children have been victims of non-consensual taking, sharing and exposure to sexual images and video in the past year. Some 12.5% of children globally are estimated to have been subject to online solicitation in the past year, such as unwanted sexual talk, including sexual acts and requests. This is extremely concerning and is clearly a global issue that requires a global response. The increased figures seen across the globe also reflect growing trends in Ireland.

In 2023, the US National Center for Missing and Exploited Children, which receives reports of suspected CSAM, referred more than 10,000 such reports to An Garda Síochána in respect of material relating to Ireland. This represented a 17% increase on the number of referrals in 2022 and the rate of referrals has only continued to increase this year. Last year, An Garda Síochána

identified 115 victims of child sexual abuse or exploitation in Ireland based on such reports, an increase on the 51 children identified in 2022. This is extremely worrying and shows that this issue has been growing exponentially and will continue to grow if we do not take drastic action.

I welcome that this directive seeks to change the level of penalties for those engaging in sexual abuse and sexual exploitation of children and criminalises in all member states solicitation, the live streaming of child sexual abuse and the running of an online infrastructure enabling or encouraging child sexual abuse or exploitation. I also welcome the focus on victims in this directive, particularly the requirement for member states to ensure that victims and survivors of child sexual abuse have access to assistance and support and a right to compensation for any damage suffered. I am also glad to see the change in terminology from child pornography to child sexual abuse material. This material is not pornographic. It is abuse and exploitation. In 2016 ECPAT, a global organisation that works to end the sexual exploitation of children, created an international working group, which consisted of 18 organisations and expert bodies, with an aim to produce a cohesive approach to tackling how global laws and policies referred to child abuse. The result of this was the Luxembourg Guidelines, a report that offered nations a comprehensive overview and breakdown of the impact language and terminology can have in further assisting and supporting victims of child abuse and exploitation. In recognising the role of communication and the power of language we, as policymakers, have a responsibility to ensure that we are using best practice terminology. The term "child pornography" is not only not best practice terminology, it is also outdated, extremely harmful and factually incorrect. Pornography implies consent and ignores the nature of child exploitation. It is important that we implement appropriate language that conveys the truth and actuality of the action and crime.

The use of appropriate language contributes to a positive cultural shift. Although I strongly welcome this language change, I am interested in how this will affect the terminology used in Irish legislation. Senator Flynn introduced a Bill to the Seanad two years ago that sought to do this very thing, that is, to change the outdated language in Irish legislation. She sought to change the term "child pornography" in Irish legislation to "child sexual exploitation material". During that debate two years ago, the Minister of State said, "Appealing as it may be to propose the straightforward replacement of the offending words with more appropriate terms, it is unfortunately not so simple." He went on to state:

> [T]he act of changing the words does alter the offence. In altering the offence, a risk is created regarding prosecutions that are already under way and to future prosecutions that may be brought for offences committed before the change in wording.

Will the Minister of State clarify, then, whether this directive will impact on future and past terminology in legislation and, if so, whether that will alter the offence as he suggested it would in response to Senator Flynn in the Seanad? That is very important for how this legislation will work and have an impact, because it will also have to influence all backdated legislation, at least according to what the Minister of State said in the Seanad. I am wondering, therefore, what will happen with this in future in the context of our legislative process.

Minister of State at the Department of Justice (Deputy James Browne): I thank the Deputies for their contribution and support for our participation in this new instrument. To respond to Deputy Tully, it is the case, as she said, that new technologies are vital to the detection and investigation of child sexual abuse. An Garda Síochána favours employing specialist software, including software that enables victims to be identified through facial recognition, and this supports the importance of enacting the facial recognition technology legislation as a

priority.

I thank Deputy Howlin for his support for the legislation and take his point about bringing this type of motion before the House in a timely fashion, recognising what he said about the need for a period of four working days. It should be done within that time and it is important for us all to be remain vigilant of our rights as Deputies within this Parliament. I certainly take the Deputy's point and will raise it internally, but we should all be vigilant of this. Moreover, I welcome his support over the course of his career in the Dáil. He has a strong legacy in this area, which I absolutely acknowledge.

To respond to Deputy Murphy, a significant proportion of the reports received will, following examination, not be actionable but she is correct to say the increasing number of reports increases the demands on An Garda Síochána, and we will have to be more cognisant of increasing funding and resources. We have provided record funding to An Garda Síochána but, as it becomes more specialised and as criminals become more specialised, we have to continue to increase that funding.

Deputy Murphy also mentioned the privacy concerns that have been expressed in the context of the EU sexual abuse regulation. Ireland strongly supports that regulation, whose provisions include the establishment of an EU centre that will receive and verify reports of CSEM, ensuring no false positives are referred to An Garda Síochána. All organisations must do their best to ensure the potential for any such case will be minimised, because I have no doubt it is absolutely devastating when a false case such as that arises.

Just this week, Edinburgh University published a global study setting out the scale of online child sexual abuse. It reveals that more than 12% of the world's children have been victims of non-consensual talking, sharing or exposure to sexual images or video in the past year. A similar percentage are estimated to have been subject to some form of online solicitation, such as sextortion. This is the phenomenon whereby children, usually teenage boys, are deceived into sharing intimate images and then threatened or blackmailed into providing additional sexual content, sexual activity or money. According to the US National Center for Missing and Exploited Children, incidences of this type of crime have increased dramatically in recent years, including a 7,200% increase in 2022 alone. Unfortunately, these global trends are also reflected in Ireland. The US national centre receives reports of online child sexual exploitation and abuse from US-owned companies and forwards them to law enforcement agencies throughout the world. In 2023, as Deputy Murphy pointed out, it referred more than 10,000 such reports to An Garda Síochána in respect of material relating to Ireland, and this represented a 17% increase on the number of referrals in 2022. Similarly, *hotline.ie*, the national reporting body for illegal online content, has seen year-on-year increases in the number of reports it receives, more than 90% of which relate to suspected CSEM.

All of this serves to demonstrate the need to continue to act against child sexual abuse and in support of its victims, including through participation in this new EU measure. Ireland ratified the Council of Europe's Convention on the Protection of Children Against Sexual Exploitation and Sexual Abuse, also known as the Lanzarote Convention, in 2021 and we have been an active participant in the work carried out under that convention. Ireland has commenced the rollout of the Barnahus model, achieving better outcomes for children who have been abused by bringing essential services under one roof and offering them co-ordinated supports. Ireland will seek to play an active part in the negotiations on this new directive, and I have mentioned the importance of ensuring people who pay for the livestreaming of child sexual abuse should be

punished in a way that reflects their role as a participant in this abuse, rather than as a spectator.

It is important we continue to play a full part in European discussions on these matters and to participate to the fullest extent possible in measures proposed by the European Commission in the justice and home affairs area. The Office of the Attorney General has confirmed there are no legal or constitutional impediments to our participation in this measure, and I hope I have outlined some of the reasons it is important we do so. I commend the motion to the House.

Question put and agreed to.

Extension of Civil Law (Miscellaneous Provisions) Act 2021: Motion

Minister of State at the Department of Justice (Deputy James Browne): I move:

> That Dáil Éireann resolves that the period of operation of sections 1 to 7 and 9 of the Civil Law (Miscellaneous Provisions) Act 2021 (No. 14 of 2021) be extended for a further period of 6 months, beginning on the 1st day of June, 2024 and ending on the 30th day of November, 2024.

I am here to introduce a resolution on behalf of the Minister for Justice, Deputy McEntee, to extend the sunset clause in the Civil Law (Miscellaneous Provisions) Act 2021. The extension of this Act will allow the hospitality sector to continue to provide the sale or supply of intoxicating liquor in outdoor seating areas.

Deputies will be aware the Act was introduced in July 2021. The provisions of the 2021 Act were in place until 30 November 2021 and have been extended five times by resolutions of each House of the Oireachtas, in November 2021, May 2022, November 2022, May 2023 and November 2023. Section 9(4) of the Act provides that the relevant provisions of the Act can be extended for up to six months at a time if a resolution approving its continuation has been passed by both Houses of the Oireachtas. On 21 May 2024, the Government agreed the extension of the Act for a further six months. The Government took this decision in recognition of, and response to, the ongoing demand for such facilities, which allow businesses to operate with clarity and certainty in respect of the law on outdoor dining services.

I am now, therefore, on behalf of the Minister, bringing forward a proposal that the Act continue in operation until 30 November 2024. The measures provided for in the 2021 Act were put in place to facilitate licensed premises to provide outdoor seating in the context of the Covid-19 pandemic. These measures also allow An Garda Síochána to regulate and enforce these provisions in the course of its ordinary responsibilities in enforcing the licensing laws. Providing An Garda Síochána with the power to direct licenceholders to comply with this legislation as it relates to outdoor seating areas facilitates the enforcement of the Act and is an important safeguard. I think the House will agree it is essential that An Garda Síochána continue to have clarity on its powers for public order purposes and, equally, that licensed premises owners understand their obligations to maintain order in outside public areas where they are selling alcohol.

Although Covid-19 is now less prevalent, the Government considers it to be in the public interest to provide for the sale or supply of intoxicating liquor in certain circumstances in seating

areas located outside licensed premises. This allows the licensees of such premises to conduct business and operate in these outdoor seating areas. It is important to extend this operational period for a further six months to give clarity to licensed premises, local authorities and An Garda Síochána.

The increased availability and popularity of outdoor dining and socialising has been welcomed by many. Its innovation is reflective of the demand for more variety and choice in the ways in which we socialise and in the types of venues and social spaces that are available. On 30 April, the Minister for Housing, Local Government and Heritage, Deputy Darragh O'Brien, waived street furniture licence fees for tables and chairs associated with outdoor dining for the remainder of 2024. This is part of the measures the Government is taking to support businesses. In addition, there is no fee for awnings, canopies and heaters associated with outdoor dining.

This important extension of the 2021 Act also clarifies the position of licenceholders who wish to sell and serve alcohol adjacent to a licensed premises in an area approved by the relevant local authority. At present, these premises have no remedy to amend their licence to include that area under existing legislation. Deputies will be aware it is the intention of the Minister, Deputy McEntee, to bring to Government a Bill that will contain heads to provide for a number of priority matters, including addressing provisions for outdoor seating, as part of the licensing process. In addition, the 2024 Bill will introduce provisions that will regularise the position with respect to outdoor seating areas on a permanent basis. The Department of Justice and the Office of the Attorney General are currently finalising the terms of those provisions. However, it will not be possible to bring the provisions into operation prior to 31 May 2024. Accordingly, it is proposed to extend the operation of the Act for a further period of six months, that is, until 30 November 2024.

The Government considers that it is important to extend the outdoor dining provisions provided for by the Civil Law (Miscellaneous Provisions) Act 2021 to allow for ongoing certainty for all those operating in the licensing trade, their patrons, local authorities and An Garda Síochána. It will be crucial that the needs of those who may be impacted by the harms caused by alcohol abuse or over-consumption, including members of An Garda Síochána and local residents, are taken into account when decisions are being taken regarding licensing.

In summary, we are here to deal with one element of our current licensing system that needs our attention, namely, the extension of the outdoor seating provisions which have proven to be popular with the industry, local businesses and patrons. I commend the motion to the House.

Deputy Pauline Tully: When the Act of 2021 was first introduced and areas were pedestrianised, there was a lack of consultation with disabled people and disabled persons' organisations. Some areas were pedestrianised and disabled parking spaces were moved without prior consultation, often to areas that were not very suitable. Outdoor areas for dining and the consumption of alcohol were put in place and while that was welcome and necessary at the time, people with mobility issues or visual impairments were not considered and their rights were affected. This should be considered on an ongoing basis. If something like this is to happen, everybody's rights should be taken into account.

Sinn Féin supports the measures in the motion because, broadly speaking, they have worked well. The ability of businesses to diversify through serving drinks outdoors has proved important and while it has not saved the pub and hospitality sector more generally, overall it has been positive.

We have some concerns, the first of which relates to the legal certainty required around these measures. The Government has confirmed, and the Minister of State echoed this in his speech, that provisions related to outdoor seating will form part of the forthcoming intoxicating liquor Bill 2024. I will comment on the splitting of the Sale of Alcohol Bill 2022, a large Bill that has already undergone pre-legislative scrutiny. The Bill must strike a balance between the economic contribution made by the night-time economy and the hospitality sector more generally versus the health, workers' rights and public safety concerns many have. The outdoor seating provisions being paired with opening hours, annual late bar and nightclub permits and other measures makes sense and I hope we will see more details on this soon. I assume they will be similar to what was presented during pre-legislative scrutiny but I ask the Minister of State to let us know more about what the Bill contains and whether the provisions on outdoor seating will be different from what we are discussing.

I wish to discuss in further detail the concerns I mentioned, beginning with the business supports for the sector which were a feature during the pandemic. The outrageous costs we now see, which businesses and workers struggle with, have necessitated further supports but more can be done. We have called for the Government to engage with industry to design a bespoke but time-limited support for those sectors most impacted by public policy interventions and other additional costs.

The hospitality sector is self-evidently very much one of these sectors. The reopening of the increased cost of business grant for applications is welcome but we need clarity and swift delivery. It is not surprising businesses were confused and that less than 50% of qualifying businesses had applied for the grant before it closed on 30 April. This led to the scheme reopening. My colleague, Teachta Louise O'Reilly, has received data that demonstrates many businesses have either not had their applications processed or received their money. Nationally, only 17% of businesses have had their applications approved to date and only 10.7% have had grant money paid to them.

I also note the hospitality sector, along with retail, made up 40% of the total number of insolvencies in quarter 1 of 2024. Jobs are disappearing, especially in rural areas such as Cavan and Monaghan. This badly affects workers who have already seen so many issues within the hospitality sector. Their hours are long, pay can be meagre and abuse and exploitation run rife. We need to see better protections accompany any expansion of capacity for the sector.

Similarly, the public order and public health aspects of the hospitality sector need to be properly evaluated before any changes are made to the provisions of the Sale of Alcohol Bill. It is telling that the Minister for Health sounded the alarm about the Bill, writing to the Minister for Justice to ask what risk assessments on its provisions had been completed. My colleague, Teachta Thomas Gould, in his capacity as Sinn Féin's spokesperson for recovery and addiction, previously wrote to the Minister for Justice asking for the same assessments to be done. This, presumably, includes the splitting of the Bill and no measures should be introduced without an assessment of the implications for gardaí and healthcare staff as well as local communities.

Sinn Féin does not oppose this Bill, for the aforementioned reasons. However, we would welcome a debate on the permanent legislation. I ask for some transparency around what assessments will be done on the effects of that legislation.

Deputy Brendan Howlin: As the Minister of State told the House, this is the latest in a series of motions. One has passed through this House every six months since 2021. The purpose

of the motion is not controversial - to allow for a continuation of the current outdoor seating and drinking regime. Some such regime of some order would and should be an ordinary part of our ordinary regulated life.

Until the Covid pandemic, outdoor drinking raised issues both under licensing legislation and planning law and the practice was that it was not widespread. These rules were relaxed in response to the Covid-19 pandemic in what was stated to be a temporary and emergency response. Specifically, according to the Civil Law (Miscellaneous Provisions) Act 2021, its purpose was to:

> make provision, on a temporary basis, for the sale or supply of intoxicating liquor in certain circumstances in seating areas located outside licensed premises in order to allow, in the public interest and having regard to the manifest and grave risk to human life and public health posed by the spread of the disease known as Covid-19, the businesses of licensees of such premises to operate in a manner that mitigates the spread of that disease...

According to the recitals set out in that Act, which is the base Act it is now proposed to extend

> the emergency that has arisen and continues is of such a characteristic that for compelling reasons of public interest and for the common good, to assist and support the State's effort to promote and maintain the normal functioning of society, to protect the gradual re-opening of society and, to the greatest extent possible, to avoid imposition or re-imposition of restrictions thereon, it is necessary, in order to allow businesses of licensees premises to operate in a manner that mitigates the spread of the disease...

The original exemption ended on 30 November 2021 and has been extended for six months by resolution of both Houses of the Oireachtas ever since. With each resolution we debate, the Minister and these Houses are moving further and further away from reality. We cannot pretend that the basis of allowing this to happen is as I cited from the Bill. It is a fiction and to put it politely to the Minister of State, the claim that there is a public need for the continuation of these measures for outdoor drinking in order to mitigate the spread of Covid-19 is one which, if it were challenged in the courts, is not likely to stand, and we know how litigious this area of law is.

The legislation has clearly been abused by being extended, relying on public health as a justification of something we should be doing by way of normal law. In recent times, every time we have extended this resolution, we have had a promise - as we have again - that it will be dealt with by way of normal law. We need to get on with that. This long suspension of the ordinary rules has established and perpetuated certain problems, some of them serious. Some pubs in residential areas have fronts and rears that are not suitable for outdoor drinking. Some would never be given planning permission by the local authority if they were to go through the normal planning process. We need to deal with these issues as a matter of normal law and not say we have an Irish solution to an Irish question. We have an emergency piece of legislation that works grand and we will just continue it until somebody calls foul.

As matters stand, if this resolution is passed and tested, it would be no surprise to anybody if the resolution fell. That would put the operators and everybody else in an invidious position. Even if it is a stand-alone measure, we need proper regulation of these things. These are matters that we talk about all the time.

I will not oppose or vote against this extension but we all know that having something anchored on the pandemic as a measure to mitigate the spread of a disease that is not regarded as a serious health risk now is not the basis by which we should be acting as legislators in this House. I do not want to be critical of the Minister of State but I hope in his concluding remarks he would address this issue and say this is the last time we are going to be doing this. If we do not have comprehensive legislation under the Intoxicating Liquor Act, then I hope some proper amending legislation as a stand-alone measure will be presented to us.

Deputy Catherine Murphy: I would like to follow on on that theme. Every six months we deal with this motion and have been told today that the initiative is part of business support. I feel sorry for the Minister of State. He is standing up here and trying to say something different but it is pretty difficult to do that. We know this is a temporary provision and none of us will oppose it, but neither do we find it satisfactory. We can pick holes in how the law is functioning.

In the closing remarks on the last debate on a similar motion, we were told it is challenging to draft permanent legislation and while a piece could be done on this alone, the Government wanted to do a bit more on alcohol legislation. Deputy Howlin referred to stand-alone legislation. We were told that could not be done in time. We were then told that the Minister for Justice, Deputy McEntee, expects to have that legislation in February next year. We were told that last November. The Minister of State knows that we cannot keep doing this.

We also have to consider a timeline. We could run into a serious problem if, for example, we did not have this legislation and there was a general election followed by a protracted period to form a Government. We would see a significant gap not covered by law. I do not find that acceptable.

I can keep going back over the same points I have made repeatedly. I refer to planning issues. Every time I have spoken about this, I have said that this works perfectly well in some locations but in others it does not. For example, because this measure was of an emergency nature, there was not much thought for people with disabilities. I have walked around areas with people with disabilities to get a sense of what they see and encounter. Things like sandwich boards and obstructions are not just an inconvenience; people can do serious damage to themselves. I have seen a person who has done awful damage to their legs due to a visual impairment and constantly bumping into things. We are either serious about this or not. We have made good progress in planning law relating to people with disabilities, but we then put significant impediments in their way without considering whether a location is appropriate or appropriate consideration has been given to people who are confronted with an obstacle.

We spend a lot of money on shopfronts. Local authorities give grants to have nice streetscapes and shopfronts, and we then obscure them, in some locations very inappropriately. We start to wonder whether that is counterproductive. Advertisers are taking commercial advantage of some of these structures, some of which can be quite ugly. I do not think that would be permitted if people had to get planning permission and there was a regime around what people can and cannot do.

I do not think I need to tell the Minister of State that this is not satisfactory. It is more than unsatisfactory. If we do not have this legislation in place, I ask him to give us something more permanent than motions.

Deputy Seán Canney: I welcome the opportunity to speak on this proposal. I too have

a concern that we are pushing the can down the road for another six months. That is of very little use to people who have invested in outdoor facilities and amenities. The hospitality sector and publicans who have made that investment are going from six-month to six-month periods, wondering whether they will have to take things down again or what is going to happen. It is important that we protect business by putting something more permanent in place in terms of outdoor dining and drinking.

It is important to refer to people with disabilities. As a member of the disability matters committee, I would like to draw the attention of the Minister of State to the fact that some of the outdoor facilities that have been put in place have not taken cognisance of the discommode they have done to people with a disability, especially on footpaths. It is important that that is examined. While we are helping the hospitality sector, pub trade and all of that, which is great and a legacy of Covid, it is important that we make sure people with disabilities are taken into account when we make these decisions.

I hear from people in Galway East that the pub trade is changing and it is harder to make money at it. Any opportunity to try to change how they do business is a welcome proposition. The fact that people can have a seat outside to have a drink on a nice evening or whatever is great, looks good and creates an atmosphere in a local town or village. That is to be commended. However, we need to make that a permanent part of the trade in order that publicans or people serving food know this is the way they can do things going forward. At the moment it is not like that.

We extend this every six months. If we extend it for six months now, we might have an election before or after the six months are up. Where does all this legislation go in the meantime? It is important that we have this on a permanent footing in our legislation. When the legislation is introduced, we do not need to add more costs to publicans by requiring them to do a lot of paperwork and all of that kind of thing. The ways things were done during Covid were simple and quick and allowed people to provide protected socialisation. We have to bear in mind that this is the basis for this legislation. We need to make it permanent because it was a good thing to do and we demonstrated that we can do it without choking the system with paperwork. That is important.

Where is the legislation to make this permanent? When will it come before the Dáil? How will we deal with that in the very short timeframe we have? It is important that we get that right. It is important that we extend this, but the Government has added a number of iterations of this particular legislation on a six-month basis, which is not acceptable. I agree with what we are doing, but let us get it permanently right.

Minister of State at the Department of Justice (Deputy James Browne): I thank Deputies Howlin, Murphy and Canney for their contributions. A number of similar themes were raised. Reference was made to obstructions faced by people with disabilities or visual impairments and the elderly.

4 o'clock

My own sister is in a wheelchair and I fully agree with everything that Deputies have said. As it is necessary to get a street furniture licence, I would say to the local authorities that it is their duty to ensure that where they are issuing these licences, the footpaths remain clear of obstructions. There should also be enforcement actions against those who have these licences to

make sure they stick to the very clear definitions of the areas provided. Access by people with disabilities is essential. Wheelchair spaces must be respected and it is up to the local authorities, in granting these licences, to ensure that is the case.

I acknowledge this is another repetition of the six month extension. This has been ongoing, again and again. If I was in a court, I might be saying to the judge that I have my instructions. The Minister, Deputy McEntee, is determined to get this onto a permanent footing so that we do not go through this again. Clearly there is a risk if there is no Dáil sitting at a particular time that it could give rise to very serious situations for certain businesses. We all agree that this needs to be passed but the constant renewal of it is not the way to do the business on this. It needs to be put on permanent footing.

Deputy Brendan Howlin: We are on very shaky ground now.

Deputy James Browne: I will certainly bring the Deputies' comments to the attention of the Minister.

Question put and agreed to.

Cuireadh an Dáil ar fionraí ar 4.01 p.m. agus cuireadh tús leis arís ar 4.30 p.m.

Sitting suspended at 4.01 p.m. and resumed at 4.30 p.m.

Research and Innovation Bill 2024: From the Seanad

The Dáil went into Committee to consider an amendment from the Seanad.

Seanad amendment No. 1:

Section 71: In page 51, between lines 23 and 24, to insert the following:

"**Confirmation of acts done or purporting to have been done**

71. (1) All acts done, or purporting to have been done, by the Minister for Further and Higher Education, Research, Innovation and Science in performing the functions of the Minister for Enterprise, Trade and Employment under sections 11 to 13 of the Industrial Development (Forfás Dissolution) Act 2014 during the period commencing on the 1st day of January 2021 and ending on the 15th day of April 2024 which would, but for this section, be invalid, shall be, and be deemed always to have been, as valid and effectual for all purposes as if those acts were done by the Minister for Enterprise, Trade and Employment.

(2) If *subsection (1)* would, but for this subsection, conflict with a constitutional right of any person, the operation of that subsection shall be subject to such limitation as is necessary to secure that it does not so conflict but shall otherwise be of full force and effect.".

Minister of State at the Department of Further and Higher Education, Research, In-

novation and Science (Deputy Niall Collins): I am grateful for the opportunity to address the House. On Committee Stage in the Seanad, I brought forward one technical amendment that relates to an additional section being inserted, section 71, "Confirmation of acts done or purporting to have been done". This is a technical amendment to provide full clarity and continuity of the related provisions in the Statute Book in advance of the establishment of the new funding agency, Taighde Éireann or Research Ireland.

There was a technical oversight within SI 586/2020 on the transfer of ministerial functions order. The operation of one of the amendments to the existing statute preceding the 2020 order was complex and this resulted in the omission of three provisions. This has been resolved and the proposed amendment just ensures clarity and continuity of the statute. When the Research Policy and Programmes (Transfer of Departmental Administration and Ministerial Functions) Order 2020, known as SI 586/2020, was being compiled that year the usual checks of existing statute would have been performed. From the manner of presentation in the Statute Book it would have appeared that all of the relevant provisions were captured in sections 19, 20, and 21 of the Industrial Development (Science Foundation Ireland) Act 2003. However, the Industrial Development (Forfás Dissolution) Act 2014 operated upon these provisions in a complex manner and this was not immediately transparent from the statute. This meant that they were not precisely captured in the 2020 transfer order. This was discovered in the course of finalising the drafting process of this Bill. The Department has been advised that it would be prudent to ensure complete clarity and continuity of the statute in advance of the enactment of the Bill. That is the reason for this amendment.

Deputy Mairéad Farrell: I thank the Minister of State. We have had many conversations on this legislation. I understand that this particular amendment is technical in nature and I have no issue with it. I wish to make a few general points that I have not made previously, which are important. It is a pity amendments that I and others tabled were not considered to any great extent. I refer to parity of esteem between disciplines not being mentioned specifically in the Bill. I believe it could have been spelled out better. There was also no agreement that the board of the new body would comprise a majority of researchers, which was an oversight. Further, there was no explicit mention of research to support the public good which, again, is an oversight.

Before I came into this brief, the Minister of State had worked with a lot of different people and had taken some of their concerns on board. The aforementioned are some of the concerns that I would still have on the legislation. However, I accept that we are where we are and that we are moving on to the final stages of the process. I really hope that this has been done right and that it will breed success in the coming years because it is extremely important for the State. We will have to take it from here. I just wanted to raise those points again but I have no issue with the amendment before us today.

Deputy Niall Collins: I thank the Deputy for her contribution and input. I thank all Deputies who have indicated their support for this Bill. I also thank the Senators who contributed to a lengthy debate in the Seanad on the Bill and I thank the officials from the Department for their work on this. Hopefully, it will represent a new horizon for the research community right across Ireland, which is a really important part of our economy and our educational institutions. The new body will contribute to the betterment of our country as we move forward. We have to think about the future and the establishment of this new agency will certainly go a long way towards achieving all of our goals.

Seanad amendment agreed to.

Seanad amendment reported.

An Leas-Cheann Comhairle: A message will be sent to the Seanad.

Cuireadh an Dáil ar fionraí ar 4.36 p.m. agus cuireadh tús leis arís ar 5 p.m.

Sitting suspended at 4.36 p.m. and resumed at 5 p.m.

5 o'clock

Health (Assisted Human Reproduction) Bill 2022: Report and Final Stages

An Leas-Cheann Comhairle: Amendments Nos. 1, 8, 24, 28, 39, 42, 44, 48, 59, 62, 67, 68, 70, 83, 87 and 88 are related and may be discussed together by agreement.

Minister for Health (Deputy Stephen Donnelly): I move amendment No. 1:

In page 14, line 9, to delete "*228*," and substitute "*228*".

This group of 16 amendments is purely technical in nature and its acceptance would not have any policy implication for the Bill. The amendments variously seek to refine terminology, correct minor typographical and punctuation errors and update referencing.

Amendment agreed to.

An Leas-Cheann Comhairle: Amendments Nos. 2, 36, 55 and 56 are related and may be discussed together by agreement.

Deputy Stephen Donnelly: I move amendment No. 2:

In page 17, between lines 19 and 20, to insert the following:

" "medical specialist" means a registered medical practitioner whose name is entered in the Specialist Division of the register of medical practitioners maintained by the Medical Council under section 43(2)(b) of the Act of 2007;".

This group of four amendments relates to the introduction of a new definition of "medical specialist" alongside the definition of "registered medical practitioner" and "relevant specialist" already in the Bill. The addition of a new definition is based on expert advice from the HSE to ensure the views of an appropriate specialist, rather than those of a registered medical practitioner are provided for in respect of issues such as the likely impact on a child's fertility caused by medical treatment she or he is undergoing or the assessment of physical suitability of a potential surrogate mother. It was discussed and asked for on Committee Stage by committee members and I am happy to include it on Report Stage.

Amendment agreed to.

An Leas-Cheann Comhairle: Amendments Nos. 3, 33, 34, 43, 53, 54, 63, 73 and 78 are related and may be discussed together.

Deputy Stephen Donnelly: I move amendment No. 3:

In page 22, to delete lines 20 and 21.

This group of nine amendments relates to issues arising from the death of an intending parent in a surrogacy agreement. Amendment No. 3 deletes a cross-reference to provisions later in the Bill in section 53(3) which relate to a surviving intending parent in a surrogacy agreement applying for a parental order as a single intending parent when the other intending parent dies after the relevant embryo transfer takes place. Amendment No. 33 replaces section 53(3) with a requirement in a specified form of a domestic surrogacy agreement that in the case of two intending parents, each needs to indicate that he or she understands that if one of them dies before the relevant embryo transfer takes place, any approval granted by the regulatory authority to that agreement will be immediately revoked. This is because the application would have been made and the approval granted on the basis that there were two intending parents. Amendment No. 34 basically confirms this position.

Amendments Nos. 53 and 54 mirror amendments Nos. 33 and 34 in respect of international surrogacy. However, there is a possibility that the surviving intending parent could at least potentially reapply for approval from the regulatory authority as a single intending parent when their partner dies before the embryo transfer has taken place with the proposed use of the same embryo as long as the surviving intending parent has a genetic link.

Deputy David Cullinane: If I am reading the amendments correctly, they provide that where two intending parents enter into an arrangement but one dies before the embryo transfer takes place, the previously given consent is considered revoked. I have been asked to ask the Minister whether any provision has been made, allowed or considered for intending parents to indicate ongoing consent in the event of a death so that the remaining parent may continue with the surrogacy. Has consideration been given to a situation where one or both parties could consent that in the event of the death of one of the individuals the agreement could still proceed.

Deputy Stephen Donnelly: That is right, if the embryo transfer has taken place. If the embryo transfer has not taken place they have to reapply essentially.

Amendment agreed to.

An Leas-Cheann Comhairle: Amendments Nos. 4, 7, 50, 69, 71, 74 and 79 are related and may be discussed together.

Deputy Stephen Donnelly: I move amendment No. 4:

In page 22, between lines 21 and 22, to insert the following:

"(7) Nothing in this Act shall be construed to prejudice the generality of the Assisted Decision-Making (Capacity) Act 2015.".

Amendment No. 4 introduces a catch-all provision to confirm that nothing in the Bill should be construed to prejudice the generality of the Assisted Decision-Making (Capacity) Act 2015. This amendment ensures coherence and consistency across all the relevant provisions in this Bill which refer to capacity-related matters and allows the deletion of the terms "subject to the provisions of" or " the generality of" the 2015 Act later in the Bill. These deletions are also the purpose of the other six amendments in this group, which are amendments No. 7, 50, 69, 71, 74 and 79.

Amendment agreed to.

Deputy Stephen Donnelly: I move amendment No. 5:

In page 25, to delete lines 15 to 17 and substitute the following:

"(a) the current state of medical evidence as to—

(i) the increase in the number, or the severity, or both, of risks (whether bodily or otherwise), and

(ii) the likelihood of a successful outcome,

associated with providing the relevant treatment to persons by reference to increases in age;".

The Bill as amended by the Select Committee on Health provides in section 12 for the Minister to specify the upper age limits for being provided with assisted human reproduction, AHR, treatment. Amendment No. 5 adds criteria which the Minister shall have regard to when making such regulations. The new criteria relate to the likelihood of the successful outcome of AHR treatment in the context of how it increases with age.

Amendment agreed to.

An Leas-Cheann Comhairle: Amendments Nos. 6, 35 and 49 are related and may be discussed together by agreement.

Deputy Stephen Donnelly: I move amendment No. 6:

In page 28, line 20, after "satisfied" to insert ", based on the information available to the provider,".

Section 16(2) of the Bill states that AHR treatment should not be provided to a person unless the clinic is satisfied that the person and their partner do not represent a potential significant risk of harm or neglect to a child. Amendments put forward on Committee Stage by Deputies Cullinane and Shortall would mean that a clinic would have to refuse to provide AHR treatment if it became aware of such a significant risk. We had a good debate on this. Those amendments would in effect overly lower the bar with regard to the onus being placed on the providers, which was discussed. It should be noted that the wording in the Bill as initiated was already somewhat less onerous than in the 2017 general scheme. Head 7(1) of the general scheme stipulated that "a person shall not be provided with AHR treatment unless account has been taken of the welfare of any child who may be born as a result of such treatment". In other countries, the bar to be reached in this area is often higher. Amendment No. 6 will make clear that individual clinics can only satisfy themselves that there is no potential significant risk based on the information available to them. Essentially, it is not up to them to do investigative work on each of their clients. This reflects that the information available to them will be largely based on the assessment documentation the regulatory authority will develop as well as anything that comes up as part of normal counselling or consultation. The slightly amended wording which requires the fertility clinic is satisfied strikes the right balance and speaks to the legitimate concerns raised by Deputies Cullinane and Shortall and that we discussed on Committee Stage.

Deputy David Cullinane: When we discussed this on Committee Stage, and there was lengthy discussion of this with the Minister's officials at briefings on this matter too, the concern that we had was that it could be perceived that providers were being asked to police access

to services, so I welcome the fact that the wording here essentially says that the regulator must be satisfied on the basis of information available to them. I think that is sensible and logical and it answers for me the concerns I had.

In any of these issues, where we had concerns, because this is a unique situation that we are developing here in Ireland and there is no template that we can take which makes it more difficult, the review after three years will be really important. If things need to be re-examined and changed then we can do that. On this issue, I think the wording the Minister has agreed to satisfies the concerns that I had and I thank the Minister for that. We did have very lengthy discussion on it but I am happy to support what has been inserted by this amendment. It does go a long way to alleviate concerns I had in this area.

Amendment agreed to.

Deputy Stephen Donnelly: I move amendment No. 7:

> In page 32, line 13, to delete "subject to the provisions of the Assisted Decision-Making (Capacity) Act 2015,".

Amendment agreed to.

Deputy Stephen Donnelly: I move amendment No. 8:

> In page 37, to delete lines 22 and 23.

Amendment agreed to.

An Leas-Cheann Comhairle: Amendments Nos. 9 and 10 are related and may be discussed together.

Deputy Stephen Donnelly: I move amendment No. 9:

> In page 42, line 2, to delete "Subject to *subsection (2)*, an" and substitute "An".

Amendments Nos. 9 and 10 will result in the deletion of subsection (2) of section 34. This is being deleted on the basis of expert advice from the HSE that there are no genetic family members in respect of whom the provision of AHR treatment should be refused on purely genetic relationship grounds other than those genetic family members listed in subsection (3). Therefore that list in subsection (3) should be viewed now as an exhaustive list. Therefore it makes it more inclusive.

Amendment agreed to.

Deputy Stephen Donnelly: I move amendment No. 10:

> In page 42, to delete lines 7 to 14.

Amendment agreed to.

An Leas-Cheann Comhairle: Amendments Nos. 11, 40, 60 and 85 are related and may be discussed together

Deputy Stephen Donnelly: I move amendment No. 11:

In page 43, line 11, after "expenses" to insert ", and any net loss of income,".

On foot of amendments submitted by Deputies Shortall, Cullinane and Kenny on Committee Stage, I am introducing this amendment to speak to the issues they raised. Essentially this will bring in an allowance for net loss of income to be included as part of the permitted reasonable expenses incurred by a donor. This provision, which is brought in through amendment No. 11 to allow donors to be paid for a net loss of income is particularly required in respect of, for instance, egg donors who are more likely to take time off and need to take time off from their jobs to complete the donation process.

Amendment No. 85 makes a similar change to the Children and Family Relationships Act. The other two amendments are on foot of Committee Stage amendments from Deputy Cullinane. Again, the word "net" is being added before loss of income in the context of reasonable expenses incurred by a surrogate mother. This will allow for aspects such as social protection payments or income tax liabilities to be taken into account when seeking to calculate a surrogate mother's potential loss of income. Again, it makes it a stronger scheme and hopefully reflects the amendments and the discussion that we had on Committee Stage.

Deputy David Cullinane: Again, I raised concerns on Committee Stage, and on Second Stage, that the net loss of income was not covered under reasonable expenses so the fact that the Minister has agreed to that and that the amendments reflect that and use the terminology that was recommended in the various amendments by Members of the Opposition is very helpful. I thank the Minister for that and I will be supporting the amendments.

I do want to say, however, that when I am looking at lots of the amendments, and we had lengthy conversations on many of these issues, it is helpful that the amendments are reflecting much of the discussions that we had. People who are waiting for this Bill to pass will be looking for it to pass as quickly as possible. It shows when we are making these types of changes that we are getting it right, or at least we are all trying our best to get it right. I commend the Minister on his approach and I am very happy with the amendment.

Deputy Róisín Shortall: The Minister has taken a reasonable approach on this. I endorse the point made by Deputy Cullinane. Speed is fine if people are in a hurry to get something but speed in addressing legislation, and especially legislation as long and very complex as this Bill, very often results in our having to revisit the issue unless adequate time is given for consideration of the provisions. Therefore, I think it was right that we took the time that we did on Committee Stage. It is welcome that the Minister has taken on board a number of the points that were made. At the briefing we welcomed that. He has made a serious attempt to meet us halfway and improve the legislation by doing so. Hopefully the Minister will be in the same mood for some of the other amendments that are there and he might take those on board as well.

Amendment agreed to.

An Leas-Cheann Comhairle: Amendments Nos. 12 and 13 are related and may be discussed together.

Deputy Stephen Donnelly: I move amendment No. 12:

In page 44, to delete lines 30 to 34 and substitute the following:

"(a) an appropriate medical specialist has stated in the specified form that

such child is due to undergo medical treatment which, in the opinion of the specialist—

(i) is likely to cause a significant and irreversible impairment to the child's fertility, and

(ii) such storage is in the child's best interests, including, without prejudice to the generality of the foregoing, in respect of having objectively, and in all the circumstances of the case, a reasonable expectation of the child being in a position to use the relevant storage (G) or the relevant storage (T), as the case may be, after the child attains the age of 18 years,".

These two amendments to section 39 are put forward on foot of recommendations from the HSE in relation to the issue of children being provided with AHR treatment for the purposes of fertility preservation. We had a very useful discussion on this on Committee Stage. The first strong recommendation was that it should be an appropriate specialist rather than a registered medical practitioner who decides whether a child should be provided AHR treatment given the clinical importance of that decision, as already discussed in relation to amendment No. 2. This facilitates a broader number of specialties which can provide that very specialist advice.

The second recommendation was related to the removal of a reference to the term "progressive disease", as the HSE considered it would be more appropriate and safer for this type of fertility preservation to be related solely to the type of medical treatment that a child may be facing as distinct from being based on a disease itself.

The third recommendation, which is reflected in this amendment is the addition of the word "irreversible" in the context of the likely impairment to a child's fertility. The HSE points out that there are medical treatments which impact on fertility at the point of treatment but after which fertility can be recovered, so it considers it is important that this distinction is captured in the Bill.

The fourth and final recommendation reflected within these two amendments is the addition of a specific criteria to be taken into account when deciding whether the retrieval and storage of the child's gametes or tissues is in his or her best interests. The new criteria would require the specialist concerned to have a reasonable expectation of the child being in a position as regards the health and capacity to use stored material upon reaching adulthood. In the context of the proposed forthcoming amending Bill further consideration will be given to issues around the position of the consent of the child to storage once they become an adult and their ability to revoke such consent at that stage according to their own wishes.

Deputy David Cullinane: The current draft of the Bill provides that children in very limited circumstances can participate in AHR, for example in egg donation, where a procedure or a progressive disorder - that is the terminology that was used in the original draft – is likely to cause infertility. As the Minister said, these amendments remove the references to "progressive disorder". I hear what the Minister is saying that the advice he got is that it is more appropriate to make that decision based on the treatment rather than the disorder or the disease but will he explain why that is the case and the rationale for the advice? I ask because when I first saw the original draft, I was happy enough. It made sense to me. I would like to get a greater understanding of what the logic was of removing "progressive disorder". The Minister has said that it is advice coming from the HSE but I do not think the thinking or rationale behind this has been

properly explained. Why would it not have been possible to leave in the words "progressive disorder"? What was the compelling argument to take that out?

Deputy Róisín Shortall: I also raise concerns about these two amendments. AHR professionals have expressed serious concern about these two amendments and the removal of the term "progressive disorders" from the Bill. It is accepted that such conditions are rare. However, because of rapid advances in genetics and other fields, fertility preservation is possible. I have also been advised of several such cases in respect of adolescents who are living with various conditions such as Turner syndrome, galactosemia and what is known as BPES.

AHR professionals also argue that the proposed addition of the phrase "irreversible impairment to the child's fertility" does not account for unknowns. It is pointed out that in the field it is well known and accepted that, for example, some children's ovarian and testicular functions can recover following chemotherapy, but this is unpredictable. Also, according to the professionals, in boys there is a lower threshold for freezing sperm because it is relatively simple and non-invasive. I remain to be convinced that such medical practices should be restricted in primary legislation. Again, given the pace of change in this area, surely the Minister's concerns could have been addressed by way of statutory instrument, rather than placing such restrictions in primary legislation. The thinking among people who have expertise in this area is that, given the pace of change in the area of science, we must ensure the legislation is future-proofed and allows for medical specialties to determine what is medically appropriate and achievable in each case, rather than setting it in stone at this point in time.

Deputy Stephen Donnelly: I thank the Deputies. To be honest, I do not have a policy view on this. This is an expert view from the HSE. As I understand it, the HSE is essentially saying that rather than linking the decision-making on this to a disease, we should link it to the treatment for the child. A disease may or may not cause fertility issues, some of which may be permanent and some of which may be temporary. It is the treatment of the disease or the treatment the child is getting that can have a big impact on fertility. I refer, for example, to a chemotherapy treatment for a child.

For me, this is not a policy issue. I take Deputy Shortall's point about whether such measures could be provided for in statutory instruments rather than in the Bill. There is, however, no attempt here to restrict access for children. In fact, to address Deputy Shortall's point, the science is becoming more and more mind-blowing in terms of what can be done. This is a matter of experts in the HSE saying that if are to do right by the child, we must base this on the treatment of the child, and not the disease of the child. That is it. I am just going with the specialist advice that came back from the HSE on this.

Deputy David Cullinane: I accept that is what the Minister is doing and that this is not a policy decision of his. The advice is the advice and he has to act on clinical and medical advice. It strikes me that a more sensible approach would have been for progressive disorders to have remained subject to a clinical recommendation by a specialist. That probably would have been a better way to approach it. As Deputy Shortall said, concerns have been raised. It is our job to raise them. I assume the Minister will accept the medical advice he has been given, which I accept has been given to him in good faith. I have to put on record, however, the concern that has been expressed to me through these exchanges about these amendments, which I presume the Minister will press.

Deputy Róisín Shortall: These amendments are too restrictive. Something that may be an

irreversible condition now may not be irreversible in two years' time.

Deputy David Cullinane: Yes.

Deputy Róisín Shortall: If the Minister sets the word "irreversible" down in primary legislation, it will exclude people. A condition that is currently irreversible may not be so in even one month's time because, as the Minister says, the pace of scientific progress is such that these things can change quite quickly. On that basis, I think this is a mistake. I do not think any of us is medically qualified to give an opinion on this and we depend on advice from relevant sources. Has the Minister taken advice from professionals working in the AHR area? Members on this side have received such advice. It seems to be a reasonable proposal that the Minister would not set these limits down in primary legislation and would instead consider at least providing for them in statutory instruments, so as to future-proof the legislation. I hope the Minister will consider that for the future.

Deputy Stephen Donnelly: I thank both Deputies. It is specialist advice. The concept of the word "irreversible" is in favour of the patient. Let us take one child as an example. If, based on current medicine, the treatment to be provided to the child would cause irreversible infertility, that would give the child access. Hopefully, that would become reversible through science in the future but if that were the case, it would mean the child would not have access. Therefore, the fact that it is now irreversible is actually in favour of the patient.

I take the Deputies' points. I think we are all trying to achieve the same thing. I am satisfied that this does not create a more restrictive regime. The specialist advice I have is that this is a better way of assessing the situation the child is in. The word "irreversible" is included because the specialist has to be happy that it is more likely than not that the condition is irreversible. However, to respond to the Deputy's point about what is irreversible now being reversible in perhaps five, ten or 20 years, that works in favour of the child's being able to access treatment.

Deputy Róisín Shortall: Did the Minister consider doing it on a case-by-case basis?

Deputy Stephen Donnelly: Essentially, this is looking at doing it on a case-by-case basis. It is saying that we should not just categorise any child who has a progressive disease. It is saying we should characterise this based on the treatment we will apply to this child. As such, it does move it to a case-by-case basis.

Amendment put and declared carried.

Deputy Stephen Donnelly: I move amendment No. 13:

In page 45, lines 18 to 20, to delete all words from and including "or" in line 18 down to and including "be" in line 20.

Amendment put and declared carried.

An Leas-Cheann Comhairle: Before we move on, I would like to acknowledge the presence of Senator Seery-Kearney in the Chamber. I know she is particularly interested in this Bill and has worked very hard in this area.

Deputy David Cullinane: Hear, hear.

An Leas-Cheann Comhairle: Amendments Nos. 14 to 16, inclusive, are related and will

be discussed together.

Deputy Stephen Donnelly: I move amendment No. 14:

In page 47, line 27, to delete "three" and substitute "12".

This group of amendments, amendments Nos. 14 to 16, inclusive, increases the minimum time period from three to 12 months between the time at which a clinic sends notification of non-payment for storage and that clinic being able to dispose of such stored materials, whether gametes, embryos or tissue. The change follows a good discussion that took place with Deputies on an amendment tabled on Committee Stage by Deputy Shortall. This amendment seeks to address exactly that. We got to a point where we agreed that the Bill as drafted was too restrictive. We believe the period of 12 months strikes a balance, as we discussed on Committee Stage.

Amendment agreed to.

Deputy Stephen Donnelly: I move amendment No. 15:

In page 50, line 1, to delete "three" and substitute "12".

Amendment agreed to.

Deputy Stephen Donnelly: I move amendment No. 16:

In page 52, line 10, to delete "three" and substitute "12".

Amendment agreed to.

An Leas-Cheann Comhairle: Amendments Nos. 17 to 22, inclusive, 25, 26 and 29 to 31, inclusive, are related and will be discussed together.

Deputy Stephen Donnelly: I move amendment No. 17:

In page 53, line 30, to delete "abnormalities" and substitute "variants".

While I certainly was not qualified in terms of the correct terminology, we had a long conversation about the correct terminology to use. This grouping of 11 amendments seeks, on foot of suggestions from Deputy Shortall and others, to refine and improve some of the terminology used in the preimplantation genetic testing, PGT, part of the Bill. Therefore, for example, instead of referring to a person who "suffers" from a particular condition, the relevant provision now simply states that he or she "has" that condition. Other changes will replace terms such as "abnormality", "mental disability" and "defects" with more appropriate terms such as "variants", "intellectual disability" and "disorders", respectively.

Amendment agreed to.

Deputy Stephen Donnelly: I move amendment No. 18:

In page 53, line 33, to delete "mental" and substitute "intellectual".

Amendment agreed to.

Deputy Stephen Donnelly: I move amendment No. 19:

In page 54, line 2, to delete "a child who suffers from" and substitute "an existing child who has".

Amendment agreed to.

Deputy Stephen Donnelly: I move amendment No. 20:

In page 54, line 12, to delete "abnormalities" and substitute "disorders".

Amendment agreed to.

Deputy Stephen Donnelly: I move amendment No. 21:

In page 54, line 14, to delete "abnormal" and substitute "unbalanced".

Amendment agreed to.

Deputy Stephen Donnelly: I move amendment No. 22:

In page 54, line 16, to delete "defects" and substitute "disorders".

Amendment agreed to.

Deputy Róisín Shortall: I move amendment No. 23:

In page 54, line 24, after "2007" to insert "or equivalent as approved by the AHRRA".

This amendment concerns the issue of relevant specialists, which we discussed on Committee Stage. AHR professionals have raised concerns about the fact there is a scarcity of relevant specialists in Ireland and, because of this, many patients access services in other jurisdictions, in particular the UK. Therefore, there is clearly a need to ensure such international specialists are appropriately qualified and, hence, the need for approval by AHRRA. Were Ireland to have sufficient relevant specialists in the future, such approval could be withdrawn, of course.

On Committee Stage, we had a similar discussion around narrow definitions in the context of Ireland's very small pool of genetic specialists. The Minister agreed with the principle of my Committee Stage amendment, as far as I can recall, and acknowledged there may be scope to give AHRRA or another appropriate body the power to recognise relevant qualifications and specialists in the UK or elsewhere. The Minister committed to asking his officials to work with the various clinical governance groups to see what would be an appropriate framework to put in place. I understand that no such framework has been proposed in the Minister's Report Stage amendments and I wonder has the Minister had an opportunity to rethink his position in this regard. We could very easily see a situation where appropriate specialists were not available, given the small pool.

Deputy David Cullinane: As with Deputy Shortall, it has been highlighted to me by a number of professionals working in this field that there is a very small number of specialists in the State operating in some of these areas. We see this in a number of unique specialist areas where it can be difficult to recruit as there are very few of them. This amendment seeks to provide AHRRA, the assisted human reproduction regulatory authority, with the authority to recognise other equivalent specialists trained at a different level, as may be appropriate.

I need to point out that this does not open the door to any non-specialist practitioners to

practice in the area without approval from AHRRA, which is the important point. It is a similar point to that made by Deputy Shortall. I hope the Minister will engage with us on this amendment.

Deputy Stephen Donnelly: I think we were all in a similar position on Committee Stage. We went back to the HSE with that in mind to ask whether we could facilitate this for the reasons we all discussed on Committee Stage. We got very strong pushback on patient safety grounds and I will now go through that. I was hoping to come in with something facilitating the discussion we had but we got very strong pushback. The HSE and others in the field came back and they unequivocally did not support the recommendation, which was one I was willing to support, with regard to the specialist input permitted under the Act by means of overseas doctors who are not accredited as specialists in Ireland. The concern is not whether they live in Cork or Manchester; it is whether they are accredited by the Irish Medical Council because that is our way of ensuring patient safety and ensuring that whatever specialist advice is being given is up to a level that we in Ireland can stand over. The determination of equivalence *vis-à-vis* specialist division registration is the legal domain of the Irish Medical Council and, as such, there was very strong concern that it would be legally attributed to another agency, essentially.

This is something I wanted to do and something we need to facilitate. However, we have very clear patient safety advice that we cannot just go around the safeguards that we have in place or go around the Medical Council. What someone living in Manchester, London or Stockholm could do is apply for accreditation via the Medical Council, in which case it does not matter where they are living. They would then be able to provide that advice and we would know, from a patient safety perspective, that all of our own clinical governance is in place and that we have done all of the background checks that are required for any specialists or, indeed, any doctors to work in Ireland. I hope colleagues will appreciate the governance and patient safety aspect and be open, as I am, to the argument that, from a patient safety perspective, the governance has to be in place. However, there is no issue with a foreign specialist registering with the Medical Council and then doing exactly what the ask is, which is providing this somewhat scarce expertise.

Deputy Róisín Shortall: I do not think any of us want to go around the safeguards at all. We are addressing this because it could arise as a practical difficulty in the future, given the scarcity of appropriately qualified medical professionals. There must be thousands of people working in this country who are trained abroad, particularly in the UK. I am not aware that they have to go through registration here. Very often, specialists from the UK, including Northern Ireland, would be brought in to advise on different things, and we can think of examples of particular people who have been brought in for that purpose. There is a recognition, certainly between Ireland and the UK, in regard to qualifications and areas of expertise. If people were to come in as advisers and specialists in this area, it is very hard to understand why they would have to go through the whole registration process, given we recognise qualifications from the UK, as an example. We could certainly limit that in terms of the countries where there are already agreements between Ireland and the other countries in regard to the recognition of qualifications. I do not think for a moment that it is insurmountable. It is a mistake not to avail of that opportunity because we do not want to find ourselves in a situation where there are no medical experts available in this particular area.

Deputy David Cullinane: We would all have regard to patient safety grounds and the patient safety advice that is given. Again, this is advice that the Minister sought and was given, and I accept that it came in good faith and that he is accepting it in good faith. There is strong

pushback from the HSE and the pushback is on patient safety grounds. However, what the amendment is seeking to do is to give the authority to AHRRA to make that decision in regard to the specialists who would be used. I hear what the Minister is saying. Of course one would want all healthcare professionals to have their accreditation through the Irish Medical Council. That is the optimum. That is what we want. However, in circumstances in which there are limitations in respect of some specialties, I do not think it is outrageous, nor do I think it is trying to get around safeguards or take shortcuts that there could be arrangements with other countries that have very similar standards and guidelines to ours in respect of accreditation. That is where the authority would come in and be able to make that determination. Maybe that is more complicated to do by way of amendments, and maybe our amendments do not fully satisfy what we are trying to achieve here, but this is an issue that has been raised in good faith by professionals with us. I can see the logic in the issue they are raising and I can see that if I or Deputy Shortall were in the Minister's shoes, we would have to have regard to the advice we would get. Any time patient safety grounds are raised, the Minister has to have regard to them. I do not doubt that for one second. I will not press the amendment for that reason. I put faith in the advice I get, and when patient safety is raised, we have an obligation to listen. It would be worthwhile, however, to go back and maybe have a discussion again. There are countries that have similar arrangements in place. We are not saying this should involve countries where the standards are lower or where the accreditation standards are not equivalent to what they are in Ireland. Actually, the word "equivalent" is in our amendment as well.

Deputy Stephen Donnelly: As I said, I approached this with a view to facilitating it. I will read for the Deputies the exact clinical advice we got back.

> We unequivocally do not support or recommend this approach and would highlight the risks of overseas doctors being involved in the provision of such clinical advice and decision-making in such a sensitive area who operate outside the context of Irish legislation and the Irish health service, both public and private.

This is purely a patient safety issue. To both Deputies' points, however, I think there are other ways around it, and the skill set we are setting the AHRRA up with, on reflection, is not one that would say, "Yes, we, the AHRRA, can identify a suitable skill level in this particular science." That is not the skill set we are giving it. That is the Irish Medical Council's bread and butter. I do have a lot of sympathy with the points being raised. As this rolls out, there probably will be ways to address it.

The other feedback we got was that they are not convinced there will be a scarcity, but if there is a scarcity - we have to accept there might be - there are, to Deputy Shortall's point, arrangements in place. We have the treatment abroad scheme and the cross-border directive so we send people abroad all the time - to France, Germany or wherever it may be.

Deputy David Cullinane: If we could avoid sending them abroad, would it not be better?

Deputy Stephen Donnelly: Obviously, but under the treatment abroad scheme, for example, it might be possible to identify centres of excellence around Europe where we could say, "Yes, you can go for this particular thing because the treatment abroad scheme works on the basis that it is something we provide here under the public system and you cannot get it, so you can get it abroad." I have a lot of sympathy with the points being raised. I have to stick with the patient safety advice coming back. It is very strong. On reflection, I do understand that the AHRRA will not have the skill set to make the kinds of determinations we discussed.

Deputy Róisín Shortall: I do not want to go against what the Minister says is very strong advice. I do not know from whom the advice came but I think it is unnecessarily restrictive. The Minister has made the case himself in the points he has made, but it is just very hard to understand. I certainly hope there will not be issues that arise very soon in this regard and in regard to the availability of appropriately qualified staff. As I said, we do this in a whole lot of other areas and in respect of other schemes, and it is very hard to understand the Minister's advice.

Amendment put and declared lost.

Deputy Stephen Donnelly: I move amendment No. 24:

In page 54, line 26, to delete "sex." and substitute "sex;".

Amendment agreed to.

Deputy Stephen Donnelly: I move amendment No. 25:

In page 54, between lines 26 and 27, to insert the following:

" "variant" means a permanent change to the DNA sequence that makes up a gene that may cause disease or be part of normal human variation.".

Amendment agreed to.

Deputy Stephen Donnelly: I move amendment No. 26:

In page 55, line 1, to delete "abnormality" and substitute "variant".

Amendment agreed to.

Deputy Stephen Donnelly: I move amendment No. 27:

In page 55, to delete lines 3 to 10 and substitute the following:

"(a) PGT-M or PGT-SR is being undertaken, or

(b) such testing has been indicated in accordance with criteria that have been prescribed (following, on and after the establishment day, consultation by the Minister with the AHRRA).".

This amendment updates section 46, which relates to the provision of PGT-A, or pre-implantation genetic testing for aneuploidies, which are embryos with an unbalanced chromosomal complement. Arising from feedback from Deputy Shortall and input from experts in the field, I agree that there was a risk of the provisions in this Bill related to this form of PGT being overly clinically prescriptive in primary legislation. Therefore, section 46 will now allow for the regulatory authority to define and provide guidance as to the criteria that will be applied for PGT-A to be undertaken. This is therefore to facilitate the Committee Stage amendment.

Amendment agreed to.

Deputy Stephen Donnelly: I move amendment No. 28:

In page 55, line 13, to delete "a child" and substitute "an existing child".

Amendment agreed to.

Deputy Stephen Donnelly: I move amendment No. 29:

In page 55, line 14, to delete "suffers from" and substitute "has".

Amendment agreed to.

Deputy Stephen Donnelly: I move amendment No. 30:

In page 55, line 28, to delete "from which such child suffers" and substitute "which such child has".

Amendment agreed to.

Deputy Stephen Donnelly: I move amendment No. 31:

In page 56, line 16, to delete "abnormality" and substitute "variant".

Amendment agreed to.

An Leas-Cheann Comhairle: Amendments Nos. 32, 64, 80 and 84 are related and will be discussed together.

Deputy Róisín Shortall: I move amendment No. 32:

In page 57, between lines 14 and 15, to insert the following:

"Best interests of the child

52. Where, in any proceedings before any court under this Part, the court, in determining whether to make an order, shall regard the best interests of the child as the paramount consideration.".

This group of amendments concerns the issue of the best interests of the child. Neither the AHR Bill nor the Children and Family Relationships Act contains the paramountcy principle. That principle is that courts shall regard the best interests of the child as the paramount consideration. Both the Ombudsman for Children and the special rapporteur on child protection recommended that this principle be inserted into the Bill. I will quote from both their comments. The ombudsman in his report in 2022 said:

> The OCO recommends that explicit provision should be made in the 2022 Bill for the best interests of the child to be treated as the paramount consideration in respect of all relevant proceedings and processes within the scope of the 2022 Bill that affect children.

The special rapporteur in 2020 said:

> This legislation should provide that the best interests of the child are the first and paramount consideration for all bodies (including courts and regulatory authorities) exercising functions under the legislation.

On Committee Stage, I put forward that these amendments should be taken on board and the Minister rejected them. The Minister said at the time that "it would undermine the protections of the children we are legislating for" and "could unintentionally undermine the safeguards we

are putting in place in the legislation".

Many of the Bill's safeguards, however, have nothing to do with protecting the child but, if not complied with, would result in a parental order being refused. For example, if a surrogate was 24 years old when the child was conceived or the surrogate was habitually resident for 23 months instead of 24 months before entering into a surrogacy agreement, people may not have complied with every aspect of this highly prescriptive framework, but that does not automatically mean they engaged in unethical or exploitative practices. Subjective assessments and discretionary provisions are a cornerstone of family law. Why would these parental orders be treated differently?

I suggest these amendments relate to parental orders for international surrogacy and I would argue that the best interests of the child should be grounds for a waiver. Such a provision is not intended to undermine in any way the requirements of the Act but, as I have previously argued, to put the child's interests front and centre. I may agree with the principle underpinning the Minister's framework and safeguards, and I do not doubt his bona fides in this regard but I fear such a prescriptive system fails to recognise the unavoidable reality that children will continue to be born outside the State's criteria. While every effort should be made to comply with the framework, some flexibility is required, particularly where nothing unethical or exploitative took place.

The UN special rapporteur on the sale and sexual exploitation of children stated in 2019 that a best interests assessment is an individual case-by-case process, but what the Minister proposes is a blanket provision that does not allow for case-by-case consideration. The special rapporteur went on to recommend states should: "[d]etermine on a case-by-case basis, the substantive content with regard to the concept of the child's best interests... according to the specific situation of the child concerned, taking into account the personal context, situation and needs of the child." Similarly, in 2019 the European Court of Human Rights stated the best interests principle requires in surrogacy cases that each situation be examined in light of the circumstances of the case. It also stated the best interests principle must be assessed primarily *in concreto* rather than *in abstracto*; that is, with reference to verifiable facts rather than theory.

I cannot but note and heed what has been said by the special rapporteur, the Ombudsman for Children and the European Court of Human Rights. All of those highly respected bodies make the case that the best interests of the child should be the primary consideration in this and the way to ensure that is to ensure each child is considered on a case-by-case basis. For that reason, I will press, particularly, amendment No. 32.

Deputy David Cullinane: This is complex legislation. This amended version of it is lengthy and covers many areas. I have in the past commended the Minister's officials on the work they have done. It has been phenomenal but we will get to that later as we conclude the Bill. In all the exchanges we had with the officials and the Minister on many issues, the Minister always said the best interests of the child have to come first. Everybody accepts that. That has always been the starting point when looking at these issues. There are rights the intending parents have and that the surrogate mother has, so there are lots of competing rights, but of paramount importance must be the rights of the child.

Deputy Shortall referenced the children's ombudsman's comments and those of the special rapporteur. I read those in advance of the session, particularly the ombudsman's view, which is very compelling. I would be minded to support the amendment. It seeks to insert "Best inter-

est of the child" sections and references to place the best interests of the child as the paramount concern of the court in any proceedings. That is safe, logical and the right thing to do. If the Minister is not accepting the amendments, I would be interested to hear why not. Is it that the advice is that the best interests of the child are already protected and this is unnecessary or is there some other reason? We did not really get an answer to that in any of the sessions so far. I will make up my mind based on the Minister's response to the amendments.

Deputy Stephen Donnelly: We are all trying to get this right and to put the child front and centre while we balance important protections for the surrogate and rights of the intending parents. As the Deputies have said, no country has legislated for international surrogacy like this before.

There are a few points I want to make on this. First, the best interests of the child test is in the legislation. I will come back to this. It is in the legislation in the context of important layers of protection we are putting in place for the surrogate mother where we know there is potential risk of exploitation abroad, and indeed for the child.

I have great respect for the rapporteur and ombudsman, though the comments the Deputy cited - correct me if I am wrong - were not in response to the Bill. It was a broad comment for us to take into account. We have taken it into account and put a best interest of the child test in. The question we are debating and on which we had a long debate on Committee Stage is not whether the best interests of the child test should be included because it is included but whether it should trump all the other criteria we set forth so that even if an intending parent or intending parents return to Ireland with a child and have not met any of the safeguards, they could ask for the mercy of the courts, essentially to ignore the safeguards in legislation and grant them a parental order anyway. That is what this comes down to. I have serious concerns about this.

We are setting up an assisted human reproduction regulatory authority specifically to engage with intending parents ahead of any surrogacy or embryo transfer. One or two intending parents go to the AHRRA and say: "We have a surrogate in wherever it is, we meet all the criteria and she has been given legal advice and she has been protected in all the following ways, we are covering all of her costs, she has full access to medical treatment and all of the protections that we are putting in place through this big piece of legislation, we are meeting them." Then the AHRRA grants pre-approval so the intending parents do it and come back with their new child and the courts go through the various criteria and then the judge says: "Here's you parental order." That is how we are doing this.

If the best interests of the child test supersedes all of that, it means intending parents could say they have a commercial surrogate somewhere, which is not allowed; that she has no protections, which is not allowed; that they are not covering her costs, which is not allowed; and that she may or may not have legal advice or access to proper healthcare but they are not checking or guaranteeing any of that. They may be proceeding with it for very good reasons because they are desperate to have a child but they are not complying with any of the safeguards and will go to the court in Ireland and say it does not matter because the judge has the legal power to grant a parental order anyway because it supersedes any of the protections.

6 o'clock

I would be really concerned if we were to bed that into the legislation. We are saying to any intending parents, who are desperate to have a child, that we in Ireland are doing what no other

country is doing. We are legislating for this and setting up a statutory authority to provide expert advice. We are making sure that all of the protections are in place in the country abroad, or indeed in Ireland, so that the surrogate mother is protected. If people cannot comply with that, we will not grant them pre-approval. If we do not grant people pre-approval, they should not proceed with the surrogacy and come back to us and request that the parental order be granted anyway. We are saying to people that they should not do that. Is this the kind of issue that could be looked at in the review after three years? I have no doubt it could. However, in setting up this system at the start, we have to make it clear to everyone who wants to use this and to the other countries around the world where surrogate mothers may live that we are not providing a back door to bypass the safeguards. That is why we need to proceed with the Bill as we have it in front of us.

I know this amendment is being put forward with the very best of intentions but it opens up a potential back door for people to ignore the safeguards and throw themselves on the mercy of the judge. I do not believe that is how we should proceed and I do not believe it would send the right message to other countries. We need to say to other countries that we have really clear safety criteria in place and if people do not meet those criteria and proceed anyway, they will not be granted a parental order in our country. I appreciate that this is harsh and I know not everyone will agree with this position but that is where I am at.

Deputy Róisín Shortall: The fact that what the Minister is proposing in this legislation - which in the main, people agree with - has not been done in any other country means that we have to proceed with caution. The cautionary principle is that in any circumstances that involve a child, the best interests of that child have to be paramount. This does not meant that any of the other safeguards can be disregarded but it does mean that the best interests of the child have to be considered first and foremost. I think that is a good principle. It is proposed in the context of this legislation - not at this stage - by the Office of the Ombudsman and by the UN special rapporteur. For that reason, I am proceeding with this amendment. I think it is a very important one. It is regrettable that it has not been taken on board. The Minister makes the point that in a review in a few years' time, if there are any issues about that or if there is any abuse, as the Minister is suggesting might happen, that can be dealt with at that stage. The starting point has to be about the primacy of the best interests of the child. For that reason, I am pressing the amendment.

Deputy David Cullinane: I supported the retrospective parental recognition for the same reasons as the Minister and others did. It was because it was the right thing to do. I also support putting in place a new regime, a new set of regulations and a new process that allow for international surrogacy in a way that no other country has done. We are agreeing here. I have to put my cards on the table and say that we are all signing up to this process. There cannot be any bypassing of the process. I have made it clear publicly, and I will say it again here, that once we agree the legislation and the rules, people will have to abide by them. I do not see it as harsh. I see it as making sure we take into account all the moral and ethical issues that have been raised, particularly regarding avoiding commercial surrogacy and putting in place arrangements which I think we all agree with. We have had very straight and frank conversations about them and I fully support the logic of the Bill and of everything the Minister is trying to do. I have been saying that for some time.

I am very taken by what the Minister has said. I would be very concerned if there was any possibility that the safeguards we have put in place could be bypassed by some sort of open-door system. I am seeking clarity from the Minister on this. If I am right, what I think he is

saying is that the concern that has been expressed to him, or the concern he has, is that if we accept this amendment, the courts will decide. The Minister is right; all the other issues he has raised are real possibilities but the court would have to take the primary concern of the best interests of the child. A court or a judge could decide that it is in the best interests of the child to set aside all the other protections and there is nothing I, the Minister or anybody else can do about it. That would go against the logic of the Bill and of what we are saying to people, which is that we are setting up rules and asking people to abide by those rules and if people do not and engage in commercial surrogacy or bypass the regulations, parental recognition will not be forthcoming. I think that is the right course of action. I will listen to what the Minister says when he replies but I am very taken by his initial response.

Deputy Stephen Donnelly: That is exactly it. We are setting up a system whereby people have a pre-agreement from the authority that sets out the criteria in law that people must meet. Having met those criteria and coming back, this amendment does not come into play because the court will say that a person has met all the criteria. Remember, the best interests of the child are already in the Bill. The only time that I can see that this amendment comes into play is if people think they are simply not going to meet the criteria. They see they will not get a pre-parental order because they cannot get one as they do not meet the criteria but then they decide to go ahead anyway. What this would do is allow the judge to say the person did not have pre-agreement and, by definition, has not met the criteria but is proceeding anyway. It is the question of whether it supersedes all of the other criteria. The only time this comes into play is for somebody who does not get pre-approval. I really need to send out a message that we are not in the business of bypassing the pre-approval. People have to have pre-approval. If they do not get it, they should not proceed. If they do so regardless - and we cannot stop people - they will not be able to go to court and request a parental order. It is for exactly that reason. I understand the good intent of the amendment but it is only a question of whether it can supersede everything else.

Deputy Róisín Shortall: The Minister is speaking as if all of the other safeguards can be disregarded. That is not the position. All those safeguards should remain in place but the primary consideration should be the best interests of the child. That is a long-established principle, recognised as one we should adhere to. The Minister is talking about a worst-case scenario where all the other safeguards are dispensed with and this is the only thing that matters. A court will decide on this but irrespective of the other circumstances, the main consideration should be the best interests of the child. That is the point I am making. I think this is an extra safeguard. It is not a matter of dispensing with the other safeguards.

Amendment put and declared lost.

Deputy Stephen Donnelly: I move amendment No. 33:

In page 58, to delete lines 16 to 21 and substitute the following:

"(3) Without prejudice to the generality of *section 151*, the specified form of a surrogacy agreement shall require, in the case of two intending parents, each of them to indicate that he or she understands that, should the agreement be approved under this section but he or she dies before the embryo transfer concerned has been effected, such approval will be treated as revoked from and including the date of death.".

Amendment agreed to.

Deputy Stephen Donnelly: I move amendment No. 34:

In page 59, between lines 22 and 23, to insert the following:

"(8) In the case of two intending parents, should a surrogacy agreement be approved under this section but an intending parent dies before the embryo transfer concerned has been effected, such approval shall, by virtue of this subsection, be treated as revoked from and including the date of death, and the other provisions of this Act shall be construed accordingly.".

Amendment agreed to.

Deputy Stephen Donnelly: I move amendment No. 35:

In page 59, line 25, after "satisfied" to insert ", based on the information available to the AHRRA,".

Amendment agreed to.

Deputy Stephen Donnelly: I move amendment No. 36:

In page 61, lines 8 and 9, to delete "a registered medical practitioner" and substitute "an appropriate medical specialist".

Amendment agreed to.

An Leas-Cheann Comhairle: Amendments Nos. 37, 38, 57 and 58 are related and will be discussed together.

Deputy Stephen Donnelly: I move amendment No. 37:

In page 61, line 12, to delete "pregnancy" and substitute "clinical pregnancy".

This grouping of four amendments relate to the addition of a definition of "clinical pregnancy" in the context of eligibility requirements of a perspective surrogate mother. The change is proposed on foot of Committee Stage amendments from Deputies Shortall and Kenny. We had a good discussion on this and we all broadly agreed that this definition would be helpful. The definition agreed with expert advisers is that a clinical pregnancy means a pregnancy of not less than six weeks in gestation and in respect of which there is evidence of a gestational sac having being identified through an ultrasound scan. That is what the experts say. This would mean an early miscarriage would not necessarily disqualify a perspective surrogate mother from trying again to become pregnant, while maintaining the limits on the number of times a surrogate mother can participate in a surrogate agreement to protect the surrogate mother as discussed previously. I hope colleagues will see this as amendments put forward reflecting the debate on Committee Stage.

Amendment agreed to.

Deputy Stephen Donnelly: I move amendment No. 38:

In page 61, between lines 12 and 13, to insert the following:

"(b) In *paragraph (a)* -

"clinical pregnancy" means a pregnancy not less than six weeks in gestation and in respect of which there is evidence of a gestational sac having been identified through an ultrasound scan;".

Amendment agreed to.

Deputy Stephen Donnelly: I move amendment No. 39:

In page 61, line 13, to delete "(b) In *paragraph (a)*,".

Amendment agreed to.

Deputy Stephen Donnelly: I move amendment No. 40:

In page 63, line 31, after "any" to insert "net".

Amendment agreed to.

An Leas-Cheann Comhairle: Amendments Nos. 41 and 61 are related and will be discussed together.

Deputy Róisín Shortall: I move amendment No. 41:

In page 67, to delete lines 18 to 26.

Under the current process, as I understand it, a child born through surrogacy would reside with his or her intending parents with the consent of the surrogate. As I am sure the Minister will be aware, Dr. Claire O'Connell has repeatedly pointed out that this is not equivalent to legal custody and puts the child in a very precarious legal position. In theory, a surrogate could change her mind repeatedly but the intending parents would still have no legal basis on which to refuse to return the child. These sections also appear to negate the genetic father's right to apply for custody of the child under the exiting provisions of the Guardianship of Infants Act 1964. According to the Bill, it seems that the surrogate's consent is absolute unless she is, for example, dead or cannot be located. It is also unclear as to who would dispense with the surrogate's consent as these sections do not deal with court applications and who would enforce it. Given these uncertainties, I propose removing these sections entirely as the safest way to deal with this matter.

Deputy Stephen Donnelly: The two amendments seek to remove the provision in the current text of the Bill that would allow for a surrogate mother to consent to a child born as a result of surrogacy to live with the intending parents. We had a long debate about this on Committee Stage and we have given it serious consideration. However, the provision in the Bill is an important one, taken in conjunction with the amendment of the Guardianship of Infants Act. That was already agreed by the select committee and that provides for a clear process to enable intending parents to an effective custody of the child and to carry out the duties of guardianship in the immediate post-birth period. As we discussed on Committee Stage, I am not convinced there is a perfectly right answer to this. It is a difficult situation where there are intending parents, a surrogate mother who has just given birth, a baby moving to the intending parents and then there is a question around rights in that period between the birth, guardianship and full parental orders. Again, I acknowledge that these amendments are proposed with the very best of intentions. I examined this it in detail and while there is no perfect way to address the transfer of a child from a surrogate to guardians to intending parents, the current situation represents an

established process that is working well so far. It is working under the guardianship Act. It is used in our maternity hospitals on a regular basis with guardians and, therefore, we are intending to proceed with that. Then again, this may be something that could be looked at as part of the three-year review.

Deputy Róisín Shortall: The very fact that the Minister is saying he will look at it again in three year's time indicates uncertainty about what is being proposed. The two provisions I have referred to are very vague. If the surrogate mother consents to the child being cared for by the intending parents, who does she consent to and who oversees that? If she changes her mind, and she may do this a number of times, it puts the child in a very difficult and precarious situation legally. If that continues for some time, who actually then enforces the arrangement? Rather than having a vague situation like that there, if the Minister is not going to provide for a body or an agency to oversee that, it is better not to have it there at all.

Deputy Stephen Donnelly: Thinking that it may be something that should be looked at in three years is simply to keep an open mind in the same way that we have numerous amendments on Report Stage that came out of amendments tabled by Deputies Cullinane, Shortall and others on the Committee Stage debate. I am trying to do this in a collaborative approach. That is the only reason I am referencing that any of these issues could be looked at. I also want to acknowledge that there is no perfectly right answer to any of this so we need to be open to that. We need to be open to the fact that some of the things we are doing with the best of intentions may not transpire in the way we had hoped. I am just trying to keep an open mind. What we are doing here is following the Verona Principles, which were broadly accepted by all of us and certainly by the Joint Committee on International Surrogacy. Essentially, these relate to the non-enforceability of the surrogacy agreement, which the Verona Principles state as very important and provide that the consent of the surrogate through all phases is important. That is the principle we are going on. It is not a perfect process. It is an unusual situation. It is currently in law and the proposal we are using is the current established process that appears to work. It may not work perfectly in all circumstances and I absolutely take the Deputy's point that for the intending parents it could lead to anxiety because the agreement of the surrogate mother is required. I fully accept that. However, the principles we are going on are the established Verona Principles and the established process in Irish law at the moment. I want to keep an open mind to the fact that this is in accordance with the principles and with established practice here and we should keep an open mind to seeing how it will have transpired in three years.

Deputy Róisín Shortall: I would be happier to give the Minister the benefit of the doubt on that if he had agreed to my earlier amendment that in all matters the best interests of the child should be considered. There can be conflicting interests and that is the danger in these circumstances. Who adjudicates on this when there are conflicting interests? For that reason, rather than having an ambiguous situation that could be quite problematic, it is better not to have made those provisions in the legislation. That is why it is important to remove that section.

Amendment put and declared lost.

Deputy Stephen Donnelly: I move amendment No. 42:

In page 67, line 28, to delete "*(8)*" and substitute "*(7)*".

Amendment agreed to.

Deputy Stephen Donnelly: I move amendment No. 43:

In page 67, line 36, after "parents" to insert "or one of them".

Deputy Róisín Shortall: What group are we on?

An Cathaoirleach Gníomhach (Deputy Aengus Ó Snodaigh): We are on individual amendments. It is amendment No. 43 now.

Amendment agreed to.

Deputy Stephen Donnelly: I move amendment No. 44:

In page 68, line 26, to delete "*(2)* and *(5)* " and substitute " *(2)* to *(5)*".

Amendment agreed to.

An Cathaoirleach Gníomhach (Deputy Aengus Ó Snodaigh): Amendments Nos. 45, 46, 65, 66, 75, 76, 81 and 82 are related and may be discussed together. Amendment No. 46 is a physical alternative to amendment No. 45; amendment No. 66 is a physical alternative to amendment No. 65; amendment No. 76 is a physical amendment to amendment No. 75; and amendment No. 82 is a physical alternative to amendment No. 81.

Deputy Stephen Donnelly: I move amendment No. 45:

In page 69, to delete lines 1 to 4 and substitute the following:

"(2) (a) The court may waive a requirement under *subsection (1)* for consent from an intending parent, in the case of two intending parents, if he or she—

(i) is deceased,

(ii) cannot be located after reasonable efforts have been made to find him or her, or

(iii) lacks the capacity to make a decision in that regard.

(b) The court may waive a requirement under *subsection (1)* for consent from the surrogate mother if she—

(i) is deceased,

(ii) cannot be located after reasonable efforts have been made to find her, or

(iii) lacks the capacity to make a decision in that regard.".

There has been a lot of debate in the background on these amendments in preparation for today. I will provide a rationale and then we might discuss it. Amendment No. 45 adds a provision whereby the requirement for the consent of an intending parent to the granting of a parental order may be waived where he or she is dead, lacks capacity or cannot be found. The first of these allows for the potential for an intending parent who dies after the embryo transfer to be named on the parental order, as discussed in the context of amendment No. 3. There has been a lot of back and forth with the advocacy groups. Colleagues may have been involved themselves. Senator Seery Kearney and I spoke on this and I know Deputies Shortall and Cullinane have been engaged on the matter as well. The policy intent is to provide significant judicial discretion. Representative groups told me they are concerned that when a mum with her child

applies for a parental order and the intending parent, an estranged father in some cases and in the example I was given, potentially an abusive ex-partner, says they do not agree, are not dead, have capacity and can be found, that puts the mum and her child in an impossible position. The clear policy intent is that judges will be able to apply discretion when the man - it is not necessarily a man but it has been so in every example I have been given - is not willing to provide consent or the surrogate mother might say she has not been involved for ten years but a large payment would help her provide her consent and if she does not provide consent, the mum cannot get the parental order, the policy intent is that in such cases judges will have discretion to override the objections of the estranged partner or surrogate and grant the parental order.

We believed that the Bill as we have it did that because it gave the best interests of the child. We got recent advice and legal concerns stating that the constitutional strength of the relationship between the biological parent and the child is so strong that if they wanted to challenge the judge's discretion, there is a good chance they would win. Therefore, a more comprehensive piece was required. One option is to do it through Committee Stage in the Seanad. I am nervous about doing so because the Bill would have to come back to the Dáil and there is a real chance it would not be passed before the Dáil goes into recess, which we have to do. I certainly want to do that. We are putting in place parallel amending legislation which will be ready when the Dáil comes back. It just requires more detailed work. To be clear, I have had long conversations on the policy intent. This provision is being brought in as a step in the right direction such that it is clear that if that person is deceased, incapacitated or cannot be found, their consent is not required. We will address the other issues to give that judicial consent as well. We will not leave any man or woman in a situation where they seek a parental order to which they have every right and an estranged partner or surrogate who has not been involved in a very long time seeks to thwart that for non-ethical reasons. The judge will be able to grant that parental order. That is the background to these amendments.

Deputy David Cullinane: We discussed this earlier, perhaps with officials or the Minister. When concerns were raised, that was the exact advice we got - that the Bill already deals with this. That there is now legal advice that says, hang on a second, we may well need to do something else, means we have to do it. All of those scenarios the Minister pointed out could happen. We always look at worst-case scenarios but sometimes the worst-case scenario happens. Circumstances in which someone who is an abusive partner or an abusive individual towards somebody else can thwart somebody else's rights are unacceptable. I agree with giving discretion to the judge. It makes sense. If it is the case that the parallel process the Minister is putting in place is the only way he can have the time to put in place a more comprehensive solution, I am willing to support that. I will not hold up this legislation. Like the Minister, I want it to be passed. I think we all want it to be passed, though not at any cost. The proposition the Minister put forward is reasonable and I will support it.

Deputy Róisín Shortall: I note the Minister's amendments to these sections include the phrase, "lacks the capacity to make decision in that regard". I ask the Minister to consider further grounds for waiving consent. I strongly argue that the best interests of the child must be the paramount consideration. The Minister referred earlier to this already forming part of the legislation but it is in the legislation as one of a number of criteria. The whole point about the test relating to the best interests of the child is that it is paramount. That is what has been proposed by a number of eminent agencies. The UN Convention on the Rights of the Child noted that the best interests of the child may conflict with other interests or rights but must be treated as the primary consideration. We bypass the provisions of the UN convention at our peril.

In the 2018 case of CB and PB *v.* the Adoption Authority of Ireland, the Supreme Court held, "The best-interests guarantee contained in Article 42A is not to be seen as some form of interpretative Trojan horse which can undermine the intent of the Act." I believe this statement to be equally relevant to surrogacy, especially given the moral hazard argument put forward by the Minister on Committee Stage. We should allow judges to put the child front and centre when determining whether a parental order should or should not be made. The inclusion of this principle and the proposed waiver for unreasonably withheld consent is not to prejudge any application, but to allow the particular facts of a case to speak for themselves. I reiterate the point I made earlier that the best interests of the child must be considered on a case-by-case basis.

Deputy Stephen Donnelly: We are debating two different things. One is best interests, which we debated in one of the previous amendments in terms of its primacy. I accept the ombudsman's hazard position. I just hold a different position for the reasons we have set out. The specific amendments are about the grounds on which a judge can grant a parental order, even if a biological parent, a surrogate or both are saying they do not want this. There may be reasonable grounds for that, but there may be unreasonable grounds and those are the ones I have been discussing over the past few days. What the Deputy is seeking to do with her amendments is essentially where we are looking to go. The advice we had until recently was that this was covered and that there was sufficient discretion for the judge to do what we all want in the best interests of the child. We are all trying to achieve the same thing. We got recent legal advice which stated something different. The constitutional link is very strong and requires some careful consideration. All I am doing is giving my Department and the Attorney General's office more time to come up with a legally robust version of the Deputy's amendments. That is all it is. The best way to do that procedurally is to crack on and get this Bill passed. We particularly want to commence the sections around retrospective and give these parents and children access to the courts for these parental orders, in parallel with some robust legal provisions in the amending Bill to cover the exact situations we are concerned about.

Acting Chairman (Deputy Aengus Ó Snodaigh): Róisín.

Deputy Róisín Shortall: Are we on first name terms? That is becoming a bit of a habit with Sinn Féin.

Essentially, the Minister just stated that this is a play for time. I apologise, he did not use the term "play", but he wanted time to achieve a legally robust version of what is proposed in the amendment. The implication is that this is not legally robust. If you want to achieve a legally robust-----

Deputy Stephen Donnelly: I stated that the Deputy's amendments are not legally robust. I was not referring to my amendments, which are legally robust.

Deputy Róisín Shortall: However, the grounds I have given surely stand up to any kind of scrutiny. The Minister is rejecting them out of hand rather than accepting that there is a valid principle. He is saying that the wording I have put forward is not legally robust. Why is he not then seeking legally robust wording-----

Deputy Stephen Donnelly: I am.

Deputy Róisín Shortall: -----to amend this legislation now-----

Deputy Stephen Donnelly: Time.

Deputy Róisín Shortall: -----and not at some point in the future?

Deputy Stephen Donnelly: Time.

Deputy Róisín Shortall: This is legislating in haste. The approach the Minister is taking is just not very satisfactory. It is about speed rather than provisions that are legally sound. I am disappointed with his response.

Deputy Stephen Donnelly: To be clear, I am stating that we need a legally robust version of what the Deputy is attempting to do. The limited exemptions we are putting in place are legally robust because they are limited. Let us play it out. We could do it the Deputy's way. We could say we will take some time and bring this into the Seanad on Committee Stage. We will give it a few weeks. That is what it will require, but the Bill will not be passed before the recess. We do not know what is going to happen between September and February. We do not know, but I am not willing to take that risk because if an election is called before we get through all Stages, the Bill, in its entirety, will fall. It will be gone and the next Minister for Health will have to read himself or herself into this entire brief. That takes time when it comes to legislation of this nature.

Deputy David Cullinane: I know it all.

Deputy Stephen Donnelly: They will have numerous conflicting pressures, and this could take a long time. I am stating clearly that I am not willing to take that risk. I commit to having this Bill passed for the children and parents who are desperately waiting for it. If that means also having amending legislation going in parallel immediately after we come back in September, that is absolutely what I am proposing. Is it perfect? It is not, but we are in the art of the possible here. I am not willing to risk this Bill falling. That is where it is at.

Deputy Róisín Shortall: Nobody wants to see this Bill falling, but the Minister has had quite a bit of time on it, and I would expect that he addresses the uncertainties there at the moment. It is regrettable that he has not done that. I have to say it is not great practice from the point of view of legislation that is so important. It is a pity we are not getting it right first time round.

Amendment agreed to.

Acting Chairman (Deputy Aengus Ó Snodaigh): Amendment No. 45 has been agreed. As a result, amendment No. 46 in the name of Deputy Shortall cannot be moved.

Amendment No. 46 not moved.

Deputy Stephen Donnelly: I move amendment No. 47:

In page 78, to delete lines 16 and 17 and substitute the following:

"(a) the law of the jurisdiction relating to surrogacy, including whether or not that law—

(i) permits a commercial surrogacy referred to in *section 93*, and

(ii) requires intending parents or one of them (or, in the case of a single intending parent, that intending parent) to be resident or domiciled in the jurisdiction;".

This amendment adds a provision in respect of the matters which the regulatory authority should have regard when deciding whether to introduce jurisdiction onto the green list of approved surrogacy jurisdictions. This will require the authority to consider whether the jurisdiction requires intending parents in a surrogacy to reside in that jurisdiction. Broadly speaking, the provisions in Part 8 arraign the establishment of parentage in respect of children born to intending parents living in Ireland. The recognition by the State of parentage established in another jurisdiction and of children born in that jurisdiction to Irish citizens living there is a separate matter that I intend to deal with in the proposed amending Bill.

Amendment agreed to.

Deputy Stephen Donnelly: I move amendment No. 48:

In page 80, to delete line 35 and substitute "specified in *section 107(2)*;".

Amendment agreed to.

Deputy Stephen Donnelly: I move amendment No. 49:

In page 81, line 13, after "satisfied" to insert ", based on the information available to the AHRRA,".

Amendment agreed to.

Deputy Stephen Donnelly: I move amendment No. 50:

In page 83, line 5, to delete "subject to the provisions of the Assisted Decision-Making (Capacity) Act 2015,".

Amendment agreed to.

Acting Chairman (Deputy Aengus Ó Snodaigh): Amendments Nos. 51 and 52 are related and will be discussed together.

Deputy Róisín Shortall: I move amendment No. 51:

In page 85, between lines 27 and 28, to insert the following:

> "(c) the giving, by a medical practitioner or medical practitioners (SJ), of medical advice in relation to any agreement or other arrangement.".

This amendment arises out of Committee Stage, and I had a similar amendment down.

HR professionals raised concerns with me and they are seeking similar protection to that which is afforded to legal practitioners and consular service staff in the Bill. On Committee Stage, we discussed this and the Minister committed to asking his officials to look at my amendments. Did the departmental officials do that, did they review this proposal, and if so, what was the outcome?

Deputy David Cullinane: These amendments provide beyond reasonable doubt that a medical professional will not be criminalised for offering genuine medical advice. There is a difference between amendment No. 51 and amendment No. 52. My amendment No. 52 permits the courts to exercise reasonable discretion in determining this, and I think that is a better course of action. I understand the logic of amendment No. 51 from Deputy Shortall but I think

the most appropriate way to proceed on this issue is to permit the courts to exercise what my amendment describes as reasonable discretion.

Deputy Stephen Donnelly: The discussion was considered, as were the two similar amendments, and I thank both Deputies for tabling them. I understand that the intention is to seek a derogation for medical practitioners from the prohibition on knowingly providing a service that is to give effect or further effect to non-permitted international surrogacy. There are two points I want to make. First, section 89(5) already gives an exemption in regard to medical treatment for a pregnant woman, that is, there is a full exemption if the woman is pregnant, so we are talking only about advice ahead of pregnancy.

Second, the protections in place for the medical practitioner within the Bill as it stands are already very strong. A very high bar will have to be reached in order for a medical practitioner to have committed an offence and, specifically, it would have to be proven, which would be very difficult, that the individual had knowingly participated in a non-permitted surrogacy arrangement or a service they knew was directly related to a non-permitted surrogacy arrangement. A very broad protection is quite rightly in place for medical practitioners. The Bill before us provides that it will be only in the case of a woman who is not pregnant where advice is given to knowingly facilitate what would be a non-permitted international surrogacy or where a service is provided to knowingly facilitate a non-permitted international surrogacy. That is the only case where it will apply.

What we are doing here is similar to the requirement to follow the rules for intending parents, which we discussed earlier, as set out in the Bill and enforced by the authority, and this is simply saying that will apply to medical practitioners as well. Obviously, if a woman is pregnant, they can provide whatever advice they want, but they must not knowingly provide medical advice to facilitate an international surrogacy they know is not permitted. That is the only circumstance this will apply to. It is modest, but it is important to include it to provide some boundaries for the protections we want to be in place for permitted international surrogacies.

Deputy Róisín Shortall: There certainly seems to be an inconsistency here insofar as other professionals are not treated in the same way. Legal advice and consular advice are permitted but, arguably, medical advice is much more important. I just do not understand the reason for precluding it. I think it is an omission from the Bill and I will be pressing the amendment.

Minister of State at the Department of Enterprise, Trade and Employment(Deputy Emer Higgins): I know we are getting towards the end of the Bill, so, speaking on the amendment, I take this opportunity to thank the Minister, the Minister, Helen McEntee, and their officials for all the work they have put into legally recognising surrogacy in Ireland. I served as the Vice Chair of the Oireachtas Joint Committee on International Surrogacy and, under the stewardship of Deputy Whitmore and utilising the lived experience and legal expertise of my party colleague, Senator Mary Seery Kearney, with the help of campaigners, parents and expert witnesses who gave really powerful testimony-----

Deputy Róisín Shortall: Sorry, Chair, is this in order? We are speaking to amendments.

An Cathaoirleach Gníomhach (Deputy Aengus Ó Snodaigh): It is in order to speak to the amendment. Is the Deputy speaking to the amendment?

Deputy Emer Higgins: Yes, I will get to the amendment in a moment. Utilising, as I said, the lived experience and the legal knowledge of colleagues across that committee, including

Senator Mary Seery Kearney, with the help of campaigners and expert witnesses, who gave powerful testimony, we put together a very comprehensive report, which has informed the Bill, and from which many amendments that were tabled during this debate were discussed. I stood with so many of those witnesses and families on the plinth of Leinster House on the morning the report was launched. The raw emotion, the tears and the relief are something I will never forget, and I am really pleased they have helped us get to where we are today. These people, as the Minister knows, have fought for years, often before the birth of their deeply wanted and much-loved child, for legal recognition of their families' rights. While I absolutely welcome these much-needed and long-awaited changes-----

An Cathaoirleach Gníomhach (Deputy Aengus Ó Snodaigh): This is a very specific amendment, relating to Chapter 3 of the Bill. Will the Deputy please get to the amendment?

Deputy Emer Higgins: I thank the Acting Chairman. I will do so. While I absolutely welcome these much-needed and long-awaited changes, the legal underpinning of familial rights and their recognition, validation and realisation, I accept the legislation is not perfect, which is why I wanted to speak to the amendment. The Bill is not perfect - I do not think any legislation is - but in this instance, as the Minister noted in his response, time is of the essence to families, as it is to families who are beginning on their surrogacy journey. That is why we need to ensure the legislation will be kept under review and updated, as the amendment and other amendments have provided for, as science, technology, international agreements, best practice and modernisation develop, and I welcome the Minister's commitment to addressing certain issues, which we have talked about in the context of debates on recent amendments in particular, through robust and legal provisions in an amending Bill.

Deputy Róisín Shortall: This is complete abuse.

Deputy Emer Higgins: Is that okay, Deputy?

Deputy Stephen Donnelly: I understand why the amendments were tabled but I reiterate what I said. This is a very marginal protection and safeguard that provides that, if intending parents go to a medical practitioner and say they are intending to proceed with a non-permitted surrogacy and want his or her medical help in proceeding with that, the medical practitioner will not be able to do that. The intending parents will need to be compliant with the strictures we are putting in place. I have a lot of sympathy for the points being made but, again, we are legislating for something other countries have not done. We need to have safeguards in place, and what is in place for medical practitioners is very specific, relating to knowingly facilitating a non-permitted surrogacy.

Deputy Róisín Shortall: I think this prohibition is perfectly understandable in a case before anything happens, but after the event, a medical practitioner is required to provide medical care where he or she is asked for that.

Deputy Stephen Donnelly: That is fully covered. There is a full exemption once a woman becomes pregnant. It will only be beforehand that this will apply.

Deputy Róisín Shortall: They will not be allowed, therefore, to provide any medical advice at all.

Deputy Stephen Donnelly: To a pregnant woman, there is a total exemption. A medical practitioner can provide any advice in that case.

Deputy Róisín Shortall: Beforehand, however, if they are entering into an agreement that may not be a legal agreement-----

Deputy Stephen Donnelly: That will apply only if the medical practitioner is told. If the intending parents say that they are about to do something which is not permitted under law and that they want the practitioner to facilitate that with them-----

Deputy Róisín Shortall: Will the Minister give an assurance that if a person is intending to proceed with something that is not in keeping with the legislation, there are no circumstances under which that person could be prosecuted, for example?

Deputy Stephen Donnelly: The only situation where it is an offence is-----

Deputy Róisín Shortall: Where they knowingly-----

Deputy Stephen Donnelly: -----where they knowingly do it.

Deputy Róisín Shortall: Okay. Thank you.

Amendment, by leave, withdrawn.

Deputy David Cullinane: I move amendment No. 52:

In page 85, between lines 27 and 28, to insert the following:

"(c) The giving by a medical practitioner of genuine medical advice.".

Amendment, by leave, withdrawn.

Deputy Stephen Donnelly: I move amendment No. 53:

In page 86, to delete lines 2 to 7 and substitute the following:

"(i) the specified form of a surrogacy agreement (SJ) shall require, in the case of two intending parents, each of them to indicate that he or she understands that, should the agreement be approved under this section but he or she dies before the embryo transfer concerned has been effected, such approval will be treated as revoked from and including the date of death, and".

Amendment agreed to.

Deputy Stephen Donnelly: I move amendment No. 54:

In page 87, between lines 17 and 18, to insert the following:

"(7) In the case of two intending parents, should a surrogacy agreement (SJ) be approved under this section but an intending parent dies before the embryo transfer concerned has been effected, such approval shall, by virtue of this subsection, be treated as revoked from and including the date of death, and the other provisions of this Act shall be construed accordingly.".

Amendment agreed to.

Deputy Stephen Donnelly: I move amendment No. 55:

In page 87, lines 26 and 27, to delete "a registered medical practitioner" and substitute "an appropriate medical specialist".

Amendment agreed to.

Deputy Stephen Donnelly: I move amendment No. 56:

In page 87, line 29, to delete "a registered medical practitioner" and substitute "such specialist".

Amendment agreed to.

Deputy Stephen Donnelly: I move amendment No. 57:

In page 87, line 33, to delete "pregnancy" and substitute "clinical pregnancy".

Amendment agreed to.

Deputy Stephen Donnelly: I move amendment No. 58:

In page 87, between lines 33 and 34, to insert the following:

"(b) *In paragraph (a)—*

"clinical pregnancy" means a pregnancy not less than six weeks in gestation and in respect of which there is evidence of a gestational sac having been identified through an ultrasound scan;".

Amendment agreed to.

Deputy Stephen Donnelly: I move amendment No. 59:

In page 87, line 34, to delete "(b) In *paragraph (a)*,".

Amendment agreed to.

Deputy Stephen Donnelly: I move amendment No. 60:

In page 90, line 8, after "any" to insert "net".

Amendment agreed to.

Deputy Róisín Shortall: I move amendment No. 61:

In page 94, to delete lines 14 to 22.

Amendment, by leave, withdrawn.

Deputy Stephen Donnelly: I move amendment No. 62:

In page 94, line 24, to delete "*(8)*" and substitute "*(7)*".

Amendment agreed to.

Deputy Stephen Donnelly: I move amendment No. 63:

In page 94, line 36, after "parents" to insert "or one of them".

Amendment agreed to.

Deputy Róisín Shortall: I move amendment No. 64:

In page 96, lines 2 to 5, to delete all words from and including "child" in line 2 down to and including line 5 and substitute the following:

"international surrogacy agreement was a permitted international surrogacy agreement if it is satisfied that the best interests of the child justify such a waiver.".

Amendment put and declared lost.

An Cathaoirleach Gníomhach (Deputy Aengus Ó Snodaigh): If amendment No. 65 is agreed, amendment No. 66 cannot be moved. Amendment No. 65 was already discussed with amendment No. 45.

Deputy Stephen Donnelly: I move amendment No. 65:

In page 96, to delete lines 6 to 9 and substitute the following:

"(b) The court may waive a requirement under *subsection (1)* for consent from an intending parent, in the case of two intending parents, if he or she—

(i) is deceased,

(ii) cannot be located after reasonable efforts have been made to find him or her,

or

(iii) lacks the capacity to make a decision in that regard.

(c) The court may waive a requirement under *subsection (1)* for consent from the surrogate mother if she—

(i) is deceased,

(ii) cannot be located after reasonable efforts have been made to find her, or

(iii) lacks the capacity to make a decision in that regard.".

Amendment agreed to.

Amendment No. 66 not moved.

Deputy Stephen Donnelly: I move amendment No. 67:

In page 107, line 17, after "or" to insert "a".

Amendment agreed to.

Deputy Stephen Donnelly: I move amendment No. 68:

In page 107, line 27, after "or" to insert "a".

Amendment agreed to.

Deputy Stephen Donnelly: I move amendment No. 69:

In page 107, lines 34 and 35, to delete "subject to the provisions of the Assisted Decision-Making (Capacity) Act 2015,".

Amendment agreed to.

Deputy Stephen Donnelly: I move amendment No. 70:

In page 120, line 2, to delete "of" and substitute "for".

Amendment agreed to.

Deputy Stephen Donnelly: I move amendment No. 71:

In page 123, lines 10 and 11, to delete "the generality of the Assisted Decision-Making (Capacity) Act 2015 or".

Amendment agreed to.

An Cathaoirleach Gníomhach (Deputy Aengus Ó Snodaigh): Amendments Nos. 72 and 77 are related and may be discussed together.

Deputy Róisín Shortall: I move amendment No. 72:

In page 156, to delete line 19.

I have had contact from a couple of different groups including the LGBT+ Parenting Alliance, which has particularly drawn my attention to this. The Department has said the reason the High Court has been given jurisdiction is because it believes a transfer of motherhood can only take place there. We discussed this issue in considerable detail but it was not satisfactorily resolved. Much of the Bill is built on the premise that the Supreme Court upheld the maxim that the mother is always certain. This is something that Dr. Clare O'Connor has repeatedly and very persuasively argued is a misconception.

We are now talking about a splitting of motherhood, not the historical understanding of a birth mother who is both the gestational and genetic link to the child. It is a different situation now with the splitting of parenthood. The Supreme Court case in question revolved around the topic of birth registration. It did not deal with the parentage which is an entirely separate matter. Even though it is quoted as being relevant to the whole question of parentage, it was in fact about birth registration. Furthermore, both birth registration and parentage in the context of surrogacy should have been ironed out by the Legislature. It is not for a court to offer a prescriptive framework which takes into account all of the relevant factors in assisted human reproduction. Despite raising this issue on Committee Stage and providing the Minister with legal advice, I have not received a satisfactory response.

Returning to the question of court jurisdiction, I believe the specific reference to the High Court should be removed to allow for the Circuit Court to hear parental order applications. The High Court is based in Dublin and its fees are much higher than those in the Circuit Court. The Circuit Court would be more accessible and appropriate in the majority of cases. We discussed this issue at the briefing and on Committee Stage and I do not think anybody was in a position to

tell us about the likely delay in getting into the High Court. Taking a case to the High Court is a huge undertaking, as is meeting the fees involved. For that reason, and because of the question marks about the maxim, it would seem to make sense if most of these parental order applications could be heard in the Circuit Court. There is access to the Circuit Court right around the country. It is much cheaper for people and can be accessed more speedily. For that reason I do not believe that in the vast majority of cases there is any need for the applications to go to the High Court. Will consideration be given to hearing most of the cases in the Circuit Court?

Deputy Stephen Donnelly: I thank Deputy Shortall for the proposed amendment. I do not have a policy view on this at all. We want to do what is legally robust. We want to be cognisant that these proceedings can come at great expense to parents and at great inconvenience to parents who have already been through so much to have a surrogacy in the first place. We have looked at this up and down. We have gone back to the Attorney General. We have asked and probed. The very clear and consistent advice we have received from the Office of the Attorney General is that because the constitutional right is with the birth mother and we are severing that constitutional link, those who want to do this will have to go to the High Court. That is it. That is the only reason we are doing it like this. It has become established practice in other cases. For example, when a biological father is seeking parental recognition, he goes to the High Court. There would be a question under donor-assisted human reproduction whether they could even go to the District Court and they are using the High Court as well. The reason here is based purely on legal advice from the Attorney General.

7 o'clock

I am conscious that going to the High Court is a very expensive thing for parents, or for anybody, to do. We will not have a situation where any parent, parents or children cannot go to the High Court for financial reasons. I want to make that very clear. We have not worked out a scheme but we will work out a scheme. It will involve a very modest amount of money in the grand scheme of things. No child or parent will be left in a situation where they cannot, as soon as the courts can facilitate it, access those courts with whatever legal advice or representation they need. Whether that is the State paying in situations where parents cannot afford it or through some subsidy, we will work that through. No child or parent will be left outside on a cost basis of going to the courts.

Deputy Róisín Shortall: Does the Minister not accept the point I have made that there is now a splitting of motherhood or the concept of motherhood? For other purposes, it was assumed that the birth mother was the genetic and gestational mother. That is no longer the case in a situation of surrogacy. There is a distinction between the genetic mother and the gestational mother. The constitutional provision to which the Minister referred no longer applies and it is no longer necessary for such cases to be taken to the High Court. They can be dealt with perfectly adequately in the Circuit Court.

The Minister said today for the first time that cost will not be an issue. In that respect, that is a welcome announcement. However, there are other concerns. There is the whole question of access. For anybody who lives outside of Dublin, it is a considerable inconvenience and expense to get into the High Court. That is unnecessary. There is the question of access for individuals going to the High Court, or who have been forced to go to the High Court, as well as the other issue of there being a long waiting list to get into the High Court.

It seems like an unnecessary complexity is being added to this issue. For that reason, it

would seem to make practical and all kinds of common sense to hear many of those cases in the Circuit Court. I do not understand why that is not happening. The only explanation seems to be the misconception about the constitutional provision that a gestational mother is assumed to be the genetic mother, which is not the case in relation to surrogacy.

Deputy Emer Higgins: It would make logistical sense if this could be dealt with in the District Court. This was something we discussed at length in the committee, and it came up again and again from an access and accessibility perspective. I welcome what the Deputy said about cost because while my preference is that this be heard in the District Court, my higher and ultimate preference is that this is done in a legally robust way that does not allow for challenges or getting into legal quagmires and is clear-cut. If we have to hear such cases in the High Court for that reason, then I accept that.

Cost is the prohibitive element for families. I welcome what the Minister has said. I believe he said that we will not have a situation where people will be held back from going to the High Court for financial reasons. I hugely welcome that because it is an important signal to families here today. In general, what we have seen today are important signals that show that Ireland is a progressive and inclusive country and the Government is a compassionate guarantor of familial rights. It shows parents and children in the Gallery and at home that they are equal and get due recognition. I thank the Minister and I appreciate where the Deputy is coming from in this amendment.

Deputy Stephen Donnelly: I have dealt with the issue of cost several times. That has been my position for quite some time. I am not a constitutional lawyer, and nor is Deputy Shortall. We are both getting legal advice from lawyers. I take my advice from the Attorney General, and I must do that. I fully respect Deputy Shortall's position and no doubt she is getting expert legal advice on this. I have to take my advice from the Attorney General.

The Office of the Attorney General has been unambiguously clear about this. We can have no risk or challenge. Imagine we went with this amendment and the Attorney General was right. Some disaffected surrogate or partner could challenge the law and win. Where would we be? If that happened, it would put at risk every parental order that has been granted by the District Court. That is ultimately where we are at.

I would much prefer if the Attorney General said these cases could be dealt with in the Circuit Court, but the office has not said that. It has said we are severing a constitutional link, notwithstanding the points made by Deputy Shortall with which the Attorney General does not agree. We cannot have a situation whereby we go to the District Court and there is a successful challenge to the High Court and all of the parental orders fall. We have to go to the High Court. That is the advice from the Attorney General and that is what we are going to do. I and this Government will make sure that there is no question of any child or parent not being able to access the High Court on financial grounds.

Deputy Róisín Shortall: I am withdrawing the amendment. This is another gun to the head situation, it seems.

Amendment, by leave, withdrawn.

Deputy Stephen Donnelly: I move amendment No. 73:

In page 158, line 21, after "parents" to insert "or one of them".

Amendment agreed to.

Deputy Stephen Donnelly: I move amendment No. 74:

In page 160, lines 9 and 10, to delete "subject to the provisions of the Assisted Decision-Making (Capacity) Act 2015, ".

Amendment agreed to.

Deputy Stephen Donnelly: I move amendment No. 75:

In page 160, to delete lines 13 to 21 and substitute the following:

"(2) (a) The Court may waive a requirement under *subsection (1)* for consent from an intending parent, in the case of two intending parents, if he or she—

(i) is deceased,

(ii) cannot be located after reasonable efforts have been made to find him or her,

or

(iii) lacks the capacity to make a decision in that regard.

(b) The Court may waive a requirement under *subsection (1)* for consent from the surrogate mother if she—

(i) is deceased,

(ii) cannot be located after reasonable efforts have been made to find her, or

(iii) lacks the capacity to make a decision in that regard.

(c) The Court may waive a requirement under *subsection (1)* for consent from the relevant child if he or she—

(i) is deceased,

(ii) cannot be located after reasonable efforts have been made to find him or her, or

(iii) lacks the capacity to make a decision in that regard.".

Amendment agreed to.

Amendment No. 76 not moved.

Deputy Róisín Shortall: I move amendment No. 77:

In page 164, to delete line 17.

Amendment, by leave, withdrawn.

Deputy Stephen Donnelly: I move amendment No. 78:

In page 166, line 22, after "parents" to insert "or one of them".

Amendment agreed to.

Deputy Stephen Donnelly: I move amendment No. 79:

In page 168, lines 9 and 10, to delete "subject to the provisions of the Assisted Decision-Making (Capacity) Act 2015, ".

Amendment agreed to.

Deputy Róisín Shortall: I move amendment No. 80:

In page 168, lines 13 to 16, to delete all words from and including "that" in line 13 down to and including "waiver" in line 16 and substitute "if it is satisfied that the best interests of the child justify such a waiver".

Amendment put and declared lost.

Deputy Stephen Donnelly: I move amendment No. 81:

In page 168, to delete lines 17 to 25 and substitute the following:

"(b) The Court may waive a requirement under *subsection (1)* for consent from an intending parent, in the case of two intending parents, if he or she—

(i) is deceased,

(ii) cannot be located after reasonable efforts have been made to find him or her, or

(iii) lacks the capacity to make a decision in that regard.

(c) The Court may waive a requirement under *subsection (1)* for consent from the surrogate mother if she—

(i) is deceased,

(ii) cannot be located after reasonable efforts have been made to find her, or

(iii) lacks the capacity to make a decision in that regard.

(d) The Court may waive a requirement under *subsection (1)* for consent from the relevant child if he or she—

(i) is deceased,

(ii) cannot be located after reasonable efforts have been made to find him or her, or

(iii) lacks the capacity to make a decision in that regard.".

Amendment No. 82 not moved.

Deputy Stephen Donnelly: I move amendment No. 83:

In page 177, line 27, to delete the semicolon after "(eeeeee)" and substitute a colon.

Amendment agreed to.

Deputy Róisín Shortall: I move amendment No. 84:

In page 181, between lines 5 and 6, to insert the following:

"Insertion of section 4A into Act of 2015

232. The Act of 2015 is amended by the insertion of the following section after section 4:

"Best interests of the child

4A. Where, in any proceedings before any court under this Part, the court, in determining whether to make an order, shall regard the best interests of the child as the paramount consideration.".".

Amendment put and declared lost.

Deputy Stephen Donnelly: I move amendment No. 85:

In page 181, between lines 7 and 8, to insert the following:

"(a) in section 19(3), by the deletion of paragraphs (b) and (c) and the substitution of the following:

"(b) medical expenses,

(c) any legal or counselling costs, and

(d) any net loss of income,",".

Amendment agreed to.

Deputy Róisín Shortall: I move amendment No. 86:

In page 181, line 12, to delete "section" and substitute "paragraph".

This amendment would ensure that all non-clinical conceptions up to this paragraph coming into operation would be covered by the legislation, as opposed to just those up to 4 May 2020, the date on which the section of the Child and Family Relationships Act was commenced. We discussed this on Committee Stage and the Minister said that a very clear framework was put in place since May 2020 and that people must comply with it. I find this explanation very difficult to square with what the Minister said was his initial view, which was that non-clinical conceptions should have been provided for in this legislation. I accept the explanation given on Committee Stage as to why that could not be provided for but I still cannot understand why, at the very least, retrospective recognition cannot be extended up to the point at which this paragraph comes into operation. It seems very harsh, especially given that we are to believe that the Minister was originally in favour of providing for all non-clinical conceptions. That is why I would still argue that at the very least, a further amnesty should be applied via this retrospective amendment.

Deputy Stephen Donnelly: I thank Deputy Shortall for the proposed amendment, which is the same as one she tabled on Committee Stage. We have had a good debate on this. The pur-

pose of the amendment, as I understand it, is to switch the cut-off point before which less onerous retrospective provisions apply to certain donor-assisted human reproduction procedures from May 2020 to a later date into the future. In doing so, the amendment would allow for a declaration of parentage arising from donor-assisted human reproduction procedures which took place after commencement of the 2015 Act but did not meet the requirements set out in that Act. In addition to procedures which took place in a non-clinical setting and in clinics outside Ireland, this would include procedures where the identity rights of donor-conceived children are not protected. This would be up to the point that the intended new provisions of the 2015 Act are commenced. Currently, these provisions only apply to the date of commencement of the 2015 Act which was 4 May 2020, after which there was a clear regulatory framework in place for assigning parentage arising from donor-assisted human reproduction. Therefore, I do not believe this amendment should be incorporated into the Bill. It would undermine the provisions in the 2015 Act which were put in place primarily to protect the identity rights of donor-conceived children, whilst also ensuring certainty as regards parentage from the point of a donor-assisted human reproduction procedures, as well as the clinical safety of such procedures.

At the same time, it should be noted that while the Children and Family Relationships Act was enacted in 2015, the provisions regarding retrospective declarations of parentage were not commenced until May 2020. Amendments which were agreed on Committee Stage of this Bill will extend the circumstances under which a retrospective declaration of parentage can be granted for the time up until the date of commencement of the Bill. On Committee Stage, we already created a very significant and important time where parentage can and should be recognised. It is only for that period after the commencement of those provisions. We made important progress on Committee Stage in going back to 2015 and we have the balance right now, post-Committee Stage.

Deputy Róisín Shortall: I accept what the Minister is saying and will withdraw my amendment.

Amendment, by leave withdrawn.

Deputy Stephen Donnelly: I move amendment No. 87:

In page 182, to delete line 33.

Amendment agreed to.

Deputy Stephen Donnelly: I move amendment No. 88:

In page 187, to delete lines 20 and 21.

Amendment agreed to.

Bill, as amended, received for final consideration.

Question proposed: "That the Bill do now pass."

Deputy David Cullinane: I just want to make a number of remarks because this is a groundbreaking Bill. We have been through a very lengthy process and I genuinely do not believe that this Bill has been rushed or that we have done anything in haste. We have done our job very diligently. There was a lot of pre-legislative scrutiny. In fact, there was an Oireachtas committee that did a huge amount of work on this and I want to commend those involved, including

my own colleague, Deputy Funchion, and the many others across all of the political parties and groupings who played their part in that work.

A lot of people are waiting for this Bill to pass because retrospective parental recognition is so important to them and they want to have that for their beautiful children, some of whom are in the Gallery this evening. I am sure others are watching online. Hopefully we can get this Bill passed and enacted as quickly as possible, while still doing our job, which is what people want us to do.

The Bill does an awful lot. It is a very lengthy Bill which deals with a lot of issues apart from some of those we discussed today. Those other important issues with which the Bill deals should not be forgotten. Obviously, one of the most important parts of the Bill is retrospective recognition but equally important is the putting in place of a new process for international surrogacy. That was not an easy undertaking. We are talking about something does not exist anywhere else in the world and we had to start from scratch. I do not envy the people who were involved. As I said earlier, on a number of occasions I have commended the Minister's officials and I want to do so again. It was a really powerful piece of work by everybody involved. I acknowledge the officials who are here today who did a huge amount of work on this. It is a phenomenal piece of legislation. The officials engaged very constructively with the Oireachtas health committee. They made themselves available to answer questions and address any concerns that we had. They went above and beyond the call of duty and I really thank them for that.

Even though there is an election coming up, I will also thank the Minister for his work and for bringing forward this legislation. Genuinely, it is a groundbreaking piece of legislation and is a credit to everyone who was involved in the process. We can all be immensely proud of what we have achieved. I really hope that this Bill is enacted as quickly as possible and that the parallel Bill to which the Minister referred will then come. I genuinely believe that was the best approach and I commend the Minister on taking it. Obviously, I look forward to that Bill being enacted at some point as well. This is a really big day for those who are waiting for this Bill to pass and again, I commend all of those involved.

Deputy Róisín Shortall: The passage of this Bill through the Dáil today is a really important landmark. It is undoubtedly very warmly welcomed by many of the campaigners seeking recognition of their parent-child relationships. Huge credit goes to those campaigners for their tireless and compelling work making the case so strongly to legislators that this issue should not slide down or off the political agenda. It is also important to acknowledge the work done by the Minister and his officials, particularly between Second and Committee Stages but also between Committee and Report Stages. It was slow going at times. It was quite complex and turgid at times but everybody stuck with it and the Bill is much better for that. Most of the aspects were fully teased out and in many respects the Bill was greatly strengthened because of that whole process.

Trying to legislate in this area has certainly raised some difficult legal and ethical issues and I want to thank the Minister and his officials for their willingness to engage on these thorny issues throughout the legislative process. Our objective was a shared one, which was to provide legal certainty for those many families, parents and children, who have been living through a very difficult period when there was such uncertainty surrounding their key relationships. Today is a very positive day in that regard.

This issue has been around for a long time. It is 24 years since the Commission on Assisted

Human Reproduction was established and 19 years since its report was published. My preference would have been for us to deal with all the issues in this legislation. That turned out not to be possible. I accept the pressures with regard to other legislation which was also important and took up time.

I say a sincere thank you to the Minister and his officials for all the work involved in this. There are a great many families who today will be very much rejoicing at us getting to this point today. There is another bit to go but I hope it will be dealt with with speed. I thank all the campaigners who have done so much to get us to this point today and I hope we will get to the final hurdle before too long.

Minister of State at the Department of Enterprise, Trade and Employment (Deputy Emer Higgins): I thank the Minister for Health, the Minister. Deputy McEntee, and the officials in both their Departments who worked on this, the Office of the Attorney General, the Oireachtas health committee, my fellow members of the Joint Committee on International Surrogacy, which was a special committee put in place to look at this, especially its Chair, Deputy Whitmore, and my colleague, Senator Mary Seery Kearney. Most important, I thank the families, campaigners and groups who kept this on the news agenda, the political agenda and the legislative agenda. To do so they had to share really personal stories, personal parts of their lives, and their lived experience, and they should not have had to do that. However, because they did, after the passage of this Bill, Ireland will be a better and more inclusive place. This Bill is a recognition not only of their familial rights, but of all their hard work and dedication to this cause. I thank them for that.

Minister for Health (Deputy Stephen Donnelly): First, I welcome our guests to the Gallery. Hello again.

Today is a good day for healthcare and people in Ireland. I came at speed to the Chamber from a launch of the new beds plan. We all agree it has been needed. Today we launched a plan for an additional 3,500 hospital beds. Everyone will welcome that over the next seven years. We have 1,200 beds open, another 440 under construction and we now have thousands more coming next year and the following years. It will make a big difference and it will be on a balanced regional basis. I am delighted to have come from that into the Chamber today to work with colleagues to get the assisted human reproduction Bill through Report and Final Stages in the Dáil.

I will thank and acknowledge a few people. First, are my Oireachtas colleagues. In the committee we spent a long time on this. As was mentioned, there was also a Joint Committee on International Surrogacy which produced a thoughtful and balanced report. I acknowledge the work across both Houses of the Oireachtas in supporting this Bill. I hope, and I think it has been acknowledged already, that I have taken as collaborative an approach as I can. Certainly, I know from when I was trying to get amendments to legislation, there is a lot more in this Bill than I managed to get across the line in many years previously. I am really trying to take a very open and collaborative approach to this, which is why so many of the amendments recognised Opposition amendments from Committee Stage.

I thank the advocacy groups for everything they have done and everything they continue to do. They have been central to this. Essentially, everything we are doing is in collaboration and discussion with them. We had many rounds of discussions while the Bill was being drafted and while we were putting the Committee and Report Stage amendments together. It has been a

collaborative process. Not all the different advocacy groups or individuals in those groups will be happy with everything in the Bill. I acknowledge that. It has not been possible to do everything that everyone wanted. All the requests have come from one place, which is a desire for retrospective parentage, that is parentage for children people already have, or a desire to ensure people have the best possible chance of becoming a parent in the future. We have significantly amended and changed the Bill and included requests that came from civil society and different groups. As has been said, the Bill and the law will be stronger, more compassionate and more inclusive for that. I thank the advocacy groups for all their time.

I have to thank my officials. They really have put in a lot of work. I have put them under a lot of pressure. There are Bills that are a lot less complex than this one that are about halfway through drafting. We have gone from a standing start on international surrogacy to having almost a final Bill, the first of its kind anywhere in the world, in a short period. I have applied a lot of pressure, but the officials in the Department, the Office of the Attorney General and the other Departments have really worked very hard. My officials who are here with me today have put a huge amount of work into it. They are hugely invested in it. They have been engaging directly with colleagues here and with the advocacy groups and they are committed to making this happen. I thank them for that. They will be absolutely scarlet with that kind of focus.

I will lay out the process from here so that colleagues and intending parents will be aware of it. A few weeks ago, I was sitting with my officials, going through all the outstanding amendments we wanted to make. They were mainly in response to what advocacy groups and the Oireachtas were looking to do. I was concerned that, given the time required to go through all Stages in the House, if we were to wait for all the amendments, which needed to be in today, we would be at serious risk of the Bill not passing before the Dáil rises. As I said earlier, there is no way I could stand over that. Therefore, I spoke to the Ministers, Deputies McEntee and O'Gorman, and the Attorney General. We met and went through all the outstanding issues and we essentially had two options. Ultimately, they all agreed that we would not be ready given the complexity of some of the amendments and some of the requests we were trying to facilitate. We had a choice. We could have brought it in this Bill but we would have had to wait until September or October, probably even to get to today and certainly to the Seanad stage, which I did not want to do. Therefore, we have proceeded and we have taken a relatively small number of complex amendments, some of which were discussed today and some that were not, around expanding citizenship and parentage for situations where the parents are abroad. It is about expanding and making it more inclusive. We are proceeding with this and I am told we will have amending legislation ready to go as soon as the Dáil comes back into session. I hope it will go through Second and all the Stages quickly. We have discussed all the issues. That is how we have decided to do it.

The process, now that the Bill has been passed by the Dáil, is that I hope it will be in the Seanad on 10 June. We have to go through all Stages in the Seanad but we hope to do so quickly. My hope is that we do not need to amend the Bill in the Seanad, because if we do, we have to come back to the Dáil and that risks it not getting through before the Dáil rises. Therefore, my hope is that we will not be amending the Bill in the Seanad, partly for that reason but also partly because we have engaged closely with the Senators who are invested in this and I believe their various concerns and ideas have already been incorporated. I hope on 10 June we will get into the Seanad and I hope in one, two or three weeks we will get back for Committee and Report Stage, or as quickly as possible. There are hundreds, and some who are involved tell me thousands, of families in Ireland today where the mums and dads of children do not have recognition

as parents. This is the first group of people who we must do right by through this legislation. Yes, we are putting in place future international surrogacy and expansion of donor-assisted human reproduction. For example, because of this Bill, we will be able to expand donor-assisted IVF to same-sex couples which was not possible before. We are investing a lot of our time in the surrogacy parts of this but the donor-assisted human reproduction, which was the original Bill, means that really important benefits will accrue to individuals and couples desperate to have a child and it fits in very well with the publicly-funded IVF. The intention is that we will get this through All Stages in Seanad and get it straight up to the President. Hopefully, he will sign it. I will then very quickly commence the sections for the retrospective element. My officials and the Department of Justice officials have been engaged with the Courts Service now for some time. Ultimately the Courts Service will determine when the parents go into court. There are various things that they need to put in place but we are having the conversation with them now. We have been having it for some time. What we are saying is that from the Government's and my perspective - in fact, I think that of all of us - parents can walk into that court for that important day for them as quickly as possible, and I am hoping that it is this summer. If I commence these sections at the end of June or the start of July, depending on when the President signs it, the hope would be that the Courts Service would be able to facilitate this quickly. We are working with it to see what can be done. We are, to some extent, as with any legislation that is commenced, reliant on the Court Services but our intention is that as soon as possible after commencement these mums, dads, boys, girls, older children and, in some cases, adult children can go into the High Court and get what is rightfully theirs which is full parental recognition. That is where it stands.

I thank colleagues again and once again welcome our visitors.

Question put and agreed to.

An Cathaoirleach Gníomhach (Deputy Aengus Ó Snodaigh): Cuirfear an Bille chuig an Seanad.

Neutrality and the Triple Lock: Motion (Resumed) [Private Members]

The following motion was moved by Deputy Bríd Smith on Wednesday, 29 May 2024:

That Dáil Éireann:

notes that:

— the Tánaiste, Micheál Martin TD said in 2013 that the triple lock was at the core of our neutrality and described the attempt to undermine it as "an out-of-touch ideological obsession on the part of Fine Gael";

— Fianna Fáil's 2020 general election manifesto states that Ireland will "Fully maintain neutrality and the Triple Lock ... Fianna Fáil reaffirms its commitment to the retention of the triple lock of UN mandate or authorisation, Government and Dáil approval, prior to committing Defence Forces personnel on overseas service", and it concludes "We will fully maintain neutrality and the triple lock mechanism";

— the Programme for Government: Our Shared Future states the Government will "ensure that all overseas operations will be conducted in line with our position of military neutrality and will be subject to a triple lock of UN, Government and Dáil Éireann approval";

— in April 2022, the then Minister for Foreign Affairs and Defence, Simon Coveney TD, said about a possible change to the triple lock "I have yet to see an example of where Ireland has been prevented from sending troops to a part of the world where it wants to make a peace-keeping intervention in the Mediterranean, Mali or elsewhere";

— in November 2022, Minister Eamon Ryan said "I think the current system supports our country well. I think our position as a neutral country in the world actually gives us greater strength. I think the triple lock doesn't stop us engaging where we do have to engage";

— none of the Government parties, Fianna Fáil, Fine Gael or the Green Party, campaigned at the last General Election to end neutrality or the triple lock, and therefore they have no mandate for any such policies;

— the Government continues to edge us closer to a military alliance and European Union (EU) militarisation project that includes NATO, the United States (US), Germany and Britain, the countries that are arming a genocide in Gaza and which continue to sustain Israel's ability to commit the most horrific crimes;

— the National Consultative Forum on International Security Policy was designed to manipulate public opinion towards further undermining Irish neutrality by moving us closer to NATO;

— a large majority of the public continues to support neutrality despite intense pressure from establishment politicians to support militarisation;

— some Western political leaders are promoting militarisation and preparations for war, with the Polish Prime Minister, Donald Tusk, having claimed that we are in a pre-war era, Admiral Rob Bauer, Chair of the NATO Military Committee, said "We are preparing for war with Russia" and the French President, Emmanuel Macron believes that NATO should be sending troops into Ukraine;

— global military spending is increasing rapidly, and according to NATO its members increased military spending sharply in 2023 to $1.34 trillion and 11 NATO members now spend 2 per cent or more of their GDP on their military, also, according to the Stockholm International Peace Research Institute (SIPRI), Europe increased military spending by 16 per cent in 2023 to €552 billion and NATO countries accounted for 55 per cent of global military spending in 2023, far out-spending any other nation or bloc in the world; and

— this military spending means vast numbers of badly needed homes, schools and hospitals are foregone to fund warfare;

further notes that:

— Ireland's declaration to the Treaty of Nice, submitted as part of ratifying it,

states that "the participation of contingents of the Irish Defence Forces in overseas operations, including those carried out under the European security and defence policy, requires (a) the authorisation of the operation by the Security Council or the General Assembly of the United Nations, (b) the agreement of the Irish Government and (c) the approval of Dáil Éireann, in accordance with Irish law";

— the triple lock is the only legal provision that meant that a government that effectively supported the US in its invasion of Iraq, by facilitating the invasion of Iraq through its use of Shannon Airport, could not legally send ordinary Irish soldiers to go, fight and die in a war for oil and profit in the Middle East on behalf of the US;

— prevented by the triple lock from participating in the wars in Iraq and Afghanistan, Fianna Fáil instead allowed US warplanes to refuel at Shannon and started a process whereby Shannon became a de facto forward operating base for the US military, so that more than 3 million troops have passed through Shannon over the past 21 years;

— under the United Nations (UN) Charter, there are two legal ways the Government can send troops abroad;

— self-defence, which is provided for under Bunreacht na hÉireann and in which situation there is no need for the triple lock to be activated; and

— peacekeeping authorised by the UN Security Council, therefore anything within the UN Charter comes within the triple lock; and

— if the triple lock is removed, it will be EU-led missions without UN approval, that is, outside of international law, and US or NATO-led missions, opening the prospects of Ireland's participation in such disastrous wars as those in Iraq and Afghanistan; and

calls on the Government to:

— withdraw plans for legislation to end the triple lock;

— commit to a referendum on enshrining neutrality in the Constitution; and

— end the use of Shannon Airport by the US military.

Debate resumed on amendment No. 1:

To delete all words after "Dáil Éireann" and substitute the following:

"notes that:

— Ireland's policy of military neutrality is characterised by non-membership of military alliances, or common or mutual defence arrangements, and this policy choice has been practised by successive Governments since the Second World War;

— the Government reaffirms its commitment to this policy and reiterates that it has no plans to either join a military alliance or enter into a mutual defence arrangement; and

— the Government does not believe a referendum enshrining neutrality in the Con-

stitution of Ireland is either necessary or appropriate;

recognises that:

— Russia's brutal and illegal invasion of Ukraine, blatantly violating the United Nations (UN) Charter and international law, has fundamentally changed the geopolitical and security landscape in Europe;

— in its wake, countries all over Europe have examined their foreign, security and defence policies;

— in common with other partners in Europe, Ireland therefore finds itself in an increasingly contested, dynamic and volatile international security environment, marked by violence and conflict in our immediate neighbourhood, including in the Middle East and Africa; and

— as a highly globalised country, Ireland cannot rely on our geographic isolation for our security, nor isolate ourselves from world events;

acknowledges that:

— the Government convened a Consultative Forum on International Security Policy from 22nd – 26th June, 2023, with a view to building public understanding and generating discussions on Ireland's foreign, security and defence policies;

— the Government remains committed to taking forward a number of actions in follow up to last year's Consultative Forum on International Security Policy, focusing in particular on opportunities for multilateral and international engagement and steps to tackle new and emerging threats, including through engagement at the UN, European Union (EU), and the NATO Partnership for Peace programme;

— Ireland has a long tradition of international engagement, including through participation in UN and UN-mandated, EU-led, and NATO-led peacekeeping missions and, in this context, the Government has approved the drafting of legislation which will govern the future deployment of the Irish Defence Forces as part of an international peacekeeping or crisis management operation;

— this legislation will reinforce our ability to pursue an independent foreign policy by removing the power of UN Security Council permanent members to veto our national sovereign decisions regarding our participation in peacekeeping missions, and will also allow for the deployment of Defence Forces personnel overseas in roles such as the crisis management evacuation of Irish citizens; and

— Ireland will also continue to support a strong EU role in the maintenance of international peace and security and will engage actively in the EU's Common Security and Defence Policy, including through the EU's Permanent Structured Cooperation (PESCO); and

further notes that:

— under the Air Navigation (Carriage of Munitions of War, Weapons and Dangerous Goods) Orders 1973 and 1989, it is expressly prohibited for civil aircraft to carry muni-

tions of war in Ireland without an exemption to do so by the Minister for Transport, and the process for the granting of such exemptions is robust and includes advice from the Department of Foreign Affairs in respect of international humanitarian law and Ireland's international obligations; and

— under the terms of the Air Navigation (Foreign Military Aircraft) Order, 1952, all foreign military aircraft wishing to overfly, or land in, the State require diplomatic clearance from the Minister for Foreign Affairs, and this is subject to strict conditions, including that the aircraft is unarmed, carries no arms, ammunition or explosives, does not engage in intelligence gathering, and that it does not form part of a military exercise or operation.".

-(Minister of State at the Department of Foreign Affairs, Deputy Sean Fleming)

An Leas-Cheann Comhairle: I must now deal with a postponed division relating to the motion on neutrality and the triple lock, which took place on Wednesday, 29 May 2024. On the question, "That the amendment be made", a division was claimed, and in accordance with Standing Order 80(2), that division must be taken now.

Amendment put:

The Dáil divided: Tá, 68; Níl, 45; Staon, 3.		
Tá	***Níl***	***Staon***
Brophy, Colm.	***Boyd Barrett, Richard.***	***Berry, Cathal.***
Browne, James.	***Brady, John.***	***Naughten, Denis.***
Bruton, Richard.	***Browne, Martin.***	***Shanahan, Matt.***
Butler, Mary.	***Buckley, Pat.***	
Byrne, Thomas.	***Cairns, Holly.***	
Cahill, Jackie.	***Canney, Seán.***	
Calleary, Dara.	***Clarke, Sorca.***	
Carroll MacNeill, Jennifer.	***Conway-Walsh, Rose.***	
Chambers, Jack.	***Cronin, Réada.***	
Collins, Niall.	***Crowe, Seán.***	
Costello, Patrick.	***Cullinane, David.***	
Creed, Michael.	***Ellis, Dessie.***	
Devlin, Cormac.	***Farrell, Mairéad.***	
Dillon, Alan.	***Gannon, Gary.***	
Donnelly, Stephen.	***Gould, Thomas.***	
Donohoe, Paschal.	***Guirke, Johnny.***	
Duffy, Francis Noel.	***Howlin, Brendan.***	
Durkan, Bernard J.	***Kelly, Alan.***	
English, Damien.	***Kenny, Gino.***	
Farrell, Alan.	***Kenny, Martin.***	
Feighan, Frankie.	***Kerrane, Claire.***	
Flaherty, Joe.	***Mac Lochlainn, Pádraig.***	
Flanagan, Charles.	***Mitchell, Denise.***	

Fleming, Sean.	***Munster, Imelda.***	
Foley, Norma.	***Murphy, Catherine.***	
Griffin, Brendan.	***Murphy, Paul.***	
Harris, Simon.	***Mythen, Johnny.***	
Haughey, Seán.	***Nash, Ged.***	
Heydon, Martin.	***Nolan, Carol.***	
Higgins, Emer.	***O'Callaghan, Cian.***	
Kehoe, Paul.	***O'Donoghue, Richard.***	
Lahart, John.	***O'Reilly, Louise.***	
Lawless, James.	***O'Rourke, Darren.***	
Leddin, Brian.	***Ó Laoghaire, Donnchadh.***	
Madigan, Josepha.	***Ó Murchú, Ruairí.***	
Martin, Catherine.	***Ó Snodaigh, Aengus.***	
Matthews, Steven.	***Pringle, Thomas.***	
McAuliffe, Paul.	***Ryan, Patricia.***	
McConalogue, Charlie.	***Shortall, Róisín.***	
McEntee, Helen.	***Smith, Bríd.***	
McGrath, Michael.	***Smith, Duncan.***	
McHugh, Joe.	***Stanley, Brian.***	
Moynihan, Aindrias.	***Tully, Pauline.***	
Moynihan, Michael.	***Ward, Mark.***	
Murnane O'Connor, Jennifer.	***Whitmore, Jennifer.***	
Naughton, Hildegarde.		
Noonan, Malcolm.		
O'Brien, Darragh.		
O'Brien, Joe.		
O'Callaghan, Jim.		
O'Connor, James.		
O'Dea, Willie.		
O'Donovan, Patrick.		
O'Dowd, Fergus.		
O'Gorman, Roderic.		
O'Sullivan, Christopher.		
O'Sullivan, Pádraig.		
Ó Cathasaigh, Marc.		
Ó Cuív, Éamon.		
Phelan, John Paul.		
Rabbitte, Anne.		
Richmond, Neale.		
Ring, Michael.		
Ryan, Eamon.		
Smith, Brendan.		

Smyth, Niamh.		
Stanton, David.		
Troy, Robert.		

Tellers: Tá, Deputies Hildegarde Naughton and Cormac Devlin; Níl, Deputies Bríd Smith and Paul Murphy.

Amendment declared carried.

Question put: "That the motion, as amended, be agreed to."

The Dáil divided: Tá, 68; Níl, 44; Staon, 3.		
Tá	***Níl***	***Staon***
Brophy, Colm.	***Boyd Barrett, Richard.***	***Berry, Cathal.***
Browne, James.	***Brady, John.***	***Naughten, Denis.***
Bruton, Richard.	***Browne, Martin.***	***Shanahan, Matt.***
Butler, Mary.	***Buckley, Pat.***	
Byrne, Thomas.	***Cairns, Holly.***	
Cahill, Jackie.	***Canney, Seán.***	
Calleary, Dara.	***Clarke, Sorca.***	
Carroll MacNeill, Jennifer.	***Conway-Walsh, Rose.***	
Chambers, Jack.	***Cronin, Réada.***	
Collins, Niall.	***Crowe, Seán.***	
Costello, Patrick.	***Cullinane, David.***	
Creed, Michael.	***Ellis, Dessie.***	
Devlin, Cormac.	***Farrell, Mairéad.***	
Dillon, Alan.	***Gannon, Gary.***	
Donnelly, Stephen.	***Guirke, Johnny.***	
Donohoe, Paschal.	***Howlin, Brendan.***	
Duffy, Francis Noel.	***Kelly, Alan.***	
Durkan, Bernard J.	***Kenny, Gino.***	
English, Damien.	***Kenny, Martin.***	
Farrell, Alan.	***Kerrane, Claire.***	
Feighan, Frankie.	***Mac Lochlainn, Pádraig.***	
Flaherty, Joe.	***Mitchell, Denise.***	
Flanagan, Charles.	***Munster, Imelda.***	
Fleming, Sean.	***Murphy, Catherine.***	
Foley, Norma.	***Murphy, Paul.***	
Griffin, Brendan.	***Mythen, Johnny.***	
Harris, Simon.	***Nash, Ged.***	

Haughey, Seán.	***Nolan, Carol.***	
Heydon, Martin.	***O'Callaghan, Cian.***	
Higgins, Emer.	***O'Donoghue, Richard.***	
Kehoe, Paul.	***O'Reilly, Louise.***	
Lahart, John.	***O'Rourke, Darren.***	
Lawless, James.	***Ó Laoghaire, Donnchadh.***	
Leddin, Brian.	***Ó Murchú, Ruairí.***	
Madigan, Josepha.	***Ó Snodaigh, Aengus.***	
Martin, Catherine.	***Pringle, Thomas.***	
Matthews, Steven.	***Ryan, Patricia.***	
McAuliffe, Paul.	***Shortall, Róisín.***	
McConalogue, Charlie.	***Smith, Bríd.***	
McEntee, Helen.	***Smith, Duncan.***	
McGrath, Michael.	***Stanley, Brian.***	
McHugh, Joe.	***Tully, Pauline.***	
Moynihan, Aindrias.	***Ward, Mark.***	
Moynihan, Michael.	***Whitmore, Jennifer.***	
Murnane O'Connor, Jennifer.		
Naughton, Hildegarde.		
Noonan, Malcolm.		
O'Brien, Darragh.		
O'Brien, Joe.		
O'Callaghan, Jim.		
O'Connor, James.		
O'Dea, Willie.		
O'Donovan, Patrick.		
O'Dowd, Fergus.		
O'Gorman, Roderic.		
O'Sullivan, Christopher.		
O'Sullivan, Pádraig.		
Ó Cathasaigh, Marc.		
Ó Cuív, Éamon.		
Phelan, John Paul.		
Rabbitte, Anne.		
Richmond, Neale.		
Ring, Michael.		
Ryan, Eamon.		
Smith, Brendan.		
Smyth, Niamh.		
Stanton, David.		
Troy, Robert.		

Tellers: Tá, Deputies Hildegarde Naughton and Cormac Devlin; Níl, Deputies Richard Boyd Barrett and Bríd Smith.

Question declared carried.

Cuireadh an Dáil ar athló ar 7.55 p.m. go dtí 9 a.m., Déardaoin, an 30 Bealtaine 2024.

The Dáil adjourned at 7.55 p.m. until 9 a.m. on Thursday, 30 May 2024.